

TWENTIETH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on October 10, 2023, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chairman Kevin J Grantham called the meeting to order at 9:30 a.m.

Kevin Grantham	Commissioner	Present
Dwayne McFall	Commissioner	Present
Debbie Bell	Commissioner	Present
Justin Grantham	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present
Tony Carochi	County Manager	Present
Dan Victoria	Planning & Zoning Director	Present

INVOCATION

Stacy Swagger of Canon City Pregnancy Center gave the invocation.

PLEDGE OF ALLEGIANCE

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 Grantham, aye. The motion carried by unanimous consent.

CONSENT AGENDA

1. Approval of Minutes / August 22, 2023
2. Approval of Bills for \$2,358,696.71
3. Ratification of Chairman's signature on the Short-Term Disability Program through American Fidelity
4. Approval of Colorado Retirement Association Deferred Compensation Plan Agreement
5. Schedule Public Hearings for November 14, 2023, at 10:00 a.m.
 - a. **Zone Change #1 Berry 23-002**
The purpose of this rezone is to change the zone district from Low Density Residential to Agricultural Suburban. The applicant believes this property was improperly zoned as

livestock was being raised on the property when the zoning was established. Livestock is not allowed in the Low-Density Residential zone district.

Additionally, the applicant has a separate application submitted with the Planning and Zoning office for a Boundary Line Adjustment. The applicant's lot, located at 1422 Walnut Street, is currently 1.02 acres in the Low-Density Residential zone district. The additional acreage which the applicant wishes to add is in the Agricultural Suburban zone district.

b. **Fremont County Road Naming and Site Address Regulations**

Request: Add section XXIV to the Fremont County Subdivision regulations.

Planning and Zoning has recognized the need for a road naming and addressing section within the Subdivision Regulations. We have identified numerous driveways servicing many homes or driveways with multiple intersections which would otherwise be considered new roadways. This creates a significant obstacle to first responders and public safety.

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

ADMINISTRATIVE & INFORMATIONAL

Ref. Fremont County BOCC Meeting 10/10/2023 3:10

1. Staff / Elected Officials:

a. County Clerk's Monthly Report, Justin Grantham, County Clerk and Recorder

Clerk Grantham gave the Clerk's Monthly Report, which can be found in its entirety at www.fremontco.com.

Commissioner Bell moved to accept the County Clerk's monthly report. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

b. Public Trustee Quarterly Report, Kathy Elliott, County Treasurer & Public Trustee

Treasurer Elliott gave the Public Trustee's Quarterly Report, which can be found in its entirety at www.fremontco.com.

Commissioner McFall moved to accept the Public Trustee's quarterly report. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

c. County Manager Report, Tony Carochi, County Manager

County Manager Carochi gave the Manager's Report, which can be found in its entirety at www.fremontco.com.

Commissioner McFall mentioned there will be a ribbon cutting on October 10, 2023, at 1:00 pm for the new pavilion out at Pathfinder Park and everybody is invited to come and celebrate.

Clerk Grantham informed everyone that ballots go out on Monday next week *October 16th, 2023*. The voting center is located 201 N 6th Street, in the middle of the building where the big conference room is located.

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

Kathy Madonna was horrified by what had been discovered at the funeral home in Penrose and just wants to know if there are any recommendations on what Fremont County can do to prevent this from happening again.

Commissioner Grantham explained it is state regulated through DORA *Department of Regulatory Agencies*. Over the next couple of months, as this event is being discussed by approximately 200 commissioners, recommendations may be made.

Kim Blackberg expressed her concern with the issues at the Human Society and with animal control, and she wanted to know if anything had changed since this has been going on for several months. She questioned if any contracts had been signed.

Commissioner Grantham answered Ms. Blackberg informing her that the contract is between the Fremont County Sheriff's Office and the Humane Society.

Ms. Blackberg asked the Board of Commissioners what she is supposed to do with a stray animal since Fremont County won't take them.

Commissioner McFall made it known that there hasn't been a contract between Fremont County and the Humane Society in place for two years. As far as why the director of the Humane Society will not take animals is beyond the Board's knowledge. The Humane Society was allotted \$60,000 this year, unfortunately it did not last 12 months.

Ms. Blackberg has looked at the records and realized there was a \$20,000 decrease from the previous year. She says according to a television interview, the sheriff states the problem would be rectified in a couple of weeks. Ms. Blackberg does not understand why Florence and Canon City have the privilege of stray animals getting picked up, but not Penrose when there are plenty of funds in the budget to allow funding.

Commissioner McFall said that for the last four years the Board has requested a budget from the director of the Humane Society, and he has refused. The Board will not give funds without accountability.

