

ELEVENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on June 9, 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

Todd Luce, Grandview Christian 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 26, 2020
2. Approval of Minutes / May 28, 2020 Special Meeting
3. Approval of Bills for \$2,358,887.47
4. Approval of Resolution #33 Sixteenth Amendment to the Fremont County Zoning Resolution
5. Approval of Colorado Retirement Association Retirement Plan and Trust Agreement
6. Approval of Colorado Retirement Association Deferred Compensation Plan
7. Approval of an Agreement with Kiewit Infrastructure for rehabilitation of taxiways at the Fremont County Airport
8. Resolution #36, Series of 2020, Approving Assignment of Airport Land Lease Agreement for Hangar #12, Fremont County Airport
9. Schedule Public Hearing: July 14, 2020 at 10:00 a.m.:
 - a. Request: SRU 20-003 Southwest Energy
Requesting approval of a Special Review Use, Department file # SRU 20-003 Southwest Energy for a contractor's yard for storage and sales of blasting and similar items associated with mining and gravel pit operations. The site is located off of HWY 50, near the Fremont County Airport. The parcel(s) are currently Zoned Agricultural Forestry and consists of 640 Acres.

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 Clerk's Monthly Report

County Clerk Grantham gave the May 2020 monthly report. This report can be found on the county's website at www.fremontco.com.

Commissioner McFall moved to approve the County Clerk's Monthly Report for May 2020. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

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

County Manager Sunny Bryant said that discussions have begun about applying for a second EPA Brownfield Grant. She then said that the requirements for the CARES Act funds are being reviewed. Ms. Bryant said that draft agreements will be going out to the entities for their review. She said that our revenues and expenses are being monitored closely to see the financial impact of COVID-19 so that necessary adjustments are made quickly.

Commissioner McFall explained that in regards to the CARES Act funds the county has to follow federal treasury guidelines.

Commissioner Bell said that she was able to inform the local municipalities of the funding that would be available to them, at the Fremont County Mayor's Roundtable.

Commissioner McFall said that due to the state's financial situation, the county would not be receiving the underfunded court house grant intended to be used to remodel an unfinished court room at the justice center. However, he went on to say that, the \$1 million dollar DOLA grant for the community building at Pathfinder Park is still on track at this time. Commissioner McFall added that the Veteran and Senior Citizen property tax break is, at this time, not being considered any longer for discontinuation by the state Joint Budget Committee.

Commissioner Bell said that she would be meeting with the Fremont County Fair Board to discuss the manner in which the fair would be conducted this year.

County Clerk Justin Grantham said that the ballots for the Fremont County June 2020 Primary Election would be going out in the mail from the print vendor in Phoenix, AZ on Wednesday June 10, 2020.

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

There were none

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. Consideration of removal of Skip Moreau from the Fremont County Airport Advisory Board

County Attorney Jackson, at the request of the Board of County Commissioners, gave a brief overview of Skip Moreau's history at the Fremont County Airport.

Skip Moreau was given an opportunity to defend the actions that has brought the County to consider his removal from the Fremont County Airport Advisory Board.

Commissioner Bell expressed that the individuals on the Fremont County Airport Advisory Board are held to a higher standard and are expected to follow the rules that the board has set in place and, to comply with these rules in a timely manner. Commissioner Bell said that in spite of Mr. Moreau being given several warnings over a year's time by Wes Brandt, Fremont County Airport Manager, he failed to bring his property into compliance.

Commissioner McFall made a motion to remove Skip Moreau from the Fremont County Airport Advisory Board effective immediately. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, 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 Resolution #38.
Representative: Emma Davis, Director of Public Health and Environment

Director of Public Health and Environment Emma Davis presented to the Board a third variance request from the Safer at Home Executive Order and Public Health Order. She gave an overview of the previous two variance requests that Fremont County has submitted for approval from the state. Ms. Davis explained that this third request is pertaining to opening libraries and museums as well as having larger gatherings permitted in Fremont County.

