

TENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on May 10, 2022, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chair Debbie Bell called the meeting to order at 9:30 a.m.

Debbie Bell	Commissioner	Present
Kevin Grantham	Commissioner	Present
Dwayne McFall	Commissioner	Present
Justin Grantham	Clerk & Recorder	Present
Brenda Jackson	County Attorney	Present
Sunny Bryant	County Manager	Present
Mica Simpleman	Planning & Zoning Director	Present

INVOCATION

Grant Adkisson, Canyon Cowboy Church

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Commissioner McFall moved to approve the agenda with the removal of Item 1.a. “County Clerk’s Monthly Report” from Administrative & Informational. Commissioner Grantham seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Grantham, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

CONSENT AGENDA

1. Approval of Minutes / April 12, 2022
2. Approval of Minutes / April 26, 2022
3. Approval of Bills for \$2,104,750.97
4. Approval of the Humane Society Agreement
5. Approval of Memorandum of Understanding – Emergency Facility Use Agreement Between Fremont RE-2 School District and The County of Fremont
6. Schedule Public Hearing: None.

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

ADMINISTRATIVE & INFORMATIONAL

1. Staff / Elected Officials:
 - a. ~~County Clerk’s Monthly Report~~
 - b. County Manager Report, Sunny Bryant, County Manager

County Manager Bryant gave the County Manager’s Report which can be found in its entirety at www.fremontco.com.

Commissioner McFall spoke about fire diligence and reminded the public that unincorporated Fremont County is under Stage 1 Fire Restrictions and the other local organizations have also imposed fire restrictions in the area.

Commissioner Grantham expanded on Commissioner McFall's fire concerns and reiterated the importance of public awareness. He also talked about the upcoming end of Colorado's Legislative Session (at Midnight on May 11th) and said that the bill for collective bargaining may be terminated.

Commissioner Bell said the Board works through CCI (Colorado Counties Incorporated) and noted that this year's legislative session was very contentious.

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

a. None.

OLD BUSINESS

1. None.

NEW BUSINESS

1. Foster Care Awareness Month Proclamation
Representatives: Barry Acton & Tonia Sutton

Barry Acton introduced the Board to Brie Meadows who does Kinship Certification for DHS (Department of Human Services) and read the Foster Care Awareness Month Proclamation.

Commissioner Bell pointed out the other DHS employees in the room and thanked them for being present. She also mentioned the lack of foster homes in Fremont County and asked Mr. Acton for details.

Mr. Acton replied that there are four homes and only two being used currently. He also noted that there has been an increase in people showing interest lately.

Commissioner Bell mentioned the concern that children who need placement are removed from Fremont County when there are no local Foster Families and then displayed her gratitude toward DHS.

Commissioner McFall thanked DHS for their work.

Commissioner Grantham asked how many foster homes Fremont County DHS could currently use.

Mr. Acton said they could use at least 20 and that while they used to have 25, they currently have only the two mentioned earlier. He added that DHS is working diligently to keep children with their immediate families or in kinship homes, but about 30% need placement.

Commissioner Grantham offered to help promote the need for foster homes then thanked Fremont County DHS and complemented them on standing out.

Commissioner Bell asked Mr. Acton to discuss how those interested can get involved.

Mr. Acton said they can call 719-275-2318 to get details and ask the department about certification.

Commissioner McFall moved to approve the Proclamation declaring May 2022 in Fremont County as Foster Care Awareness Month. Commissioner Grantham seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Grantham, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

Commissioner Bell called the meeting to recess at 9:46 a.m.

Commissioner Bell called the meeting to resume at 10:00 a.m.

PUBLIC HEARINGS

1. Amendment to the 2021 Fremont County Building Code to change the evidence of water requirements under Subsection 107.1.1
Representative: Wyatt Sanders, Building Official

Building Official, Wyatt Sanders recommended that some requirements under Subsection 107.1.1 in the Building Code be changed to allow the use of a cistern to be sufficient proof of an improved water supply to obtain a Certificate of Occupancy.

Commissioner Bell noted that the same subsection was addressed with the Board a few years ago where they ultimately determined that two letters from well-drillers would be acceptable to allow home-builders to have a cistern in order to make it easier to acquire proof of water for a building permit. She clarified that this is a further attempt to make it easier for people to build homes in rural Fremont County.

