

## EIGHTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on April 24, 2018, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Tim Payne called the meeting to order at 9:30 a.m.

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

A moment of silence was observed in the absence of the invocation.

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

### APPROVAL OF AGENDA

**Commissioner Bell** moved to approve the Agenda. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

### CONSENT AGENDA

1. Approval of Minutes / April 10, 2018
2. Approval of Bills for \$2,561,225.73
3. Ratification of Chairman's signature on the 2018 Meritain's Administrative Services Agreement
4. Ratification of Chairman's signature on the 2018 St. Thomas More Hospital Contract for Services (Health Fair)
5. Request Resolution number 13 for Subdivision Exemption, Department file #SV 17-001 GRANT SUBDIVISION EXEMPTION, by the Dwight Grant, for his property which is located north of Highway 50 at Texas Creek, west of Fremont County Road No. 27, from the centerline of the Arkansas River, to the north line of Highway 50. The exemption will create a 1.00 acre parcel to be granted to Colorado Parks & Wildlife for public access to the river. This was approved by BOCC on March 13, 2018.
6. OPC 14-005 Today's Health Care, LLC (DBA Today's Health Care (Optional Premises Cultivation-Commercial Greenhouse) 2018 Renewal Request for issuance of an Optional Premises Cultivation license for an indoor grow operation, Department file #OPC 14-005 Today's Health Care, LLC (Optional Premises Cultivation-Commercial, Greenhouse), by Today's Health Care, LLC, (dba Today's Health Care), for property which is owned by COAZ North, LLC. The address of the property is 1015 Highway 115, in the Beaver Park/Penrose Area, which is located on the north side of State Highway 115, approximately 492 feet to the center of the driveway, from the intersection of State Highway 115 and C Street, in the Beaver Park/Penrose Area. The property is zoned Business and contains 2.65 acres more or less. This is the fourth renewal.

7. Schedule Public Hearings: None

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

**ADMINISTRATIVE/INFORMATIONAL**

1. Staff / Elected Officials:

a. County Manager Report, Sunny Bryant, County Manager

**County Manager Bryant reported:**

- On Wednesday, April 11, she attended a strategic planning session for the Southern Colorado Economic Development District. They are at the point in this organization where they need to find and demonstrate the value of the organization or the group will recommend to go a different direction. The session went well and they are planning on having a meeting in early June to follow up on the items discussed. At this time they will have the results from their planning session and be able to go more in-depth.
- On Thursday, April 12, she attended the Area Manager's Luncheon. She said it was good to visit with the local managers and see what is going on in their organization.
- The auditors were here the week of April 16 to do the fiscal year-end audit.
- On Tuesday, April 17, they had the County Employee Health Fair. There were approximately 127 individuals that attended the fair. It was well run and they appreciate all that St. Thomas More did to put on the event.
- On Thursday, April 19, Tammy Childs and she attended Intern interviews at Canon City High School. They are hoping to be able to get a high school intern for the 2018-2019 school year.
- On Thursday, April 19, she attended a Court Appointed Special Advocate luncheon. She noted there is a huge need for volunteers in our community.

**Commissioner Bell** mentioned that she attended the Hall of Fame event last Friday and congratulated the honored inductees. She also reminded everyone that Blossom weekend is coming up and to make sure and get out and enjoy all the various events.

**Commissioner McFall** attended a function with airport manager Dick Baker where they gained information on receiving some federal money that benefits rural airports. He also reminded residents to be mindful of fires and that it is still extremely dry and scary even with the moisture we have received. He wanted everyone to remember that the County Fair will be held July 27 – August 5.

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

**County Manger Bryant** gave the sales and use tax reports. The Retail Sales Tax collected for February was \$324,747 which is \$3,908 more than last February and year-to-date up \$24,443. The Auto Use Tax collected for March was \$100,650 which is up \$5,688 from last March and year-to-date up \$46,534. The Construction Use Tax collected for March was \$13,755 which is up \$646 from last year and year-to-date down \$5,834. The Lodging Tax collected for February was \$1 which is down \$1,042 from last year and year-to-date down \$9,369. The Sheriff's Retail Sales Tax collected for February was \$216,498 which is up \$2,605 from last February and year-to-date is up \$16,295. The

Sheriff's Auto Use Tax collected for March was \$67,100 which is up \$3,792 from last year and year-to-date up \$30,963. The Sheriff's Construction Use Tax collected for March was \$9,170 which is up \$431 from last March and year-to-date down \$3,889.