Commissioner McFall moved to approve a Variance Request from Safer at Home Executive Order and Public Health Order 20-28 Resolution #38. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

3. Approval of the Second Amended and Restated Intergovernmental Agreement for establishment of Regional Emergency Communications Authority for Fremont County by and between the City of Cañon City, City of Florence, Cañon City Area Fire Protection District, Fremont County E-911 Authority, and the County of Fremont.

County Attorney Jackson explained how the Regional Emergency Communications Authority for Fremont County came to be formed. She went on to say that last October Custer County experienced a crisis in their dispatch services and they had to turn all of their dispatching responsibility over to the Combined Regional Communications Authority. Ms. Jackson said that since that time there have been negotiations going on between the authority dispatch board and Custer County to consolidate their dispatch needs and services into our center. An agreement has been made to have Custer County become a full member of the dispatch authority and contribute financially in order to have their dispatch services go through the Combined Regional Communications Authority.

Commissioner Payne moved to approve the Second Amended and Restated Intergovernmental Agreement for establishment of Regional Emergency Communications Authority for Fremont County by and between the City of Cañon City, City of Florence, Cañon City Area Fire Protection District, Fremont County E-911 Authority, the County of Fremont and the County of Custer. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

4. Resolution No.39 Amending The March 2019 Edition Of The Fremont County Personnel Policies And Procedures Manual, Chapter 13, Pay And Compensation Plan

County Manager Sunny Bryant said that this resolution would incorporate into the personnel policies and procedures exactly what a promotion or demotion would look like financially. This resolution can be viewed in the Human Resources office.

Commissioner McFall moved to approve Resolution No.39 Amending the March 2019 Edition of The Fremont County Personnel Policies and Procedures Manual, Chapter 13, Pay And Compensation Plan. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

Public Hearings Scheduled for 10:00 a.m.:

1. SRU 20-002 Reynolds Annex II
Requesting approval of a Special Review Use, Department file # SRU 20-002 Reynolds Annex II. The proposal is for a multiuse commercial building. The site is located on Maple Lane (off Dozier Ave) and is located in the Business Zone District
Representative: Dave Reynolds
(Resolution #37)

Dave Reynolds said that he was representing his brother who had purchased the property a couple of years ago. He said that the thought at the time was to build a building that could be rented out to businesses similar to ones that already exist in the area. Mr. Reynolds said that his brother has been in contact with individuals that would like to rent the building once it is completed.

Planning and Zoning Director Sean Garrett said that the application was complete. He did point out three contingency items and one waiver request. The first contingency will be a revised drainage plan, the second is a site plan revision and the final contingency is an approved Fremont County Department of Transportation access permit. The waiver request is landscaping of the parking area.

Commissioner Bell opened the public hearing at 10:13 a.m.

There were no public comments.

Commissioner Bell closed the public hearing at 10:13 a.m.

Commissioner Payne moved to approve SRU 20-002 Reynolds Annex II Requesting approval of a Special Review Use, Department file # SRU 20-002 Reynolds Annex II. The proposal is for a multiuse commercial building. The site is located on Maple Lane (off Dozier Ave) and is located in the Business Zone District. Approval is contingent on obtaining a revised drainage plan, a site plan revision and an approved Fremont County Department of Transportation access permit as well as a waiver of landscaping of the parking area. This is resolution #37. 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 10:32a.m.


Clerk to the Board of County Commissioners



RESOLUTION NO. 33
Series of 2020
16th Amendment to the Fremont County Zoning Resolution

BE IT RESOLVED by the Fremont County Board of County Commissioners (hereafter "Board"):

THAT WHEREAS, effective **May 26, 2020**, the Board of County Commissioners adopted amendments of the Fremont County Zoning Resolution; and

WHEREAS, certain amendments to said Resolution have been proposed; and

WHEREAS, the Fremont County Planning Commission has promulgated and recommended approval of the proposed 16th Amendment to the Fremont County Zoning Resolution; and

WHEREAS, the Board of County Commissioners has conducted a public hearing on the proposed amendment on **May 6, 2020**, pursuant to such publication and notice as may be provided by law; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the Fremont County Zoning Resolution be and hereby is amended as set forth in Exhibit A attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED that such amendment shall apply to all new submittals from **May 26, 2020**.

