

TWENTY-FIRST MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on October 24, 2023, at 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

Joe Garkovich from Mercy Today Ministries 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 8, 2023
2. Approval of Bills for \$3,318,265.36
3. Ratification of submittal of a Department of Local Affairs Infrastructure Investment and Jobs Act (IIJA) Grant Application to provide mitigation to prevent flooding at Fremont County Airport
4. Resolution No. 31 Transfer of Ownership of a Special Review Use Permit File # SRU 99-9 The Red Rosebud Bed & Breakfast.
Formerly Known as The Victorian Farmhouse Bed & Breakfast & The Florence Rose Guesthouse Bed & Breakfast & Formerly the Florence Rose Guesthouse
5. Resolution No. 32 Transfer of Ownership of a Special Review Use Permit File # SRU 99-Reliant Self Storage (Formerly Reliant Storage LLC, Formerly Big Horn Mini Storage).

6. Schedule Public Hearing for November 14, 2023:

a. Proposed 2024 Fremont County Budget

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 10/24/2023 3:45

1. Staff / Elected Officials:

a. Sales & Use Tax Report, Shawn Sutton, Budget & Finance Officer, Sean Sutton

Budget & Finance Officer Sutton gave the Sales & Use Tax Report, which can be found in its entirety at www.fremontco.com.

Ref. Fremont County BOCC Meeting 10/24/2023 8:40

b. County Manager Report, Tony Carochi, County Manager

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

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

Keith Berry announced that the Heritage Commission is seeking help from the local community to submit recipes to create a new Fremont County Heritage Cookbook.

Bill Balhiser said that the proposed budget for the Fremont County Humane Society was twenty thousand dollars less than usual, and nothing was signed. He requests that the county signs for next year's budget and remaining last three months of the year.

Kim Blackberg stated that she went to the Humane Society got the budget, as requested, and now wants to know when the budget will be signed.

Commissioner Grantham responded by saying the budget hearing will be in November.

Ms. Blackberg directed her question at Commissioner Bell and asked since she oversees District 2 and the board decided to not sign the contract what they are supposed to do with these animals that are getting hit by cars and attacking livestock.

Cooper Banning requested discussion of getting roads paved in Penrose and was curious about what the community can do to help itself. Also touched on the same subject as Blackberg about the animals needing the county's help and that they are a danger to livestock.

Kati Scheibeler expressed that if this is not fixed, regular civilians will take on the role of animal control which is dangerous. She said it's not justifiable that the contract lapsed, and she urges the county and the sheriff's office to work together to solve the issue.

Humane Society Executive Director Doug Rae firmly believes the budget is out of the sheriff's control, that it is a "higher up" decision or else he would sit down with the Sheriff one on one and get this sorted out.

OLD BUSINESS

Ref. Fremont County BOCC Meeting 10.24.2023 33:14

1. Final Decision on PP 22-001 MISTRY SUBDIVISION FILING 2
Site address is located at 1245 3rd Street Penrose, CO 81240
Consultant: Dr. Angela Bellantoni

Nature of Requests:

- a) Preliminary Plan approval to subdivide 33.65 acres into 7 single family residential lots.
- b) Vacate the 25 -foot road easement dedicated to Fremont County for Roadway; and
- c) Waiver from Subdivision Design Standards-Appendix 1 (B) Lot Standards (4) Front on Public Street, to exempt Lots 3 and 4 from the requirement to front on public street.
- d) Waiver of development of Margarita Way to County standards.

Commissioner Bell listed the finding of facts from **resolution No 33**.

#1, applicant had requested a waiver of the requirements to build Margarita Way in accordance with County Road standards, since had withdrawn that waiver.

#2, the current preliminary plan subdivision design is significantly different from several previously submitted designs.

#3, the denial of any submission plan and preliminary plan must be based on a failure to comply with the requirements of the Fremont County subdivision regulations.

#4, the preliminary plan application does not conform to the requirements of the Fremont County subdivision regulations, unless the board approves the waiver requests of the applicant.

