

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, OCTOBER 30, 2015**

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

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

Roll Call was taken:

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

Also present: Chuck Ippolito and Wayne Ewing, reporter for the Wet Mountain Tribune.

AGENDA

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Audience introduction

Public Comment

Approval of minutes

Commissioner Items

Attorney Items

Executive Session

New/Old Business

Review vouchers and sign checks

- Legal Publication Bids – BOCC
- RETAC – C. Ippolito
- Office of Emergency Management Report – C. Coleman (rescheduled)
- Rocky Mountain Behavior Health Program Representative (rescheduled)

AMEND AGENDA

None

PUBLIC COMMENT

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

APPROVAL OF MINUTES

None

COMMISSIONER ITEMS

Commissioner Kattnig commented that he attended an informative and positive meeting with the Airport Advisory Board. He said that Aviation Planner, Kaitlyn Westendorf from the Colorado Division of Aeronautics, gave a report at the meeting. Ms. Westendorf reported that equipment currently used at the Denver

International Airport (DIA) will be made available to county airports at an 80/20 share cost. The county's portion would be 20% and the only stipulation is that the equipment is used and maintained at the county airport property for two years. After the two year period has lapsed the equipment can be turned over for county ownership and usage. Commissioner Kattnig said that this would be a good opportunity for the county to acquire additional and replacement equipment at a fair and reasonable cost. Commissioner Kattnig said that a SAR member approached him and expressed concern that the BOCC did not approve the use of the 2016 Conservation Trust Funds for the repair at the SAR building. Commissioner Attebery said that a roof repair service would not fall under the guidelines or meet the requirements for distribution of the Conservation Trust Funds. He remarked that a roof repair service would be a capital improvement project. Commissioner Kattnig said that a citizen expressed a concern via e-mail regarding the need for dust abatement on CR 140. He said that he spoke with Michael Sweere regarding the concern and that Mr. Sweere understood the current limitations of the road and bridge department and that the request would be cost prohibitive at this time. Commissioner Kattnig asked the Board to complete the survey recently sent to them regarding the CSU Extension Office. He said that he was in receipt of the CSU Extension Year End BOCC and Advisory Report recently submitted by Robin Young, CSU Extension Agent and commented that it did not meet the requirements as a completed annual report with over two months still remaining in 2016.

Commissioner Attebery said that he made copies of the Department of Local Affairs (DOLA) grant contract packets and the Colorado Judicial Department Underfunded grant application for the Board, the Attorney and the Administrative Assistant for their review and records. He said that he would provide an update on the topics later in the meeting..

Commissioner Shy remarked that the new cell tower built outside town was not an AT&T tower but rather T-Mobile and should become operational in approximately forty-five days. He said that he participated in a walk-thru and inspection of the electrical devices at the fairground. He reported that the electrical services required could be separated into capital improvement phases for 2015 and 2016. Commissioner Kattnig commented that the current situation presented safety concerns and said that the issues should be resolved as quickly as possible. He proposed that a member of the Fair Board be included in the review and decision process. Commissioner Shy gave a report on the guidelines for the Colorado Off-System Bridge Program through CDOT. He said that he was in receipt of the guidelines and grant materials for the 80-20 funding available. The grant application must be submitted to CDOT by the end of November 2015. He commented that the bridge at Hermit Road and Grape Creek does not qualify for replacement but rather rehabilitation under the program.

ATTORNEY ITEMS

Attorney Smith said that he has reviewed the contract received from the Department of Local Affairs for the Wetmore Community Center/Library Project and advised the BOCC to sign the correspondence. Attorney Smith said that he participated in a committee meeting to discuss, review and prepare a memorandum of understanding/lease agreement that addresses the interests of all the parties concerning utilizing the SAR facility. He said that the first draft will be available for review shortly. Attorney Smith said that he continues to successfully participate in the weigh-win program through public health agency.

EXECUTIVE SESSION

None at this time.

NEW/OLD BUSINESS

Payroll and Accounts Payable

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

County General	\$195,290.30
Road and Bridge	\$ 66,961.69

Emergency Services	\$ 29,529.59
Human Services	\$ 24,631.55
SI	\$ 1,255.00
Capital Improvement	\$ 906.97
Airport Fund	\$ 7,590.74
Tourism	\$ 1,771.53
CTF	\$ 455.00
Total	\$328,392.37

MOTION by Commissioner Attebery, seconded by Commissioner Kattnig:

To approve the October 2015 payroll and accounts payable with a caveat that a \$10,000.00 expenditure under the OEM Homeland Security line will be verified. The motion carried unanimously.

