

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, SEPTEMBER 5, 2007**

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

Dick Downey	Chairman
Kit Shy	Vice-Chairman
Carole Custer	Commissioner
John Naylor	County Attorney
Kelley Camper	Deputy Clerk to the Board

Also present was Nora Drenner, reporter for the Wet Mountain Tribune, and four C4 members.

The meeting was called to order at 8:40 AM and the pledge was recited.

John Naylor, County Attorney, informed the BOCC that oral arguments for Bob Scott's case would be on October 16, 2007.

Commissioner Shy made a motion, seconded by Commissioner Custer, to present the Subdivision Regulations, dated September 2, 2007, and the Cluster Development Plan to the Planning Commission for their review and workshop. Motion carried unanimously.

The BOCC informed John Naylor that there had been a resignation from the Planning Commission. They would like to fill the position with an alternate from the Planning Commission. John said that was fine. It was determined that the term expires in January 2010, so the person appointed would complete that term.

Commissioner Shy made a motion, seconded by Commissioner Custer, to approve the July 31, August 6 and 7, and 22, 2007 minutes with additions and corrections. Motion carried unanimously.

Robin Young, with Young's Forestry Inc., met with the BOCC regarding using a small sawmill on their property. They advised her to apply for a special use permit. She asked them if they would waive the fee since she had applied for a special use permit on a previous property, but didn't follow through with it. The BOCC told her to apply for the new permit and when it goes before the Planning Commission, she could then ask for a refund on the previous permit.

Commissioner Shy made a motion, seconded by Commissioner Custer, to sign a letter of support for the Custer County Habitat for Humanity. Motion carried unanimously.

Stan Hoggatt, Territory Manager for Computer Software Associates, Inc., presented the BOCC with a proposal for a computer system for recording in the Clerk and Recorder's office. Also present were Debbie Livengood, County Clerk and Recorder, and Chuck Ippolito, IT Director.

Jackie Hobby, Deputy Director/Code Enforcement Officer for Planning and Zoning, met with the BOCC to give her monthly report. Also present were Brian Clince, Zoning Office Trainee, and Lynn Attebery, Chairman of the Planning Commission.

Jackie informed the BOCC that John Campbell had resigned from the Planning Commission.

Jackie asked the BOCC about the refund for Robin Young. They told her to have Robin pay the \$500.00 for the special use permit she is applying for now, then hold the check until the Planning Commission decides about giving a refund.

Jackie asked the BOCC what to do about the complaint against Randy Lawson. They told her to write a letter to Lois L. Conrad and Chasity Cooper, who are the current owners of the property, asking them for access to the property to investigate the complaints.

The BOCC recessed for lunch at 12:00 PM.

The BOCC reconvened at 1:00 PM for a joint meeting with the Planning Commission.

Commissioner Shy made a motion, seconded by Commissioner Custer, to approve the application for a Special Use Permit for Dave and Brenda Roever of the Eagle Summit Ranch with the following conditions:

1. That the applicants comply with all federal, state and local regulations.
2. The permit will be reviewed after one year, and by complaint basis afterwards.
3. The applicants submit annually, a receipt of annual water usage as well as a receipt of annual septic pumping to the Planning and Zoning Office.
4. The Special Use permit is tied to the organization and the applicant, and not the land itself. Therefore, upon change of ownership, it will revert back to a single family dwelling status.
5. A maximum of eight individuals may stay for a maximum of sixteen days at twenty-six weeks annually.

Motion carried unanimously.

The meeting was adjourned at 3:15 PM.

The BOCC reconvened in their regular session at 3:15 PM.

Commissioner Shy made a motion, seconded by Commissioner Custer, to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 3:30 PM.