

TWENTIETH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on October 22, 2019, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chairman Dwayne McFall called the meeting to order at 9:30 a.m.

Dwayne McFall	Commissioner	Present
Tim Payne	Commissioner	Present
Debbie Bell	Commissioner	Present
Justin Grantham	Clerk & Recorder	Present
Brenda Jackson	County Attorney	Present
Sunny Bryant	County Manager	Present
Sean Garrett	Planning & Zoning Director	Present

INVOCATION

Joe Garkovich, of Mercy Today Ministries, gave the invocation.

PLEDGE OF ALLEGIANCE

Those present cited the Pledge of Allegiance to the flag of the United States of America.

APPROVAL OF AGENDA

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

CONSENT AGENDA

1. Approval of Minutes / October 8, 2019
2. Approval of Bills for \$2,529,854.45
3. Approval of Loan Placement Agreement with Stifel, Nicolaus and Company, Incorporated for the refinancing of Certificates of Participation
4. Schedule Public Hearings: November 12, 2019 at 10:00 a.m.
 - a. Proposed 2020 Fremont County Budget

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

ADMINISTRATIVE/INFORMATIONAL

1. Staff / Elected Officials:
 - a. County Clerk's Monthly Report

County Clerk Grantham gave the monthly Clerk's Report for the month of September.

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 Payne, aye. The motion carried by unanimous consent.

- b. County Manager Report, Sunny Bryant, County Manager

County Manager Bryant gave her monthly report.

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

County Manager Bryant reported the sales and use tax figures.

County Clerk Grantham mentioned that ballots have been mailed out and provided information about where to vote and how to register to vote.

Commissioner Bell recognized Nancy Bartkowiak, a registered nurse of St. Thomas More Hospital, for being recognized as RN of the Year from Emergency Medical Services Association of Colorado.

Commissioner McFall gave an update on the Decker Fire. He also read some figures from the Department of Transportation's Quarterly Report.

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

George Storey stated his opinions on the link between achieving your goals through nutrition, education and immunizations.

OLD BUSINESS

None.

NEW BUSINESS

1. Fremont County High School Marching Band Day Proclamation

The Board of County Commissioners recognized both the Canon City High School and Florence High School marching bands for placing first in their perspective categories at the regional conference. Band Directors Dave Wood and Justin Nelson from the Florence Marching Band and Daniel Wylie from the Canon City Marching Band were present along with drum majors Mya Ramirez and Emily Reeder of Florence and Grace Baxter, Alyssa Howard and Emily Johnston of Canon City.

Mya Ramirez, drum major with the Florence Marching Band, read the proclamation.

Commissioner McFall reminded all Fremont County residents that on Saturday, October 26th, 2019 at 4:30 p.m. at the Canon City High School football field, both bands will be performing their routines in preparation for the state championship which will be held in Grand Junction, Colorado on November 4th and 5th, 2019.

Commissioner Bell moved to accept the Fremont County High School Marching Band Day Proclamation. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

2. World Polio Day Proclamation
Representative: George Small, Canon City Rotary

George Small explained the history, progress and statistics of the disease Polio and the involvement that Rotary has taken to help eradicate it.

Commissioner Bell read the proclamation.

Commissioner Bell moved to approve the Proclamation for World Polio Day. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

Commissioner McFall moved to the Public Hearing.

3. EPA Brownfields Presentation
Representative: Dave Laney, Stantec

Dave Laney, of Stantec, gave details and progress of the EPA Brownfields Grant that was awarded in April of 2018 for \$600,000.

Commissioner Bell explained that this is a three year grant and in year one, 17% of the budget was expended while 33% of the timeline has been completed. Mr. Laney clarified that this is typical for this type of grant and that the first year typically utilizes the least amount of the budget over the three year process.

Commissioner McFall explained the different types of contamination that is being looked at and verified that the grant money will cover the entire cost of the assessment.