#5, the board agrees with general county policy that the vacation of platted county road rights away should occur only under compelling circumstances. The 25-foot road easement was dedicated by plat in 1997, as part of the mystery subdivision process, while the topography in the area may be challenging the 25-foot dedicated easement, or right of way for Second Street is essential for future expansion of the county road system, public utilities, and other public purposes.

#7, the board generally favors development and recognizes that housing in Fremont County is in demand. Cost of development is a major consideration for a developer, but the board must take

the public interest into account. Improvement of the infrastructure that accommodates development is essential to mitigate the impacts of development on county taxpayers. #8, the board finds that the policy of having residential lots front on a public street is in the public interest and promotes access to public utilities, emergency services, and other public services. This goal may require the construction of L Street or a portion thereof. Fremont County staff recommendations carry great weight with this board and staff does not recommend approval of this preliminary plan, for numerous reasons detailed in the staff report for this application. #10, previous designs, and configurations of the mystery subdivision filling two preliminary plans more closely complied with the requirements of the Fremont County subdivision regulations. #11, the board is amendable to variances from the subdivision design standards set forth in the regulations including those being requested in this application. However, no lot shown in the preliminary plan before the board fully complies with the subdivision design standards. #12, the board finds that the non-compliance with subdivision design standards is largely due to the desire to avoid the cost of construction L Street between 2nd Street and 3rd Street rather than the site-specific conditions that could make access onto L Street impractical.

Commissioner McFall emphasized the extreme need for more affordable housing in Fremont County but there's also a need for developers to keep in mind future development as well.

Commissioner Bell moved to approve resolution number 33. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

NEW BUSINESS

Ref. Fremont County BOCC Meeting 10/23/2023 43:25

1. Fremont County Adoption Day Proclamation
Representatives: Tonia Sutton & Amanda Koehn

Amanda Koehn asked the Board of County Commissioners proclaim November 13th, 2023, as Adoption Day in Fremont County to help raise awareness.

Commissioner Bell, Grantham, and McFall all expressed the gratitude they have for DHS *Department of Human Services* and will do anything they can to support their efforts.

Commissioner McFall moved to approve November 13, 2023, as Fremont County Adoption Day. 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.

Commissioner Grantham opened the public hearing at 10:19 a.m.

Ref. Fremont County BOCC Meeting 10/24/2023 50:00

1. CUP 23-001 Tallahassee Resources Exploration Project

Tallahassee Resources has submitted application to conduct mineral exploration activities to further delineate the known uranium deposit and collect data that will guide development of an environmentally responsible mining technique encompassing a boundary of 734 acres.

Consultant: Dr. Angela Bellantoni, Andrew Ferrier, Tim Brown, Jim Viellenave, and Steve Cohen.

Mr. Ferrier, the managing director of the Tallahassee Exploration Project said that nuclear energy has zero carbon, is an around the clock power source, and offers much higher energy density than the current set of renewable energy sources. He explained how the graph shows how much the U.S. used to produce its own Uranium, and now most of it is imported. A big portion comes from Russia, and Congress is considering banning trade with them. He said they are requesting an exploration permit, so a few more holes can be dug, to get more technical data to pull together for economic studies.

Mr. Brown is the U.S. Country Manager for Okapi. Brown reminded the public that mining has taken place in this area for 60 years. As of today, this area is one of the biggest unexploited uranium deposits in the United States. He is requesting a Conditional Use Permit to allow to drill up to 20 holes. The purpose of drilling core holes is for hydrological information, geochemical, geotechnical, and environmental information to help advance the project. Drill season is from May 1 to the end of November, the program is only going to be two months long. If necessary, they will build drill pads. Drill pads don't require much excavation, after it will get recontoured and seeded. The vehicles they will need include either a tire truck mounted or on tracks, pipe truck or pipe rack, water truck, and pickup truck. The plan is to drill 24/7 to get the program done as quickly as possible. The Solids Removal Unit will help contain all fluid and cuttings in the centrifuge. The cuttings will go into a leak proof container and will be disposed of at either Clean Harbor's Deet Trail Facility or Republic Service's Foothills Facility. This new system will lessen the negative impact on the environment. It will reduce the water consumption and required drill fluids. Reclamation is important, bonds are paid and do not get returned until the vegetation has regrown and it passes inspection.

