

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, SEPTEMBER 5, 2006**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN  
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dick Downey	Chairman
Kit Shy	Vice-chair
Dale Hoag	Commissioner
Debbie Livengood	Clerk to the Board

Absent: Ric Ferron – County Administrator

Also present were Carole Custer and Alan Urban.

Meeting was called to order at 8:40am.

Road & Bridge Supervisor, Clint Englehart, along with Dave Trujillo, met with the Board to give their monthly report.

**WORK COMPLETED IN JULY**

- Bladed County Rd. 198 and roads south on the valley floor.
- Graded County Rd. 165, County Rd. 271 and County Rd. 255.
- Graded Matterhorn Circle and hauled gravel to Edelweis.
- Graded Cuerno Verde.
- Continued work on County Rd. 260.
- Hauled fill and repaired washout on Junkins Park Rd.
- Installed cattle guard on County Rd. 305.
- Cleaned various culverts.
- Patched on Horn.

**WORK PLANNED**

- Finish County Rd. 260.
- Finish patching on Horn.
- Grade in Antelope Valley.
- Continue grading in Blumenau.
- Major rebuild of County Rd. 323 between County Rd. 320 and County Rd. 325.
- Screen gravel.

Clint reported that the junk vehicles that were sitting in the right of way on County Rd. 105 have been moved from the right of way.

Clint is going to check with the Sheriff's Office in regards to posting several speed limit signs along County Rd 328 going east into the Town of Rosita.

Discussed Copper Gulch Road and the need to work on it. Clint is going to take the whole crew out to work on it and use part of them as flaggers due to the fast speeds that are driven on this road.

Clint reported that County Rd. 254 had washed out due to the heavy rains, but is not impassable. It needs to have some work done, but it is not a high priority. He also mentioned that the EPA would be here in the county next week to set up their monitoring equipment and take soil samples from property owners that have given their permission to check for lead.

Commissioner Hoag made a motion seconded by Commissioner Shy to approve the liquor license renewal for The Letter Drop Inn. Motion carried unanimously.

County Health Nurse, Kelly Johnson, met with the Board to give her monthly report. In the month of August there were sixteen well child exams/physicals given, sixty-two child immunizations and nineteen adult immunizations given, twenty-nine health screenings done and two cases of chronic hepatitis C reported.

Kelly reported that she had received one more application for the position of county health nurse since her last meeting with the Board.

Jean Mavromatis, Tobacco Education and Prevention Coordinator, met with the Board to give her monthly report. She reported that this upcoming year, there would be more information available for teenagers.

Tom Shephard, representing the Centennial Ranch Property Owners Assoc., met with the Board with concerns about lot 40 Centennial Ranch. Art and Barbara Nordyke currently own this lot and in 1994 they were issued an SUP by the county to operate a gravel pit. The Nordyke's are selling this lot and the proposed buyer is going to operate the gravel pit and the residents of Centennial Ranch are very opposed to this. Mr. Shephard stated that when the SUP was issued there were only about five or six full time residents in that area. As of today's date there are fifty-two full time residents and there have been fifty-one building permits issued for this year alone. The residents are very concerned about the visual nuisance, noise nuisance, light nuisance, attractive nuisance, and dust nuisance that operating a gravel pit will cause and are highly opposed to the operation. Mr. Shepard went on to say that the county adopted Resolution 99-10 that addresses "Vested Property Rights" and this should also be taken into consideration.

Commissioner Downey opened the meeting to questions from the audience, which was comprised of approx. fifty people. There were quite a few of those present who addressed the Board with their concerns and expressed their opposition to the gravel pit.

Commissioner Shy stated that there is nothing in the covenants that would keep the Nordyke's (current owners) or a new owner from operating a gravel pit. The records show there have been no complaints over the last ten years since the permit was issued,

and there were no provisions in the SUP when it was issued that would call for a review of the permit.

John Naylor, the county attorney, who was also present for this meeting, will investigate further into the situation concerning the permit that was approved for the Nordyke's, and the resolution that was adopted in 1999 concerning "Vested Property Rights", and will provide a written opinion to the Board at their October meeting.

Commissioner Downey signed the standard operating procedures and agreement for managing noxious weeds between the Custer County Cooperative Extension and the Upper Arkansas Cooperative Weed Management Area. This agreement is effective for five years and at that time will be subject to renewal.

County Extension Agent, Karen Crumbaker, reported that the county had received a \$6,000.00 grant for spraying noxious weeds. This money cannot be used by the county to spray the roads, instead is intended for property owners to use to spray on their property. The only noxious weed that cannot be sprayed using these funds is Canadian thistle.

Karen presented to the Board an invoice she had received from Fremont County in the amount of \$4,400.00 for spraying weeds in our county. This amount is \$1,400.00 over what the county budgeted for this year. However, according to J.R. the valley floor needs to be sprayed for Canadian thistle badly. The Board gave Karen the approval to call J.R. and have him spray the valley floor as he suggested, but not to exceed \$1,000.00.

Being no further business the Board adjourned at 3:00pm.