

TWENTYTHIRD MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session On October 22nd, 2024, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chairman McFall called the meeting to order at 9:30 a.m.

Dwayne McFall	Commissioner	Present
Debbie Bell	Commissioner	Present
Kevin Grantham	Commissioner	Present
Justin Grantham	Clerk and Recorder	Absent
Eric Bellas	County Attorney	Present
Tony Carochi	County Administrator	Present
Dan Victoria	Planning & Zoning Director	Present

INVOCATION

Joe Garkovich from Mercy Today Ministries gave the invocation.

PLEDGE OF ALLEGIANCE

Those present recited the Pledge of Allegiance to the flag of the United States of America.

APPROVAL OF AGENDA

Commissioner Bell moved to approve the agenda. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

CONSENT AGENDA

1. Approval of Minutes / October 8, 2024
2. Approval of Bills for \$4,127,624.04
3. Ratification of Chairman's signature on Professional Services Agreement Between Fremont County And Lochner
4. Ratification of Chairman's signature on Intergovernmental Agreement For Inmate Detention Services
5. Ratification of Chairman's signature on CEBT Notice of Termination
6. Schedule Public Hearings:

- a. Proposed 2025 Fremont County Budget Public Hearing on November 12, 2024 at 9:30 AM

REMINDER at the 10-15-22 BOOC Meeting a Public Hearing was scheduled for November 26, 2024 at 9:30 a.m. - Designation of activities of state interest by Fremont County, to include site selection and construction of major new domestic water and sewage treatment systems and major extension of existing domestic water and sewage treatment systems; site selection and construction of major facilities of a public utility; and efficient utilization of municipal and industrial water projects, and regulations concerning the same.

Commissioner Grantham moved to approve the consent agenda. Commissioner Bell seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

ADMINISTRATIVE & INFORMATIONAL

Ref. Fremont County BOCC Meeting 10/28/2024 5:28

1. Staff / Elected Officials:

- a. Sales & Use Tax Report, Shawn Sutton, Budget & Finance Officer

Budget & Finance Officer Sutton gave the Sales & Use Tax Report, which can be found in its entirety at www.fremontco.com.

- b. County Administrator Report, Tony Carochi, County Administrator

County Manager Carochi gave the County Manager Report, which can be found on in its entirety at www.fremontco.com.

2. Citizens who wish to address the Commissioners on a matter not scheduled on the agenda.

John Hamrick said that in 2019 the Colorado Energy Office issued a report promising consumers that if we made large investments in green energy, wind, and solar that the public would receive lower energy prices and what he and hopes everyone is asking when we will see those returns.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Ref. Fremont County BOCC Meeting 10/22/2024 26:32

1. **Resolution No.33**, Series of 2024 Operation Green Light to Support Veterans

Commissioner Bell recited **Resolution No.33**. Stating the support all of Fremont County has for Veterans. The County Administration Building at 615 Macon Ave, Cañon City, will be lit in green as a

visible reminder of the thanks and appreciation we all owe our veteran, throughout the month of November.

Commissioner Grantham encouraged the public to also show support by displaying a green light outside of their houses.

Commissioner Bell moved to approve **Resolution No. 33** series of 2024 Operation Green Light to support veterans. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

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2. Presentation by Senior Services Solutions Plus.
Representative: Patti Sedillo and Cheryl Gould

Mrs. Sedillo introduced herself as the vice president and on the board of directors for Senior Services Solutions Plus. She said that the program started in 1984 when members of three local churches collaborated to assist elderly residents. In 1987 a board of directors was elected, and Friendly Visitors was incorporated as a 501C3 nonprofit, it is now called Senior Services Solutions Plus. The mission of the organization is to provide non-emergency transportation for Fremont County citizens, such as medical, dental, optical appointments. All the drivers in the organization are volunteers, and they all use their own vehicles and are compensated with a stipend depending on the pickup and destination location. As of 2020 the law regarding Medicaid reimbursement changed and now the organization no longer receives reimbursement from the Medicaid clients. The difference between this organization and for profit companies is that SSSP is a door-to-door service, meaning the same person picks them up, takes them to the appointment waits there for the appointment to be done and then brings them back home. The other companies take the client there, drops them off, then they must wait after their appointment to receive another ride when one is available. Mrs. Sedillo expressed her concern for the day they will have to tell some of their clients they can longer provide transportation because the organization no longer has the resources to do so. Mrs. Sedillo asked the board to consider helping the organization with funding to keep its doors open and continue serving the seniors in our community.

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3. TUP 24-016 950 Junktion (2)

The owner/applicant is requesting a Temporary Use Permit to allow a vintage/flea market on November 9th & 10th, 2024. The event will be conducted on private property owned by the applicant Daniel Vinton. Mr. Vinton is expecting 15 vendors and two food trucks each weekend. And is estimating a maximum 43 attendees, at one time. Location and/or street address of the event will be 43880 West U.S. Highway 50, Cañon City, CO. 81212.

Applicant: Tracy Vinton

Mrs. Vinton explained that the original application they submitted included four weekends and now she is asking for one more weekend on November 9th and 10th. The event will be called Vintage Christmas. The only difference in this event and the previous one is Vintage Christmas will only have inside vendors.

Planning and Zoning Director Victoria said that the applicants have satisfied the departments requirements. The applicants are requesting a waiver of the surety bond, it is identical to the previously approved one.