Commissioner McFall asked what the terms of use would be for South T Bar Road.

Mr. Brown answered that they have an agreement of payment and limited it to 16 trips per day since it's such short terms, no road repair is necessary.

Mr. Viellenave, the technical adviser, said he has spent 30 years mining and processing uranium. If reclamation wasn't done well, you would still see a scar left on the land. Plugging the hole after drilling protects the groundwater. DRMS *Division of Reclamation Mining and Safety* will come out to the site to inspect and review to determine if the hole was plugged and revegetation was done correctly. Due to the climate that this area experiences it takes time for full revegetation to occur, it may not happen the first year. The landowners will tour the property to see if they are satisfied as well as STB's *Surface Transportation Board Road Committee*. A standard seed mix is recommended by DRMS. The core needs to be logged and various studies to be done such as geological, geochemical, and engineering properties so that maps can start being produced.

Commissioner Grantham wanted clarification if the dark green layer shown in the application materials is how deep the drill holes will go.

Mr. Viellenave said that indeed the dots are the intended drill holes, and they will just barely touch the dark green layer.

Commissioner McFall asked if while drilling the holes, when the drill encounters uranium, do the contaminants fall into the groundwater.

Mr. Viellenave answered no, those solids which contain the uranium are not soluble, so the solids come up and are collected and get hauled off site.

Dr. Angela Bellantoni explained there will be spill kits, diesel fuel will be delivered to the units, and none will be kept on site. As for erosion control, there will be minimal pad development. There is a fire protection plan, exhibit 315. In exhibit 311 there is a roadway impact analysis form. Tallahassee chose 16 to cover everybody, this has been cleared with Fremont County Department of Transportation. There will always be two employees on site. The water truck will make two trips, one in and one out, that makes eight already. The extra trips are necessary for inspectors, geologists, and for if someone breaks down.

Planning & Zoning Director Dan Victoria asked how frequently the SRU *Sulfur Recovery Unit* would need to be taken off site and a new one brought in.

Mr. Brown isn't sure how big the containers are, he is going to check if the big roll off ones are available. If the container is half full, they will be covered so nothing escapes or gets in.

Dr. Bellantoni said the previous drilling done by Whet Stone and Associates during the Black Range Mineral Exploration had a yearly report done and it did not show elevated amounts of uranium. The waterways and riparian areas are now going to be protected by the SRU because it eliminates the potential of discharge or spill since it is a closed system. It also eliminates the concern of wildlife by being sealed up. Waivers for landscape, lighting, utilities, and drainage plan are being requested since there is no permanent development.

Commissioner McFall wanted to know if the request is for 20 holes a year, or 20 holes over 10 years.

Dr. Bellantoni responded by saying that it's up to 20 holes a year, but usually it's 10 or 15 holes. Based off what data the hole shows, if the whole passes inspection, and is successfully abandoned, is dependent on where and how many holes will be drilled the next year.

Commissioner Bell inquired about the possibility of a map that shows the future site of the 20 holes since the location is going to change every year.

Dr. Bellantoni acknowledged the concern of uncertainty but there is no way to tell because the next drill locations are based off the previous data.

Commissioner Bell requested to know where the water is coming from and if there are agreements set in place.

Dr. Bellantoni replied that they met with the City of Canon City for the bulk water and to register the water truck. As soon as the drill rig is contracted and pinned down, the water truck will be driven to the bulk water station and everything will be recorded.

Commissioner McFall wanted to know if they drill where they have projected, isn't there a possibility of affecting the other landowners and asked to explain the 500 foot rule.

Dr. Bellantoni explained the only holes that can be drilled are on the parcels of land that they have land use agreements with. If someone's land is within 500 feet of the drill site, they must be notified of the drilling.

Commissioner Grantham was curious how many abandoned holes there are in the South T Bar area.

Mr. Brown said that he does not know the exact answer off the top of his head but believes it to be around 1,200.

Commissioner Grantham also asked if they were all abandoned properly.

Dr. Bellantoni explained they were abandoned pursuant to the regulations of the DRMS in 2008 – 2012.