Commissioner McFall asked Building Official Sanders how many people have had a well put in and didn't hit water, or requested an exemption.

Building Official Sanders estimated having three people come in for those reasons plus those wondering about the requirements. He explained that there is only one well-driller in the county who charges up to \$400 per letter and spoke about the inflation of well-drilling prices, and the amount of unusable water in the area.

Commissioner McFall assumed that the well-driller is out multiple months.

Mr. Sanders explained the addition in the code that authorizes the Building Official to waive the well-requirement.

Commissioner Grantham added that well-drillers may want to drill before writing a letter saying that they cannot find water. He stressed that it should be up to the individual.

Commissioner Bell opened the public hearing at 10:11 a.m.

Tim Payne approached the Board and asked Attorney Jackson how this change applies to Colorado State Statute regarding the reliability and deliverability of water.

Attorney Jackson explained that those statutes apply to subdivisions, so subdivision requirements will remain the same.

Tim Payne asked if this change would burden local bulk water systems.

Commissioner Bell replied that the Board is not making anyone supply bulk water, so anyone who chooses to install a cistern system is not guaranteed to always have water.

Mr. Payne suggested that if there is a draught there could be no water for those people.

Commissioner McFall clarified that with a well there could be no water due to draught.

Mr. Payne thanked the Board.

Travis Payne said Cañon City's bulk-water is the first system to go off during a water call and expressed that future legislation may limit bulk-water users to be within the water district.

Mr. Sanders addressed their comments and noted that bulk-water users are aware of those situations per their agreement.

Commissioner Grantham noted that per the self-limiting aspects of cisterns, there is not necessarily going to be an increase of people building cistern systems.

Commissioner Bell closed the public hearing at 10:16 a.m.

Commissioner McFall imparted that due to draught, the cost of public water may increase and mentioned the possibility of another local bulk water system.

Commissioner Grantham moved to approve Resolution #19 an amendment to the 2021 Fremont County Building Code to change the evidence of water requirements under Subsection 107.1.1. Commissioner McFall seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

2. Request ZC 21-005 to change the zone district for property located at Highway 50 and Arkansas Blvd in Howard from Business to Agriculture Suburban
Representative: Dan Slater

Dan Slater requesting to change the property's zoning from business to agricultural suburban to build a dwelling.

Director Simpleman reported that FCDOT has no issues; the Fremont County Project Engineer commented that he will require a storm water drainage plan before development and recommends approval; FCDPHE comments that an OWTS and well are required to apply for the building permit and recommends keeping structures out of the FEMA flood area; Planning & Zoning recommends approval with a note on the plat regarding the storm water drainage plan, development is at an elevation of at least 6,722', or the Fremont County and FEMA application and flood study.

Commissioner McFall asked whether he reported on two pieces of land or just one.

Director Simpleman said it was just one and that there was a typo.

Commissioner Bell opened the public hearing at 10:24 a.m.

Robin Sedillo received a letter in the mail at 7752 US Hwy 50 in Salida and wondered why she was notified of the hearing.

Mica Simpleman said properties within 500 ft are notified of the public hearing.

Robin Sedillo said none of her neighbors were notified.

Mr. McFall pointed out that her property is directly across the highway from the property in question.

Robin Sedillo reiterated that none of her neighbors were notified.

Dan Slater said one or two letters were returned as undeliverable and clarified that 30 letters were distributed in total.

Commissioner McFall confirmed that the letter Ms. Sedillo received was the notification of this public hearing.

Commissioner Bell closed the public hearing at 10:27 a.m.

Commissioner McFall noted that they have a packet that they've reviewed in front of them and they are not only making decisions based on testimonies and meeting discussions.

Commissioner Bell pointed out that many zone changes request to step up use; but this one is requesting a zone change to step down.

Commissioner McFall moved to approve Resolution #20 a request ZC 21-005 to change the zone district for property located at Highway 50 and Arkansas Blvd in Howard from Business to

Agriculture Suburban with conditions as follows: a note on the plat for storm water drainage plan and report required upon development; a note on plat that development shall remain at an elevation of 6,722' or greater; and at time of building a permit application Fremont County and FEMA Flood Application and engineer's flood study shall be submitted. Commissioner Grantham seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Grantham, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

3. Request SRU 21-006 Black Hills Energy Desert Cove-North Penrose for a Special Review Use Permit for a 115kV overhead transmission line located between North Penrose Substation and the Fremont County Line
Representative: Seth Boutilier

John Vigil presented a slide presentation to the Board and thanked those property owners that have agreed to have the transmission line on their properties. Mr. Vigil spoke about the location of the line in regards to this SRU, which runs from north Penrose to the Fremont-Pueblo County line.

