

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, FEBRUARY 29, 2016**

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

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

Roll Call was taken:

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

Also present: Donna Hood, Wilson Jarvis, Dale Falske, Beverly Goertz, Paul Sage, Doris Dembosky, reporter for the Wet Mountain Tribune, and Michael Kienbusch, reporter for the Sangre De Cristo Sentinel.

AGENDA

Call meeting to order

Pledge of allegiance

Roll Call

Amend agenda

Approval of minutes

Audience introduction

Public Comment

Commissioner Items

Attorney Items

Executive Session

New/Old Business

Review vouchers and sign checks

- Underfunded Courthouse Facilities Grant update
- SAR Remodel – L. Weber
- REDI – C.Bogle, C.Culp
- Colorado Rural Philanthropy Days Listening Tour update
- Fair Board/ Fairgrounds Facility repairs discussion
- Tyler Technologies update – J.D. Henrich
- Staff Meeting
- OEM BOCC Point of Contact – C. Howard
- Sheriff Office Vehicle/Lease/Purchase – Sheriff Byerly
- Work Session/Landfill Expansion/Supervision

AMEND AGENDA

Commissioner Kattnig stated that the topic of the Rural Economic Development Initiative discussion with Charles Bogle and Christi Culp will be addressed at a later time during the meeting.

APPROVAL OF MINUTES

MOTION by Commissioner Shy, seconded by Commissioner Kattnig:

To approve the minutes from the BOCC meeting of February 16, 2016 as presented. The motion carried unanimously.

PUBLIC COMMENTS

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

COMMISSIONER ITEMS

Commissioner Shy said that he attended the Custer Emergency Services Meeting (CES) and the 911 Meeting. He remarked that the state legislature is considering allowing rural counties the opportunity to designate portions of the county roads as trails of significant interest and history.

Commissioner Attebery said that he was meeting with and providing an informational tour of the Wetmore Community Center/Library project for the representatives of the Gates Family Foundation regarding the county’s grant request for funding towards the project. He said that he would be attending a meeting with CDOT and the Wetmore Historical Society regarding the KIOSK project in Wetmore area.

ATTORNEY ITEMS

Attorney Smith remarked on his research related to the correspondence received from Jay Printz, Town of Westcliffe Attorney, expressing concern that the county had approved variances within the Town of Westcliffe limits without the proper authorization. Mr. Smith said that the situation was a misunderstanding and that the county did not approve any variances within any town limits. Attorney Smith remarked that as part of his research on the topic he understood that there is a one mile boundary on the side of the county and the town lot lines that require notification to the adjacent entity before a variance can be approved by either party.

NEW/OLD BUSINESS

Payroll and Accounts Payable

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

County General	\$201,225.44
Road and Bridge	\$ 73,242.28
Emergency Services	\$ 19,725.11
Human Services	\$ 24,490.47
SI	\$ 357.12
Capital Improvement	\$ 34,076.00
CFT	\$ 8,300.00
Airport Fund	\$ 1,162.73
Tourism	\$ 620.00
Total	\$363,199.15

MOTION by Commissioner Kattnig, seconded by Commissioner Shy:

To approve the February 2016 payroll and accounts payable. The motion carried unanimously.

Underfunded Grant Court Facilities Grant Update

Commissioner Attebery said that Colorado Counties Incorporated (CCI), provided the BOCC with the names of four architectural firms related to the planning process under the Colorado Judicial Department, Underfunded Facilities Commission Grant Application.

He said that the firms were: Anderson Hallas Architects; Humphries Poli Architect; Reilly Johnson Architecture; and Roth Sheppard Associates Architects. Commissioner Attebery said that he would like T.A. Duke & Associates, added to the list.

Commissioner Kattnig said that he would like the county to advertise the bidding process and project in the official local newspaper of record. The Board agreed that a final Request for Proposal (RFP) would be required for the project before the next step of the bidding process could begin.

Probation Office remodel request

Commissioner Attebery said that the BOCC received correspondence from the 11th Judicial District, Probation Officer, requesting approval to redesign the interior space of the office on the second floor of the courthouse. This office space is utilized by the Useful Public Service Agency and the Probation Officer. The proposed changes will provide more counter space to accommodate the two programs and personnel. The revision will also provide a safety egress measure. Additional furniture will be brought into the space. The changes will be completed at no cost to the county.

MOTION by Commissioner Attebery, seconded by Commissioner Shy:

To allow the office design revisions as proposed. To proceed with the project at no cost to the county with a caveat that the existing furniture will be removed and stored appropriately. The motion carried unanimously.

SAR Remodel – L. Weber

Larry Weber, representing Search and Rescue (SAR), presented the BOCC with a diagram of the proposed office renovations at the SAR building. He said that the approximate cost of \$1,000.00 would be for materials and there would not be any cost for the labor involved.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy:

To approve the changes proposed for the office renovation at the SAR building as presented. The motion carried unanimously.

