

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MAY 2, 2007**

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

Dick Downey	Chairman
Kit Shy	Vice-chair
Carole Custer	Commissioner
John Naylor	County Attorney
Debbie Livengood	Clerk to the Board

Also present was Nora Drenner, reporter for the Wet Mountain Tribune.

Meeting was called to order at 8:37am.

The pledge was recited.

Jack Osborne, owner of Mountain View Equipment in Silver Cliff met with the Board in reference to the 2% county sales tax charged on the purchase of farm equipment. He wanted to know if the county planned on placing a question on the ballot that would exempt farm equipment from this tax. The Board informed Mr. Osborne that they would discuss his request.

County Attorney, John Naylor updated the Board on the subdivision regulations that were drafted in 2005 and reviewed by Mr. Headly, Mr. Raso, and himself. He will merge the recommendations received by the three that reviewed the draft, into the regulations and send each of the commissioners a copy. John's recommendation at this time is to wait and see what the state is going to do concerning well permits before making any definite changes regarding cluster developments or minor sub-division issues in the proposed subdivision regulations.

Commissioner Downey made a motion seconded by Commissioner Shy to exempt in the proposed subdivision regulations zones 1 & 2 from both the cluster developments and minor subdivisions. Motion carried unanimously.

Mr. Naylor suggested that the sketch plan and the preliminary phase of a subdivision be combined into one hearing.

Joe Arbuckle, representing the C-4 Organization, spoke on behalf of those in attendance, stating that they are a group of individuals that are attempting to stay current on the issue of cluster developments, minor subdivisions, and subdivisions. He requested a copy of the recommendations that the Board had received from Mr. Headly and Mr. Raso concerning the zoning regulations. Commissioner Shy responded by saying that before this information is released to the public, the Board would like to review and absorb the information that they were given.

Mr. Arbuckle asked if the recommendation from Mr. Naylor stating that he felt before making any definite changes to the zoning regulations the county should wait and see how the state is going to handle the issuance of well permits would include both cluster developments and subdivisions. Commissioner Custer replied that the Board has made no decisions at this time.

The Board adjourned at 9:40am to attend a portion of the opening session of the community input portion of our Custer County community assessment process. The purpose of the assessment is to provide a no cost, community evaluation in order to assist communities in realistic visioning and strategic planning as it relates to economic development. The Community Assessment program is being locally sponsored by the BOCC, the Custer County Economic Development Committee and the Custer County Extension Office. Funding, facilitation and staffing for this multi-step process is being provided by the Colorado Office of Economic Development & International Trade, Colorado Rural Development Council, Economic Development Council of Colorado. This step in the process was held at the Community Room at Cliff Lanes.

The Board reconvened into their regular scheduled meeting at 10:45am.

Mary Kattnig, representing the Farm Service Agency, met with the Board with concerns about the agency not having internet access to the county assessor's records when they are doing searches to compensate ranchers for loss of crops, fencing, etc. According to Mary, this agency is allowed to gather the information needed over the internet in other counties at no charge. The Board explained that the county did not subscribe to the vendor for this service. This service requires a \$5,000.00 fee that the county did not have the funds for. Mary asked the Board if they would write a letter to the Farm Service Agency letting them know the situation. The Board agreed.

Commissioner Downey informed those present of a memo that he had received from Carl Bauer with the Forest Service. This memo was in reference to the process that the forest service is going through to re-evaluate the recreational sites in our county and through out the state. There are currently 30 recreational sites here in Custer County. Through this process they will determine what areas will remain open and what areas will close. According to the information Dick has received, the county will only have about ten percent of the input that goes into these decisions.

Robin Young met with the Board concerning Bio Mass Heating (alternative fuels). She has been offered by two different entities to be involved in a feasibility study of our county free of charge. A company out of Montana called Burke, and the state have both offered this opportunity. Robin has already contacted the school and they have agreed to participate, and she will be meeting with both towns next to see if they are interested. She would like to have the county buildings such as the courthouse, jail, road & bridge shop, search & rescue building, and the Wetmore Shop be apart of this study. The Board asked Ms. Young to provide a proposal for the BOCC to review that addressed what the study would involve before they would make a decision. They would also like to know

what is expected of the county and what results would be given at the end of the study. Robin will meet back with the Board after she has more information for them.

Christy Kesselring, met with the Board to give her monthly report. The agenda for today's joint meeting was reviewed. The Board of Zoning Adjustment agenda was also reviewed. There are two set back variances on BZA agenda. The definition of "Agricultural" was brought up, and it will be discussed again when the zoning regulations are updated.

County Road 129 was discussed. This is the issue between Mr. Riding and Mr. and Mrs. Brothers concerning a gate that is across the county road. Mr. & Mrs. Brothers would like to have this county road abandoned since Mr. Riding has another entrance into his property and the road ends at their property. Mr. Riding, however, would like to continue using this road since the other entrance is too hard to get trailers through. When Mr. Riding bought the property he was informed that this was a county road and could be used.

County Attorney, John Naylor stated "non use does not constitute abandonment of a road". He also agrees that it is a county road and it should be kept open. The motion made by the Board to allow Mr. Brothers to install a gate may be revoked if it is interfering with public use of the road. If all parties are agreeable with the gate across the road it may stay in place.

The Board adjourned for lunch.

The Board reconvened at 1:30pm for a joint meeting with the Planning Commission.

Commissioner Shy moved to approve the Special Event Permit as discussed with the understanding there will be a review by staff, and staff will provide statistics on the number of events this affects. Every effort will be made to get this document to the public via the website, posting at libraries, etc. This document would be accepted in this form and tested for the first year. It will be effective July 1, 2007. Commissioner Downey seconded the motion that it would be effective today.

Commissioner Shy amended the motion that the Special Event Permit will go into effect on May 15, 2007, and it will be reviewed at the September meeting. Commissioner Downey agreed with the amendment and thanked the Planning Commission for their work on the Special Event Permit. The motion passed by a roll call vote with Commissioner Downey and Shy voting for and Commissioner Custer opposing.

The Board adjourned from the joint meeting with the Planning Commission.

The Board reconvened into their regular scheduled meeting at 3:30pm.

Karen Crumbaker, the County Extension Agent, met with the Board in reference to the Community Assessment process next step. Ms. Crumbaker asked the Board for their

input on individuals that should be included in the invitation to participate on the small group breakout sessions to be held on May 23rd. She is compiling the invitation list and needs recommendations for representatives from the Wetmore and San Isabel area to be included in developing the community action plan (CAP).

The Board adjourned for the day at 4:05pm.