

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
MAY 22, 2019**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE WETMORE COMMUNITY BUILDING.

The meeting was called to order by Commissioner Flower at 9:00 AM and the Pledge of Allegiance was led by Jacke Barnes. Roll call was taken, and the following were present:

Tommy G. Flower	Chair
William R. Canda	Vice-Chair
Jay Printz	Commissioner
Kelley Camper	Clerk to the Board
Clint Smith	County Attorney

AMENDMENTS TO THE AGENDA

None

AUDIENCE INTRODUCTIONS

Present in the audience were BOCC Administrative Assistant, Meredith Nichols; Sentinel reporter, Jackie Bubis; Planning and Zoning Director, Jackie Hobby; Alden Gray; Ruth Roper; Sandy MacKinnon; Ron, Debbie, and Matt Gifford; John and Ruth Spaar; Ron Lavar; and Janet Elliot.

COMMISSIONER ITEMS

The board reported on the various meetings they attended and individuals they met with. Commissioner Canda stated he had been working with Reilly Johnson Architecture to make changes to the contract with them for the Judicial Center.

MOTION by Commissioner Printz, to approve the proposed changes discussed at the committee meeting and to authorize Commissioner Canda to sign the document after it has been reviewed. Motion carried unanimously.

UPPER ARKANSAS WATER CONSERVANCY DISTRICT REPORT

Commissioner Flower reported that UAWCD Board member, Jeff Ollinger, resigned. He also reported that Mike Shields has put in a letter of intent to run for Bob Senderhauf's position on the UAWCD Board. Bob's term expires May 31st.

ATTORNEY ITEMS

County Attorney, Clint Smith, reported on the various items he has been working on.

ADMINISTRATIVE ASSISTANT ITEMS

None

PUBLIC COMMENT

None

STAFF REPORTS

PLANNING AND ZONING REPORT

Planning and Zoning Director, Jackie Hobby, met with the board to give the monthly report for April. Jackie stated that there is a tree growing by one of the bridges on County Road 389 that catches debris during flood conditions.

MOTION by Commissioner Printz, to approve the removal of the tree on County Road 389, providing the County Attorney verifies that the County has the legal ability to do that. After discussion, Commissioner Printz withdrew the motion.

This will be researched further and addressed again during the May 31st BOCC meeting.

UNFINISHED BUSINESS

None

NEW BUSINESS

SB-35 WAIVER IN TV HILLS SUBDIVISION

TV Hills I was developed in 1977 and has ten lots. A community well services all ten of these lots plus three other properties not in the subdivision. TV Hills lot owners Ron and Debbie Gifford, Matt Gifford, and Sandy MacKinnon informed the board that the community well is starting to fail. It is down to eight gallons per minute. They applied for three well permits to drill a well on each of their lots but were turned down by the state. They requested that the BOCC give them a SB-35 waiver so they can drill the wells. After discussion, the board informed them that they will need to do more research and then present their case to the Planning Commission.

RESOLUTION 19-04

This resolution allows the county to accept a donation from MBOGO Aviation LLC (Aught Six) in the amount of \$3,600 to be used at the airport.

MOTION by Commissioner Printz, to approve Resolution 19-04 “A Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for Custer County”. Motion carried unanimously.

LANDFILL EXCAVATION

Landfill Supervisor, Rusty Christensen, is having trouble getting a scraper rented to dig a pit at the landfill. After discussion, the board decided to put out a request for proposal (RFP) to see if it would be cost effective to hire someone to do it rather than renting a scraper and Rusty doing it himself.

PUBLIC HEALTH AGENCY LEASE WITH CLINIC

County Attorney, Clint Smith, sent a letter to the Custer County Medical Center letting them know that the county is terminating the lease with them for the Public Health Agency office space, effective May 31st. The lease states that “with cause” you can give a 30-notice; “without cause” requires a 90-day notice. Clinic Executive Director, Lisa Drew, spoke with Public Health Agency Director, Elisa Livengood, about this. Elisa offered to pay half of what would be owed for another two months. The BOCC stated that Elisa did not have the authority to make this offer. Clint stated that he has heard nothing from Lisa regarding the letter he sent, and he recommended to the board to move ahead as planned.

PUBLIC COMMENT

None

Having no further business, Commissioner Flower adjourned the meeting at 11:58 a.m.

BOCC Chair, Tommy G. Flower

Attest:
County Clerk & Recorder, Kelley S. Camper