

## **NINETEENTH MEETING**

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on September 23<sup>rd</sup>, 2025, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chairman Grantham called the meeting to order at 9:00 a.m.

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

### **INVOCATION**

Loren Kolman from New Horizons 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 as presented. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

### **CONSENT AGENDA**

1. Approval of Minutes / September 9, 2025
2. Approval of Bills for \$3,171,500.56
3. Ratification of Chairman Signature on Structure Agreement of the Reclamation Permit Application for the Florence South Pit
4. Ratification of Chairman Signature on US Forest Service Grant / Agreement
5. Schedule Public Hearings: None.

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

## **ADMINISTRATIVE & INFORMATIONAL**

Ref. Fremont County BOCC Meeting 9/23/2025 3:09

### 1. Staff / Elected Officials:

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

**Shawn Sutton** gave the Sales & Use Tax Report, which can be found in its entirety at [www.fremontcountyco.gov](http://www.fremontcountyco.gov).

- b. County Clerk's Monthly Report, Justin Grantham, County Clerk

**Clerk Grantham** gave the County Clerk's Monthly Report, which can be found in its entirety at [www.fremontcountyco.gov](http://www.fremontcountyco.gov).

**Commissioner Bell** moved to accept County Clerk's monthly report for the month of August 2025. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

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

**County Administrator Carochi** gave the County Administrator Report, which can be found in its entirety at [www.fremontcountyco.gov](http://www.fremontcountyco.gov).

Ref. Fremont County BOCC Meeting 9/23/2025 13:21

**Commissioner Bell** mentioned that the board and Shawn Sutton's team are putting a budget together for the fiscal year of 2026. Commissioner Bell said she is impressed by all the numbers coming in from the departments because they are planning to budget very conservatively since collecting property taxes next year is expected to be hazy. She explained that they will of course upload everything to the Fremont County website sometime in November and will hold a public hearing on the matter.

**Commissioner McFall** said at the national conference they lobbied with congress concerning the PILT fund (payment in lieu of taxes) which is paid by the federal government to local government for public lands in the county that they can't collect property taxes on. Fremont County has just under 500,000 acres which amounts to a payment of around \$1.4 million which the county uses for law enforcement, search and rescue, emergency services, and road department.

**Clerk Grantham** said the election is in full swing and if any citizens need their information changed that this is the last week before the election to do so.

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

## **UNFINISHED BUSINESS**

None.

## **NEW BUSINESS**

Ref. Fremont County BOCC Meeting 9/23/2025 20:30

1. Update on Lutheran Church Camp and USFS land swap  
Representative: David Jarvis

**Mr. Jarvis**, the executive director at Rainbow Trail Lutheran Camp, thanked the board for sending a letter of recommendation three years ago to support the land exchange. Mr. Jarvis said that the plans for the camp have had very minimal changes from the original plan they presented. They were all present to give updates on the different sides of the process.

**Chris Leaver**, also representing the camp, said they have been getting appraisals on the campsites and parcels of land to be able to appropriately equalize the value which means adjusting the acreage until equality is met. There are monuments set for the parcel, and they began the exchange at about 100 acres and now they have downsized to 94 acres. Only 1/8 of the proposed land exchange is in Fremont County with the remainder residing in Custer County. They are also planning a wildlife easement to create more separation from the camp and the preexisting neighbors that reside North in Fremont County. The board is currently working on developing the master plan for the site, their hope is to complete the swap in mid-2026.

**Desitny Chapman**, U.S. Forest Service District Ranger said there are a few more steps before the swap is ready to be completed such as receiving concurrence levels from the State Historic Preservation Office. The public comment period will take place in November and will be open for 30 days. After that period is closed, they will address those comments and move towards a finalization. A review conducted by the Bureau of Land Management on mineral protentional will need to be completed for the 120 acres on Locke Mountain.

Ref. Fremont County BOCC Meeting 9/23/2025 28:51

2. Proclamation recognizing October 2025 as Domestic Violence Awareness Month  
Representative: Sarah Fisher, Family Crisis Services

**Ms. Fisher** said October is nationally recognized as Domestic Violence Awareness Month. The organization serves Fremont County and Custer County in matters related to sexual assault and physical abuse. Ms. Fisher went on to recite the proclamation which can be found in its entirety at the bottom of these minutes.

**Commissioner Bell** moved to approve the proclamation recognizing October 2025 as Domestic Violence Awareness Month in Fremont County. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

**3. Amendment #1 for CUP 24-001**

Requesting to amend condition 13.a of Resolution 12, Series of 2025 for CUP 24-001, Red Creek Quarry which details the days and hours of operation for Red Creek Quarry.