Director Victoria conveyed the staff report from his office. The boundary of the exploration site spans 734 acres, the drilling will most likely commence in the spring. Once 20 holes are drilled, most likely done in the fall, they will all be plugged and abandoned in accordance with Colorado Division of Reclamation Mining and Safety. The land that has lease agreements on surface and mineral rights include Taylor Ranch, Boyer Ranch, and South T Bar Ranch. Maximum of four employees on site at a time, operations hours would six days a week during daylight hours, until drilling begins then it would be 24 hours a day up to 14 days. Okapi will be using bulk water purchased from Canon City and hauled on site. For sanitation they are proposing chemical toilets. Implementing a strict carry in and carry out policy. Access to the area will be gained from Road 21 to the South T Bar gate.

The Fremont Conservation District- is opposed to the exploration for various reasons, including bad water quality bringing about irreversible pollution to crops grown for human and animal consumption. Affecting the aquatic environment causes deformities and reproductive issues.

Noxious Weed and Control Department- recommends the applicant follows the integrated weed management plan.

Fremont County Department of Transportation- conveyed that the roadway impact sheet is calculated for one drill rig, if a second drill is added they request to be notified so roadway impact can be recalculated.

Fremont County Engineer requests to participate in any post reclamation inspections.

Fremont County Building Department agrees a portable chemical toilet can be used. Colorado Parks and Rec permitted drilling if the season is strict, no drilling in the winter to protect wildlife.

Fremont County Planning & Zoning staff recommends approval with the following contingencies and conditions.

The following contingency must be met within six months after final approval;

1. Permits for chemical toilets must be obtained.

The conditions are;

1. The Fremont County Engineer has the option to participate in any post reclamation inspection.
2. The Fremont County Department of Transportation must be notified of any changes that impact roadway use.
3. The Fremont County Department of Planning & Zoning and the Board of County Commissioners are going to request that next year a map of the next year planned holes are presented before drilled.

Commissioner Grantham announced the opportunity for public comment.

Craig Bow said he has been a Beulah resident for the last 17 years, and he has been a geologist for almost 40 years. He is not a consultant or shareholder, but just wants to add another professional opinion. He said the world is wanting to switch from fossil fuels to nuclear power, giving Fremont County a huge asset. Considering the exploration project done by Cypress in the 1970's, it saved the need of having to drill 2,200 holes to gain a full picture, just a few here and there spaced carefully.

Tim Morse, a member of the Fremont Conservation District Board and a resident from Tallahassee, pointed out the fact they have spill containment kits, which proves that accidents can happen, and if one were to happen on this scale, it could be detrimental to our environment.

Larry Harkins, a resident of Canon City for the past 21 years, said he has been a registered professional mining engineer for over 50 years. He said Okapi needs to gain additional information to go forward. They need to determine if uranium deposits are producible. He said considering 60 percent of the United States still runs off fossil fuels, but has the desire to lower carbon emissions, and uranium is going to play a major role. He is in support of this project because he has looked at the application and believes Okapi has done adequate research. He feels that it is prudent for the commission to consider accepting their request to drill the holes.

Joyce Omohundro, a resident of Fremont County, said she would like everyone to know that it won't only just affect South T Bar Ranch, that there are other developments. Some property owners benefit financially from this by having shares, but if your property is only adjacent, you do not get this opportunity. Not everybody gets an opportunity, but everybody is affected. Ms. Omohundro expressed deep concern for the environment and peace of mind if this were to grow into a fully functioning mine site. Ms. Omohundro is also concerned her business will be affected, she has a vacation rental out there and when heavy machinery is constantly going through there with drill noises and lights on, it's going to drive the tourists away. She has heard that some of the board members received financial compensation and it was not disclosed to the public. She said in the covenant, there is no personal or commercial mining allowed, or anything that increases road traffic.

John Graham wanted to know if they are going to test the air and water quality. Mr. Graham requested more time to continue looking into this matter.