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

Commissioner Payne: Aye / Nay / Abstain / Absent
Commissioner McFall: Aye / Nay / Abstain / Absent
Commissioner Bell: Aye / Nay / Abstain / Absent

The Resolution was declared to be duly adopted.

DATE: June 9th, 2020

Debbore Bell
CHAIRMAN, FREMONT COUNTY BOARD OF COUNTY COMMISSIONERS

ATTEST: Justin D. Grantham
FREMONT COUNTY CLERK AND RECORDER



8.3 APPLICATION MEETINGS – Fremont County welcomes new businesses and industrial enterprises to the community. **In an effort to help streamline the process and ensure the applicant is aware of all of the rules and regulations,** Fremont County ~~encourages~~ **requires** potential applicants to meet ~~informally or communicate~~ with the Planning and Zoning Department staff prior to application submission to gain familiarity with the application process and to determine application eligibility ~~prior to completion of an application~~ and to continue the communications throughout the application process. ~~Department staff is available to discuss possible development scenarios and upcoming stages of application procedures to help current and potential prior to and during the application process.~~

8.3.1 ~~The department will meet with the applicant to discuss the proposed application at a pre-submittal meeting if requested by the applicant. The potential applicant will be required to provide general information regarding the proposal to include: proposed water and sanitation source, access, address or parcel number of the subject property and a general overview of the proposal (proposed use, number of buildings, hours of operation, equipment used, etc.)~~ **some information (i.e. zoning verification, current and proposed use, proposed water and sanitation source, proof of access, etc.) This information should be provided** prior to the meeting to allow the Department to prepare for the meeting and determine who should attend the meeting. ~~The applicant will be provided with handouts and information pertinent to the application.~~ **Potential applicants are encouraged to discuss the proposal in general terms with the respective utility and access providers to determine feasibility and requirements prior to the application meeting.**

8.3.1.1 ~~If the water source for the use is proposed to be from a municipal or independent water district then the applicant shall provide evidence that said district has been contacted and that water services can be provided for the use(s) proposed along with the district's conditions for service.~~

8.3.1.2 ~~If the sanitation source for the use is proposed to be from a municipal or independent sanitation district then the applicant shall provide evidence that said district has been contacted and that sanitation services can be provided for the use(s) proposed along with the district's conditions for service.~~

8.1.1.3 ~~If access to the subject property is proposed to be directly to a roadway controlled by or through an intersection within the jurisdiction of the Colorado Department of Transportation (CDOT) the applicant shall provide evidence that CDOT has been contacted and that access can be provided for the use(s) proposed along with the CDOT conditions of approval.~~

8.3.2 ~~The Department will meet with the applicant after the applicant has received the Department's Submittal Deficiency and Comment letter for the application, if requested by the applicant. The applicant will be required to provide a brief list of questions regarding the application to enable the Department to determine what staff members should attend the meeting.~~

8.3.2 Applicants shall meet with Department Staff, by appointment, unless waived in writing by the Planning Director or Planning Coordinator and agreed upon by the applicant for the purposes set forth in section 8.3.2.1 Purposes Below.

8.3.2.1 Purposes

- A. To determine if the proposal is an allowed use in the current zoning of the subject property;
- B. To determine what type of application & permit (Special Review Use, Conditional Use Permit, Temporary Use Permit, Commercial Development Plan, Zone Change) is appropriate for the proposal;
- C. To provide the applicant with an appropriate information handout packet that will contain a zone district handout, the appropriate application and fees, procedural requirements, a general time frame of the process, goals, objectives, and planning district of the current Master Plan for the subject property;
- D. To discuss any unique or various aspects associated with the proposal; and
- E. To determine if additional information, licenses, or procedures are necessary for the proposal.