Mr. Weber asked if the county could apply gravel over the front apron area of the SAR building. The Board agreed that millings could be spread across the SAR parking lot. Commissioner Attebery said that the county does have access to free millings from CDOT, however the process involved would include: the loading and hauling, and the delivery and spreading of the materials by the road and bridge department. Mr. Weber shared safety concerns and remarked that the SAR facility requires the purchase and installation of smoke detectors, CO2 detectors, and an emergency lighting system.

MOTION by Commissioner Kattnig, seconded by Commissioner Attebery:

To authorize Mr. Weber to solicit cost bids for the proposed safety features with a caveat that these measures would be reviewed, inspected and coordinated with the Wet Mountain Fire Protection District. The motion carried unanimously.

Fair Board/ Fairgrounds Facility repairs discussion

Donna Hood and Diane Rose addressed the BOCC and expressed concern regarding the electrical safety of the fairgrounds building for the 2016 Custer County Fair event. Commissioner Shy said that the estimate for a complete electrical upgrade exceeded the value of the building and would not be financially feasible. He suggested that the Fair Board contact the electrician and request a bid for the minimal electrical work necessary and present the BOCC with those figures. Commissioner Kattnig expressed concern regarding the safety issues

addressed by Ms. Hood and Ms. Rose. Beverly Goertz stated for the record, that although she agrees there are electrical concerns that need to be addressed, a lot of electrical work and upgrades have been completed by reliable and licensed electricians in the past that are operational. The BOCC agreed that the topic would continue to be addressed under New/Old Business in the future BOCC meetings.

The BOCC recessed at 10:10 AM.

The BOCC reconvened at 10:30 AM

Tyler Technologies update

J.D. Henrich, Assessor, presented the BOCC with the cost figures to convert the software programs from Affiliated Computer Services (ACS) to Tyler Technologies for the Assessor, Treasurer and Human Finance/Resource departments. He said that he was impressed with the program and services being offered from Tyler Technologies. He remarked that although the initial conversion (\$125,000.00) is costly, it would prove to be a cost saving measure within five years. Mr. Henrich expressed and shared concern regarding the dependency and longevity of the ACS programming in Colorado. He said that a number of other counties in Colorado have already changed over and he was concerned regarding the future viability. Chuck Ippolito, IT Director, said that the ACS currently offers and provides technology that is over thirty years old. He expressed concern regarding the outdated program and equipment. Mr. Henrich said he was fully aware that the county may not be in a financial position to approve the conversion but wanted to remain proactive and share the information he was requested to obtain and present to the BOCC. Commissioner Kattnig said that due to financial limitations of the county budget, the county could not absorb that expense at this time. He remarked that he felt it was premature to eliminate ACS from the equation. The BOCC agreed to table the topic at this time and discuss it further during the 2017 budget hearing process scheduled in October 2016. Mr. Henrich agreed that it was a costly endeavor but reminded the Board that the proposal and financing options from Tyler Technologies would only be in effect until March of 2016 and that revised proposals would be required in the future. The BOCC thanked Mr. Henrich for his time and effort spent researching and obtaining the cost figures to present.

Staff Meeting

The department heads, elected officials and staff met with the BOCC for the staff meeting. Present were: Jackie Hobby, J.D. Henrich, Beverly Goertz, Rusty Christensen, Laura Lockhart, Ron Fisher, Gail Stoltzfus, Chuck Ippolito, Cindy Howard and Deputy Mike Halpin.

The following topics were discussed:

- Fire Drill Exercise and Plan
- Bomb Threat Exercise and Plan
- Active Shooter Exercise and Plan
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Deputy Halpin, Courthouse Security, will facilitate the program, plans and exercises in conjunction with the Office of Emergency Management and the Public Health Agency. Deputy Halpin confirmed that evacuation diagrams are posted in every room of the courthouse. He expressed concern that the courthouse does not have any fire alarms within the premise.

Chuck Ippolito, IT Director, asked that all county employees exercise caution regarding the networking function of the county computers. He said that outside viruses are currently prevalent and that searching or opening programs and sites outside of routine county business are an invitation for exposure. He asked the employees to refrain from those actions.

OEM BOCC Point of Contact – C. Howard

Commissioner Attebery said that before the Board determined a BOCC point of contact for the Office of Emergency Management (OEM) Director, they are asking for her input and suggestions. Cindy Howard said that the statutory point of contact is the sheriff; however, for signatory requirements she said the Chairman of the BOCC would be a good fit.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy:

To designate Chairman Commissioner Attebery, as the BOCC point of contact for the OEM Director. The motion carried unanimously.

