

SIXTEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on August 22, 2017, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Debbie Bell called the meeting to order at 9:30 a.m.

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

Grant Adkisson of the Cowboy Church gave the invocation.

Those present recited the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF AGENDA

Commissioner Payne moved to approve the Agenda after adding #4, the presentation of the 2016 Audit Report by John Cutler of Cutler & Associates, to New Business. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried.

CONSENT AGENDA

1. Approval of Minutes / August 8, 2017
2. Approval of Bills for \$843,464.19
3. Ratification of Chairman’s signature on the Federal Aviation Administration Grant for the Airport Runway Maintenance Project
4. Ratification of Chairman’s signature on Change Orders #1-2 for the Fremont County Justice Center Security Electronics Renovation
5. Schedule Public Hearings: September 12, 2017 at 10:00 a.m.
 - a. REQUEST: CUP 17-002 Tezak Pit #2
Request approval of a Conditional Use Permit, Department file #CUP 17-002 Tezak Pit #2, by Tezak Stone Aggregate Supply, Inc., Mike Tezak, owner for the property which is located on the south side of U.S. Highway 50, approximately 3 miles west of Colorado State Highway 69 at the intersection of U.S. Highway 50 and C.R. 37 (aka McCoy Gulch). The pit will be a surface mine producing sand, aggregate and rock products. Operation times will be Monday through Saturday 7 a.m. to 7 p.m. The site has been in operation since 1980. A temporary batch plant has been located on the site for the U.S. Highway 50 improvements during the summer of 2017. The original CUP permit 95-4 expired on January 9, 2016. This application will bring the site and CUP in to compliance with the county regulations. The operation will require 2 to 3 part-time employees year round and up to 15 short-term employees during times of accelerated production or paving projects.
Representative: Mike Tezak / Ken Klco

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

ADMINISTRATIVE/INFORMATIONAL

1. Staff / Elected Officials:

a. County Manager Report, Sunny Bryant, County Manager

- On August 8th County Manager Bryant along with the Commissioners, County Attorney, and the Public Health Director, attended an orientation with members from the State Board of Health to ensure we are doing the things that we need to in the Public Health Department.
- On August 10th, she attended the Area Manager's Luncheon and got caught up on projects and issues in the community.
- She is currently working on the 2018 budget. All the templates have been sent out and are due back to her by September 11th.
- The County has hired a new Noxious Weed Director, his name is Nick Bankston.

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

County Manager Bryant reported that Retail Sales Tax collected through the month of June was \$474,077 which is \$41,969 more than last year and YTD is up \$125,087. Auto Use Tax collected through the month of July was \$88,696 which is \$1,348 more than last year and YTD is up \$28,260. Construction Use Tax collected through the month of July was \$71,384 which is \$50,214 more than last year and YTD is up \$37,238. Lodging Tax collected through the month of June was \$50,541 which is \$12,666 more than last year and YTD is up \$13,540. Sheriff Retail Sales Tax collected through the month of June was \$316,051 which is \$27,979 more than last year and YTD is up \$83,392. Sheriff Auto Use Tax collected through the month of July was \$59,130 which is \$899 more than last year and YTD is up 18,900. Sheriff Construction Use Tax collected through the month of July was \$47,589 which is \$33,599 more than last year and YTD is up \$23,417.

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

None

OLD BUSINESS

None

NEW BUSINESS

II) New Business for Consideration:

1. Proclamation for Suicide Awareness Month
Representative: Jessica Cobler

Jessica Cobler shared the tragic story of how she lost her son to suicide and how important awareness is. Jessica then read the proclamation.

Commissioner McFall moved to approve the proclamation, proclaiming September 2017, Suicide Awareness Month. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall; aye, Commissioner Payne; aye; Commissioner Bell; aye. The Motion Carried.

2. Proclamation for the Fremont County Air Show
Representative: Dick Baker, Airport Manager

Dick Baker explained that the air show will be on September 16th from 7:00-3:00 (the air show itself will begin at noon). He then spoke about the various airplanes that will be at the air show.

John Marietta read the proclamation for the Fremont County Air Show.

Commissioner Payne moved to approve the proclamation for the Fremont County Air Show. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne; aye, Commissioner McFall, aye; Commissioner Bell; aye. The Motion Carried.

3. Bid award for the Fremont County Airport Maintenance and Precision Approach Path Indicators Project
Representatives: John Marietta and Dick Baker

Dick Baker recommended issuing the bid for the runway to American Road Maintenance in the amount of \$135,453.71 and to Electrical Excellence in the amount of \$123,579.

Commissioner McFall moved to approve both bids as recommended. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall; aye, Commissioner Payne; aye, Commissioner Bell; aye. The Motion Carried

4. Presentation of the 2016 Audit Report
Representative: John Cutler, Cutler & Associates

John Cutler reported that the audit for 2016 is complete and all is in order. There is a discrepancy, from previous years, concerning the Treasurer's Office, and again it's a recommendation that it be found and corrected as soon as possible. A separate letter will be sent addressing those discrepancies, at a later date.

County Manager Bryant said that the County will be hiring an audit company to come in and focus specifically on that discrepancy to get things corrected.

5. Approval of the Tourism Marketing Grant and authorization for Fremont County Tourism Council Chairman signature

Commissioner McFall explained that this is a \$75,000 grant. The Tourism Council needs the Board's approval and also to authorize Steve Kaverman's signature.