RETAC – C. Ippolito

Chuck Ippolito reported that \$3,000.00 was allocated to the CAD System in the Sheriff’s Office under the RETAC fund. He said that approximately \$1,000.00 was utilized. He said that he was requesting a reallocation of the remaining \$2,000.00 for the “Lock the Front Door Campaign” being initiated at the school. The purpose of the campaign is to secure the main entrance of the school. Mr. Ippolito said that the project meets the guidelines for the distribution of RETAC Funds. Commissioner Kattnig said that with the federal correction facilities only being an hour away from the school, the county needs to exercise caution and safety measure to protect our children.

MOTION by Commissioner Kattnig, seconded by Commission Shy:

To reallocate \$2,000.00 of the RETAC funding as requested. The motion carried unanimously.

Commissioner Shy remarked that the duties and responsibilities related to the E911 Board are currently being compensated at \$600.00 a month. He suggested that those responsibilities could be revised into two positions payable at \$300.00 each. He said that the secretarial portion will be filled within the sheriff’s office and asked Mr. Ippolito to consider filling the position of IT and GIS for the E911 Board. Mr. Ippolito said he would consider the option.

Legal Publication Bids – BOCC

The BOCC agreed to request sealed bids from the two local newspapers of record (Sangre DeCristo Sentinel and the Wet Mountain Tribune) for the statutory and non-statutory county legal publications for 2016. Commissioner Kattnig said that in an effort to eliminate the controversy expressed during last years bidding process, he stated that the BOCC should include verbiage outlining or identifying the specific reason of selection (ie: circulation, cost, etc).

MOTION by Commissioner Shy, seconded by Commissioner Attebery:

To issue a bid request to the Sangre DeCristo Sentinel and the Wet Mountain Tribune for the statutory and non-statutory county legal publications for 2016 following the review and approval from legal consult with a caveat that verbiage will specifically identify that the bids will be considered based on price. The motion carried unanimously.

Office of Emergency Management Report - C. Coleman (rescheduled).

Rocky Mountain Behavior Health Program Representative (rescheduled).

Commissioner Kattnig said that he understood the topic was rescheduled for the November 9, 2015 BOCC meeting and would include attendance and participation with representatives of courthouse security and the courts. He said that at this time, he would like to share some background information. He remarked that a

representative from the program that he believes is a private business contacted him requesting use in the Resource Center Annex. Commissioner Kattnig said that the facility is currently housing and providing an extended veterans program for the county. He said as a result of that expansion, the facility provides limited county availability. He expressed concern in offering any space and usage to a private program or organization. Commissioner Attebery remarked that the program may be court regulated and mandated and asked Attorney Smith to research the county's responsibility and obligation for providing a private space for the program.

The BOCC recessed at 10:10 AM.

The BOCC reconvened at 10:30 AM.

Commissioner Attebery addressed the Colorado Judicial Department Underfunded Facilities Commission (CJDUFC) Grant Application in the amount of \$25,000.00. He said that the master planning project will include entering into contracts for professional design services or engineering consulting to determine construction or remodeling options, feasibility, or cost estimates for the court house project. He said that the application is due in the State Court Administrators Office by the close of today but that he was able to circumvent the situation to allow the Deputy Clerk to the BOCC to email the signed application before the close of October 30, 2015 and that a hard copy will be postmarked and mailed before the close of October 30, 2015. Commissioner Attebery said that the BOCC approved the signature of the chairman on the paperwork at the October 20, 2015 BOCC meeting. He commented that Judge Patrick Murphy has also signed the application this date as required. He remarked that the presentations related to the grant application request will be scheduled in front of the CJDUFC on December 4, 2015.

