

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING, MAY 27, 2009**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN SPECIAL SESSION IN THE COURT ROOM WITH THE FOLLOWING MEMBERS PRESENT:

Lynn Attebery	Chairman
Jim Austin	Vice-Chairman
Carole Custer	Absent and provided a proxy vote to approve the SEP with the written revisions provided prior to the meeting.
Kris Lang	Deputy Clerk to the Board

Also present was Pat Bailey, Jackie Hobby, Paul Buckles, Rod Coker, Keith Hood, Bill Donley, Vic Barnes, Dorothy Nepa, Pete Michaelson, Ralph Hood, Donna Hood, Brad Johnson and several community members.

AGENDA

Call meeting to order

Pledge of Allegiance

PUBLIC HEARING

Planning Commission Special Events Permit

National Cutting Horse Association Days June 5, 6, 7 of 2009

RDH Holdings LLC dba Painted View Ranch

The meeting was called to order at 10:05 AM and the Pledge of Allegiance was recited.

Commissioner Attebery stated the meeting was published and posted as a Custer County Board of County Commissioners Special Meeting with the Planning Commission. The Public Hearing is scheduled for the Special Events Permit, National Cutting Horse Association Days, June 5,6,7 of 2009. RDH Holdings LLC dba Painted View Ranch. Commissioner Attebery turned the meeting over to the Planning Commission.

Pat Bailey, Planning Commissioner Chair opened the Public Hearing for A Painted View/Ralph and Donna Hood Special Event Permit. Legal Description: 3115 County Road 160. Schedule Number 101—02-519. He asked if the applicants were present. Pete Michaelson responded he would be representing Ralph and Donna Hood who own A Painted View.

Mr. Bailey asked Jackie Hobby, Planning and Zoning Director if all the adjoining property owners had been notified of the event. Ms. Hobby replied ten (10) adjoining property owners were notified with six (6) replies. All the replies were positive.

Pete Michaelson representing RDH Holdings LLC dba Painted View Ranch stated they were prepared to submit the three (3) requested documents for the Special Events Permit (SEP) that have been requested by the Planning and Zoning Office: 1. Contract to haul non-portable water, also a commitment to buy portable water. 2. Food Service license. 3. Proof of Liability insurance. He addressed previous statements made at the BOCC meeting of May 5, 2009 that entertainment was not part of the Special Use Permit (SUP) issued in 2006.

He stated review of the notes made by Christy Kesselring (previous Planning and Zoning staff member) during her meeting with Ms. Hood clearly reveal the hand-written notation of entertainment as part of the process. He felt due to a flaw in the process it was not included in the contents of the SUP.

Brad Johnson, Events Manager for the Painted View Ranch submitted the following documentation to the Planning Commission: 1. Contract for water with Jerry Seifert along with the dust mitigation plan. 2. Retail Food license. 3. Insurance binder.

Pat Bailey, Chair asked if there was anyone on the Planning Commission or in the audience who wished to speak.

Paul Buckles, Planning Commission requested clarification on the completed fire department inspection. He asked if the inspection included the estimated 1250 people. Mr. Johnson responded Sheriff Jobe had inspected the premise for security and fire safety and was aware of the estimated attendants.

Keith Hood, Planning Commission inquired if there was one commercial well. Mr. Johnson responded they had one commercial exempt well. He explained the restrooms would be locked and everyone would use the porta-potties that were being brought in. Mr. Hood asked how the animals were going to be washed. Mr. Johnson replied with the water truck and that the issue has been addressed with Jerry Livengood.

Dick Downey, property owner stated he used Hermit Road as an access for his cattle and expressed concern over the parking. Mr. Johnson responded that there would be no parking on the roads.

Bill Donley, Planning Commission asked the size of the building. Mr. Johnson replied 225' x 110'. Mr. Donley inquired how early did you have to book the entertainment. Mr. Johnson said the financial commitment was completed on May 5, 2009 and that the initial contact was 45 days prior.

Vic Barnes, Planning Commission inquired where the vendors will get their water. Mr. Johnson responded the water is part of the water contract with Jerry Seifert.

Brad Johnson reported the Chamber of Commerce is a co-sponsor for the event and will be serving food. The water for those dishes and clean-up fall under the commercial exempt well.

Pat Bailey closed the Public Hearing.

MOTION by Vic Barnes, seconded by Bill Donley:

To approve the SEP with the revisions presented. Motion carried unanimously.

Pat Bailey, Chair asked the County Commissioners to respond.

Commissioner Austin stated that RDH Holdings dba Painted View Ranch have completed the SEP requirements along with everything we asked of them and welcomed the event. He remarked that the parts of the process were vague and required future review and clarification. He stated he was grateful the processes were in place and that everyone involved was able to work together to get to this point.

Commissioner Attebery stated he was not going to debate the contents of the SUP. He said he was in favor of the SEP. He thanked Painted View Ranch for their efforts and felt the event will boost the economy of Custer County. He commented with earlier notification the county could have assisted the event rather than taking on the role of monitoring and hoped this would be the case in the future.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:
To approve the recommendation of the Planning Commission. Motion carried.

Brad Johnson commented as the Events Manager of RDH Holdings dba Painted View Ranch he did not want to any future events to require last minute hearings or permits. He thanked the Planning Commission, the BOCC and Jackie Hobby for their assistance and support.

MOTION by Commissioner Austin, seconded by Commissioner Attebery:
To adjourn the meeting. Motion carried.

The meeting was adjourned at 10:25 AM.

Debbie Livengood, Clerk and Recorder

Lynn Attebery, Chair