

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, NOVEMBER 26, 2014**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONER'S BOARDROOM.

Commissioner Allen Butler called the meeting to order at 9:00 AM and the Pledge of Allegiance was recited.

Roll Call was taken:

Allen Butler	Chairman	Present
Kit Shy	Vice Chair	Present
Lynn Attebery	Commissioner	Present
Kris Lang	Deputy Clerk to the Board	Present
Clint Smith	Attorney	Present

Also present was: Bob Katnig, and Jillian Ward, reporter for the Wet Mountain Tribune.

- AGENDA: Call meeting to order  
Pledge of allegiance  
Roll Call  
Amend agenda  
Audience introduction  
Approval of minutes  
Public Comment  
Commissioner Items  
Attorney Items  
Executive Session  
Old/New Business  
- Review vouchers and sign checks  
- Swearing in Ceremony for County Officials – January 13, 2015  
- Scale/Maintenance/Custodial report – D. Post  
- Transfer Funds from PILT to County General  
- Staff Meeting

**MOTION by Commissioner Shy, seconded by Commissioner Butler:**

To approve the minutes from the November 5 and November 12, 2014 BOCC meeting as presented. The motion carried unanimously.

Commissioner Butler asked if there were any public comments. Hearing none, he continued with the meeting.

County payroll and accounts payable were approved from the following funds:

County General	\$ 217,343.91
Road and Bridge	\$110,344.64
Emergency Services	\$ 18,987.92
Human Services	\$ 41,186.61
Capital Improvement	\$ 950.99
Airport Fund	\$ 761.80
Tourism Fund	\$ 575.54
Self Insured	\$ 1,375.00
TOTAL	\$391,526.41

**MOTION by Commissioner Attebery, seconded by Commissioner Shy:**

To approve the November 2014 payroll, warrants and accounts payable. The motion carried unanimously.

Commissioner Shy said that the BOCC would be attending the Colorado Counties Incorporated (CCI) Winter Conference in Colorado Springs, CO. on December 1, 2, and 3, 2014. He asked the BOCC for approval to contact Josh Marks, Attorney; Berg Hill Greenleaf & Ruscitti, LLP for a verbal update and confirmation of the legal fees being recently incurred by the county regarding Custer County District Court Case No. 12CV23. The Board agreed.

Clint Smith, Attorney said he attended the Child Care Fatality Committee Meeting on November 14, 2014. He said that he was working with the Planning and Zoning Director regarding File: 101-12-661 to determine the next step regarding the on-going zoning violations.

Kris Lang, Administrative Assistant asked the Board to revise the current January 2015 BOCC meeting dates. She said that during the determination of the 2014 BOCC meeting dates, the dates of January 6 and 7, 2015 were also appointed. Ms. Lang said that under state statute the second Tuesday of January is the date set aside for the swearing in ceremony of newly elected officials.

**MOTION by Commissioner Shy, seconded by Commissioner Attebery:**

To cancel the BOCC meeting dates of January 6 and 7 of 2015. To approve January 13, 2015 as the first meeting of the New Year. The motion carried unanimously.

The BOCC agreed that the January 13, 2014 meeting will commence at 9 AM with the current board. The official swearing in ceremony for the elected officials will be at 10 AM in the Courtroom. Following the ceremony the new BOCC will return to the boardroom and resume the meeting to determine the county holidays, the BOCC meetings for 2015 and begin the regional appointment process. A subsequent meeting will be scheduled mid-month to complete the regional appointments for 2015. The Board stated that the Treasurer will be officially sworn in on December 29, 2014 to allow the department the continuity and continuation of county treasury records.

John Piquette, Chief Financial Officer presented the BOCC with a copy of the finalized Custer County 2015 Budget that is scheduled to be adopted on December 9, 2014.

Commissioner Butler asked Clint Smith, Attorney to open the sealed bids for the 2015 county legal publications and read them into the record.

Mr. Smith said the first bid was received on November 17, 2014 from the Wet Mountain Tribune. The bid reflected the statutory legal rate of: one time publication, 12 lines at \$.44 per line; two time publication, 12 lines at \$.76 per line; three time publication, 12 lines at \$1.08 per line; four time publication, 12 lines at \$1.40 per line; five time publication, 12 lines at \$1.73 per line. The bid also reflected the non-statutory legal rate of: one time publication, 12 lines at \$1.10 per line; two time publication, 12 lines at \$1.60 per line; three time publication, 12 lines at \$2.11 per line; four time publication, 12 lines at \$2.61 per line and five time publication, 12 lines, at \$3.12 per line. (columns are 10 picas in width with 6 point type). Mr. Smith said that the additional correspondence prepared by Jay Printz, Attorney on behalf of the Wet Mountain Tribune was also received and would be included with the bid. Mr. Smith said the second bid was received on November 24, 2014 from the Sangre DeCristo Sentinel. The bid reflected a rate for statutory legal publications of: \$.16 cents per line for the first publication and subsequent publications is \$.14 per line. The bid for non-statutory publication is \$.40 per line for the first publication and subsequent publications will be pro-rated. (columns are 10 picas in width with 6 point type).

The BOCC reviewed and initialed each of the original bid correspondence. Commissioner Butler said that all the correspondence received is public record and would be made available to the public for review on request. He said that the decision on the appointment of the legal publication for 2015 will be made at the January 13, 2015 BOCC meeting.

