

TENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on May 26, 2020 615 Macon Avenue, Room LL3, Fremont County Administration Building, Canon City, Colorado. Chairperson Debbie Bell called the meeting to order at 9:30 a.m.

Debbie Bell	Commissioner	Present
Dwayne McFall	Commissioner	Present
Tim Payne	Commissioner	Present
Justin Grantham	Clerk & Recorder	Present
Brenda Jackson	County Attorney	Present
Sunny Bryant	County Manager	Present
Sean Garrett	Planning & Zoning Director	Present

INVOCATION

Grant Adkisson, 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. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

CONSENT AGENDA

1. Approval of Minutes / May 12, 2020
2. Approval of Bills for \$2,929,089.93
3. Ratification of Chairman's signature on a CARES Act Grant Agreement from the FAA for the Fremont County Airport
4. Ratification of Chairman's signature on an Airport Improvement Program (AIP) Project Grant Agreement from the FAA for the Fremont County Airport
5. Approval of an IGA with the Town of Brookside for application of chip and seal to Brookside Avenue
6. Approval of an Agreement for Inmate Health Care Services at the Fremont County Detention Center with NatCore Healthcare Industries, Inc.
7. Schedule Public Hearings: June 23, 2020 at 10:00 a.m.
 - a. Request: CUP 90-012 Desert Reef Beach Club
Request approval for renewal of CUP 90-012 Desert Reef Beach Club. Current CUP expires October 23 2020. The operation is located south of Florence at 1194 C.R. 110.

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

ADMINISTRATIVE/INFORMATIONAL

1. Staff / Elected Officials:

- a. County Manager Report, Sunny Bryant, County Manager

County Manager Bryant said that the 2019 Financial Audit is being finalized. She also said that the 2019 countywide Cost Allocation Plan that tracks the in-direct costs incurred by each department in their operation, has been completed.

- b. Sales & Use Tax Report, Sunny Bryant, County Manager

County Manager Bryant gave the Sales & Use Tax Report which can be found on the County's website www.fremontco.com.

Commissioner McFall reminded the citizens that the County is still under Stage 1 Fire Restrictions. He also assured everyone that even though the state has cut some funding, the grant the County received for the community center at Pathfinder Park is still in place.

Commissioner Bell said that despite the pleading of Fremont County and other counties, the state Joint Budget Committee (JBC) has decided to cut the senior homestead tax exemption as well as the same exemption for disabled veterans. She said that it is her understanding that it will be cut for the next three years with the possibility of it becoming a permanent cut. She encouraged citizens to contact their state representatives and the members of the JBC to express any displeasure they might feel.

Commissioner Bell went on to remind the citizens of Fremont County that the county buildings are open to the public. She said that masks are required as well as social distancing.

She then gave an update on the distribution of the \$2.1 Billion federal funding the state received. She said that through the continued efforts of Colorado Counties Incorporated and the Colorado Municipal League, communities and fifty-nine counties with less than 500,000 citizens will receive a portion of \$272 Million. Fremont County will receive approximately \$4 Million that will be shared with local municipalities and special districts.

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

There were none.

OLD BUSINESS

1. Request: TUP 20-001 – Howard Creek Farm
Request approval of a Temporary Use Permit, Department file #TUP 19-002 Howard Creek Farm to allow a Wedding Venue, including a 4000 square foot hay barn on 11 acres adjacent to the Arkansas River in Howard. The site will host 15 events a year from May to October each year, primarily on the weekends. The site is located at 356 County Road No. 4 in Howard.

Commissioner Bell stated that no public comment had been received, closed the public hearing held open from the May 12, 2020 BOCC Meeting at 9:45 a.m.

Commissioner McFall moved to approve a Temporary Use Permit, Department file #TUP 19-002 Howard Creek Farm to allow a Wedding Venue, including a 4000 square foot hay barn on 11 acres adjacent to the Arkansas River in Howard. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

2. Request: Amendments to the Fremont County Zoning Resolution Section 8.3
Requesting approval for amendments of the Fremont County Zoning Resolution section 8.3 Meetings. Department is proposing an amendment to FCZR to require mandatory pre-submittal meetings for land use applications.

Commissioner Bell stated that no public comment had been received, closed the public hearing held open from the May 12, 2020 BOCC Meeting at 9:46 a.m.

Commissioner Payne moved to approve Resolution #33 amendments to the Fremont County Zoning Resolution section 8.3 Meetings. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

3. New Liquor License Application
Penrose Pizzeria & Pub LLC
Hotel & Restaurant Liquor License
103 Broadway St. #11 & #12, Penrose, CO 81240

Commissioner Bell stated that no public comment had been received, closed the public hearing held open from the May 12, 2020 BOCC Meeting at 9:48 a.m.

Commissioner McFall moved to approve a New Hotel & Restaurant Liquor License Application for Penrose Pizzeria & Pub LLC contingent on the applicants receiving a food license from Fremont County Department of Public Health and Environment. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

NEW BUSINESS

1. Agreement for Professional Services to update the Fremont County Multi-Jurisdictional Hazard Mitigation Plan
Representative: Mykel Kroll, Emergency Manager

Mykel Kroll Emergency Manager gave an overview of what all is involved in updating the Fremont County Multi-Jurisdictional Hazard Mitigation Plan.

