

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, MARCH 5TH, 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
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

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

The pledge was recited.

OLD BUSINESS

Commissioner Custer will be posting a larger calendar in the commissioner's room for individuals to post the date and time they will be using the commissioners room.

NEW BUSINESS

Clint Englehart submitted his resignation as Road & Bridge Supervisor effective March 23rd, 2007. The Board expressed their gratitude to him for the great job he has done with the department.

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

WORK COMPLETED IN JANUARY

- Snow removal
- Repair of chains

WORK PLANNED

- Snow removal
- Work on County Rd. 220
- Grading roads

Roy and Jane Bates, Dennis and Joyce Fiesler, John Cox, Charles and Cheri Orange, and Jim and Myke Jones, met with the Board, along with Clint and Dave, to discuss County Road 220. The property owners present, as well as Mrs. Clyde Anderson who lives on County Road 222, wrote a letter to the Road & Bridge Department with concerns about

these two roads. According to the letter, weather conditions since mid-December, has left at least six full time residents isolated because of the road conditions. They explain in their letter that the roads are almost impassable. Emergency vehicles and propane trucks cannot reach their homes.

Dave Trujillo informed those present that they will be out working on County Road 220, trying to develop a temporary solution to their problem. They are going to pull the banks of the road up, but this will leave a flat road without drainage until it can be fixed correctly. According to Dave, they have no gravel at this time to put on the road, they cannot afford pipe (culverts) that are needed at this time, nor do they have enough employees to do the job at this time.

There was a lot of questions and input from the properties owners present. A few of the comments made were:

- Roy Bates, “Thanked” Clint and Dave for what they have done up to this point.
- It was pointed out that County Road 222 is not a county maintained road and that the homeowners were told that at the time they applied for a driveway permit.
- A homeowner stated that from Lope Loop to Lakeview Rd. (approx. 1½ miles) does not need to be maintained during snowstorms. Clint commented that they do need to maintain this portion of road due to the Division of Wildlife.
- Another comment made was that even though they are required to pay homeowner dues to Bull Domingo, they receive no services from the association. As a group they have discussed dropping out of the association, purchase the right kind of equipment needed and maintain the roads themselves.

Commissioner Shy warned them that there would probably be some legal issues involved in separating themselves from the association and that the county will not allow private individuals to do maintenance work on county roads due to the liability to the county.

Commissioner Custer made a motion seconded by Commissioner Shy to approve the request by Carole Mallet to hold the “National Day of Prayer” on May 3rd at the courthouse around the flagpole weather permitting, otherwise it will be moved to the basement of the courthouse. Motion carried unanimously. Ric Ferron will notify Carole that her request has been approved.

County Administrator, Ric Ferron, will contact Mr. & Mrs. Riding and Mr. & Mrs. Brothers, notifying them that as soon as the weather permits (end of March or first part of April) the Board will conduct the site tour of their properties that have been in question.

The Board agreed to give the Special Events Permit application that was recently developed to the county attorney for his comments.

Approximately nineteen people were in attendance for the discussion of Cluster Development. Commissioner Downey opened the meeting with stating that the Planning

Commission had worked on the zoning regulations for eighteen months, before turning it over to the Board for their comments. The Board then turned the draft over to the county attorney for his review, along with Pueblo County's land use attorney, and the planning director of Pueblo County. Dick referred to the minutes of March 21, 2006, at which time a motion was made to direct the county attorney to re-write the subdivision regulations to include recommendations of the attorneys and include cluster developments and minor sub-divisions. Upon receipt of the re-write the commissioners would review the document and then refer the re-write to the Planning Commission. As of today's date this request has not be done.

Commissioner Downey recommended that the Board visit with the county attorney tomorrow, March 6th, when he will be present at their meeting and ask him to follow through with the re-write or give it to a land use attorney to prepare the re-write.

Commissioner Shy recommended that the county attorney incorporate Mr. Razo's input into what they currently have and re-write the regulations for the commissioners to review.

From those present there were comments made such as:

- John Brandenburg – How important is cluster development and minor subdivisions? Is it really what the people in this county wants or needs? Commissioner Shy responded that it is a tool from the master plan that allows open space to be preserved.
- Katherine Millett – According to the C.R.S. open space when talking about cluster developments only has a forty-year life span.
- John Brandenburg – Density only gets worse with cluster development.
- Dorothy Nepa – The resolution that was adopted that allows for an 80-acre zone to be a PUD was not apart of the zoning regulations. That resolution was adopted on its own. During most of the workshops that I (Dorothy) attended, cluster developments and minor subdivisions were objected by most present.
- Bill Gillett – Allowing for a PUD in an 80-acre zone was a big mistake and should be re-visited.
- Sally Brandenburg – Were there meetings conducted for public input concerning the 80-acre zones to be a PUD? Cluster developments, minor subdivisions, and PUD's only open the door to rampant growth. Commissioner Shy responded by stating that the PUD density formula for the 80-acre zone was presented to the public for review. And that there needs to be regulations in place to be followed so that rampant growth will not happen.

Bob Senderhauf, who was also present at this meeting, wants it clarified that there were no real estate agents involved with the Board of Zoning Adjustment or the Planning Commission at the time any of the decisions on minor subdivisions, cluster developments, or the 80-acre zone PUD were made as the newspaper has eluded to.

The Board met with Christy Kesselring, the Planning and Zoning Officer, along with Lynn Atteberry, Chairman of the Planning Commission. Christy presented her monthly report to the Board and reviewed the agenda for tomorrow's zoning meeting.

County Health Nurse, Donna MacDonnell, met with the Board to give her monthly report. There were twenty child immunizations given and six adult immunizations given this month, along with twenty-eight health screenings. Donna taught a Red Cross First Aid class, along with a CPR class for the CERT Program this month.

Donna presented a contract from the Department of Public Health & Environment for the State Nursing Program for a five year period commencing on July 1, 2007 for the Board's approval and signature.

Commissioner Shy made a motion seconded by Commissioner Custer to approve and sign the contract with the Colorado Department of Public Health & Environment as presented by Donna. Motion carried unanimously.

Chris Riggs discussed with the Board his services in writing grants for the county. He offered his service on a contract basis for a flat fee. He noted that he has an agreement with the Wet Mountain Fire Department for \$10,000.00 a year. The Board asked Chris to present a proposal for his services.

Being no further business the Board adjourned.