Commissioner Bell interjected to clarify to the public that though the map on the presentation is difficult to see, the Commissioners have the presentation in front of them so they are able to see what Mr. Vigil is referring to.

Mr. Vigil presented a short video to the Board and said with the transmission line, Black Hills Energy will have the ability to switch feeds and return power quickly to residents. He then addressed fire-safety and said the section will be made with steel poles/bolts, which are engineered to withstand strong wind and attract lightning into the ground to reduce risk of fire.

Commissioner McFall asked whether linemen will use a truck with a lift to service them.

Seth Boutilier said the steel poles can be serviced by using their little clips to put steps in for climbing, or by aerial lift.

Mr. Vigil showed the BOCC the prior work that had been done and was clear that the first proposed line was not an acceptable route to Penrose residents and so Black Hills did public events to receive feedback, which led them to move the line further east of the original proposition and north of the WAPA line. He also conveyed that Black Hills Energy had gone door-door to see which residents would accept an easement.

Director Simpleman confirmed that the SRU request is for a 6.2 mile powerline with 67 structures and reported agency comments as follows; FCDOT has no concerns at this time; the Fremont County Project Engineer commented that a storm water drainage report variance is not required; FCDPHE has no comments; and Planning & Zoning recommends approval including the waiver of the screening and buffering requirements and the storm water drainage report.

Commissioner Bell opened the public hearing at 10:44 a.m.

Larry Swisher is a Penrose resident who asked whether the transmission line between the Hogback Substation and Penrose Substation was permitted.

Commissioner Bell asked Eve Freeman to approach the Board and mentioned there was an understanding that Ms. Freeman would be speaking for other residents during the hearing.

Eve Freeman lives at 820 Valley Drive in Penrose and confirmed that she is speaking for all those who have signed their petition of over 160 signatures from Penrose and Fremont County residents including neighbors on Valley Drive. She asked the Board to address their safety concerns and requests as follows:

1. The new line should follow the WAPA Line when possible
2. The line is at least 300 feet from any dwellings or residential areas.
3. The line creates no more than 1 milliGauss of electromagnetic radiation during any usage load at any bordering property

Ms. Freeman presented a transmission line design guideline describing how to radiation can be reduced and said Fremont County should demand the best from companies.

Commissioner Bell asked how and where signatures for the petition were collected.

Eve Freeman imparted that they wrote letters and spoke in-person with neighbors, collected signatures at the Blossom Festival, and asked Penrose businesses to hold petitions.

Commissioner Bell determined that the petition includes signatures of those who are not Penrose residents.

Eve Freeman suggested that the whole county represents Penrose since Penrose is unincorporated.

Renae Freeman started construction at a Penrose property in September 2020 and figured out that Black Hills bought the adjacent property in Aug 2021. She relayed a conversation with Mr. Boutilier regarding pole-installation and eminent domain. Ms. Freeman said she later spoke with Commissioner Bell who indicated that there was no permit in place at that time. She conveyed concerns as follows: residents are being coerced to sign easements by threat of eminent domain and some Penrose landowners are signing easements but do not live nearby.

Commissioner McFall asked for Ms. Freeman's address.

Ms. Freeman lives at 1279 Valley Drive. She told the Board that Black Hills is proceeding to provide electricity for mining companies and not for local residents.

Commissioner Bell asked where Ms. Freeman heard that the transmission line will feed electricity to only mining companies.

Ms. Freeman replied that she read it in an article and is concerned that the lines will run through, but not serve the area where they live.

Commissioner Grantham asked how close the Freeman property is to the WAPA lines

Ms. Freeman said she isn't sure and asked why the new line isn't following the WAPA lines.

Commissioner Grantham inquired about when the Freemans bought the property.

Ms. Freeman said they bought it in September of 2020.

Adam Freeman gave the BOCC photos for reference.

Commissioner Bell asked who did the rendering on the images.

