

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
NOVEMBER 22, 2017**

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

Commissioner Kattnig and Commissioner Hood were recalled during the November 7<sup>th</sup> Coordinated Election. Commissioner Canda and Commissioner Flower were sworn into office at 9:00 a.m. The meeting was then called to order by Commissioner Printz, acting as Interim Chair, at 10:03 a.m. and the Pledge of Allegiance was recited. Roll call was taken and the following were present:

Jay Printz	Interim Chair
William R. Canda	Commissioner
Tommy G. Flower	Commissioner
Kelley Camper	Clerk to the Board
Clint Smith	County Attorney

**ELECTION OF OFFICERS**

Each Commissioner nominated themselves for Chair and gave reasons for why they would like to be the BOCC Chair. After discussion about how to proceed with appointing a new Chair, it was decided that they would vote by secret ballot with each Commissioner writing down a name other than their own. Clerk to the Board, Kelley Camper, read the name on each ballot. Commissioner Flower was elected as Chair. Commissioner Printz withdrew his nomination for Vice-Chair and suggested that Commissioner Canda be Vice-Chair. Motion was passed by acclamation.

**AMENDMENTS TO THE AGENDA**

None

**APPROVAL OF MINUTES**

**MOTION by Commissioner Printz, to approve the minutes from the October 31<sup>st</sup> and November 1<sup>st</sup> and 2<sup>nd</sup> BOCC meetings. Motion carried unanimously.**

**AUDIENCE INTRODUCTIONS**

List of audience members are on file in Clerk's Office.

Speaking as new Commissioners, both Commissioner Flower and Commissioner Canda spoke to the audience.

**COMMISSIONER ITEMS**

Commissioner Printz reported on the various meetings he attended and individuals he met with. He also felt that the point of contact for various county offices should remain the same

for the remainder of the year except for the Human Resources/Finance Office. The previous point of contact was Commissioner Hood, but HR/Finance Director, Dawna Hobby, requested that it now be Commissioner Printz because they already have a working relationship. Commissioner Printz read the point of contact list.

**MOTION by Commissioner Printz, to leave the point of contacts as presented to them in the board packet. Motion carried unanimously.**

ATTORNEY ITEMS

County Attorney, Clint Smith, is working with Planning and Zoning Director, Jackie Hobby, regarding the illegal subdivision of a 109 acre property in the 80 acre zone. He also informed the board that in a previous action, the airport discontinued use of Master Card because of a \$945 annual fee that is billed to them. The airport board recently received a letter from Master Card stating that under the contract with Phillips 66, they are obligated to accept both Master Card and Visa. Attorney Smith will contact them to see about either waiving or reducing that annual fee. Attorney Smith advised the board of an ongoing security issue that he will speak with Commissioner Flower and Commissioner Canda individually about instead of going into Executive Session.

ADMINISTRATIVE ASSISTANT ITEMS

None

OLD BUSINESS

E911 IGA

**MOTION by Commissioner Canda, to table the E911 Intergovernmental Agreement signing. Motion carried unanimously.**

UNDERFUNDED COURTHOUSE GRANT

Court Administrator for the 11<sup>th</sup> Judicial District, Lisa Rowe, informed the board that the Underfunded Courthouse Grant extension that the previous board had applied for has not been granted. Originally, the grant funds were going to be used to plan for an addition to the Courthouse, but the previous board wanted to explore building a judicial center instead of building a courthouse addition and that is why they asked for an extension. The extension was denied because the board that approves the grant funds felt that with the political climate in the county and the recent change of Commissioners, that the county did not have a clear direction of where things are going. The deadline to apply for 2018 funds has been missed, so the board would not be able to apply for the grant again until October 2018 for funding in 2019.

ECONOMIC DEVELOPMENT

CCEDC Representative, Charles Bogle, met with the board to ask for a letter of support for the second of three grants they are applying for to install six towers around the county that would improve internet service.

**MOTION by Commissioner Printz, to sign a letter of support for the CCEDC to move forward with their grant application to secure grant funds providing there is no financial commitment to the county by doing so, and that by signing this letter of support, will not commit the county financially or to any agreement in the future, unless there is a majority vote of the BOCC. Motion carried unanimously with amendment.**

**MOTION by Commissioner Printz, to recess the board. Motion carried unanimously.**

The board recessed at 12:12 p.m. and reconvened at 12:24 p.m.

#### TOURISM BOARD POINT OF CONTACT

It was brought to the board's attention that the Tourism Board point of contact has not been assigned. By general consensus, Commissioner Printz will be the point of contact for the Tourism Board.

#### LIVE STREAMING OF THE BOCC MEETINGS

IT Director, Chuck Ippolito, asked the board if they would like him to continue to prepare to live stream the BOCC meetings. The live streaming has not started yet because Chuck is having audio problems with the system. Chuck stated that another issue with the system is that you cannot pause the live streaming without starting it all over again, so that during a recess or Executive Session, the audio would have to be muted and the lens covered. The BOCC meetings in Wetmore and San Isabel would not be able to be live streamed because of internet connectivity. The board felt that they did not want to discontinue the Wetmore and San Isabel meetings just because they couldn't be live streamed.

**MOTION by Commissioner Printz, to live stream the BOCC meetings as soon as Chuck has the system up and running. Motion carried unanimously.**

#### IT POSITION

IT Director, Chuck Ippolito, informed the board that he is retiring and he would still like for his last day to be December 31<sup>st</sup> if possible. His position has been advertised and HR/Finance Director, Dawna Hobby, has received three applications. Chuck felt that the job description that was written up was a little intimidating and that the advertisement had not reached enough people. The board stated that the applications will be reviewed to see if there are any suitable applicants to interview. If not, the job description will be changed and the position will be advertised again to a wider audience.

