

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
FEBRUARY 28, 2020**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN REGULAR SESSION IN THE COMMISSIONERS BOARDROOM.

The meeting was called to order by Commissioner Flower at 9:00 AM and the Pledge of Allegiance was led by Tom Flower. 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

AUDIENCE INTRODUCTIONS

Present in the audience were BOCC Administrative Assistant, Cara Evans; Tribune reporter, Elliot Jackson; Planning and Zoning Director, Jackie Hobby; Planning Commission Chair, Vic Barnes; and County Sheriff, Shannon Byerly.

AMENDMENTS TO THE AGENDA

None

COMMISSIONER ITEMS

The board reported on the various meetings they attended and individuals they met with. Commissioner Flower stated that Resolution 20-05 and 20-06 had language in them that was limiting to only the construction of the landfill and the judicial center and he felt they shouldn't be limited to just construction.

MOTION by Commissioner Printz, to amend Resolution 20-05, paragraph 2, by striking the word "construction" and inserting the words "for the sole benefit of". Motion carried unanimously.

MOTION by Commissioner Flower, to amend Resolution 20-06, paragraph 2, by striking the word "construction" and inserting the words "for the sole benefit of". Motion carried unanimously.

UPPER ARKANSAS WATER CONSERVANCY DISTRICT REPORT

None

ATTORNEY ITEMS

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

ADMINISTRATIVE ASSISTANT ITEMS

None

PUBLIC COMMENT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

VOUCHERS

MOTION by Commissioner Printz, to approve the vouchers for January 2020. Motion carried unanimously.

County payroll and accounts payable were:

County General	\$258,940.96
Road & Bridge	\$208,294.75
Emergency Services	\$ 43,037.99
Human Services	\$ 39,250.47
Self Insurance	\$
Capital Improvement	\$
Airport	\$ 880.52
Conservation Trust Fund	\$
Tourism	<u>\$ 13,435.82</u>
TOTAL	\$563,840.51

COMMUNITY ORIENTED POLICING SERVICES (COPS) GRANT

County Sheriff, Shannon Byerly, informed the board that he is applying for the COPS Grant. The funding from this grant will be used to pay for a full-time Resource Officer at the school. The grant has a 25% match, which will be paid for by the school. It is a 3-year grant that will then have to be re-applied for. The grant application is due March 11th and if approved, will be used starting in the 20-21 school year.

SHORT TERM RENTALS (STR)

Planning and Zoning Director, Jackie Hobby, met with the board to discuss short term rentals in the County. Currently, Jackie believes there are around 50 short term rentals. Jackie is concerned about septic usage since there are usually more people staying at these STR's than the septic system is rated for. The BOCC is concerned about the septic systems, wells, and zoning. The County is zoned for two uses – residential and agricultural. There is no commercial zoning. A property owner that has a business on their property must apply for a special use permit (SUP). Jackie stated that County Assessor, J.D. Henrich, informed her that he cannot put a property that is being used at an STR as commercial if the owner stays there at least 30 days per year.

MOTION by Commissioner Flower, to request that the Planning Commission consider amending the Zoning Resolution to address short term rentals in the County. Motion passed unanimously.

ZONING VIOLATION LAWSUIT

County Attorney, Clint Smith, informed the board that he filed paperwork with the County Court to collect on a delinquent promissory note. The property owner built a building on his property without getting a permit, therefore, he had to pay three times the cost of what the original permit would have cost him. He did not have the money to pay that. On April 24, 2019, he signed a promissory note for \$1,787.20, to be paid in four monthly installments. He has not made any of those payments.

MOTION by Commissioner Canda, to ratify the action of the County Attorney filing a County Court Complaint with the County Court. Motion carried unanimously.

TRANSFER OF FUNDS

County Clerk, Kelley Camper, met with the board to do three transfers. The first transfer of \$9,647.87 is ERTB grant money for the purchase of a recording server, and iCounty storage; the second transfer of \$35,801.00 is for the newly established Judicial Center Fund; and the final transfer of \$17,716.35 is for the newly established Landfill Expansion Fund.

MOTION by Commissioner Canda, to transfer \$9,647.87 from the Records Restoration Fund to the County General Fund. Motion carried unanimously.

MOTION by Commissioner Printz, to transfer \$35,801.00 from the County General Fund to the Judicial Center Fund. Motion carried unanimously.

MOTION by Commissioner Flower, to transfer \$17,716.35 from the County General Fund to the Landfill Expansion Fund. Motion carried unanimously.

PUBLIC COMMENT

None

Having no further business, Commissioner Flower adjourned the meeting at 11:19 a.m.

BOCC Chair, Tommy G. Flower

Attest:
County Clerk & Recorder, Kelley S. Camper