Skip Blades said he and his wife are property owners out on South T Bar Ranch. He has been in the software industry and implemented business systems and even specialized in junior mines. Mr. Blades said he comes from a place of knowledge and understanding of junior mines and about how they operate as public companies, and the process of exploration development. Mr. Blades said he values the beauty, diverse wildlife, and seclusion of their property and feels all of this is in jeopardy if the board accepts the request for exploration. Mr. Blades would like to point out that just because this area has 35 – 40 acre plots, it is still a subdivision with a gate and only one point of exit and entry. The proposed site is in the middle fork of the Tallahassee Creek and Fear Creek that flows directly into the Arkansas River. Due to the contract between Colorado and Kansas, if the water were to be contaminated, the state of Colorado could owe Kansas millions of dollars in fines. He said Okapi must do an exploration phase to show stockholders it is a wise investment. Uranium consultants say that the procedure of extracting uranium is difficult. Mr. Blades requested more information and said awareness needs to be spread to all that own property, and especially live out there so they can all have a voice.

Ronette Reisenburg said her husband owns land in Elk View and would like to request postponing any decision regarding Tallahassee LLC's uranium project so that they can have the time to understand the total impact of the project considering the first notification they received was only three days ago, via email. Her concerns are the effects on the water, if the traffic disrupts the bees, and if it will affect the cows grazing. She informed the board that she has 30 bee hives, each containing 30,000 bees, and next spring she is planning on tripling the number of hives she has. She is concerned that the lights and drilling at night are going to disturb the bees, causing them to swarm. Ms. Reisenburg relayed that 51 percent of the mineral rights belong to South T Bar POA and 49 percent belongs to South T Bar LLC.

Doni Angell, a concerned citizen requested answers to several questions. She asked if their drilling process ran from a diesel generator which would power their high-pressured water jets, which are not from a carbon free source like wind or solar. Ms. Angell wanted it to be known that it takes only one hole to contaminate the water, and she wanted to know who will pay for a cistern and the regular testing of the water needed to know if it's safe for consumption. Ms. Angell questioned what technique would be environmentally responsible, and what insurance they have as residents. She said they will not be footing the bill for Okapis cleanup. She wanted to know what plans are in place for preventing any discharge to surface water or preventing surface runoff from disturbed areas, and how they will control dust from construction activities at the site, and emissions, including radon. Her concern lies with drilling through the aquifer and tainting the water. She said the half-life of uranium is 1,000 generations.

Marijane Sisson said she purchased property in July of 2023, and she was notified of the exploration drilling only 10 to 12 days ago, so she is requesting an extension before a decision is made. She feels like she has not had enough time to formally educate herself on the subject.

Kim Wolfe said she has been a property owner at South T Bar Ranch for 20 years, and that her husband and her both have served on the Property Owners Association. Ms. Wolfe said she is also a manager on the board of directors of STB Minerals LLC. Ms. Wolfe is in favor of granting the conditional use permit for the Tallahassee project, stating the world is in demand for uranium.

John Hamrick stated he is a neutral party; he has been in the uranium industry since 1985. He has been responsible for water quality, taking samples, analyzing them, and interpreting the data. He has also been

qualified to give expert testimony on the atomic energy act in a court of law. Mr. Hamrick addressed the Fremont County Public Health and Environment statement about the end of the world scenario if uranium entered the Colorado river system. There were several mills that directly discharged their effluence in the river system, and the consequences saying that it would destroy the river system did not happen.

Commissioner McFall addressed Mr. Hamrick, informing him that the Department of Health has made no such comments, and he is confusing them with the Conservation District.

Mr. Ferrier reiterated the importance of nuclear energy, saying it provides 20 percent of America's power, and 50 percent of it is renewable energy. He said it is only going to grow. He said Okapi is going to acquire a state permit and put down a bond for rehabilitation.

Mr. Brown said he is more than willing to monitor personal wells in the area, and just to contact him. He said at the beginning of the season, there will be a lot of equipment going in, but day-to-day will just be pickup trucks. The program is only going to take two months from start to finish. The lights will be downcast to limit disturbance to surrounding people. He said air quality will not be affected by the drills because the water will keep the dust down.

Commissioner McFall pointed out that there will be some emissions, just from the diesel engine running 24 hours a day.