Mr. Freeman explained that his wife edited them. He discussed his concerns with the Board regarding radiation damage, Black Hills' ethics, and trespassing Black Hills employees. He stressed his concern that if the SRU is approved as proposed it would endanger many people.

Commissioner McFall asked if the property is in a Home Owner's Association.

Mr. Freeman explained that the covenants are inactive, so not currently.

Commissioner Bell asked Mr. Freeman how long he has owned the property.

Mr. Freeman has owned the property since 2007 or 2008.

Commissioner Bell asked when he found out this operation was going to happen.

Mr. Freeman explained that they originally learned that the line was going to follow the WAPA line outside of Penrose and attended some meetings. He also spoke more on trespassing by Black Hills' employees and said it was clear that people had driven through private properties without permission from landowners. He was concerned that nobody had been contacted about the SRU request. Building started on properties that Black Hills owns around PR and contacted P&Z and updated plan.

Commissioner McFall asked if the radiation Mr. Freeman mentioned was based on the proposal.

Mr. Freeman clarified that his information is from the proposal, and based on the radiation measured by Gauss meters coming off high-voltage lines on the east side of Cañon City and Pueblo.

Commissioner McFall asked if he used a meter to measure the new line between Penrose and Canon.

Mr. Freeman said they did not measure that one because they had to use the paperwork that was filed. He added that Mr. Boutilier previously proposed shorter distances between conductors, but it has not been officially addressed.

Doug Hutchinson approached the board and lives at 1465 Valley Drive for the past 20 or so years and agreed to give Black Hills access to a corner of his property so his neighbors would not be impacted. He was concerned about the visual impact of the line, Black Hills' disregard of Mr. Hutchinson's neighbors, and radiation. He pointed that Black Hills moved the proposed line away from the WAPA line where it would be on private properties onto other private properties.

Commissioner Grantham asked if Mr. Hutchinson had details on the impact the line would have on property values.

Mr. Hutchinson said properties surrounded by power lines will impact property values, estimating \$50,000 off their values per the visual impacts.

Commissioner Grantham explained that there is no evidence that power lines bring down property values.

Mr. Hutchinson responded that it will impact curb appeal as the intrusion of mechanics impedes the attractiveness of the natural environment.

Dan Inman approached the Board and spoke about the lack of communication regarding Black Hills' proposal. He gave details from a survey taken on property values from 2020 based on powerlines on and near properties in South Carolina.

Commissioner Grantham said because it is a survey done in another state, the correlation doesn't have anything to do with local property values.

Mr. Inman made a statement about political people.

Commissioner Grantham asked what Mr. Inman meant by his comment.

Mr. Inman clarified that studies haven't been done in Fremont County.

Commissioner Grantham conveyed that this is the work he does as an appraiser.

Natasha Downy imparted that she is about to purchase a property in Penrose that will be affected by the powerlines, which resulted in their offer dropping by \$30,000.

Commissioner Grantham asked where the property is located.

Ms. Downy lives at 475 P Street.

Commissioner Bell closed the public hearing at 11:25 a.m.

Mr. Boutilier addressed the concerns about eminent domain, saying that the route was acquired voluntarily and they never threatened eminent domain. He also said Black Hills has not started construction on the project, but has run geotechnical surveys on properties that the business owns.

Commissioner McFall asked whether there has been any blasting.

Mr. Boutilier said they have been meeting with the community and mentioned a meeting with Ms. Freeman on 22nd to discuss the possibility of shifting the proposed line.

Commissioner McFall asked if there is a possibility of adjusting the line away from their property.

Mr. Boutilier explained why it is proposed to be placed where it is on the property due to the landscape.

Commissioner McFall asked whether the Freemans' rendition of the powerline near their property looks accurate.

Mr. Boutilier said it does and assured the Board that they are working with an engineer to move it down to be about 300 ft away from resident.

Commissioner Bell asked Mr. Boutilier to address Mr. Swisher's question.

Commissioner McFall said that when they approved the two substations, they also were permitted to run a line between them.

Mr. Swisher replied that in past meeting it had been discussed that the SRUs approved per substations do not involve lines, only substations. He stressed that the public had not been the opportunity to address the transmission line between the two substations.

Mr. Boutilier said Mr. Freeman was referring to a geotechnical drill rig to check the soil and make sure it was not destructible on easements or Black Hills property.

Commissioner McFall said the land south of Mr. Freeman's is Black Hills property.