Sheriff Office Vehicle/Lease/Purchase – Sheriff Byerly

Sheriff Byerly said that there was an unexpected increase in the cost of the two new vehicles for the sheriff's department approved during the 2016 county budget hearings. He presented a financial proposal to the BOCC, and the Finance Officer, John Piquette, for review and approval regarding the purchase. Mr. Piquette said that the proposal was viable.

MOTION by Commissioner Kattnig, seconded by Commissioner Shy:

To approve the proposal to finance \$70,550.00 in five equal payments starting June 1, 2016, through First State Bank of Colorado for the purchase of two equipped sheriff's vehicles. The motion carried unanimously.

Rural Economic Development Initiative (REDI) – C.Bogle, C.Culp

Charles Bogle, of the Economic Development Corporation (EDC), and Christi Culp, representing the Department of Local Affairs (DOLA), addressed the BOCC and said that \$750,000.00 has been authorized during the 2015 legislative session to help rural communities comprehensively diversify the local economy and create a more resilient Colorado. Ms. Culp reviewed the guidelines of the funding. She said that there is no matching fund requirement, and that local government support is required. She remarked that the funds must be expended by June 30, 2016 and that all administrative closures must be completed by July 29, 2016. Mr. Bogle said that the EDC has determined the following four initiatives coordinated as appropriate with DOLA. 1. Conduct a community assessment to support EDC focus and the Southern Colorado Economic Development District (SCEDD), the Comprehensive Economic Development Strategy (CEDS) and the Strengths, Weakness, Opportunities and Threats (SWOT) requirements; 2. Establish a Custer County Economic Development Corporation website and supporting documentation; 3. Develop a county marketing plan to support business development; 4. Accomplish planning to support DOLA Middle Mile BB grant process. Mr. Bogle said that the funding would be issued to the county but that it would be a pass through to the EDC. Commissioner Attebery expressed concern regarding another community assessment and said that some of these initiatives were already in place through the SCEDD. He asked who would be responsible to complete, submit and process the REDI grant application. He asked if the EDC had approached the Town of Westcliffe or the Town of Silver Cliff to act as the fiduciary facilitator. Commissioner Shy said that the BOCC could not commit any time and expenditure of county personnel for an EDC project. He proposed a reimbursement or administrative compensation for the use of any county employees time required. He expressed concern that the county could be held liable for any uncompleted or unfinished initiatives of the EDC as parties on the grant application. He stated that those requirements and commitments will need to be specifically outlined in a Memorandum of Understanding (MOU) as being the liability of the EDC. The BOCC agreed that the EDC would prepare a MOU, complete the grant application, and present the correspondence for review at the March 9, 2016, BOCC meeting. Commissioner Kattnig said that he will assist the EDC with the grant application and process.

The BOCC recessed at 12:30 PM.

The BOCC reconvened at 1:00 PM

The BOCC adjourned from the Regular Meeting and went into a Work Session at 1:05 PM

Work Session
Landfill Expansion/Supervision

Commissioner Attebery said that no decisions were made during the Work Session.

The BOCC adjourned from the Work Session at 2:45 PM.

Kelley Camper, Clerk and Recorder
Attest

Lynn E. Attebery,
Chairman

(Audio Recordings of the BOCC meetings are available for public review or purchase)

**WORK SESSION
LANDFILL EXPANSION/SUPERVISION**

FEBRUARY 29, 2016

Commissioner Lynn Attebery called the work session to order 1:05 PM.

Roll Call was taken:

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

Also present: Michael Kienbusch.

The following landfill topics were discussed and no decisions were made:

- Custer County Landfill Expansion
- Engineering Costs, Gas Probes, Leachate Pond, Liner for Cells, Scales, Screening Materials
Water Truck/Dump Truck/Grader/Loader/Compactor/Scraper/Grinder, Fencing
- Post Closure Care and Monitoring for 30 Years
- Storm Water Management Plan
- Spill Prevention Plan
- Permitting Process
- Financial Feasibility
- Installation of a Transfer Station
- Privatization
- Closure

Mr. Christensen said that the life of the existing landfill is approximately 8 ½ years. He encouraged the county to pre-plan for that time period. He stated that additional administrative support, technical knowledge and consulting assistance have become necessary for the proper operation of the landfill. He said that his role as Road and Bridge Supervisor and Landfill Manager has become overwhelming and time consuming and that he is requesting additional assistance at the landfill property site.

The BOCC asked Mr. Christensen whether additional administrative support and assistance from Mr. Kienbusch at the landfill would help alleviate his present workload. He said that it would, especially with the tedious and involved paperwork, permitting process and inspections. The BOCC suggested that Mr. Christensen and Mr. Kienbusch meet and discuss the best plan and option to apply Mr. Kienbusch's knowledge and experience at the landfill facility.

Commissioner Attebery adjourned the Work Session at 2:45 PM.

Kelley Camper, Clerk and Recorder
Attest

Lynn E. Attebery,
Chairman