Mr. Brown rebutted that it is no different than road graders or pumps for water. He said that since the equipment has filters on it, the company is also not required to take air monitoring into consideration.

Mr. Viellenave made it clear that the bond is equivalent to the estimated cost of reclamation, and the estimation is created by the state, based on formulas. He said a sampling of the creek upstream and downstream of the exploration area will be tested.

Commissioner McFall brought up the concern about Ms. Reisenburg's bees and asked if they have any knowledge on how this disturbance will affect them, and what would happen if she were to lose revenue over this.

Mr. Viellenave said he has no knowledge, but reiterated that this is just exploration, and the disturbance is equivalent to building a garage.

Commissioner Bell wanted to thank them for the presentation they prepared. She said there is no environmental negative impact from previous exploration, and wildlife and water are being protected. Commissioner Bell moved to approve, contingent on chemical toilets being installed within six months, and the Fremont County Engineer being able to participate in any post reclamation and stream damage. As well as the Fremont County Department of Transportation being notified of any changes that could impact the roadway. She also requested that a new drill hole map must be presented at the beginning of each campaign.

Commissioner Bell moved to approve Conditional Use Permit 23-001 Tallahassee Resource Exploration Project. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 10/24/2023 3:31:50

Commissioner Grantham closed the public hearing at 1:01 p.m.

2. **Zone Consolidation and Rewrite**

A. Staff Report for new formatting to Zone Districts

1. Airport Zone District
2. Low Density Residence Zone District
3. Manufactured Home Park Zone District

B. Minor change in Zone Districts

1. Business Zone District
2. Industrial Zone District
3. Industrial Park Zone District
4. Planned Unit Developments (PUD)
5. Rural Highway Business (RHB)

C. Zone Consolidation of HDR & MDR

1. High Density Residential Zone District (HDR)
2. Medium Density Residence Zone District (MDR)

Planning and Zoning Director Victoria explained that the changes are simply format changes to make the regulations easier to read and understand.

Commissioner McFall moved to approve Resolution #34, Zone Consolidation and Rewrite. **Commissioner Bell** seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

When did the public hearing open?

Commissioner Grantham – closed the public hearing at 1:13 p.m.

NEW BUSINESS continued at 1:14 p.m.

Ref. Fremont County BOCC Meeting 10/24/2023 3:44:00

2. Resolution No. 35, Granting an Exemption from The Subdivision Regulations for A Tract of Land in Fremont County

Planning and Zoning Director Victoria explained that a gentlemen bought a lot and then shortly thereafter went to get a permit to drill a well on his property. When he did this, he was informed he was not allowed to because the lot was not legally created. The lot was created less than a year after the cut

off time of when subdivisions were required. So, since the gentleman had no knowledge of this, he is requesting an exemption.

County Attorney Jackson wanted to point out that the topography is difficult for this property because there is a limited amount of space between the highway and the river where anything could be constructed.

Commissioner Bell moved to approve Resolution #35, Granting an Exemption from the Subdivision Regulations for a Tract of Land in Fremont County. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 10/24/2023 3:47:25

3. Requesting the issuance of Colorado Beer and Wine License Renewal Application-License Tavern Bernie Rivera DBA Bernie's Place 1419 S 9th St Canon City, CO 81212
Waiver of late filing (not the fee-just the timing).

Attorney Jackson said Bernie's Place was late in submitting their renewal application but did pay the late fee and is not requesting a refund of the fee. She said the renewal did include a letter explaining the reason it was late is because there were some health issues present. If approved, it must have a waiver of the late filing.

Clerk Grantham recommended approval of waiving the late filing, but not of waiving the fee, because they were also late last year for renewal and were already warned.

Commissioner McFall moved to approve the Colorado Beer and Wine License Renewal Application-License Tavern for Bernie Rivera dba Bernie's Place , waved the 45-day filling requirement, however the late fee will not be waved. the late fee will not be waved. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Commissioner Grantham adjourned the meeting at 1:29 p.m.

To view the YouTube Video for Commissioner Minutes, go to the following website:

https://www.youtube.com/watch?v=nNO_-IkgtZM

Clerk to the Board of County
Commissioners