Commissioner Grantham moved to approve Temporary Use Permit 24-016 for 950 Junktion Vintage Flea Market on November 9th and 10th 2024 located at West US Highway 50, Cañon City, CO, and this motion does include a waiver of the surety bond. Commissioner Bell seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 10/22/2024 50:31

4. TUP 24-015 Penrose Apple Shed

Fundraiser, Dinner, Murder Mystery, and Silent Auction. Located at 708 Fremont Ave., Penrose CO 81240 This is a one-time event held at the Apple Shed on Oct. 25 starting at 5 pm and ending at 9 p.m.

Applicant: Sam Banning

Mr. Banning said that this one of the biggest fundraising events they have done so far. The previous one helped fund putting a new roof on somebody's house. They have already received several donations for the silent auction portion of the event. This event will help fund more roofs for people in need in the community.

Planning and Zoning Director Victoria introduced the event and said the surrounding area is zoned agricultural, the hosts of the event will provide the guests with drinking water free of charge and will be catered by Chicago Bob's for dinner. As far as sanitation is concerned the venue has fully functioning bathrooms, and there is a dumpster on site. The emergency response plan is that the Florence Fire Station number two will respond to emergencies. Fremont County Department of Transportation requested that at the completion of the event there is no debris in the roadways and while the event is in progress that no roads are blocked. Planning and Zoning Director Victoria said the department recommends approval of the TUP providing there is approval of the waiver of the surety bond.

Commissioner Bell moved to approve TUP 24-015 for the Penrose Apple Shed for the fundraiser dinner, murder mystery, and silent auction that will be located at 708 Fremont Avenue in Penrose. The onetime event will be held at the Apple Shed on October 25th from 5:00pm to 9:00pm and this motion does include the waiver of the surety bond. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 10/22/2024 56:28

5. TUP 23-002 Marchand Ranch Wedding & Event Center

Request for Extension of Temporary Use Permit

Representative: Tiffany Foster and Matt Koch

Mr. Koch introduced himself and said he is from Cornerstone Land Surveying. The request for the extension is because they had just submitted the SRU and want the TUP to carry them over until the SRU is established. Mr. Koch said there were some concerns voiced on the highway access permit, Mr. Koch and Mrs. Foster said an engineered roadway impact study analysis form was submitted as part of the application and the data shows that the service for that intersection will not change. Mr. Koch said the two items they are requesting is the extension or the SRU and the level of the FCDOT access permit requesting to be fulfilled.

Planning and Zoning Director Victoria said this is the second extension of the TUP, this is for October 25th until the SRU is established so there is no lapse in permitting for the project. The department supplied a deficiencies and comment letter to the applicant last week, so the applicant is aware what needs to be provided. Planning and Zoning Director Victoria said that it typically takes a couple months to complete this process.

Commissioner McFall explained that if there is a chance that the change in traffic will be greater than 20%, a roadway impact study is required. Commissioner McFall expressed that the concern stems for the access being so close to a blind corner. He then asked Count Attorney Bellas to explain in more detail what statues states on reasonings for roadway impact studies.

County Attorney Bellas said when something is present in the administrative code the first thing to investigate is if the statute gives the agency the authority to make rules and regulations that they then expect everybody to follow. Attorney Bellas found that in fact it does in Chapter 43 specifically referring to transportation. He believes there are legitimate concerns such as the conditions of the road and the fact that the speed limit is at or above the design limit of the road, so then the question turns into if CDOT need to make any changes to the roadway and that will not be answered unless a study is completed. The discussion about the amount of time needed to complete this study is debatable but in recent experience with another permit the applicants completed their study in about six weeks.

Commissioner Bell asked Director Victoria if this is the first time someone has asked for an extension on a TUP with no end date and if he knows the date for the original TUP application.

Planning and Zoning Director Victoria answered that the department hasn't ever accepted an application with no end date to an extension. Director Victoria also explained that the original date for the TUP was April 25th, 2023, expiring on April 25th, 2024. An extension was then filed on from April 25th, 2024, until October 25th, 2024.

Mr. Koch requested a six-month extension just in case CDOT comes back with different requirements once the study is completed and submitted.

Commissioner Grantham moved to approve the extension for TUP 23-002 Marchand Ranch Wedding and Event Center for an extension of six months with an expiration date of April 25th, 2025. Commissioner Bell seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

6. Schedule a Special Board of County Commissioners meeting at 9:00 a.m. Tuesday, December 17, 2024, with the following agenda items:

New Business

1. Resolution summarizing expenditures for each fund and adopting a budget for the County of Fremont, Colorado, for the calendar year beginning on the first day of January 2025, and ending on the last day of December 2025
Representative: Shawn Sutton, Budget and Finance Officer
2. Resolution levying General Property Taxes for the year of 2024, to help defray the costs of government for the County of Fremont, Colorado, for the 2025 Budget Year
Representative: Shawn Sutton, Budget and Finance Officer
3. Resolution appropriating sums of money to the various funds and spending agencies, in the amounts and for the purposes set forth below, of the County of Fremont, Colorado, for the 2025 Budget Year beginning January 1, 2025, and ending December 31, 2025
Representative: Shawn Sutton, Budget and Finance Officer
4. Certification of Levies and Revenue
Representative: Shawn Sutton, Budget and Finance Officer

Commissioner Bell moved to schedule the special board of county commissioners meeting at 9:00am on Tuesday December 17th with the four agenda items as presented. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

Commissioner McFall adjourned the meeting at 10:17am.

To view the YouTube Video for Commissioner Minutes, go to the following website:

<https://www.youtube.com/watch?v=c2yUf3k1Mvs>

Clerk to the Board of County Commissioners