

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, MARCH 31, 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: Paul Sage, Roberta Dial, Dale Falske, Under-Sheriff Barr, Sheriff Byerly, and Michael Kienbusch, reporter for the Sangre DeCristo 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
- Electric repairs at the fairground building discussion
- Roof estimate/repair at the sheriff office discussion
- Sangre DeCristo Electric proposal for the Wetmore Community Center/Library project discussion
- RFP Underfunded Courthouse Fund
- Annual Jail Tour

AMEND AGENDA

None

PUBLIC COMMENTS

Commissioner Attebery asked if there were any public comments. Roberta Dial, citizen, said that she had spoken with the BOCC individually regarding the state mandated wage increase for the elected officials, and she thanked everyone for their willingness and consideration to discuss the matter. Ms. Dial commended Commissioner Kattnig for his initiative and support regarding the Economic Development Corporation (EDC) grant application from the Department of Local Affairs. She said that economic development should be supported by the towns and the county. Ms. Dial commented that CR 255 has been deteriorating for a while and was presenting a road safety issue concern. She said that yesterday the Road and Bridge (R&B) department started to work on the road and that she appreciated the county addressing the issue.

### COMMISSIONER ITEMS

Commissioner Shy said that he continues to work on the county wide facilities grant project. He said that he will be making several presentations to the appropriate entities to request support for the project during the month of April 2016. Commissioner Attebery and Commissioner Kattnig said that their commissioner items would be discussed as part of the agenda topics.

### ATTORNEY ITEMS

Attorney Smith reported that he spoke with Eric Jacobs, of the Colorado Department of Public Health and Environment (CDPHE), regarding the environmental restrictions and required publications related to the closure of the old Custer County/Westcliffe Landfill. He said that Mr. Jacobs will forward a sample newspaper publication and a draft letter of correspondence for the applicable parties regarding notification of the landfill closure for the county to follow.

### **MOTION by Commissioner Kattnig, seconded by Commissioner Shy:**

To authorize Attorney Smith to move forward with the publication and correspondence as recommended and provided by the CDPHE regarding the closure of the old Custer County/Westcliffe Landfill. The motion carried unanimously.

The Board discussed and agreed that photographs of the current fencing at the old landfill site should be retained in the county's file. Commissioner Shy and Rusty Christensen, Landfill Manager, will review and follow up on the notice of environmental use restrictions.

### EXECUTIVE SESSION

None at this time

Attorney Smith said he will request an executive session at next weeks BOCC meeting to address the personnel issue of a previous employee.

### NEW/OLD BUSINESS

#### Payroll and Accounts Payable

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

|                     |              |
|---------------------|--------------|
| County General      | \$186,853.99 |
| Road and Bridge     | \$ 73,556.07 |
| Emergency Services  | \$ 72,554.71 |
| Human Services      | \$ 27,782.27 |
| SI                  | \$ 2,950.25  |
| Capital Improvement | \$ 37,609.59 |
| CFT                 | \$ 3,320.00  |
| Airport Fund        | \$ 9,669.29  |
| Tourism             | \$ 3,150.00  |
| Total               | \$417,446.17 |

### **MOTION by Commissioner Attebery, seconded by Commissioner Kattnig:**

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

### Electric repairs at the fairground building discussion

Alysia Shy, Custer County Fair Board President, addressed the BOCC regarding the revised estimate from Hough Electric, Inc., to complete the electrical safety issues at the fairground building before the upcoming Custer County Fair. She said the revised cost was approximately \$1800.00 and that the fairboard could contribute \$800.00 towards that cost.

She remarked that Jake Shy has offered to complete the required trenching for the project at no cost to the county.

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

To approve the electrical repairs and maintenance as outlined and presented. The county will allocate \$1000.00 to the project. The motion carried unanimously.

Commissioner Kattnig said that it was crucial for the electrical safety service work be completed prior to the fair. Commissioner Attebery remarked that the funding would fall under the buildings repair and maintenance budget line.