#### PLANNING COMMISSION

Planning Commission Chair, Vic Barnes, and Planning and Zoning Director, Jackie Hobby, met with the board. Vic stated that the Planning Commission is preparing to review and possibly make changes to the Zoning Resolution. There are four items that they would like to look at: 1) The process that the BOCC will use to appoint members to the Planning Commission; 2) To clarify how site tours are handled; 3) To look at possibly banning the use of shipping containers

for storage. The board discussed the use of shipping containers. Jackie stated that she felt that a shipping container is a structure and is already addressed in the Planning and Zoning regs.

**MOTION by Commissioner Printz, to remove storage containers as an item of discussion for the Zoning Resolution. Motion carried unanimously.**

4) Light pollution. The Planning Commission will hold hearings for the public to be able to comment on light pollution and then it will be brought before the BOCC to decide if it should become a part of the Zoning Resolution.

#### NEW BUSINESS

##### BID LETTERS FOR NEWSPAPERS

Commissioner Printz would like for the board to look at other factors such as circulation and cost per person that read the papers and not just the lowest bids as it has been handled in the past.

**MOTION by Commissioner Printz, to add the wording “and other factors deemed relevant by the BOCC including cost per reader based on published, verifiable circulation data” to be added to the criteria. Motion failed with Commissioner Printz voting for and Commissioner Flower and Commissioner Canda voting against.**

The general consensus was to send the letter that has been sent in previous years to both newspapers with the deadline to respond by to be December 15<sup>th</sup>.

#### BOARD NOTICES

BOCC Administrative Assistant, Brenda Gaide, informed the board that she will publish the public notice asking for letters of interest for the various boards that the BOCC appoints each year. During the previous year’s appointments, there was confusion regarding the Planning Commission appointments. The Zoning Resolution states that letters of interest be given to Planning and Zoning Director, Jackie Hobby. The BOCC would also like to receive those letters since they make the final decision on who is appointed to that board.

#### SPECIAL EVENTS PERMIT

County Clerk, Kelley Camper, informed the board that the Chamber of Commerce is applying for a Special Events Permit to serve alcohol at the Beckwith Ranch New Year’s Eve event to be held on December 31<sup>st</sup> from 5:00 p.m. to 10:00 p.m.

**MOTION by Commissioner Printz, to approve the Special Event Permit for the Chamber of Commerce for a New Year’s Eve event to be held December 31<sup>st</sup> from 5:00-10:00 p.m. at the Beckwith Ranch. Motion carried unanimously.**

#### AIRPORT

Airport Board Chair, Dallas Anderson, met with the board to ask them to re-approve Armstrong Consulting as the airports consulting firm during the December BOCC meeting. He also brought

the board up to date on the future projects that the airport board is working on with the Capital Improvement Plan. He stated that there is paperwork that is due November 22<sup>nd</sup> to the aeronautics board that will allow them to apply for a grant in 2020 that will help them to replace the fuel tank at the airport in 2021. He wanted the BOCC's approval to move forward with the Capital Improvement Plan.

**MOTION by Commissioner Printz, to approve the Silver West/Butler Field Airport Capital Improvement Plan 2018-2024. Motion carried unanimously.**

#### CSU COOPERATIVE EXTENSION DIRECTOR SELECTION COMMITTEE

Commissioner Flower stated that CSU Regional Director, Bill Nobles, would like for the board to appoint a commissioner to the selection committee to find a CSU Cooperative Extension Director for Custer County.

**MOTION by Commissioner Printz, to appoint Commissioner Flower to the committee. Motion carried unanimously.**

#### YARD LIGHTS ON MUDDY ROAD

Commissioner Flower stated that he has been contacted by three landowners wanting to know who installed the three yard lights that are currently on Muddy Road (AKA County Road 150) and who pays for them. He has spoken with Planning and Zoning Director, Jackie Hobby, about researching the history of these lights.

#### PUBLIC COMMENT ON THE BOCC AGENDA

Commissioner Canda would like for the public to be able to comment on items that the board have on their agenda that they will be making a decision on at the time it is being discussed and not only at the end of the meeting.

**MOTION by Commissioner Canda, to include in the agenda the opportunity for public comment that the board would be expected to make a decision on, and to leave public comment at the end of the agenda also. Motion carried unanimously.**

#### PERSONNEL POLICY

**MOTION by Commissioner Canda, to rescind the current personnel policy and go back to the old personnel policy and establish a committee comprised of the department heads and relevant people, and bring recommendation to the BOCC for a new personnel policy.**

After discussion, Commissioner Canda withdrew his motion. It will be added to the November 30<sup>th</sup> agenda.

#### COMMISSIONER ITEMS/WRITTEN REPORT

Commissioner Flower would like to see a monthly written report from each commissioner that would list meetings they have attended and people they have spoken with as part of their "commissioner items" report.

The BOCC recessed at 2:56 p.m. and reconvened at 3:02 p.m.

**PUBLIC COMMENT**

There was public comment from Linda Washington and Jackie Bubis.

Having no further business, Commissioner Flower adjourned the meeting at 3:10 p.m.

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BOCC Chair, Tommy G. Flower

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Attest:  
County Clerk & Recorder, Kelley S. Camper