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

**Resident John Hamrick** spoke of a program that will be offered at the high school for students to intern relating to areas of Science, Engineering, Math, etc. through the Tech Start Group and upon completion and graduation from high school would receive 2 free years of community college either here in Fremont County, or Colorado Springs or Pueblo. More details of this will be available soon and will be for the following school year. He said Fremont County was the only rural school district approved to participate in the program.

### **OLD BUSINESS**

None

### **NEW BUSINESS**

1. Homeless Coalition presentation and information to the Board  
Representatives: DeeDee Clement and Rochelle Reiter

**DeeDee Clement and Rochelle Reiter** gave the presentation for the survey they conducted January 21 – January 25.

2. Approval and authorization of the Chairman's signature on the HS Connects Project Statement of Work and IGA  
Representative: Stacie Kwitek-Russell

**Stacie Kwitek-Russell** explained that this agreement is for a document system solution that started in Arapahoe County. It will help her office speed up processing times, would be a significant savings and increase efficiency. The estimated cost, training included for the first year is \$10,602. Depending on the number of users and how many more counties sign up, the annual rate would be around \$7,500 per year. She stated she did budget for this program and is looking to get started right away. It should take 3-4 months to implement and get everyone trained.

**Commissioner Bell** moved to approve the signatures for the HS Connects Project. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

3. Annual Ambulance Licensing Renewals  
Representative: Jill Filer, Fremont County Emergency Management Director

**Jill Filer** said that she completed all 5 ambulance company inspections. She would recommend approval on all 5, making American Medical Response ALS (Advanced Life Support) and the other 4 BLS (Basic Life Support).

**Commissioner McFall** moved to approve the annual ambulance licensing renewals. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

4. OPC 14-011 Pure Medical, LLC, dba Pure Medical (Optional Premises Cultivation license-Indoor Grow-Greenhouse, Commercial) requesting the approval and issuance of an Optional Premises Cultivation license, to allow for the operation of an Optional Premises Cultivation-Indoor Grow-Greenhouse, Commercial, at 440 8th Street, Penrose, Colorado. This is the Fourth renewal. The

2016 renewal and modification, allowing a 1200 sq. ft. vegetation and harvest room was approved with a 1 year trial period. The modifications have been totally completed, and no complaints have been received regarding odor. The department finds that the one (1) year trial period with all of the facilities operating as approved in 2016 has been fulfilled. The modification approved in March of 2018 has not been constructed as of this date.

Representative: Jason Vanstrom

**Jason Vanstrom** reported that the new harvest room has been completed. The odor is completely mitigated and there are no windows, so there are no lighting concerns.

**Planning and Zoning Director Koch** said that his department has received no complaints and they visit the area 2 times per week. He recommends approval.

**Commissioner Bell** moved to approve the renewal of OPC 14-011. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

5. Reappoint Tony Adamic to the Regional GIS Authority for a term ending April 30, 2020

**Commissioner McFall** moved to reappoint Tony Adamic. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

6. Reappoint Mike Pullen to the Fremont County Planning Commission for a term ending December 31, 2021

**Commissioner Bell** moved to reappoint Mike Pullen. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

7. Appointment of Terri Bernath to the John C. Fremont Library District Board of Trustees to fill a term expiring December 31, 2021

**Commissioner McFall** moved to appoint Terri Bernath. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

8. Award bid for the Administration Building Roof Project

**County Manager Bryant** said that 4 bids were presented to repair the roof on the west side of the administration building. They ranged from \$64,353.60-\$104,300. The roof will be done in 3 phases, starting with the west, moving to the middle and then the east side of the building. This is for the west side only and was budgeted for. She said they put a little money away each year in the building maintenance fund. They are seeking to award the bid to Colorado Commercial Roofing who came in with the lowest bid of \$64,353.60 and \$2.94/ft. to remove concrete and has reputable references. They will be replacing 8 sky lights which will be covered by a warranty in addition to a 15 year warranty on the roof.

**Commissioner Bell** moved to award the bid to Colorado Commercial Roofing. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

## **PUBLIC HEARING**

1. Adoption of the Onsite Wastewater Treatment Systems (Septic Systems) Regulations  
Representative: Sid Darden

**Sid Darden** explained that the State Health Department periodically updates and changes the guidelines for Onsite Wastewater Treatment Systems with a deadline of 1 year to make sure changes are implemented and incorporated. He said Wyatt Sanders took on this project and created the document of the new procedures. It was sent to the State and was approved on February 21, 2018. It was posted in the Daily Record newspaper on March 31, 2018 for public viewing. He explained that it was a lot of language changes and soil classifications but noted no major changes. It is good information for engineers designing septic systems, contractors and home owners who install septic systems.