Commissioner Bell asked Mr. Boutilier to address damage that may occur to driveways.

Mr. Boutilier said they will upgrade some roads, including private roads to be less destructive to equipment, effectively improving them for everyone else.

Commissioner McFall asked him to address EMFs.

Mr. Boutilier said there are three structure designs they will use for the line and that their engineer specifically works on transmission lines. He said that regarding the EMF, Black Hills Energy follows PUC guidelines and does better than what they request.

Commissioner McFall asked how that works.

Mr. Boutilier said the PUC guideline sets the maximum EMF outside of the edge of a right-of-way.

Commissioner Bell asked Mr. Boutilier about the location of the lines being at a minimum of 300' away from homes.

Mr. Boutilier said the pole in question is 247' away from the nearest home and 105' off Black Hills' property line. He said they require 150' easement and is not sure where the 300' minimum came from. He noted that an 80' or 120' easement would still be considered safe.

Commissioner Bell asked if it is the closest the line would come to any residents.

Beau Cochran said the closest other residences are at 250' and 215' away from the line.

Mr. Boutilier said those Benito properties that are close to the line are actually on the far side of WAPA line on Northern side.

Commissioner Grantham asked where the regulation of the PUC being at 150' came from and what the figure is based on.

Mr. Boutilier replied that the PUC set the minimum right-of-way at 80' and Black Hills exceeds that to 150'.

Commissioner McFall asked about the height of the poles and whether that affects the EMFs.

Mr. Boutilier explained that there are many variables and the poles are generally about 65'.

Commissioner McFall asked Mr. Boutilier to address the foundations of the existing WAPA poles and how the new ones can be engineered to avoid problems.

Mr. Boutilier replied that design engineers refer to a geotechnical report to design specialized foundations. He pointed out that the WAPA line is over 50 years old in some places.

Commissioner McFall said that when referring to the GIS map he sees no difference in elevation and said moving the line another 50' would benefit the Freemans.

Mr. Boutilier claimed he could commit to investigating the placement of the line, but reiterated that there are many variables at play regarding the line's design and placement. He said the engineer team designed it to be as far away from residents as possible.

Commissioner McFall pointed out that they designed it to run at the north edge of the property, which is very close to the Freeman's property.

Mr. Boutilier explained that the Freemans also have property to the south and that the engineers' design has to do with the location of a valley on the property. He said they will look into making adjustments and noted that they fly over the location with LADAR to survey the site and design the line.

Commissioner McFall asked whether they use a helicopter to survey the structures.

Mr. Boutilier replied that they fly the transmission lines twice a year and patrol every 5 years on-foot.

Commissioner McFall suggested that the traffic input will be null after installation.

Mr. Boutilier agreed that they don't require much maintenance and explained that though steel costs more upfront, it is ultimately more beneficial.

Commissioner Bell recommend tabling the item to June 14, 2022 and explained that the Board often tables contentious issues so they have sufficient time to think about and discuss the issues privately as a Board.

Commissioner Grantham noted that they will have more time to review and absorb the information that's been provided and address today's testimonies.

Commissioner Bell reminded that public that the Public Hearing is closed and the Board will not accept any more public feedback for consideration and June 14th will be reserved for decision only.

Commissioner Grantham moved to table the request for SRU 21-006 Black Hills Energy Desert Cove-North Penrose for a Special Review Use Permit for a 115kV overhead transmission line located between North Penrose Substation and the Fremont County Line to the June 14, 2022 BOCC Meeting at 9:30 a.m. Commissioner McFall seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

Commissioner Bell adjourned the meeting at 11:52 a.m.



Clerk to the Board of County Commissioners

RESOLUTION NO. 19, SERIES OF 2022

**A RESOLUTION AMENDING SUBSECTION 107.1.1 “EVIDENCE OF WATER”
OF THE JANUARY 1, 2021 FREMONT COUNTY BUILDING CODE, RESIDENTIAL
CODE AND THE ENERGY CONSERVATION CODE,
AS ADOPTED IN RESOLUTION 60, SERIES OF 2020**

WHEREAS, the Board of County Commissioners for Fremont County, pursuant to §30-28-201, C.R.S., is authorized to adopt a building code for the unincorporated portions of Fremont County; and

