

## NINETEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on September 27, 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
Danielle Adamic	Planning & Zoning Coordinator	Present

### INVOCATION

Joe Garkovich, Mercy Today Ministries

### 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 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 bills for \$1,942,544.01
2. Ratification of Chairman's Signature on a Professional Services Agreement with Columbia Consulting, Ltd. for Executive Recruitment of a County Manager
3. Ratification of Chairman's Signature on the Colorado Employers Benefit Trust Insurance Renewal
4. Ratification of submittal of a Department of Local Affairs Gray & Black Market Marijuana Enforcement Grant Program
5. Ratification of Chairman's Signature on the Experian Identityworks Products and Services Order Form
6. Approval to extend temporary exemption to Condition R of CUP 07-003 to October 15, 2022. This approval allows Martin Marietta Parkdale Quarry a temporary additional 40 trips per day
7. Schedule Public Hearings: 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

Ref. Fremont County BOCC Meeting 9/27/2022 – 2:40

1. Staff / Elected Officials:
  - a. County Manager Report, Sunny Bryant, County Manager

**County Manager Bryant** gave the County Manager Report, which can be found in its entirety at [www.fremontco.com](http://www.fremontco.com). She also thanked the IT Department, the public, and County staff for their responses to the cyberattack.

- b. Sales & Use Tax Report, Shawn Sutton, Budget & Finance Officer

**Budget & Finance Officer Sutton** gave the Sales & Use Tax Report, which can be found in its entirety at [www.fremontco.com](http://www.fremontco.com).

**Commissioner McFall** spoke about the low vehicle inventory.

**Clerk Grantham** talked about the November election and announced that the ballots are going out the week of October 10<sup>th</sup> and residents should be receiving informative blue books, which they can also get in the Clerk's Office. He also spoke about election machine testing happening on September 29<sup>th</sup>. He added onto Commissioner McFall's point about vehicles, mentioning the effects of inventory on Auto Sales & Use Tax then reported on the statuses of the divisions within the Clerk's Office.

**Commissioner Grantham** encouraged people to vote.

**Commissioner McFall** thanked the IT Department and State partners for their hard work. He went to Washington D.C. to lobby Congress for funds that supplant taxes the County cannot collect on public lands. He also reminded the public of Fremont County's Stage 1 Fire Restrictions

**Commissioner Bell** thanked the other Commissioners for standing in during her recent absence and also thanked the IT Department, Administration, Emergency Management, and Department Heads for providing all possible services during the emergency, and County Residents for their patience.

2. Citizens who wish to address the Commissioners on a matter not scheduled on the agenda.
  - a. There were none.

## **OLD BUSINESS**

Ref. Fremont County BOCC Meeting 9/27/2022 – 17:40

1. Request approval for OPC 22-001 Morning Sweets, LLC for a New Medical Marijuana Grow Facility. This is a Tier 1 facility with 500 plants to be located at 365 15<sup>th</sup> St in Penrose, CO. The site will be accessed through 1496 C Street in Penrose, CO.  
Representative: Andrew Nagey

**Commissioner Bell** mentioned her personal bias against marijuana in most instances but said the Board found no justification in denying the request.

**Commissioner McFall** added that the Board is making a justified decision having taken a lot into consideration.

**Commissioner Grantham** indicated that he shares similar sentiments about marijuana.

**Commissioner Bell** noted that there is no need to try to sway the Commissioners' views on the matter as personal feelings are what they are.

**Commissioner McFall** spoke about the waiver request for the drainage report.

**Commissioner Grantham** moved to approve OPC 22-001 Morning Sweets, LLC for a New Medical Marijuana Grow Facility. This is a Tier 1 facility with 500 plants to be located at 365 15<sup>th</sup> St in Penrose, CO. The site will be accessed through 1496 C Street in Penrose, CO. Commissioner McFall seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

## **NEW BUSINESS**

Ref. Fremont County BOCC Meeting 9/27/2022 – 22:48

1. Proclamation for Kinship Month  
Representatives: Barry Acton, Tonia Sutton, and Tony Carochi

**Tonia Sutton, Family Services Program Administrator** spoke about the work done by Fremont County Social Services to find care for children within their families. She then read the Kinship Month Proclamation.