**Commissioner Bell** moved to adopt Resolution #14, accepting the new regulations. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

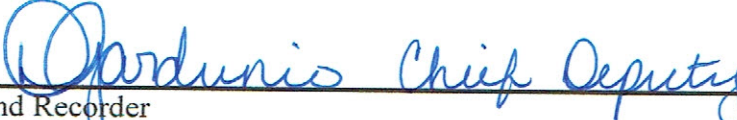
2. Special Event Liquor Permit  
Cañon City Rodeo Association  
1595 S 9th St, Canon City CO 81212  
Representative: Shelli Tezak

**Shelli Tezak** asked that her request for a special event liquor license be approved for the 146<sup>th</sup> annual rodeo. She noted the dates and times the event will serve alcohol and that it is the same set up as in past years.

**Chief Deputy Gardunio** reported that her application was in order and the property had been posted and published.

**Commissioner McFall** moved to approve the special event liquor license. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

**Chairman Payne** adjourned the meeting at 10:26 a.m.

  
Clerk and Recorder

RESOLUTION NO. 13, SERIES OF 2018

RESOLUTION GRANTING AN EXEMPTION FROM THE SUBDIVISION REGULATIONS FOR A TRACT OF LAND IN FREMONT COUNTY

SV 17-001 Grant Subdivision Exemption

WHEREAS, the Fremont County Board of County Commissioners has received a request from Dwight Grant for an exemption from the county subdivision requirements to allow for the creation of a parcel of land 1.00 acre in size to be granted to Colorado Parks & Wildlife for public access to the Arkansas River. The parcel described as Outlot A of the Grant Subdivision. Remaining parcel to be known as Lot 1 of the Grant Subdivision, according to the survey recorded in the records of the Fremont County Clerk and Records Office at Reception No.960943.

BE IT FURTHER RESOLVED that the Board specifically finds that the equities of the circumstances regarding the transfer of the property, combined with the other exemptions granted by the County for other similar parcels in the county, warrant granting an exemption in this case. The parcel is hereby deemed by the Board to be a legally-created 1.00 acre parcel to be used for public access to the Arkansas River. Any future division or change of use of the property shall fully comply in all respects to all applicable subdivision and zoning laws and regulations.

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

Debbie Bell	<input checked="" type="checkbox"/>	Nay	Absent	Abstain
Dwayne McFall	<input checked="" type="checkbox"/>	Nay	Absent	Abstain
Timothy R. Payne	<input checked="" type="checkbox"/>	Nay	Absent	Abstain

Date: 4/24/18

BOARD OF COUNTY COMMISSIONERS  
OF FREMONT COUNTY

ATTEST:

By: *T. Payne*  
Chairman

By: *W. Garduno* Chief Deputy  
Clerk to the Board

Commissioner Bell moved the adoption of the following Resolution:

RESOLUTION NO. 14, Series of 2018

**A RESOLUTION ADOPTING FREMONT COUNTY ON-SITE WASTEWATER TREATMENT SYSTEM (OWTS) REGULATIONS.**

WHEREAS, that pursuant to §25-1-508(c), CRS, the Fremont County Board of County Commissioners is designated as the Fremont County Board of Health; and

WHEREAS, the Fremont County Board of Health held a public hearing on April 24, 2018, after having given notice thereof by publication as required by law; and

WHEREAS, the Fremont County Board of Health finds the Fremont County On-site Wastewater Treatment System Regulations to be in the best interests of public health, safety, morals, convenience, order, prosperity and welfare of the present and future residents, citizens and inhabitants of Fremont County;

NOW, THEREFORE, BE IT RESOLVED by the Fremont County Board of Health that the Fremont County On-site Wastewater Treatment System Regulations are hereby adopted.

BE IT FURTHER RESOPLVED that these regulations shall become effective on June 30, 2018, and upon such effective date all former regulations shall be repealed.


Commissioner McFall seconded the adoption of the foregoing Resolution and upon a vote of the Fremont County Board of Health as follows:

Commissioner Payne:	<input checked="" type="checkbox"/> Aye / Nay / Absent
Commissioner McFall:	<input checked="" type="checkbox"/> Aye / Nay / Absent
Commissioner Bell:	<input checked="" type="checkbox"/> Aye / Nay / Absent

The Resolution was declared to be duly adopted.

Date: 4/24/18

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 Katie E. Barr, Clerk and Recorder, Fremont County, CO



*[Signature]*  
 CHAIRPERSON

ATTEST:  
*[Signature]*  
 FREMONT COUNTY CLERK AND RECORDER