Commissioner Bell asked where the funding for the \$39,965.80 would come from.

Mykel Kroll Emergency Manager said that the money would be coming from a FEMA grant that would provide 75% of the total with the remaining 25% coming from local jurisdictions with both monetary and in kind matches.

Commissioner Payne moved to approve an agreement with Synergy Disaster Recovery for Professional Services to update the Fremont County Multi-Jurisdictional Hazard Mitigation Plan. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

2. Variance Request from Safer at Home Executive Order and Public Health Order 20-28
Representative: Emma Davis, Director of Public Health and Environment

Emma Davis, Director of Public Health and Environment came before the Board to request another variance from the Safer at Home Executive Order and amend the CDPHE public order for Fremont County. These additional attachments can be found on the County's website www.fremontco.com.

Commissioner Payne added that the businesses themselves came up with a great deal of the protocols to be followed.

Commissioner McFall moved to approve Resolution #34, a Variance Request from Safer at Home Executive Order and Public Health Order 20-28. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

3. Request: MS 20-002 Brokn Acres
Requesting approval of a Minor Subdivision, Department file #MS 20-002 Brokn Acres Minor Subdivision. The site is located off of Mackenzie Ave and Highland Ave in Canon City CO. The parcel is currently Zoned Agricultural Suburban and consists of 5.45 Acres. The subdivision will consist of three lots: Lot 1: 4.468 acres, Lots 2 & 3: .333 acres.
Representative: Angela Bellantoni

Angela Bellantoni representing the applicants presented the proposed Minor Subdivision.

Sean Garrett Planning & Zoning Director gave a staff report stating that the application was complete.

Commissioner McFall moved to approve a Minor Subdivision, Department file #MS 20-002 Brokn Acres Minor Subdivision. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

4. Request: MS 20-003 Harmon
Requesting approval of a Minor Subdivision, Department file #MS 20-003 Harmon Minor Subdivision. The site is located at the intersection of 6th Street & M. Street in Penrose CO. The parcel is currently Zoned Agricultural Rural and consists of 9.42 Acres. The subdivision will consist of two lots, lot one being 4.715 acres & lot 2 being 4.709 acres
Representative: Andrew Harmon

Andrew Harmon came before the Board to request approval of a minor subdivision. He explained that this property is owned by his parents and that he would be building his family a home on the property in the future.

Sean Garrett Planning & Zoning Director gave a staff report stating that the application was complete.

Commissioner Payne moved to approve a Minor Subdivision, Department file #MS 20-003 Harmon Minor Subdivision. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

5. Approval of Notice of Award for Improvements to Fremont County Airport
Fremont County Airport Taxiway Rehabilitation and authorization of Chairman's signature

Sunny Bryant County Manager stated that this is the award for the improvement to the Fremont County Airport from the FAA. She said that this project will be funded 100% by the FAA with no matching funds required from the County, because the County's and the State's 5 percent portions will be paid through the CARES Act. Ms. Bryant went on to say that Kiewit Infrastructure Company will be doing the work on the taxiway improvements

Commissioner McFall moved to approve a Notice of Award to Kiewit Infrastructure Company in the amount of \$489,199.50 for Improvements to Fremont County Airport Taxiway Rehabilitation and authorization of Chairman's signature. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

PUBLIC HEARING

1. Top Rail Ranch Filing # 7

Request approval of a final plat for Top Rail Ranch Subdivision. The filing will consist of twenty-two (22) lots and is zoned Agricultural Suburban. The location is in Penrose and is East of R. Street.

Ron Walker explained that he would like to subdivide a 56 acre hayfield into parcels averaging 2.5 acres for the purpose of selling the individual lots for housing to be built.

Sean Garrett Planning & Zoning Director said that the application was complete. He went on to say that contingent on the review of the drainage plan and proof of water taps he recommended approval.

Commissioner Bell opened the public hearing at 10:05 a.m.

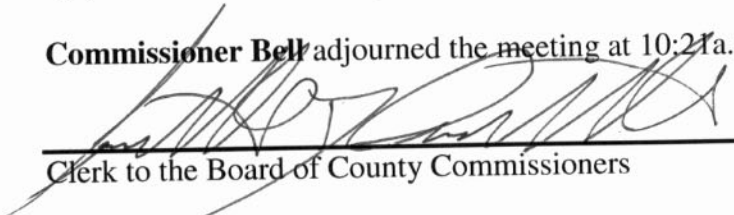
Commissioner Bell said that the commissioners have received three separate letters either in favor or opposing this request.

There was no further comment.

Commissioner Bell closed the public hearing at 10:06 a.m.

Commissioner Payne moved to approve a final plat for Top Rail Ranch Subdivision Filing # 7 contingent upon the review of the drainage plan and proof of water taps as well as access to the lots be limited per Fremont County Department of Transportation. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

Commissioner Bell adjourned the meeting at 10:21 a.m.


Clerk to the Board of County Commissioners

