

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
APRIL 30, 2019**

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

The meeting was called to order by Commissioner Flower at 9:00 AM and the Pledge of Allegiance was led by Commissioner Canda. 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

None

MINUTES

**MOTION by Commissioner Canda, to approve the minutes from the April 17<sup>th</sup> BOCC meeting. Motion carried unanimously.**

AUDIENCE INTRODUCTIONS

Present in the audience were BOCC Administrative Assistant, Meredith Nichols; Town of Westcliffe Clerk, Kathy Reis; Town of Silver Cliff Clerk, Ileen Squire; Wilson Jarvis; Dale Mullen; County Sheriff, Shannon Byerly; Paul Hatfield; Charles Bogle; and Undersheriff, Chris Barr.

COMMISSIONER ITEMS

The board reported on the various meetings they attended and individuals they met with (see attached reports for the month of April).

**MOTION by Commissioner Flower, to schedule a dispatch center workshop for May 8<sup>th</sup> at 1:00 p.m. Motion carried unanimously.**

UPPER ARKANSAS WATER CONSERVANCY DISTRICT REPORT

None

ATTORNEY ITEMS

County Attorney, Clint Smith, reported on the various items he has been working on. He scheduled a workshop with water attorney, David Shohet, on May 14<sup>th</sup> at 10:00 a.m. at his office in Colorado Springs.

ADMINISTRATIVE ASSISTANT ITEMS

None

PUBLIC COMMENT

County Sheriff, Shannon Byerly, informed the board he is working on a proposed burn ordinance. He will have it ready to do the first reading during the May 22<sup>nd</sup> BOCC meeting.

STAFF REPORTS

TREASURERS REPORT

County Treasurer, Virginia Trujillo, was not able to be present to give her report. County Clerk, Kelley Camper, gave the BOCC the Treasurer's report for April and the quarterly Public Trustee report.

**MOTION by Commissioner Flower, to approve the Treasurer's report for the month of April. Motion carried unanimously.**

UNFINISHED BUSINESS

None

NEW BUSINESS

SPECIAL EVENTS PERMIT

County Clerk and Recorder, Kelley Camper, presented the board with an application from the San Isabel Land Protection Trust for a Special Events Permit for the Hardscrabble Mountain Trail Run that they sponsor on June 1<sup>st</sup>.

**MOTION by Commissioner Canda, to approve the application for a Special Events Permit for San Isabel Land Protection Trust. Motion carried unanimously.**

TOWN OF WESTCLIFFE CLEAN-UP DAY

Westcliffe Town Clerk, Kathy Reis, informed the board that the Town of Westcliffe will hold their annual clean-up day on June 1<sup>st</sup>. She requested that the BOCC waive the landfill fees for them that day. They will not take any tires, and they will pay for mattresses.

**MOTION by Commissioner Printz, to waive the landfill fees for the Town of Westcliffe clean-up day. Motion carried unanimously.**

LETTER TO SENATORS REGARDING COLORADO DEPARTMENT OF TRANSPORTATION (CDOT)

Westcliffe Town Clerk, Kathy Reis, presented the board with a proposed letter to send to Senator Gardner and Senator Bennett from both the Towns of Westcliffe and Silver Cliff and the County. This letter addresses concerns about the speed limit on Highways 69 and 96 coming through both towns, and CDOT not wanting to work with the towns to lower those speed limits. The board wanted some revisions made to the letter and felt it should be sent to CDOT before it is sent to the senators.

#### TOWN OF SILVER CLIFF CLEAN-UP DAY

Town of Silver Cliff Clerk, Ileen Squire, informed the board that the Town of Silver Cliff will hold their clean-up day on May 18<sup>th</sup>. She requested that the board waive the landfill fees for them on that day. They will not be taking any electronics or tires.

**MOTION by Commissioner Printz, to waive the landfill fees for the Town of Silver Cliff clean-up day. Motion carried unanimously.**

The board recessed at 10:09 a.m. and reconvened at 10:14 a.m.

#### ATTAINABLE HOUSING GRANT

Attainable Housing Chair, Charles Bogle, met with the board to get their approval for a \$40,000 El Pomar Foundation grant that they are applying for. Charles stated that \$30,000 of the grant money will be used to purchase land.

**MOTION by Commissioner Flower, to approve the El Pomar Foundation General Grant Terms and Conditions for \$40,000. Motion carried unanimously.**

#### DOLA GRANT FUNDS FOR EDA REQUIREMENTS

During the April 3<sup>rd</sup> BOCC Special Meeting, the Custer County Economic Development Corporation (CCEDC) requested that the BOCC request \$36,250 from the Department of Local Affairs (DOLA) grant be released to help pay for pre-grant requirements for the Economic Development Administration (EDA) grant.

