

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FEBRUARY 20, 2019**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION AT THE WETMORE COMMUNITY CENTER.

The meeting was called to order by Commissioner Flower at 9:03 AM and the Pledge of Allegiance was led by Ruth Roper. Roll call was taken, and the following were present:

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

AMENDMENTS TO THE AGENDA

Addition – Approval of minutes from January 31st and February 5th and 6th

MOTION by Commissioner Canda, to postpone the approval of the minutes until the February 28th BOCC meeting. Motion carried unanimously.

AUDIENCE INTRODUCTIONS

Present in the audience were BOCC Administrative Assistant, Meredith Nichols; County Sheriff, Shannon Byerly; Recycling Coordinator, Dennis Sprecher; Planning and Zoning Director, Jackie Hobby; Ruth Roper; Alden Gray; Max Smith; and Cal Leslie.

COMMISSIONER ITEMS

The board reported on the various meetings they attended and individuals they met with.

ATTORNEY ITEMS

None

ADMINISTRATIVE ASSISTANT ITEMS

None

PUBLIC COMMENT

None

STAFF REPORTS

PLANNING AND ZONING REPORT

Planning and Zoning Director, Jackie Hobby, met with the board to give the monthly report for January. Jackie informed the board that she reviews the Planning and Zoning Fee Schedule

yearly. She suggested that the Residential Zoning Permit fee be raised from \$0.35/square foot to \$0.45/square foot.

MOTION by Commissioner Canda, to increase the Residential Zoning Permit fee from \$0.35/square foot to \$0.45/square foot. Motion withdrawn.

After discussion, it was decided to hold a workshop to review all the fees. The workshop was scheduled for March 7th at 9:00 a.m. Jackie informed the board that Humboldt Peak Partners LLC applied for a PUD in 2007 for the property at 5295 County Road 129. She stated that the PUD was not completed within three years of the development plan.

MOTION by Commissioner Printz, to void the PUD for Humboldt Peak Partners that was approved in 2007. Motion carried unanimously.

Jackie informed the BOCC that she was contacted by someone that was hired to clean up the property at 1089 County Road 310. He was questioning if it was safe to go into that residence since it is un-inhabitable. The BOCC questioned what was going to happen with that property. County Sheriff, Shannon Byerly, stated that the District Attorney did not want to pursue seizure of the property. County Attorney, Clint Smith, suggested getting the DA to appoint him to seize the property.

MOTION by Commissioner Printz, to request the District Attorney to appoint Clint Smith as a Deputy DA to deal with the property located at 1089 County Road 310. Motion carried unanimously.

The board recessed at 10:24 a.m. and reconvened at 10:27 a.m.

UNFINISHED BUSINESS

None

NEW BUSINESS

DETENTION NURSE STAFFING PROPOSAL

County Sheriff, Shannon Byerly, met with the board to continue the discussion from the February 6th BOCC meeting regarding medical care at the jail facility. Public Health Agency Director, Elisa Livengood, currently works 32 hours per week. He would like to use Elisa another 8 hours per week as a Detention Nurse. Those additional 8 hours will be paid out of the Sheriff's Department budget.

MOTION by Commissioner flower, to approve the appointment of Elisa Livengood as a Detention Nurse, based on 8 hours per week. Motion carried unanimously.

Shannon will meet back with the board in June to see if everything is working out.

CDPHE Landfill Grant

Recycling Coordinator, Dennis Sprecher, informed the board that they would like to apply for a CDPHE Grant to buy a skid steer to use for the recycling program. He stated there are no matching funds for this grant. He stated they would also need someone to write the grant. The BOCC stated that their Administrative Assistant, Meredith Nichols, would not write the whole grant herself, but would help with it.

MOTION by Commissioner Flower, to authorize the landfill to move forward with a CDPHE Grant to purchase a skid steer, with help from Meredith. Motion carried unanimously.

MOTION by Commissioner Canda, to move the Executive Session ahead in the agenda. Motion carried unanimously.

EXECUTIVE SESSION

MOTION by Commissioner Canda, to go into Executive Session citing C.R.S. 24-6-402(4)(b), for the purpose of discussing a legal matter. Motion carried unanimously.

The board went into Executive Session at 10:57 a.m. The board reconvened back into regular session at 11:37 a.m. Present for the Executive Session were Commissioner Flower, Commissioner Canda, and Commissioner Printz; County Attorney, Clint Smith; BOCC Administrative Assistant, Meredith Nichols; Clerk to the Board, Kelley Camper; and County Sheriff, Shannon Byerly. Commissioner Flower confirmed that the discussion remained on topic and that no matters were adopted, and no actions or decisions were made. County Attorney, Clint Smith, confirmed this.

TRANSFER OF FUNDS

County Clerk and Recorder, Kelley Camper, stated that HR/Finance Director, Dawna Hobby, requested that the \$73,001.00 from the sale of the Grape Creek Property be transferred into the Capital Improvement Fund.

MOTION by Commissioner Printz, to transfer \$73,001.00 from the County General Fund to the Capital Improvement Fund. Motion carried unanimously.

TOURISM BOARD APPOINTMENTS

The BOCC received a letter from the Tourism Board recommending that they appoint Bob Swanson and Marilyn Hennessey to the Tourism Board. The board discussed that they would like to see more diversity on the board.

MOTION by Commissioner Canda, to appoint Bob Swanson to the Tourism Board for a three-year term ending in January 2022. Motion carried unanimously.

MOTION by Commissioner Canda, to appoint Marilyn Hennessey to the Tourism Board as an ex-officio member for a one-year term ending in January 2020. Commissioner Printz abstained from voting. Commissioners Flower and Canda voted against. Motion failed.

JUDICIAL ASSISTANCE GRANT (JAG) LETTER OF SUPPORT

This is a grant that Undersheriff, Chris Barr, is applying for so they can purchase radios for the Sheriff's Office.

MOTION by Commissioner Printz, to approve writing a letter of support for the Edward Bryne Memorial Justice Grant for the purchase of radios. Motion carried unanimously.

UPPER ARKANSAS WATER CONSERVANCY DISTRICT LETTER OF WITHDRAWAL

Commissioner Printz drafted a letter from the BOCC to the Upper Arkansas Water Conservancy District asking to be removed from the Water Augmentation Plan that was filed in December 2018. The board revised the letter, and then Commissioner Flower read the letter into the record.

MOTION by Commissioner Flower, to submit the letter, as amended, to Upper Arkansas Water Conservancy District asking to remove Custer County from the Water Augmentation Plan. Motion carried unanimously.

Commissioner Flower will ask to be put on the agenda for the March 14th UAWCD board meeting to discuss this letter.

PUBLIC COMMENT

There was public comment from Max Smith and Cal Leslie.

Having no further business, Commissioner Flower adjourned the meeting at 12:20 p.m.

BOCC Chair, Tommy G. Flower

Attest:
County Clerk & Recorder, Kelley S. Camper