

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, SEPTEMBER 6, 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
John Naylor	County Attorney
Debbie Livengood	Clerk to the Board

Absent: Ric Ferron – County Administrator

Also present was Alan Urban and Nora Drenner.

County Attorney, John Naylor, shared with the Board that the adoption of Resolution 10-99 “Vested Property Rights” does not apply to the gravel pit located on lot 40 Centennial Ranch, owned by Art and Barbara Nordyke. John will present the Board with a written opinion and draft a letter to the Centennial Property Owners Association of his finding, along with a letter addressed to Mr. Shepard.

John Naylor reported on the lawsuit filed by Mr. Gomez. He has turned the suit over to the attorney’s for CTSI. The Board does not need to respond to their subpoena to be in court on October 5th. All the information that the zoning office has in their files will be turned over to CTSI.

Commissioner Hoag made a motion seconded by Commissioner Shy to approve the minutes of the July 31st, August 1st and 2nd meetings. Motion carried unanimously.

At Laura Dawson’s request the decision to approve or deny the request for a liquor license for the Lone Pine Restaurant in Wetmore has been cancelled for today’s meeting. Due to circumstances that have been brought to Ms. Dawson’s attention since applying for a license, she has asked to delay the decision until she has time to check with the owner of the building and the health department inspector for our area.

Commissioner Downey explained that both himself and the county extension agent had a telephone conference with Jane Wustrow, who represents RC&D concerning the grant money that was received for the purpose of spraying noxious weeds, and who and how can these funds be used. She explained that property owners can be reimbursed from these funds for spraying noxious weeds on their property. These funds can also be used to spray on county roads as long as those roads connect to the US Forest. This money can be used on spraying all noxious weeds with the exception of Canadian thistle.

County Treasurer, Doris Porth, met with the Board to give her monthly report. It was approved.

Carolyn Cole, representing Richard Stermer, met with the Board concerning a sign variance for the vicinity of County Road 170 and Hwy 69N that was approved at the last zoning and planning meeting. The original request was to approve a state supplied sign at the above intersection. Since this request was approved, Carolyn has learned that a sign permit with CDOT is not required by the state and they will not provide a directional sign. State Statute also reads that no permit is required for directional signage on the highway for working ranches, as long as it's placed on private property with the permission of the property owner, and does not exceed more than eight square feet in size. Ms. Cole is now requesting permission from the Board to allow Mr. Stermer to erect a private directional sign on his property on Pines Ranch Road (County Rd. 170) reading from both the north and south sides of the sign and not to exceed eight square feet.

Commissioner Shy made a motion seconded by Commissioner Hoag to revise the previous motion approved at the Planning and Zoning meeting on August 2nd for a sign permit to match the request letter received from Carolyn Cole as long as it does not oscillate, gyrate or have the illusion of motion. Motion carried unanimously.

The Board reviewed the agenda for today's Planning and Zoning meeting with Christy Kesselring.

Commissioner Downey made a motion seconded by Commissioner Shy to grant the request by Jodie and Karen Rhone for an extension on their septic and zoning permit for a period of one year due to them both being in the military and therefore were not able to complete their septic prior to the expiration date. Motion carried unanimously.

Commissioner Shy made a motion seconded by Commissioner Hoag to approve the request for a setback variance for the construction of the emergency facility tower since it is an enhancement to the one that currently exists. Motion carried unanimously.

Christy addressed the advertisement that was listed in the Wet Mountain Tribune for a horsemanship clinic hosted by Gabriele Loudermilk, who has property located on lot 33A, Silver Cliff Heights Ranch #4. According to Christy, Ms. Loudermilk was told back in March that she could not conduct events such as the one listed with out a Special Use Permit. She has never applied for a permit and has ignored all efforts by the zoning office to be in compliance. The zoning office has since sent her another letter dated August 23, 2006, explaining that she either quit any further activities of this kind or she needs to come into compliance with the zoning regulations.

The Board will draft a letter to the Planning Commission asking them to address the issue of Special Events Permits and to define what an agriculturally related event is.

The Board adjourned for lunch at 12:45pm.

The Board reconvened at 1:00pm in a joint meeting with the Board of Zoning Adjustment and Planning Commission.

Being no further business the Board adjourned.