John Hamrick suggested that the line item for animal control be removed from the sheriff's budget and put in a general county budget.

Commissioner Bell stated that the current director at the Humane Society has made it publicly known that he wants to be funded and on a per capita basis, not per animal, treatment, nor adoption. He wants Fremont County and other government agencies to fund it on a per capita basis of \$7 per person who live in Fremont County. Public Health is funded on a per capita basis and that funding is exactly \$1.75 per person. Animals' lives aren't worth more than humans.

UNFINISHED BUSINESS: None.

NEW BUSINESS

Ref. Fremont County BOCC Meeting 10/10/2023 33:30.

1. Kindred Kids Child Advocacy Center Update, Lori Jenkins, Executive Director

Lori Jenkins began the update by saying the center opened in 2018 and became a nonprofit organization in August of 2019. In the past five years, they have become an accredited Child Advocacy Center through the National Children's Alliance. There is only one center per Judicial District, so it serves the entirety of the 11th Judicial District. Their mission is to support victims' rights by understanding their rights as a victim and giving them information. The goal is also to empower the children to be able to live a full and meaningful life regardless of what the judicial system says is justice, and hope they go on to advocate for others. The Kindred Kids CAC Programs include Forensic Interviews, Advocacy Program, Medical Program, Direct Services and Outreach Programs, Kids and Teen Court Programs. The purpose of the CAC Center is to limit damage done to children. Before the center, children were expected to tell their story to 13 different people. When individuals are not trauma informed, and the child telling their story says it a little differently, some people start to not believe them. Kindred Kids CAC is grant funded and does fundraisers such as the Heroes New Years Eve event.

Ref. Fremont County BOCC Meeting 10/10/2023 49:09

2. Requesting the issuance of a Malt, Vinous and Spiritous Liquor & Fermented Malt Beverage Special Events Permit

Fremont Adventure Recreation for an event at Desert Reef LLC 1194 County Rd 110 Florence, CO 81226 on the following date: October 15th from 4:00p.m. to 10:00p.m. in 2023

Representative: Ashlee Sack

Ms. Sack said the event is limited to 100 people, and they mainly just want to serve cocktails.

Commissioner Bell asked who will be serving, how will they be certified, and how will they ensure that no one under 21 is served.

Ms. Sack answered that it is a ticketed event and all ID's will be checked at the door, all alcohol will be served by professional bartenders, and anyone who is inebriated will stay on the property because lodging will be provided.

Clerk Grantham notified the Board that there was no issue with the application, all necessary documentation to the County was provided. He said the Health Department, Sheriff's office, and

building department approved the application, with the condition of obtaining chemical toilets if the current plumbing was not fixed. The Clerk's office does recommend approval.

Commissioner McFall moved to approve the Malt, Vinous, and Spiritous Liquor and Fermented Malt Beverage Special Events Permit for Fremont Adventure Recreation, with the requirement that portable toilets are provided for the guests. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 10/10/2023 55:08

3. Approval of Emergency Declaration for severe public health disaster in Penrose

Commissioner McFall explained that the purpose was to extend the declaration for the local disaster emergency set to expire October 12th and extended it to October 24th. The state's large Incident Management Team has helped a lot with the investigation and mechanics on how to handle this situation.

Commissioner McFall moved to approve **Resolution #30**, extending the declaration of local disaster emergency. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 10/10/2023 59:40

4. Re-appointment of Linda Skinner to the Fremont County Heritage Commission for a term ending December 31, 2026

Commissioner Bell moved to reappoint Linda Skinner to the Fremont County Heritage Commission. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

5. Re-appointment of Cindey McPhail to the Fremont County Heritage Commission for a term ending December 31, 2026

Commissioner McFall moved to reappoint Cindy McPhail to the Fremont County Heritage Commission. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

6. Re-appointment of Diana Armstrong to the Penrose Community Library District Board of Trustees for a term ending December 31, 2028

Commissioner Bell moved to reappoint Diana Armstrong to the Penrose Community Library District Board of Trustees. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

7. Re-appointment of Tami Mundy to the Penrose Community Library District

Board of Trustees for a term ending December 31, 2028

Commissioner McFall moved to reappoint Tami Mundy to the Penrose Community Library District Board of Trustees. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

PUBLIC HEARING SCHEDULED 10:00 a.m.: None.

Commissioner Grantham adjourned the meeting at 10:33 a.m.

To view the YouTube Video for Commissioner Minutes, go to the following website:
<https://www.youtube.com/channel/UCuxNBR3UWq0vV2T2Rgyl6rA>

Clerk to the Board of County Commissioners