**MOTION by Commissioner Flower, to make a request to DOLA to release \$30,000 grant funds to help meet EDA requirements. After discussion, Commissioner Printz moved to AMEND the motion to strike "\$30,000" and replace with "\$50,000". Commissioner Flower and Commissioner Canda voted against and Commissioner Printz voted for the motion. Amendment failed. Main motion carried with Commissioner Canda voting against and Commissioner Flower and Commissioner Printz voting for the motion.**

#### E911 DOLA GRANT

**MOTION by Commissioner Canda, to support the DOLA tier 1 grant application for the digital trunk radios (DTR). Motion carried unanimously.**

#### EXEMPT EMPLOYEES OVERTIME POLICY

Commissioner Printz will work on coming up with a policy that addresses overtime for exempt employees in the county and present it to the BOCC at a later date.

#### VOUCHERS

**MOTION by Commissioner Flower, to approve the vouchers for April 2019. Motion carried unanimously.**

County payroll and accounts payable were:

County General	\$234,967.77
Road & Bridge	\$115,980.70
Emergency Services	\$ 46,370.91
Human Services	\$ 37,858.47
Self Insurance	\$
Capital Improvement	\$
Airport	\$ 816.54
Conservation Trust Fund	\$
Tourism	<u>\$ 4,200.00</u>
TOTAL	\$440,194.39

ORDINANCE 19-01

County Attorney, Clint Smith, conducted the second reading of Ordinance 19-01 “An Ordinance of Custer County, a Political Subdivision of the State of Colorado, regulating residential growing, cultivating, and processing of marijuana in the Unincorporated areas of said County”.

**MOTION by Commissioner Printz, to adopt Ordinance 19-01 as read. Motion carried unanimously.**

PUBLIC COMMENT

None

EXECUTIVE SESSION

**MOTION by Commissioner Printz, 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 11:30 a.m. The board reconvened back into regular session at 11:48 a.m. Present for the Executive Session were Commissioner Flower, Commissioner Canda, and Commissioner Printz; County Attorney, Clint Smith; BOCC Administrative Assistant, Meredith Nichols; and Clerk to the Board, Kelley Camper. 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.

**MOTION by Commissioner Printz, to authorize Clint Smith to draft a letter to Custer County Medical Clinic to vacate Public Health as of May 31<sup>st</sup>. Motion carried unanimously.**

Having no further business, Commissioner Flower adjourned the meeting at 11:49 a.m.

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BOCC Chair, Tommy G. Flower

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Attest:  
County Clerk & Recorder, Kelley S. Camper

## April Commissioner Report

### Commissioner Flower

- Apr. 1 – Attended Commissioner Workshop on Water, Commissioner Room
- Apr. 2 – Attended the BOCC Meeting, Commissioner Room
- Apr. 2 – Attended Commissioner workshop for CAPP/CWCP Insurance, Commissioner Room
- Apr. 3 – Attended the BOCC meeting, Commissioner Room
- Apr. 3 – Attended Special Commissioner meeting, EDC Broadband Project discussion
- Apr. 5 – Attended the 4-H Speech contest, Tony's Pizza
- Apr. 5 – Assisted with the set up for the Health Fair, Clinic and School
- Apr. 6 – Attended and assisted with the Health Fair, School
- Apr. 9 – Attended the Tourism Board meeting, Commissioner Room
- Apr. 9 – Attended the CCRCC meeting, Annex
- Apr. 10 – Attended the MAWPP meeting, Rancher's Roost
- Apr. 10 – Attended the FOBR board meeting, commissioner's room
- Apr. 11 – Attended the Upper Ark meeting, Salida
- Apr. 15 – Participated in conference call with Water Court to select date for status hearing
- Apr. 15 – Attended Planning Commissioner meeting to discuss land use, courtroom
- Apr. 16 – Attended the Coffee with a Commissioner, Westcliffe Library
- Apr. 16 – Attended CES meeting, Drone presentation, SAR Building
- Apr. 16 – Attended Planning Commissioner meeting to discuss land use, courtroom
- Apr. 17 – Attended BOCC Meeting, Airport
- Apr. 17 – BOCC workshop with supervisors about OT/comp time
- Apr. 18 – Attended meeting with E911 about DTR grant with Christy Doon
- Apr. 18 – Attended Airport board meeting, Christy Doon, DOLA afterwards, Airport
- Apr. 18 – Attended the E911 board meeting, SAR building
- Apr. 18 – Attended open house at Central Colorado Escrow and Title Co., Bassick Place
- Apr. 19 – Attended meeting with CU/Denver Architect and student, Fairgrounds
- Apr. 23 – Attended a portion of the Cottage Foods Safety Course, by Extension, Saddle Club bldg.
- Apr. 24 – Met with Brandon Thompson, Fox 21 News, CO Sprgs, Commissioner Room
- Apr. 25 – Attended round table discussion with Congressman Tipton, Westcliffe Library
- Apr. 25 – Met with Congressman Tipton, commissioner's room
- Apr. 27 – Met with Gary Hyde and toured some county roads that need attention.
- Apr. 30 – Attended the BOCC meeting, commissioner room