

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, OCTOBER 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-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 community members.

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

The BOCC directed John Naylor, County Attorney, to look into the cost of a financial advisor that the Board could consult with on financial items.

Commissioner Shy asked John's opinion regarding a complaint that he received from a property owner in Silver Cliff Heights regarding a locked gate that was put up across Hull Avenue. John informed the BOCC that it is a problem that should be handled by the homeowners association.

The BOCC discussed the pros and cons with John regarding the request from Horn Creek Conference Center that the county be the conduit for a bond issue they are pursuing.

Commissioner Custer made a motion, seconded by Commissioner Shy, that the BOCC doesn't want to address the Horn Creek bond issue as presented to them September 20, 2007 during their meeting in Wetmore because the County has several other financial issues before them currently. Motion carried unanimously.

Joe Arbuckle, representing C4, presented the BOCC with their Humboldt Peak Planned Unit Development (PUD) Position Paper.

Donna McDonnall, County Public Health Nurse, met with the BOCC to give her monthly report.

Jackie Hobby, Deputy Director/Code Enforcement Officer for Planning and Zoning, met with the BOCC to give her monthly report. Jerry Dearborn, also present at the meeting, commented to the BOCC about Sandy Hollis' property in Verde Creek. He feels she is operating an RV park. The BOCC directed John Naylor to send her a letter asking her to comply with county regulations.

Commissioner Shy made a motion, seconded by Commissioner Custer, to go into executive session to discuss a matter with the County Attorney. Motion carried unanimously.

Commissioner Shy made a motion, seconded by Commissioner Custer, to go back into regular session. Motion carried unanimously.

Jean Mavromatis, Tobacco Education & Prevention Coordinator, met with the BOCC to give her monthly report.

The BOCC recessed for lunch at 12:10 PM.

The BOCC reconvened at 1:00 PM in joint session with the Planning Commission.

Commissioner Shy made a motion, seconded by Commissioner Custer, to approve the recommendation of the Planning Commission, which is for the approval of the preliminary plan phase of the PUD process for Humboldt Peak Partners, with the added conditions that the final plat will show roads with a 20-foot driven surface and a fire mitigation plan for structures, as well as a fuel mitigation plan with cisterns. Motion passed unanimously.

Commissioner Downey made a motion, seconded by Commissioner Custer, to approve the recommendation of the Planning Commission, which is to approve the Special Use Permit modification for the Wetmore Volunteer Fire Department with the conditions that it be reviewed on a written complaint basis only; they must comply with all local, state and federal regulations; and the Special Use Permit is for the Wetmore Fire Department only and not the land itself. Motion carried unanimously.

Commissioner Shy made a motion, seconded by Commissioner Downey, to approve the recommendation of the Planning Commission, which is to approve the Waiver of Subdivision Regulations for the Estate of Virgil Lawson. Motion carried unanimously.

Commissioner Shy made a motion, seconded by Commissioner Downey, to approve the recommendation of the Planning Commission, which is to approve the Subdivision Waiver for Steve Mitchell, with the conditions that with any further subtractions from the property of Mary Jagow, she maintain a minimum lot size of 35 acres, and the division of Steve Mitchell's property by the road in no way implies that there are or ever may be two lots, because this application has created this situation, and not the county. Motion carried unanimously.

Commissioner Custer made a motion, seconded by Commissioner Downey, to approve the recommendation of the Planning Commission, which is to approve the refund of money paid by Mitch and Robin Young for a previous Special Use Permit application, minus money spent on postage to send letters to adjoining property owners. Motion carried unanimously.

The meeting was adjourned at 4:31 PM.