8.3.3 ~~The Department will meet with the applicant after the Department has provided the applicant with the Department review, if requested by the applicant. The applicant will be required to provide a brief list of questions regarding the application to enable the Department to determine what staff members should attend the meeting.~~

8.3.4 ~~The Department will meet with the applicant after the Planning Commission meeting to discuss recommendations of the Commission, if requested by the applicant. The applicant will be required to provide a brief list of questions to enable the Department to determine what staff members should attend the meeting.~~

8.3.5 ~~The Department will meet with the applicant after the Board of County Commissioners meeting and / or hearing to discuss requirements of the Board, if requested by the applicant. The applicant will be required to provide a brief list of questions to enable the Department to determine what staff members should attend the meeting.~~

8.3.3 **Additional Meetings:** Department staff will meet with the applicant by appointment, if requested, after applicants' receipt of the Department's Deficiency and Comment letter; after the Planning Commission meeting to discuss recommendations; and after the Board meeting to discuss any conditions and/or contingencies of approval or denial of the application.

RESOLUTION NUMBER 34, SERIES OF 2020

**RESOLUTION OF THE FREMONT COUNTY BOARD OF COUNTY COMMISSIONERS
AUTHORIZING SUBMITTAL OF A REQUEST FOR A VARIANCE TO THE
COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR
TASTING/SALES ROOMS, BOWLING ALLEYS AND MOVIE THEATERS**

WHEREAS, on March 26, 2020, the Board of County Commissioners adopted Resolution Number 25, Series of 2020, extending the Declaration of a Local Disaster Emergency, with amendments, which is due to expire at midnight on April 19, 2020; and

WHEREAS, on April 6, 2020, Governor Jared Polis issued Executive Order 2020 024, extending the time to April 26, 2020, for all Coloradans to stay at home and continue to observe social distancing to slow the rate of infection and number of COVID-19 cases; and

WHEREAS, on April 14, 2020, the Board of County Commissioners adopted Resolution Number 26, Series of 2020, extending the Declaration of a Local Disaster Emergency, with amendments, which is due to expire at midnight on April 30, 2020; and

WHEREAS, on April 28, 2020, the Board of County Commissioners adopted Resolution Number 26, Series of 2020, extending the Declaration of a Local Disaster Emergency, with amendments, which is due to expire at midnight on May 30, 2020; and

WHEREAS, on April 22, 2020, Governor Jared Polis announced a state-wide easing of COVID-19 restrictions, beginning Monday, April 27, 2020, (Executive Order D 2020 044), transitioning from a “stay at home” phase of COVID-19 Response to a “safer at home” response phase, which provides local governments with a variety of options when it comes to slowing the spread of the virus and protecting their communities; and

WHEREAS, pursuant to E.O. 2020 044, and Colorado Public Health Order 20-28, any county that desires to apply for a variance from part or all of the executive order may do so after meeting certain criteria and submitting an alternative COVID-19 suppression plan to be approved or denied by the Colorado Department of Public Health and Environment (CDPHE); and

WHEREAS, the Board of Commissioners, Board of Health and Fremont County Department of Public Health and Environment agree that Fremont County should seek a variance since the community is not experiencing a high rate of transmission and that social distancing policies should be tailored to local conditions, in order to promote community wellness and economic stability; and

WHEREAS, CDPHE has approved a variance for Fremont County for restaurants, outfitters, places of worship, fitness facilities and recreation, set forth in Fremont County Public Health Order 2020-02; and

WHEREAS, the Fremont County Department of Public Health and Environment has proposed a CDPHE variance and Fremont County Public Health Order dated May 26, 2020, that addresses local conditions and tailors social distancing policies to address local conditions with respect to tasting/sales rooms, bowling alleys, and movie theaters; and

WHEREAS, the Board of Commissioners believes that the provisions, policies and protocols set forth in the May 26, 2020 "Safer at Home Fremont County" proposed public health order better addresses the needs of Fremont County than the Colorado Orders and that a variance should be requested for approval of the proposed local public health order.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fremont County, Colorado:

Section 1. The Board of County Commissioners for the County of Fremont hereby formally approves and adopts the May 26, 2020, Variance Request for tasting/sales rooms, bowling alleys, and movie theaters under the current Safer at Home Fremont County local public health order as an alternative plan in place of the state "Safer-At-Home" order, authorized by Executive Order D 2020-044, subject to the approval of a variance by the Colorado Department of Public Health and Environment.

