

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING, OCTOBER 31, 2006**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN  
REGULAR SESSION WITH THE FOLLOWING MEMBERS PRESENT:

Dick Downey	Chairman
Kit Shy	Vice-chair
Dale Hoag	Commissioner
Ric Ferron	County Administrator
Debbie Livengood	Clerk to the Board

Also present was: Nora Drenner and Alan Urban.

Meeting was called to order at 8:40am.

County payroll and accounts payable were approved from the following funds:

County General	\$172,493.52
Road & Bridge	68,639.57
Emergency Service	15,032.26
Social Service	31,126.85
Capital Improvement	9,071.70
Total	\$296,363.90

Jerry Mallot, Chaffee County Commissioner, and Wano Urbonas, Chaffee County Environmental Health Manager for Chaffee County, met with the Board in reference to a water quality "Base-line" study for the Upper Arkansas Drainage Area. They are planning to seek an EPA grant to fund the study. Chaffee County will be the administrator of the funds if the grant is approved. This will be a four-year study and they are meeting with all the counties that are in this region asking if they would write a letter of support from their county to be attached to the grant application. The counties to be notified are: Lake, Chaffee, Custer, Fremont, and part of Saguache counties.

Commissioner Shy made a motion seconded by Commissioner Hoag to proceed with writing a letter support. Motion carried unanimously.

Under-sheriff, Craig Feldmann, met with the Board to discuss the new radios that were recently purchased. When they were programmed, it was done incorrectly. Currently, anyone with an 800mhz radio is able to listen to the Colorado State Patrol, the Division of Wildlife and sheriff channels. The cost to reprogram the radios will be approx. \$2,000.00. There are a total of seventy-nine radios that need to be reprogrammed. Craig suggested that the best time to do the changes would be before the firemen begin using their radios. Craig will notify the Wet Mountain Fire Protection District, and Bob Benz from Legacy and tell him we are going to proceed with the reprogramming.

Craig also informed the Board that the cost for maintenance on the new tower is \$15,000.00 a year, starting next year. If the county is not financially able to take care of the maintenance, the tower can be turned over to the state to maintain. However, the county will lose all rights to the tower.

The Dilley Ranch Homeowners Association was on the agenda to meet with the Board with concerns about a gravel pit on Oak Creek Grade, located in Fremont County that was recently sold and the new owners leased the pit to Kagan and Company. They are concerned that if the county does not consider a weight restriction of 25 tons or less to be hauled over our roads, specifically County Roads 271, 265, and 255 these roads will be seriously harmed. However, no one from the Dilley Ranch Property Association was present for the meeting. Andy Kagan and Kent Beach, however, were present. When the Board asked Mr. Kagan about the usage of the pit he had just leased, he responded by saying that there was approx. 10,000 tons of gravel in the pit. There have been 3,000 tons sold to the Griffith Ranch in Fremont, and 6,000 tons sold to Dilley Ranch already this year. The other purchaser's of gravel have been Dilley Ranch. He did mention that he has had one complaint from a property owner concerning a situation and the way it was handled by his employee. Mr. Kagan has since terminated his employment. It was also noted that the weight restriction cited above would preclude some county trucks from county roads.

Commissioner Shy made a motion seconded by Commissioner Hoag to approve the minutes of September 29<sup>th</sup>, October 2<sup>nd</sup>, 3<sup>rd</sup>, 10<sup>th</sup>, and 17<sup>th</sup>. Motion carried unanimously.

Tom Urwiller met with the Board representing Wayne and Karen Webb, who recently purchased two lots in Rosita. There is a small portion of Quartz Street that goes between the two lots that the Webb's would like to have vacated. The county administrator sent a letter to the adjacent property owners (Joseph and Barbara Wojdyl) on October 18<sup>th</sup> to notify them of the request to vacate a portion of Quartz Street. They have not responded to the letter.

Commissioner Shy made a motion seconded by Commissioner Hoag to approve their request with the condition that the county attorney gives his approval at the next meeting. Motion carried unanimously.

Tom Urwiller purchased a septic permit since he needed to do some repairs to his system. The repairs were so minimal that Mr. Urwiller was asking for a refund on the permit. The Board denied his request since there was an inspection and county costs involved.

John Riding met with the Board in regards to a gate that is across County Road 129. According to Mr. Riding his driveway is 50' from the intersection where the gate is located. Mr. Brothers keeps the gate shut and Mr. Riding is asking that the Board have Mr. Brothers keep the gate open so that the Road & Bridge Department can do snow removal. Clint Englehart who is the Road & Bridge Supervisor was present at the meeting informed the Board that they can't get their equipment through the gate to plow. The only way they can do snow removal is if the gate is removed.

The Board will re-visit this issue with the county attorney before a letter is written to Mr. Brothers. At that time the Board will also notify Mr. Riding.

Being no further business the Board adjourned from the regular meeting to continue with budget hearings.