**Roof estimate/repair at the sheriff office discussion**

Sheriff Byerly, and Under-Sheriff Barr, addressed the BOCC regarding the proposed roof repair/replacement at the sheriff office facility. Sheriff Byerly said that he is in the process of obtaining the three estimate bids for the service as required in the county purchasing policy. He remarked that he has personally inspected the roof and reported that it is in bad shape. He said that the 1996 roof has encountered the harsh weather elements, substantial hail damage, and inadequate construction with regards to the air conditioning unit on the roof. All of these factors are creating and causing the leaks throughout the facility. Sheriff Byerly said that the estimates will include the removal and replacement of various sections of the roofing. He said that the ventilation in the detention area will still need to be addressed in the near future. He stated that the limited size of the patrol room continues to be a concern as well as the lack of storage space for supplies and files. He remarked that the approximate cost to expand the facility is \$75,000.00. This addition will enlarge the patrol room, provide additional storage space and possibly house the sheriff office interview room on the west side of the building. Commissioner Kattnig suggested that as an interim or temporary solution that the sheriff's office purchase a container for additional storage. Sheriff Byerly said that it was a viable option, however, the funding he requested for the purchase had been removed from his 2016 budget and that the funding for this purchase was no longer available. The BOCC agreed to review and inspect possible options during the annual jail tour scheduled later this date.

Sheriff Byerly reported that the Office of Emergency Management and the Wet Mountain Fire Protection District have signed separate signature pages of the 2016 Annual Operating Plan as recommended by the Board at the March 22, 2016 BOCC meeting. He requested that the Chairman of the BOCC sign the paperwork. He remarked that the signed 2016 AOP was required at the state before April 1, 2016. Commissioner Attebery signed the correspondence and handed the paperwork to Sheriff Byerly for processing.

Sheriff Byerly said that he is currently advertising for a patrol deputy and dispatcher in the local newspaper. Commissioner Kattnig suggested that he contact the local work force center office currently operating out of the West Custer County Library District for possible assistance.

**San Isabel Electric Association proposal for the Wetmore Community Center/Library project discussion**

Commissioner Attebery presented the estimate from San Isabel Electric Association, Inc. for the Wetmore Community Center/Library project. The estimate to upgrade the electrical system and improve service to the facility is \$6,693.00. Commissioner Attebery asked the BOCC for approval to move forward with the agreement.

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

To proceed with the service agreement from the San Isabel Electric Association, Inc., for the Wetmore Community Center/Library project as presented. The motion carried unanimously.

Colorado Hazard Control proposal for the Wetmore Community Center/Library

Commissioner Attebery presented the estimate from Colorado Hazard Control (CHC) for the asbestos abatement for the Wetmore Community Center/Library facility. He said that the county will provide the electric utility for the project but not the water required for the wet removal of the tiling and adhesive. Michael Kienbusch said that he completed an inspection of the facility and that he had suggested additional testing and sampling. He reported that all the additional testing was negative for asbestos. He said that CHC will remove and dispose of the asbestos materials following the guidelines and requirements from the Colorado Department Public Health and Environment (CDPHE). He commented that CHC will allow him to be involved and inspect the completed project. Commissioner Attebery said that the bid estimate remains the same at \$7,852.00 and that the project will take approximately two weeks. He said that the potential contractors are aware that this work will be completed prior to the start of construction.

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

To move forward with the estimate and agreement from Colorado Hazard Control for the asbestos abatement as presented in the amount of \$7,852.00. The motion carried unanimously.

The BOCC thanked Mr. Kienbusch for his knowledge and the time he has volunteered to the county related to the asbestos abatement of the project.

Commissioner Attebery said that approximately ten interested contractors were in attendance for the inspection of the Wetmore Community Center/Library facility on March 25, 2016. The inspection was a prerequisite of the bidding process for the project.

RFP Underfunded Courthouse Fund

Commissioner Attebery presented the BOCC with a draft of the Request for Proposal (RFP) for publication in the official local newspaper of record as required under the Underfunded Courthouse Facility grant. He remarked that the approved RFP will be sent to the architects recommended by Colorado Counties Incorporated (CCI) for the project. The Board reviewed and revised the contents of the RFP. The final RFP will be approved at the April 5, 2016 BOCC meeting.

Commissioner Shy and Commissioner Kattnig will attend and participate in the Rural Philanthropy Days Listening Tour scheduled in Custer County on April 5, 2016.

Annual Jail Tour

The Board will complete the annual jail tour at the sheriff's office facility following the meeting.

Commissioner Attebery asked if there was any more business to discuss. Hearing none, he adjourned the meeting at 10:55 AM.

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Kelley Camper, Clerk and Recorder  
Attest

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Lynn E. Attebery,  
Chairman

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