WHEREAS, on November 10, 2020, the Fremont County Board of County Commissioners approved Resolution 60, Series of 2020, adopting the International Building Code, the 2018 International Residential Code and the 2018 International Energy Conservation Code, together with amendments, additions and deletions as set forth in Resolution 60-2020, thereby adopting the Fremont County Building Code, which became effective on January 1, 2021; and

WHEREAS, the Building Official for Fremont County has made a recommendation for an amendment to the Fremont County Building Code regarding evidence of an approved water supply, required by subsection 107.1.1 prior to issuance of a building permit, to allow use of bulk water cisterns as an approved water supply; and

WHEREAS, a public hearing was held before the Board of County Commissioners of Fremont County on May 10, 2022, after notice of the same was published in a newspaper of general circulation in the county at least fourteen days prior to said hearing; and

WHEREAS, the Board of County Commissioners finds that amendment of the Fremont County Building Code to eliminate the requirement for well-driller letters and/or an unsuccessful attempt to drill a water well prior to use of a bulk water cistern, will be beneficial to citizens of Fremont County and lessen the burden on residents seeking to construct residential or commercial structures.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fremont County that Subsection 107.1.1 “Evidence of Water,” of the 1/1/2021 Fremont County Building Code is and shall be amended as follows:

107.1.1 Evidence of water. Evidence of an approved water supply shall be demonstrated by one of the following:

1.) A signed water tap contract from a public water purveyor reflecting the owner's name and subject address.

2.) A recent water bill from a public water purveyor reflecting the owner's name and subject address.

3.) A "Well construction and test report" completed by a Colorado licensed well driller. The report shall include at a minimum the owner's name and address, the Well permit number, location of the well, well depth, production rate in gallons per minute, driller's license number and the drillers signature.

4.) A "Bulk Water/Cistern Letter" provided by the Fremont County Building Department, signed by the property owner and notarized by a legally commissioned Notary Public. ~~The Bulk Water/Cistern System letter will be accepted as evidence of a water supply only on parcels of land which were created prior to June 1st, 1972 or on parcels which are thirty five acres or larger and must be accompanied by one of the following:~~

~~A written disapproval of a well application from the Colorado Division of Water Resources, or;~~

~~A Well Construction and Test Report completed as described in item #3 above indicating a dry well drilled to a minimum depth of six hundred feet, or;~~

~~Written statements from two independent Colorado licensed well drillers indicating that history has proven that drilling a successful water well in the specific location is unlikely. The written statements must be signed by the licensed drillers and notarized by a legally commissioned Notary Public.~~

5.) The Building Official is authorized to waive the submission of evidence of water requirements at time of application. Prior to the issuance of a Certificate of Occupancy, evidence of water shall be demonstrated as specified in section 107.1.1.

BE IT FURTHER RESOLVED that the amended subsection 107.1.1 shall read as follows:




107.1.1 Evidence of water. Evidence of an approved water supply shall be demonstrated by one of the following:

- 1.) A signed water tap contract from a public water purveyor reflecting the owner's name and subject address.
- 2.) A recent water bill from a public water purveyor reflecting the owner's name and subject address.
- 3.) A "Well construction and test report" completed by a Colorado licensed well driller. The report shall include at a minimum the owner's name and address, the Well permit number, location of the well, well depth, production rate in gallons per minute, driller's license number and the drillers signature.
- 4.) A "Bulk Water/Cistern Letter" provided by the Fremont County Building Department, signed by the property owner and notarized by a legally commissioned Notary Public.
- 5.) The Building Official is authorized to waive the submission of evidence of water requirements at time of application. Prior to the issuance of a Certificate of Occupancy, evidence of water shall be demonstrated as specified in section 107.1.1.

BE IT FINALLY RESOLVED that this Amendment to the Fremont County Building Code shall be effective for all building permit applications presently pending with the Fremont County Building Department and for all future applications, until such time as the Board of County Commissioners elects to modify, amend, or otherwise supersede such Amendment.

Effective this 10th day of May, 2022.

Commissioner Grantham moved the adoption of the foregoing Resolution with a Second by Commissioner McFall.

Debbie Bell		NAY	ABSTAIN	ABSENT
Kevin J. Grantham		NAY	ABSTAIN	ABSENT
Dwayne McFall		NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date May 10th, 2022

Attest



Clerk

By: Debbie Bell
Chairperson