Section 2. Fremont County Board of Commissioners hereby authorizes the Fremont County Department of Public Health and Environment to submit the alternative plan and public health order to the Colorado Department of Public Health and Environment, requesting a second variance from the state orders presently in effect for COVID-19.

Commissioner McFall moved for adoption of this Resolution, with a second by Commissioner Payne. The roll call vote of the Board was as follows:

Debbie Bell	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Dwayne McFall	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Timothy R. Payne	<u>AYE</u>	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: May 26th, 2020

Debbie Bell
Chair Person

Attest:

[Signature]
Clerk



RESOLUTION NO. 35, SERIES OF 2020

**AMENDING THE DECLARATION OF
A LOCAL DISASTER EMERGENCY
PRESENTLY SET TO EXPIRE AT MIDNIGHT ON APRIL 30, 2020
AND EXTENDING THE DECLARATION
TO EXPIRE AT MIDNIGHT ON JUNE 29, 2020**

WHEREAS, on March 26, 2020, the Board of County Commissioners adopted Resolution Number 25, Series of 2020, extending the Declaration of a Local Disaster Emergency, with amendments, which is due to expire at midnight on April 19, 2020; and

WHEREAS, on April 6, 2020, Governor Jared Polis issued Executive Order 2020 024, extending the time to April 26, 2020, for all Coloradans to stay at home and continue to observe social distancing to slow the rate of infection and number of COVID-19 cases; and

WHEREAS, on April 14, 2020, the Board of County Commissioners adopted Resolution Number 26, Series of 2020, extending the Declaration of a Local Disaster Emergency, with amendments, which is due to expire at midnight on April 30, 2020; and

WHEREAS, on April 26, 2020, the Board of County Commissioners adopted Resolution Number 27, Series of 2020, extending the Declaration of a Local Disaster Emergency, with amendments, which is due to expire at midnight on May 30, 2020; and

WHEREAS, on May 12, 2020, the Board of County Commissioners adopted Resolution Number 32, Series of 2020, amending Resolution 27, Series of 2020 to open county offices for walk-in public traffic beginning on May 18, 2020; and

WHEREAS, COVID-19 can be a serious illness leading to severe complications and even the risk of death in some, including the elderly or those with underlying health issues or compromised immune systems; and

WHEREAS, on April 22, 2020, Governor Jared Polis announced a state-wide easing of COVID-19 restrictions, beginning Monday, April 27, 2020, transitioning from a “stay at home” phase of COVID-19 Response to a “safer at home” response phase, which provides local governments with a variety of options when it comes to slowing the spread of the virus and protecting their communities; and

WHEREAS, Local governments can implement the guidelines of Safer-at-Home to match the state, go farther than the state, including but not limited to stay-at-home orders or additional protective measures, and local governments can relax guidelines more than the state; and

WHEREAS, Fremont County Department of Public Health and Environment (“FCDPHE”) has confirmed that Fremont County has confirmed cases of the illness and due to the contagiousness of the illness, Fremont County will likely see additional cases of the virus and its

transmission within the community. Developing social distancing policies prior to an extensive outbreak has been a proven means of helping to contain COVID-19 outbreaks; and

WHEREAS, FCDPHE continues to make concerted efforts to secure additional testing capabilities to enable Fremont County to more accurately determine the number of confirmed COVID-19 cases, and to track whether the cases are increasing or declining and the extent to which Fremont County should deviate from state guidelines; and

WHEREAS, on May 21, 2020, FCDPHE was granted a variance from the Colorado Department of Public Health and Environment, for a waiver of some of the State Orders imposing stringent stay-at-home requirements; and,

WHEREAS, relief from these provisions is allowing Fremont County to customize its future public health orders and response to meet the needs of its community and begin economic recovery for businesses and workers alike; and

WHEREAS, on May 26, 2020, FCDPHE submitted a second variance request to CDPHE to relax the requirements for additional types of businesses; and

WHEREAS, Fremont County continues to exercise precautions appropriate for the community, by providing restrictions, guidelines and the tools needed for businesses to operate in a safe and functional manner, to maintain the level of social distancing required to prevent threats to the public health response, healthcare systems and the community's health; and