Commissioner McFall moved to approve the Tourism Marketing Grant and authorized Steve Kaverman's signature. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall; aye, Commissioner Payne; aye, Commissioner Bell; aye. The Motion Carried.

6. MMC 14-002 AND OPC 14-012 ALTERNATIVE MEDICAL REMEDIES, LLC (MEDICAL MARIJUANA CENTER-PHARMACY AND COMMERCIAL GREENHOUSE)
Request transfer of Medical Marijuana Licenses, Department file #MMC 14-002 and OPC 14-012 Alternative Medical Remedies, LLC (Medical Marijuana Center-Pharmacy and Commercial Greenhouse), by Alternative Medical Remedies, LLC (Thomas Ballman Sr. to Elizabeth Teshome), doing business as Alternative Medical Remedies, for property which is owned by Elizabeth Teshome, which is addressed as 1450 L Street, Penrose, Colorado. The property is located at the southeast corner of the intersection of U.S.

Highway 50 and L Street in the Penrose/Beaver Park Area. The property is zoned Business and contains 3.75 acres.

Representative: Elizabeth Teshome

Elizabeth Teshome explained that this is a change of ownership, but there won't be any changes in operations. Everything will remain the same.

Matt Koch reported that there are no issues with the application and he recommends approval.

Commissioner Payne moved to approve the change of ownership of MMC 14-002 and OPC 14-012 Alternative Medical Remedies, LLC from Thomas Ballman Sr. to Elizabeth Teshome. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne; aye, Commissioner McFall; aye, Commissioner Bell; aye. The Motion Carried.

7. SRU 00-009 Round 2 Special Review Use Permit

Request: Transfer of Ownership and Name Change of SRU 00-009 Round 2 Special Review Use Permit to Jack & Holly Wright. Request approval of a Transfer of Ownership and Name Change of Special Review Use Permit, Department file SRU 00-009 Round 2 from Terri Huckaby to Jack & Holly Wright, along with changing file name to Jack Wright Performance Horses. The property is located at the southeast corner of the intersection of Cholla Circle and Yucca Avenue, in the Los Piños Subdivision, south of the City of Florence.

Representative: Jack & Holly Wright

Jack & Holly Wright explained that this would be a change of ownership and a name change. They will be using the property to train performance horses. The new name will be Jack Wright Performance Horses.

Matt Koch reported that everything was in order with the application and recommends approval.

Commissioner McFall moved to approve the transfer of ownership and name change of SRU 00-009 from Round 2, Terri Huckaby to Jack Wright Performance Horses, Jack and Holly Wright. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall; aye, Commissioner Payne; aye, Commissioner Bell; aye. The Motion Carried.

8. OPC 14-010 Maggie's Farm, LLC (OPTIONAL PREMISES

CULTIVATION- GREENHOUSE, COMMERCIAL) 2017 Modification #2
OPC 14-010 Maggie's Farm, LLC dba Maggie's Farm, LLC, Optional Premises Cultivation license-Outdoor Grow (Greenhouse, Commercial) requesting the approval and issuance of a Modification of Optional Premises Cultivation license, to allow the placement of a 100' x 50' metal building for storage and drying, removal of buried Conex type boxes and adjust fence boundary around new building.

Representative: Allison Longshore, Maggie's Farm, LLC

Allison Longshore explained that the request is to remove 5 Conex containers and replace them with a 100' x 50' metal building for storage a drying.

Matt Koch reported that the application is complete. They have had no violations. There are three recommended contingencies and he recommends approval.

Commissioner Payne moved to approve modification #2 for OPC 14-010 Maggie's Farm, LLC with the three contingencies. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne; aye, Commissioner McFall; aye, Commissioner Bell; aye. The Motion Carried.

PUBLIC HEARINGS SCHEDULED FOR 10 A.M.

1. TUP 17-004 DIANA'S PUMPKIN PATCH

Request approval of a Temporary Use Permit, Department file #TUP 17-004 Diana's Pumpkin Patch to allow pumpkin picking, corn maze, hayrides, hay slide, grain barn, snack bar, hamburgers and hotdogs. To run September 23rd through October 31st, 7 days a week.

The site is located at 1649 Poplar Ave., at the northwest corner of Poplar Ave., & Locust St., in the Lincoln Park Area. The site is approximately 10 acres.

This is the third submittal of this request for the TUP.

Representative: Sue Madone

Sue Madone explained that she feels that with all the changes they've made, last year's event went very well. They are going to keep things the way they are. They have even had a few neighbors offer their property for even more parking.

Matt Koch reported that the application is in order and are in compliance with the food license. His office visited the site two different times and found no violations. There are two recommended contingencies. He recommends approval.

David Bunker expressed concerns about the safety of all the kids in the traffic. He believes the parking remains a problem.

Jan Masse says that the trash problem was worse than ever last year and the traffic remains to be a problem.

Linda Duke says she can't see when she's trying to get out of her driveway. There are too many cars and traffic. She says safety is her main concern.

Commissioner Payne moved to approve TUP 17-004 Diana's Pumpkin Patch with the two contingencies. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne; aye, Commissioner McFall; aye, Commissioner Bell; aye. The Motion Carried.

Chairman Bell adjourned the meeting at 10:43 a.m.