

## FOURTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on February 27th, 2018, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Tim Payne called the meeting to order at 9:30 a.m.

Tim Payne	Commissioner	Present
Dwayne McFall	Commissioner	Present
Debbie Bell	Commissioner	Present
Katie Barr	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present
Sunny Bryant	County Manager	Present
Matt Koch	Planning & Zoning Director	Present

Father Jesse Perez, of St. Michael's Church, gave the invocation.

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 McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

### CONSENT AGENDA

1. Approval of Minutes / February 13, 2018
2. Approval of Bills for \$1,590,147.48
3. Ratification of Chairman's signature on the 2018 Meritain's Summary of Material Modification and Amendment #5 to the Fremont County Employee Benefit Plan
4. Ratification of Chairman's signature on the 2018 MetLife Contract
5. Ratification of Chairman's signature on the 2018 Stop Loss Insurance Contract
6. Authorization of Chairman's signature on the Non-Federal Reimbursable Agreement between Department of Transportation Federal Aviation Administration and Fremont County
7. Ratification of Chairman's signature on Change Orders #13 and #14 for the Fremont County Justice Center Security Electronics Renovation
8. Authorization of Chairman's signature on the 2018 National Museum of the United States Air Force Static Display Loan Program Loan Agreement
9. Approval of Water Lease Agreements (CWPDA #1206 and #1207) with the Upper Arkansas Water Conservancy District
10. Schedule Public Hearings: March 13, 2018 at 10:00 a.m.
  - a. OPC 14-011 Pure Medical, LLC – Modification of Premises

**Commissioner McFall** moved to approve the consent agenda. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

**ADMINISTRATIVE/INFORMATIONAL**

1. Staff / Elected Officials:

b. County Manager Report, Sunny Bryant, County Manager

**Manager Bryant** reported that:

- On 2/13 she met with Chief DeVecchio from the Canon City Fire Department to discuss the Gallger Amendment and the residential assessment rate formula. They talked about the impacts on entities who collect property tax and what that could look like over the next few years.
- On 2/15 she, Commissioner Bell and Rod Potter attended the Penrose Chamber meeting and heard updates from the Penrose Community. Also that day, she, Commissioner Payne and Rod Potter attended the Central Peaks Regional Council Town Hall meeting. They all discussed improvements that can be made in the community.
- On 2/21 she met with an individual from CDOT to discuss the Outrider Bustang service that will be providing bus transportation throughout Colorado. There will be more information in the near future concerning this.
- On 2/22 she and Tammy Childs attended mock interviews at the Florence High School, helping to give the youth in our community the tools they will need after high school. Also that day, she and Rod Potter attended the quarterly finance luncheon to see what's going on in the entities throughout the County.

c. Sales & Use Tax Report, Sunny Bryant, County Manager

**Manager Bryant** reported that the Sheriff Construction Use Tax collected through December was \$26,253 which is up \$14,389 more than last year and YTD is up \$53,414. The Sheriff Retail Sales Tax collected through December was \$266,171 which is up \$6,324 from last year and YTD is up \$133,240. The Lodging Tax collected through December was \$23,684 which is up \$905 from last year and YTD is up \$25,558. The Construction Use Tax collected through December was \$39,380 which is up \$21,553 from last year and YTD is up \$82,202. The Retail Sales Tax collected through December was \$399,257 which is up \$9,486 from last year and YTD is up \$199,859.

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

None

**OLD BUSINESS**

None

**NEW BUSINESS**

1. Liquor License Transfer  
Pester Marketing Company  
DBA Alta Convenience 6328 (Currently Kwik Stop #8)  
3.2% Retail Beer License

1410 Elm Ave  
Canon City, CO 81212  
Representative: Gabriel Gardner, Area Sales Manager & Dennis Dirkse,  
Retail Operations Manager

**Gabriel Gardner** explained that Alta has taken over many gas stations in Colorado, Nebraska, and Kansas. They have extensive liquor training that all of their staff have to go through periodically.

**Clerk Barr** reported that the applications for transfer are in order. The locations were inspected and the premises are as presented on the maps they submitted. The temporary licenses were also hung in plain view. They recommend approval.

**Commissioner Bell** moved to approve the liquor license transfer. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

2. Liquor License Transfer  
Pester Marketing Company  
Apple Valley Liquor  
6.0 % Retail Liquor Store  
916 State Hwy 115  
Penrose, CO 81240  
Representative: Gabriel Gardner, Area Sales Manager & Dennis Dirkse,  
Retail Operations Manager

**Commissioner McFall** moved to approve the liquor license transfer. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

3. OPC 17-001 JMC Enterprises, Inc  
Request the issuance of a renewal of an Optional Premises Cultivation license for JMC Enterprises, doing business as Fremont County Cannabis, for property which is owned by Marcia Greene. The address of the property is 1800 C.R. 835C, south of Florence off of Siloam Road. The property contains 100 acres more or less, the grow area including structures contains 2 acres more or less. The grow area will use an existing metal agricultural building and 2 new green houses. The grow will utilize metal containers for grow rooms inside the agricultural building for starting the plants, they will then be transplanted to the green houses and the outdoor grow area. The property is zoned Agricultural Forestry.  
Representative: Jeff Cain

**Jeff Cain** says there's nothing new he'd just like to renew the license.

**P&Z Director Koch** reported that the application is in order. The septic has been approved and inspected. They recommend approval. There are two green houses that were approved with the original application but haven't been put up yet. He asked Mr. Cain when they might put them up.