WHEREAS, FCDPHE has determined that the phased reopening model proposed by the State of Colorado and including observing Social Distancing Protocol for businesses is the most appropriate manner of proceeding to ease the closure restrictions presently in place and incrementally reopen Fremont County businesses and other entities; and

WHEREAS, Colorado law provides for declaring a local disaster emergency to assist local governments in responding to and recovering from emergency events, including epidemics and emergency epidemics and pandemics (See C.R.S. 24-33.5-703(3)); and

WHEREAS, the presence of confirmed cases of COVID-19 with a high risk for spread of the virus in Fremont County constitutes a local disaster for purposes of C.R.S. § 24-33.5-709, particularly when the high number of elderly residents and incarcerated persons is taken into consideration, confirmed cases of COVID-19 in Fremont County together with the confirmed presence of COVID-19 in a number of Colorado Counties, including those adjacent to and in close proximity with Fremont County; and

WHEREAS, The Board of County Commissioners of Fremont County, Colorado is authorized to declare a local disaster emergency for incidents occurring within the boundaries and response areas on behalf of municipal corporations, special districts, and other eligible non-governmental organizations; and

WHEREAS, the outbreak of COVID-19 in Colorado continues to constitute a local disaster for purposes of C.R.S. § 24-33.5-709; and

WHEREAS, Fremont County's response to the outbreak continues to be of a cost and magnitude far in excess of the County's available resources, including financial resources; and

WHEREAS, **In light of the ongoing risk to public health and safety, and in consideration of the state-wide "safer at home" order presently in effect, the Board desires to continue the initial declaration of a local disaster emergency for an additional thirty days, to June 29, 2020.**

NOW THEREFORE, THE FREMONT COUNTY BOARD OF COUNTY COMMISSIONERS HEREBY MAKES THE FOLLOWING DECLARATIONS:

1. **Extension of Declaration.** The declaration of local disaster emergency dated March 26, 2020, (Resolution 25, Series of 2020), extended to April 30, 2020, (Resolution 26, Series of 2020), and further extended to May 30, 2020 (Resolution 27, Series of 2020), as amended (Resolution 32, Series of 2020) referencing the outbreak of COVID-19 and response thereto, is hereby extended to midnight on June 29, 2020, unless further amended, extended, or terminated by the Board prior to that time. The Fremont County community is strongly directed to engage in social distancing and to postpone or cancel any gatherings or events where people will congregate in large number and/or in close contact with one another.

2. Emergency Plans.

a. Execution of all applicable local disaster emergency plans, interjurisdictional disaster emergency plans, and mutual aid agreements shall continue.

b. Fremont County personnel are directed to continue assisting cities and towns within Fremont County as resources permit, particularly those jurisdictions which have themselves declared local disaster emergencies.

c. The Director of the Office of Emergency Management, the Board of County Commissioners, the Public Health Director for FCDPHE, and the County Manager have full authority to assign county personnel, expend financial resources, use emergency procurement procedures, suspend and re-assign any county operations or policy to provide full support to the emergency response.

d. The Public Health Director shall continue to have the powers and duties conferred on her by C.R.S. § 25-1-506 and C.R.S. § 25-1-509. Pursuant to C.R.S. § 25-1-516, it is unlawful to willfully "violate, disobey, or disregard the provisions of the public health laws or the terms of any lawful notice, order, standards or rule." The Public Health Director has authority under state law to issue orders and guidance and take other actions as necessary to protect the public health, safety and welfare. The BOCC directs county staff to take such actions to effectuate the orders and guidance of the Public Health Director as necessary, in consultation with the BOCC when appropriate.

