

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING, NOVEMBER 7, 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 six community members.

The meeting was called to order at 8:35 AM and the pledge was recited.

Alan Butler asked the BOCC to okay a bill from Air-Petro for aircraft fuel that wasn't turned in by the deadline.

Commissioner Custer made a motion, seconded by Commissioner Shy, to pay the bill to Air-Petro for \$12,899.93. Motion carried unanimously.

Jerry Lacy has written a letter of resignation from his position as Custer County Veterans Service Officer. Jerry, along with The American Legion, has recommended that Amber Hansen take over his position.

Commissioner Custer made a motion, seconded by Commissioner Shy, to appoint Amber Hansen as the new Custer County Veterans Service Officer. Motion carried unanimously.

The BOCC asked John Naylor about the liability of the new Custer County Livestock Club not being insured. John said that the club would need to carry insurance just like the 4-H and FFA programs. He also said that the leaders in the new club need to have a background check the same as 4-H and FFA.

Commissioner Shy made a motion, seconded by Commissioner Custer, to develop a clear policy to be included in the personnel policy update regarding insurance requirements and liability expectations for all auxiliary clubs affiliated with the County. Motion carried unanimously.

Norm Walsh, from The Legal Defense Corporation, gave a presentation to the BOCC on his program, which is comparable to pre-paid legal.

Lance Villers and Mike Sanders, representing Diverse Datum, met with the BOCC requesting permission from them to put a tower on Lookout Mountain to gain high-speed internet access for people in the community that cannot get it at this time.

Commissioner Custer made a motion, seconded by Commissioner Shy, to accept the proposal from Diverse Datum for wireless internet with the understanding that it is okay with the BLM to put a tower on their property, it mirrors a similar agreement with Ridgeview Tel, and that there is no interference with the other towers already there. The BOCC will grant permission for a period of five (5) years. Diverse Datum will need to provide proof of insurance, with the County being named on the insurance. Motion carried unanimously.

Dave Trujillo, Road and Bridge Supervisor, met with the BOCC to give his monthly report. The BOCC asked Dave to get together with John Piquette to get his budget restructured since the mil levy increase passed at the November 6, 2007 election.

Commissioner Shy made a motion, seconded by Commissioner Custer, to approve the minutes from the August 31st, September 4th and September 5, 2007 BOCC meetings as amended and corrected. Motion carried unanimously.

Commissioner Custer made a motion, seconded by Commissioner Shy, to approve the minutes from the September 28th, October 1st and October 2, 2007 BOCC meetings as amended and corrected. Motion carried unanimously.

The Sheriff's report for the month of October 2007 was approved.

Jackie Hobby, Zoning Office Deputy Director/Code Enforcement Officer, gave her monthly report.

The BOCC recessed for lunch at 12:00 PM.

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

Commissioner Shy made a motion, seconded by Commissioner Custer, to accept the recommendation of the Planning Commission to approve a request for a Subdivision Waiver with a Vacation of Interior Lot Lines to create "lot A Torkleson Tract" with the condition that any further subtraction from the property owned by Mary Jagow cannot leave her with less than a 35-acre parcel. Motion carried unanimously.

Commissioner Downey made a motion, seconded by Commissioner Custer, to accept the recommendation of the Planning Commission to deny the application for a Special Use Permit by the Buddhist Foundation, Diamond Way. Motion carried unanimously.

Commissioner Downey made a motion, seconded by Commissioner Shy, to accept the recommendation of the Planning Commission to approve the application for a Special Use Permit for Mitch and Robin Young with the following conditions: the Special Use Permit be reviewed after one (1) year and be reviewed further by complaint basis only; the Special Use Permit pertain to the current land owners and upon sale of the property, the use converts back to the uses allowed by right; that all Federal, State and local regulation and guidelines be followed; and hours of operation are restricted to 8:00 AM to 7:00 PM for business hours and 8:00 AM to 5:00 PM for operation of all machinery. Motion carried unanimously.

The meeting was adjourned at 3:52 PM.