Applicant: Amrize Representative: Tim Smith

**Mr. Smith** said they are requesting an amendment for item 13A in **Resolution 12** to be modified. The verbiage is that operations will only be during daylight hours, and the current operation runs 24 hours a day. They are requesting the permit states that they have unrestricted hours of operation at the new quarry. At the current quarry they are very mindful of neighbors that are only 300 to 500 feet away and they do not receive any complaints and at the new operation the neighbors will be almost a half mile away, so they do not anticipate any disturbances. The company does not plan to operate that much but would like the flexibility just in case a circumstance occurs where the extra time is needed.

**Planning and Zoning Director Victoria** began the staff report describing the basics of the establishment and the current agreement is that they can operate 8-12 hours during daylight hours only for seven days a week. Amrize is requesting to operate unrestricted at Red Creek Quarry, they are expecting to operate 12-hour shifts seven days a week. The company has met all their submittal requirements, and the department recommends approval of the amendment to **Resolution 12** series of 2025 to 13A to be amended to unrestricted operating hours seven days a week if needed.

**Commissioner Bell** commented that when the CUP was first requested, Commissioner Bell removed herself from the vote and discussion due to an existing financial arrangement with Amrize through a different organization that she belongs to. She wanted to clarify that the arrangement no longer exists, so she is free to discuss and vote on the matter.

**Commissioner McFall** moved to approve amendment number one for CUP 24-001, and it will allow unrestricted operating hours for the Red Creek Quarry. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

**PUBLIC HEARING SCHEDULED 9:30 a.m.**

**1. ZC 25-001 Kewish**

The purpose of this rezone is to change the zone district from Residential Three to Residential Two.

Representative: Allan Doran

**Commissioner Grantham** opened the public hearing at 9:43am.

**Mr. Doran** said he volunteered to help the owners Ralph and Joanna Kewish to do a minor subdivision split. The zone changes from residential three to residential two to allow for smaller parcels of land with the minimum being four and half acres. The intention of the new parcel is to create a single-family

residence and a barn. The lot is oddly shaped because they had to work around a railroad easement without crossing it. He said they have worked closely with the planning and zoning department to ensure they are following Fremont County regulations.

**Planning and Zoning Director Victoria** said the current parcel is located at 360 Granite Hills Road in Cotopaxi. The parcel is 41 acres with a net area of 35.12 acres after considering the right-of-way for the DNRGW railroad and Fremont County Road 45. The zone change would allow the owner the ability to apply for a subdivision with lots smaller than the 18-acre minimum of residential three while still maintaining a rural characteristic of the district 5 Upper Arkansas Valley District. There is one access point located on Granite Hills Road, and the southwest corner is in a flood plain. Agency comments said the building department does not have any record of any dwelling and the assessors believe there are two. Code enforcement went out to evaluate the property and they did not find any code violations and they did not confirm a second residence on the property. He said the application is in compliance with the requirements of the Fremont County Zoning Resolution, and staff recommends approval of the zone change one from residential three to residential two.

**Mike Shaffer** said his property borders this parcel; he handed the commissioners a printout of the assessor's reports on the property. He believes it shows two houses already on the property that are joined by a three-car garage. He also wanted to bring attention to the act by allowing this zone to change it allows surrounding properties to now rezone which could create a high-density area which could make already existing residents wells dry up. He stated that the Kewishes already had to drill another well and a neighbor to the south of him had to drill another well on his property since he couldn't get any water on his own property. Mr. Shaffer questioned why code enforcement did not investigate the property thoroughly.

**Planning and Zoning Director Victoria** said that code enforcement does not have a policy that allows the agents to enter structures.

**Commissioner Bell** wanted to clarify that in the case that the board approves this zone change does not mean it would create a free for all for others to change their zoning. Every single person would have to go through this process and get approval from this board.

**Commissioner Grantham** – closed the public hearing at 9:56am.

**Commissioner McFall** asked if it is proven that there are two residences already on the property, would that affect the subdivision request.

**Planning and Zoning Director Victoria** said that if there are in fact two residences and they do not contain an accessory dwelling unit it would be an issue, but if the addition predates the zoning then it's acceptable. He said at this time after the inspection they cannot prove there are two dwellings on the property, if there were any issues discovered they would have been presented today.