Commissioner Attebery addressed the Wetmore Community Center/Library Project and reported that the grant application was submitted and approved by DOLA. He said that the correspondence was the DOLA contract related to the approved grant application. He said that the BOCC approved the signature of the Chairman on the paperwork at the August 4, 2015 BOCC meeting. He remarked that the contract prepared by DOLA has listed the Chairman as Kit Shy and in an effort to avoid any delays, DOLA has agreed to accept the signature as Christopher (Kit) Shy. The Chairman signed the correspondence in triplicate and the Deputy Clerk to the BOCC will forward the correspondence to DOLA. He said once the contract portion is approved, signed and returned to the county, the project can officially begin. He remarked that the project will require a zoning permit application and that he was prepared to complete the application and will request that the Board wave the permit fee for the application. Attorney Smith commented that it may be appropriate to have the contractor for the project complete and submit the permit application. Commissioner Shy remarked that the application allows for signatures of the land owner and the builder/contractor. Commissioner Attebery gave an update on the Wetmore Community Center/Library project. He commented that the funding commitments from DOLA and the El Pomar Foundation will open the doors for additional funding from the Gates Foundation, the Daniels Foundation, the Anschutz Family Foundation and the Boettcher Foundation and asked for the Boards approval to proceed with these options. The Board agreed. He said that these sources of funding will not require a county match and remarked that it is important to notify DOLA and El Pomar regarding the intentions of seeking and applying for additional funding. He commented that Beth Lenz has been a source of assistance and support regarding information for any potential funding that might be available. He said that Ms. Lenz suggested that in an effort to create revenue, that a community commissary kitchen be included in the project that could be rented out to generate revenue.

Commissioner Kattnig complimented the Custer County Tourism Board (CCTB) for the 40 Miles of WOW advertising billboard currently displayed at the Colorado Springs Airport. Commissioner Attebery who is a CCTB member said that the billboard was a QR Code Generator that would direct person(s) to the Custer County Tourism website.

Virginia Trujillo, County Treasurer, informed the BOCC that approximately \$19,000.00 of Title 111 funds have been allocated to the county. She remarked that these funds needed to be expended by September 2016. The BOCC agreed to contact the OEM Director for input and suggestions regarding the disbursement. The funds must be utilized for fire mitigation purposes.

Commissioner Shy said that on a yearly basis the county is required to guarantee and certify that they are capable of handling a landfill closure if necessary. He said that the prepared correspondence is addressed to the Hazardous and Waste Management Division of the Colorado Department of Public Health and Environment, and certifies that to the best of its knowledge and belief that the county is currently in compliance with all the various requirements of Article C, Section 20 (TABOR) of the Colorado Constitution regarding the Custer County Landfill. The original correspondence will be forwarded to Rusty Christensen, Landfill Manager, for submission.

MOTION by Commissioner Kattnig, seconded by Commissioner Attebery:

To sign the correspondence as presented. The motion carried unanimously.

Kris Lang, Deputy Clerk to the Board, addressed the Board and said that a public notice regarding the 2016 appointments to the various county boards, commissions and advisory groups is due for posting and publication this month. She said that other than the fair board, each entity would have an expired appointment in 2016. Commissioner Kattnig said that he believed the fair board was a three year appointment and would not require any appointments or revisions in 2016. He reminded the BOCC that the term rotations for the extension advisory board would still require a revision or amendment. The BOCC agreed that the public notice would be published, posted on the courthouse bulletin board and added to the county website. The letters of interest for all the boards, commissions and advisory groups will be received and reviewed by the BOCC. The Deputy Clerk to the Board will forward copies of interest to the appropriate boards as they are received for their information and recommendation.

Commissioner Kattnig requested clarification regarding the \$10,000.00 warrant listed under the OEM Homeland Security account payable line. The Board agreed. The BOCC contacted Dawna Hobby, Human Resource and Finance Manager, to join the meeting for confirmation of the listed expenditure.

The BOCC recessed at 11:20 AM.

The BOCC reconvened at 11:30 AM.

Ms. Hobby joined the meeting and provided the BOCC with verification that the \$10,000.00 expenditure was vouchered by the Office of Emergency Management Director for VHF radios. Commissioner Kattnig expressed concern regarding radios for the county in the county and said that John Decker may be proceeding with the installation of radios in the county vehicles. Commissioner Shy said that the Board needs to determine what authority if any that Mr. Decker has regarding radios for county usage and county vehicles. He said that Mr. Decker is the communications officer with the fire district but that to his knowledge does not have a specific role of communications within the county. The Board agreed.

Commissioner Shy asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 11:45 AM.

Kelley Camper, Clerk and Recorder
Attest

Christopher L. (Kit) Shy,
Chairman