Mr. Laney said that the cost of assessments due depend on the size and type of assessment.

County Manager Bryant said that more information and forms can be found on the County website at www.fremontco.com.

4. Request: MS 19-004 Brown Trust Minor Subdivision
Requesting approval of a Minor Subdivision, Department file # MS 19-004 Brown Trust Minor Subdivision. The site is located at the intersection of 8th Street and C. Street in Penrose CO. The parcel is currently Zoned Agricultural Rural and consists of 9.25 Acres. Lot one will consist of 4.75 acres and lot two will consist of 4.50 acres.
Representative: Angela Bellantoni

Angela Bellantoni spoke on behalf of the Fisher's. The location was purchased in 1985 and was zoned as agricultural. They would like to subdivide the parcel into two parcels. One parcel would remain an Alfalfa field and the other would have a home on it. She stated that the plat has been corrected and all contingencies will be met upon approval.

Commissioner Payne clarified the water shares will stay with the land and the deed restrictions are just access to irrigate.

Planning and Zoning Director Garrett gave a staff report, noting all items have been met and listed contingencies that need to be met.

Commissioner Bell moved to approve MS 19-004 with contingencies at listed. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

5. Request: CUP 11-001 Canon Dolomite Quarry
Requesting approval for transfer of ownership for Department CUP file # 11-001 Canon Dolomite Quarry from Rocky Mountain Materials to Canon Dolomite Quarry, LLC.
Representative: Randy DiLuzio

Danny Tezak explained that this request is to transfer ownership of the property from Rocky Mountain Materials to Canon Dolomite Quarry LLC, who is currently the leasee of the property and that they will continue to conduct business in the same manner as they have been.

Planning and Zoning Director Garrett gave a staff report and confirmed that there will be no modifications and listed the required contingencies.

Commissioner Payne moved to approve Resolution #31, CUP 11-001 with contingencies as listed. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye;

Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

6. Appoint two new members to the Fremont County Airport Advisory Board for three-year terms ending October 1, 2022

Commissioner McFall stated that there are currently two openings for the Airport Advisory Board and that notifications were sent out requesting letters of interest. They received three letters of interest. The term will be for three years ending on October 1, 2022.

Commissioner Bell moved to appoint Haley Atkinson and Gordon Grosslight to the Fremont County Airport Advisory Board for a three year term ending October 1, 2022. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

PUBLIC HEARING

1. Amendment to the Fremont County Zoning Resolution to allow for Limited Wineries in Agricultural Forestry, Agricultural Farming & Ranching, Agricultural Living, & Agricultural Rural Zone Districts

Planning and Zoning Director Garrett gave a staff report. He said that this amendment is to allow limited wineries in designated rural zone districts and stipulations as listed in the amendment.

Commissioner Bell received clarification from Director Garrett that the stipulation of 750 square feet up to 1500 square feet max was in the amendment as being presented and a motion to make the change was not needed to correct this.

Commissioner McFall opened the Public Hearing at 10:03 a.m.

Justin Jenkins, of Jenkins Farms in Penrose, was in favor of this amendment. He stated allowing this will alleviate the need to go through the Special Review Use process, which can be burdensome.

Commissioner McFall said that the Board did receive 3 letters of support for this amendment.

Charles A. Brown (Andy), an owner of a hard cider company in Denver, Colorado, was in favor of this amendment.

Commissioner McFall closed the Public Hearing at 10:10 a.m.

Planning and Zoning Director Garrett clarified for Commissioner Bell that the last line of each zone districts reads "Limited Winery" with the words "Special Review Use" in parenthesis, in the event that the applicant wants to exceed the limits of the stipulations of the amendment. In this case, a Special Review Use would be required.

Commissioner Payne moved to approve Resolution #30. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

Commissioner McFall returned to the Agenda, item #3.

Commissioner McFall adjourned the meeting at 10:38 a.m.


Clerk and Recorder