**Commissioner Bell** moved to approve zone change 25-001 Kewish to change this zone district from residential three to residential two as proposed. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

## **NEW BUSINESS continued at 10:00am**

Ref. Fremont County BOCC Meeting 9/23/2025 1:00:02

2. Appointment of new member to the Fremont County Airport Advisory Board for a term ending October 1, 2028.

**Commissioner McFall** moved to appoint a new member by the name of Marshall Cook to the Fremont County Airport Advisory Board for a term ending October 1<sup>st</sup>, 2028. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 9/23/2025

3. Appointment of new member to the Fremont County Board of Zoning Adjustment for a term ending February 28, 2027.

**Commissioner Bell** moved to appoint Tim Payne as the new member to the Fremont County Board of Zoning Adjustment for term that will end on February 28<sup>th</sup>, 2027. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 9/23/2025

4. Appointment of new member to the Fremont County Board of Zoning Adjustment for a term ending February 28, 2027.

**Commissioner McFall** moved to appoint Micheal Croge as the alternate member for the Fremont County Board of Zoning Adjustment for a term ending February 28, 2027. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 9/23/2025 1:03:00

5. Appointment of new member to the Fremont County Fair Board for a term ending December 31, 2026.

**Commissioner Bell** moved to appoint Kevin Mahmalji to the Fremont County Fair Board for a term ending December 31, 2026. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 9/23/2025 1:04:15

6. **MS 25-002 Kewish**

Requesting approval for a minor subdivision that will create a total of (2) lots. Located at 360 Granite Hills Road, Cotopaxi, CO 81212  
Representative: Allan Doran

**Mr. Doran** said the request is to make the property into two lots, the new lot is intended to have a single-family residence and an outbuilding for horses.

**Planning and Zoning Director Victoria** said lot one has a dwelling and several outbuildings and is 26.367 acres. Lot one is required to have a 50-foot setback, and it is currently 4.06 which makes it a nonconforming lot. Lot two will have 8.911 acres with no structures on it and same utility providers as Lot one with access to the property from County Road 45. The applicant has requested waivers for drainage plan report at the time of development for lot two as well as soil testing for an OWTS for a septic system for time of development. Fire inspector John Walker from the Western Fremont Protection District requested that there should be a two-lane driveway, but Director Victoria discussed it with him, and they settled on a designated pull-out instead. The Planning and Zoning department recommends approval with the following: approve waiver requests one and two on condition that a plat note is added regarding the drainage plan at time of development. The department recommends two contingencies, changing the plat where the parcel is now labeled residential two and remove the ownership name.

**Commissioner McFall** pointed out that he does not see a driveway permit in the file and asked why that is.

**Planning and Zoning Director Victoria** said it is needed to pull any other kind of permit, but it is not necessary to approve the minor subdivision.

**Commissioner McFall** moved to approve MS 25-002 Kewish, which is located at 360 Granite Hills Road, Cotopaxi. The following conditions are a note on the plat stating that at the time of development the drainage plan report will be completed and approval of the soil testing waiver until time of development. Surveyor notes must reflect the zone change from residential three to residential two and remove ownership names from the adjoining properties on the plat. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

**Commissioner Grantham** adjourned the meeting at 10:17am.

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

<https://www.youtube.com/watch?v=TUu7LtNsdT4>







## Fremont County Board of Commissioners

### Proclamation

### Domestic Violence Awareness Month October 2025

**WHEREAS**, 1 in every 4 women, and 1 in every 7 men will experience domestic violence during their lifetime; and

**WHEREAS**, approximately 15.5 million children are exposed to domestic violence every year; and

**WHEREAS**, when a family member is abused, it can have long-term damaging effects on the victim that also leave a mark on family, friends, and the community at large; and

**WHEREAS**, the problem of domestic violence is not confined to any group or groups of people, but crosses all economic, racial, gender, educational, religious, and societal barriers, and is sustained by societal indifference; and

**WHEREAS**, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity due to the systematic use of physical, emotional, sexual, psychological, and economic control and/or abuse; and

**WHEREAS**, victims should have help to find the compassion, comfort, and healing they need, and domestic abusers should be punished to the full extent of the law; and

**WHEREAS**, victims of violence should have access to medical and legal services, counseling, emergency and transitional housing, and other supportive services so that they can escape the cycle of abuse; and

**WHEREAS**, important partnerships have been formed among criminal and juvenile justice agencies, healthcare providers, allied professionals, and victim services to assist victims of domestic violence and their families; and

**WHEREAS**, we dedicate ourselves to protecting vulnerable members of our community; and

**WHEREAS**, Fremont County has a moral obligation to work to prevent domestic violence, address its brutal and destructive effects and make ending domestic violence a local priority.

**NOW, THEREFORE, LET IT BE PROCLAIMED** by the County Commissioners of Fremont County that the month of October is hereby designated as Domestic Violence Awareness Month and urge all citizens to actively support the work of Family Crisis Services in the elimination of domestic violence.

Signed this 23<sup>rd</sup> Day of September 2025.

**Kevin Grantham**  
District 1 Commissioner

**Debbie Bell**  
District 2 Commissioner

**Dwayne McFall**  
District 3 Commissioner