Dave Post, Scale/Maintenance/Custodial Personnel met with the BOCC and gave a report. He asked the Board for approval to trim the cottonwood tree in the front of the courthouse. The Board agreed and encouraged Mr. Post to exercise the appropriate safety precautions and to have another person spotting him when he was on or using the ladder. Mr. Post said that he was routinely completing the fuel checks at the Silver West Airport. The Board asked him to check the airport building door lock that has been affected by the weather elements. He said that he checked on the Resource Center Annex weekly and maintained what he could but that the facility was in need of organization and a deep cleaning. The BOCC discussed the option of utilizing required community services individuals to deep clean the facility. The Board acknowledged that Care and Share was still present in the facility at this time. Commissioner Elect Katnig suggested that a handrail be installed alongside the front steps of the facility for safety reasons. The BOCC agreed that the county will need to take back the total usage of the building and determine the best county use of the facility in the future.

Commissioner Attebery said that the Community Garden Club provides many volunteer hours on the landscaping of the courthouse property. He asked the Board to consider recognizing and acknowledging the effort of these volunteers on behalf of the county. The BOCC discuss the options of specific signage placement on or near the bench in front of the courthouse in appreciation for the work completed by the Community Garden Club.

Commissioner Attebery said he met with the Human Finance/Resource Manager and the Chief Financial Officer regarding a recent request regarding the option of employees being able to withdraw from their retirement funds in the event of an emergency. He said that following a discussion the BOCC was in agreement that borrowing or withdrawing against retirement funds was not a good practice and not in the best interest of the employee in the long term.

Commissioner Attebery said that the recently scheduled Tourism Round Up Event was successful and those present worked harmoniously to develop a master 2015 calendar of events. He said that the Tourism Board was able to distribute several marketing grants to local businesses.

Commissioner Attebery gave an updated on the Department of Local Affairs (DOLA) Grant for the Wetmore Community Center and Library Project. He said that the grant application was near completion and thanked everyone who worked on it. He gave special thanks to Christe Coleman and David Hayward for their support and assistance. Commissioner Attebery said that DOLA has approximately \$35 million dollars of funding available. He said that discussions with Christe Culp of DOLA revealed that her region has received grant applications for over ten projects. Her suggestion was to delay submitting the grant application for the Wetmore Community Center and Library Project until the April 2015 grant cycle. This delay would reduce the number of projects and applications being reviewed and considered and improve Custer County's chances of receiving the full funding request for the project. The consensus of the BOCC is to wait until April 2015 and in the mean time research and secure additional funding and grants towards the project. Commissioner Attebery said that DOLA will require a correspondence from the county's legal representation that the funding requested will not affect the TABOR requirements.

Virginia Trujillo, Treasurer addressed the BOCC and requested a transfer of \$150,000.00 from the Payment in Lieu of Tax Fund to the County General Fund.

**MOTION by Commissioner Shy, seconded by Commissioner Attebery:**

To approve the transfer of \$150,000.00 from the PILT Fund to the County General Fund as requested. The motion carried unanimously.

The BOCC recessed at 10:45 AM.

The BOCC reconvened at 11:05 AM

The department heads, elected officials and staff met with the BOCC for the staff meeting. Present were: Kelley Camper, Rusty Christensen, Ron Fisher, Mike Halpin, Dawna Hobby, JD Henrich, Laura Lockhart and Commissioner Elect Katnig.

Ron Fisher expressed concern regarding the outgoing courthouse phone lines. He said that calls made from the Human Services department show up as unknown and often times without the proper identification on their phones, clients will not answer the telephone call. He said this method of phone tag creates a delay in communication time between the Human Services personnel and the client. He asked if there were any upgrades to the phone system that would identify the Custer County Courthouse as the caller. Chuck Ippolito said that a good portion of the problem is the old equipment being used and he will check with Century Link to determine if the option can be interfaced with the current phone system (Bills Telephone Service) and the Century Link Service System.

The staff present shared a concern regarding the discrepancy issued in the Custer County Extension newsletter noting that the Custer County Courthouse will be closed a half a day on Wednesday, November 26, 2014 for Thanksgiving. Several departments have been questioned by the public regarding the closure. Commissioner Shy said that the extension newsletter was prepared and published in error and that the courthouse will remain open all day on Wednesday, November 26, 2014. Confirmation with the extension office was not available as the office was closed this date.

Kelley Camper said that she was requesting clarification regarding the annual courthouse holiday party. She said it was her understanding that the courthouse will close at noon on Christmas Eve and that the original intention was to hold the holiday party in the afternoon. She expressed concern that Christmas Eve was a very busy day for employees with preparations and traveling to start the holiday. All those present agreed. She asked if the courthouse could be closed for two hours on another date as it has been in the past. The BOCC agreed.

**MOTION by Commissioner Attebery, seconded by Commissioner Shy:**

To close the courthouse on December 16, 2014 from 12:00 PM to 2:00 PM for the annual holiday party with a caveat that the appropriate public notifications will be placed on the courthouse building and the county website. The motion carried unanimously.

Rusty Christensen asked if the BOCC had made any decisions regarding changing the guidelines of the employee retirement fund to allow employees to borrow or withdraw funding in the case of an emergency. The BOCC said that they have discussed the topic and are in agreement that the current guidelines would remain in effect. Those regulations do not allow for an early withdrawal. Commissioner Butler said he felt it was not in the best interest of the county or the employee to allow the request.

Commissioner Butler asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 11:35 AM.