**Jeff Cain** says they hope to put the two green houses up this spring.

**Commissioner Bell** moved to approve the renewal of OPC 17-001 JMC Enterprises, Inc. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

#### 4. 2017 Fremont County Accountability Report

The Board of Commissioners gave the Fremont County Accountability Presentation.

5. Approval of an Intergovernmental Agreement between Upper Arkansas Area Council of Governments and Participating Counties Regarding Regional Housing Study

**Manager Bryant** explained that this agreement is between Custer, Fremont, and Park Counties and is for a regional housing study.

**Commissioner Bell** explained that the study will tell each county where their greatest need for housing is.

**Commissioner McFall** moved to approve the Intergovernmental Agreement. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

6. A resolution and letter of support with a \$3,000 funding commitment to participate in the Colorado Department of Higher Education's Colorado Opportunity Scholarship Initiative

**Commissioner Bell** explained that the County is committing \$3,000 towards the COSI scholarship as their way of participating in the program.

**Commissioner Bell** moved to approve Resolution #7 and the letter of support for the Colorado Opportunity Scholarship Initiative. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

7. Continuation of the public hearings set for February 27, 2018 at 10:00 a.m. on March 13, 2018 at 10:00 a.m. for OPC 14-002 High Mountain Medz, LLC—Modification of Premises and Amendments to Zoning Regulations

**Commissioner McFall** moved to approve the continuation of public hearings. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

### **PUBLIC HEARING**

None

**Chairman Payne** adjourned the meeting at 10:29 a.m.



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Clerk and Recorder

**RESOLUTION NO. 7, SERIES OF 2018**

**A RESOLUTION OF PARTNERSHIP TO APPLY FOR AND DISTRIBUTE  
MATCHING FUNDS FROM THE COLOADO OPPORTUNITY  
SCHOLARSHIPS PROGRAM TO BENEFIT RESIDENTS OF FREMONT  
COUNTY**

WHEREAS, the State of Colorado, through the Colorado Opportunity Scholarship (COSI) has provided an opportunity for local counties to apply for scholarship support for students post- secondary education; and

WHEREAS, COSI has required that matching scholarship funds awarded to any county be deposited with and administered by a local representative non-profit community foundation; and

WHEREAS, COSI has required that matching scholarship funds will only be awarded to a county in which the student participants are engaged in a rigorous student success support program; and

WHEREAS, the provision of additional scholarship support, to offset the cost of attending postsecondary education and a vigorous student success support are critical to the continued economic competitiveness of Fremont County; and

WHEREAS, the Fremont Community Foundation serves as the non-profit fiscal agent to collect and disburse all monies secured locally in Fremont County for COSI scholarships; and

WHEREAS, a local committee of educators serves in an advisory capacity to the Fremont Community Foundation for the purpose of reviewing and awarding scholarships to qualifying students attending Cañon City High School, Florence High School, and Cotopaxi High School;

WHEREAS, the Fremont County Board of Commissioners agrees to support fiscal year 2018- 2019 COSI funding in the amount of \$3,000; and

WHEREAS, any community fundraising and donations for COSI Scholarship matching dollars will be also be deposited with the Fremont Community Foundation;

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fremont County that \$3,000 is contributed by Fremont County in initial matching funds and to be deposited with the Fremont Community Foundation COSI Scholarship Fund.

BE IT FURTHER RESOLVED that the Fremont Community Foundation will be responsible for the monitoring, distribution, and oversight of COSI scholarship awards. The scholarships to be awarded are for the post-secondary education of Fremont County high school graduates utilizing those county funds and any other community funds donated for the purpose of COSI scholarships.

Commissioner Bell moved adoption of the foregoing Resolution, seconded by  
Commissioner McFall and approved by roll call vote as follows:

Debbie Bell	<u>Aye</u>	Nay	Abstain	Absent
Timothy R. Payne	<u>Aye</u>	Nay	Abstain	Absent
Dwayne McFall	<u>Aye</u>	Nay	Abstain	Absent

Date: 2/27/18

**BOARD OF COUNTY COMMISSIONERS  
OF FREMONT COUNTY**

**ATTEST:**

By:   
Chairman

By:   
Clerk to the Board