**Amy Maroni, Kinship Case Worker** introduced herself to the Board.

**Commissioner Bell** talked about the shortage of Foster Care Families in Fremont County and thanked Fremont Social Services for their hard work.

**Commissioner Grantham** also showed appreciation for the work they do.

**Commissioner McFall** moved to proclaim September 2022 Kinship Care Month in Fremont County. Commissioner Grantham seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Grantham, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

2. Request TUP 22-010 Rocky Mountain Trials Association for a motorcycle trials event conducted on private land located at 2074 County Road 9, Canon City. The event is scheduled for October 23, 2022 from 8:00am to 6:00pm.  
Representative: Dan Wickersham

**Dan Wickersham** explained that the last event was cancelled due to 16" snow. He added that the current request is for a small event of about 30 people and spoke about there being portable toilets and possibly wash-basins.

**Commissioner Bell** requested that Mr. Wickersham explain the event.

**Mr. Wickersham** explained the technicalities of the event.

**Commissioner Bell** asked whether there would be food onsite.

**Mr. Wickersham** said there will be no food onsite.

**Planning & Zoning Coordinator Adamic** gave the staff report and mentioned a waiver request for the cash-bond.

**Commissioner Grantham** pointed out that the staff report suggests the presence of a portable sink but does not require it.

**Commissioner McFall** said they seem self-sustaining.

**Mr. Wickersham** put in that it is not a spectator event.

**Commissioner Bell** pointed out that during their last event was the only time that year the County had experienced 16" of snow.

**Mr. Wickersham** insisted it was the only time in years.

**Commissioner Bell** invited anyone from the public who would like to speak on the event. There were none.

**Commissioner Grantham** moved to approve TUP 22-010 Rocky Mountain Trials Association for a motorcycle trials event conducted on private land located at 2074 County Road 9, Canon City on October 23, 2022, from 8:00 a.m. to 6:00 p.m., including a waiver of the hand-washing requirement/suggestion and a waiver of the cash-bond. Commissioner McFall seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

**Commissioner McFall** claimed the trials are very impressive.

**Mr. Wickersham** spoke about the automotive skills that the competitors possess.

**Commissioner McFall** added that the sport is enjoyable to watch.

3. Design-Build Agreement with Corsentino Construction for the Pathfinder Park Pavilion Project

**Commissioner McFall** said they awarded the bid in June to build the Pathfinder Park Pavilion and spoke about the project and its contract.

**Commissioner Bell** asked whether there was a timeframe set.

**Commissioner McFall** explained that times will be discussed at the meetings.

**Commissioner Bell** asked whether there is a cost assigned on the contract.

**County Manager Bryant** clarified that it comes to roughly \$1.9 million, and they have contracted about 3 months for design and 5 months for construction.

**Commissioner Bell** asked her to explain where the finances for the project came from.

**County Manager Bryant** explained that funds were derived from interest savings and savings from freed-up accounts through the COP refinance.

**Commissioner Bell** imparted that the total anticipated cost of the project is \$1,915,883.00 subject to adjustment as provided.

**Commissioner McFall** moved to approve the Design-Build Agreement with Corsentino Construction for the Pathfinder Park Pavilion Project. Commissioner Grantham seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Grantham, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

4. Adoption of the 2023 Fremont County Holiday Schedules

**County Manager Bryant** explained that the County schedules days off based on standard recognized holidays and pointed out that there is a holiday schedule for both 10-hour workdays and 8-hour workdays.

**Commissioner Grantham** moved to adopt the 2023 Fremont County Holiday Schedules. Commissioner McFall seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

5. Re-appointment of Brian Rupp to the Building Code Board of Appeals for a term ending August 1, 2025

**Commissioner Bell** informed the public that the Board received a letter from Mr. Rupp, who has done a great job as a member of the Board.

**Commissioner McFall** agreed that Mr. Rupp is a great asset to the Board.

**Commissioner McFall** moved to re-appoint Brian Rupp to the Building Code Board of Appeals for a term ending August 1, 2025. Commissioner Grantham seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Grantham, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

**PUBLIC HEARINGS**

1. None.

**Commissioner Bell** adjourned the meeting at 10:11 a.m.



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Clerk to the Board of County Commissioners