3. County Offices shall continue to be open to the public, to the extent this can be accomplished consistent with existing protocols for social distancing. If not, the county buildings shall remain closed, with the public continuing to conduct business through telephone, online services, e-mail, other electronic means, or by physically dropping off documents necessary for the conduct of business.
4. All other measures set forth in Resolution 27, Series of 2020 and Resolution 32, Series of 2020, shall continue in full force and effect, including observance of state and local requirements and guidelines for social distancing (6-foot separation distance and thoroughly sanitizing all potentially affected surfaces following appointments and at regular intervals), wearing of masks and other PPE, and such other precautions as are required by FCDPHE, the Board of Commissioners, Colorado Governor Executive Orders, Colorado Public Health Orders and such other requirements and guidelines as may be instituted in the future.
5. Such restrictions shall not apply to the Fremont County Judicial Building, and such authority to close the building or limit public access shall be exercised by the Chief Judge of the 11th Judicial District.
6. Such restriction shall also not apply to the Fremont County Sheriff's Office, except such closure that the Sheriff deems appropriate for the protection of housed prisoners and county staff.
7. County Public Meetings. Public meetings shall be open to physical attendance by the public, in accordance with social distancing requirements. Public meetings also shall be available, to the greatest extent possible, for "virtual" public attendance through live streaming on Facebook (if available) and YouTube, televised on Public Access Channel 191 (Spectrum), and radio broadcasting when available. Each of these broadcast means shall be utilized if available and if feasible to use. Other broadcast means may be available as necessary and accessible. Information regarding access to public meetings shall be posted on the County website, and on the outside doors of the Fremont County Administration Building at least 24 hours in advance of any public meeting, or if not feasible, as soon as practical in advance of the meeting.
8. Resource Allocations. Independent of the date the Board terminates the declaration of local disaster emergency, in light of the magnitude of the disaster in terms of personnel resources, particularly Public Health, Human Services, Emergency Services, the Coroner's Office and the Fremont County Sheriff's Office, all staff in all county departments are hereby directed to dedicate all available resources to support in addressing the disaster over non-disaster-related work through June 29, 2020.
9. Ratification. The Board hereby ratifies all other actions reasonably necessary to cope with the emergency taken by individual commissioners, department heads, and emergency management personnel since the initial declaration of local disaster emergency.
10. Safety. The adoption of this Resolution is necessary for the immediate preservation of public health, safety and welfare.

11. Severability. All provisions of this Resolution are intended to be severable. If a court or administrative body declares any provision or its application to be invalid or unenforceable, in whole or in part, such determination shall not affect, impair or invalidate any other provision of this Resolution. If a court or administrative body determines a provision or its application to be valid or enforceable only if its application is limited, its application shall be limited as required to most fully implement its purpose.

12. Amendment/Extension. The BOCC reserves the right to further amend, extend or terminate this declaration at any time prior to its termination date.

13. Effective Date. This Resolution shall be in full force and effect immediately upon adoption by the Board of County Commissioners.

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

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

Date: May 28th, 2020

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: Debbie Bell
Chairman

By: [Signature]
Clerk to the Board



RESOLUTION NO. 36, SERIES OF 2020

A RESOLUTION APPROVING ASSIGNMENT OF AIRPORT LAND LEASE AGREEMENT FOR HANGAR #12, FREMONT COUNTY AIRPORT

WHEREAS, Fremont County is authorized to provide, establish, and maintain the Fremont County Airport; and

WHEREAS, the Board of Commissioners has authority to lease portions of the Fremont County Airport property to those desiring to conduct aeronautical operations and activities; and

WHEREAS, Barry Cole is the current Tenant of Hangar #12 at the Fremont County Airport pursuant to a 99-year Lease Agreement dated May 13, 1968; and

WHEREAS, Barry Cole has entered into an "Assignment and Assumption of Lease With Consent of Fremont County Colorado" agreement with Norman R. Beitz and in accordance with the 99-year Lease Agreement, has requested consent to the Assignment by Fremont County; and

WHEREAS, the Assignment of the Airport Land Lease appears appropriate and acceptable to the Board of Commissioners.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that Fremont County hereby approves and consents to the "Assignment and Assumption of Lease With Consent of Fremont County Colorado" dated May 18, 2020, between Barry Cole, Assignor, and Norman R. Beitz, Assignee.

Commissioner Payne moved the adoption of the foregoing Resolution with a second by Commissioner McFall.

Debbie L Bell:	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Timothy R. Payne:	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Dwayne McFall:	<u>AYE</u>	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: June 9th, 2020

ATTEST:

By: Debbie Bell
Chairperson

By: [Signature]
Clerk and Recorder

