

TWENTYSEVENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on December 10th, 2024, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chairman McFall called the meeting to order at 9:00 a.m.

Dwayne McFall	Commissioner	Present
Debbie Bell	Commissioner	Present
Kevin Grantham	Commissioner	Present
Justin Grantham	Clerk and Recorder	Present
Eric Bellas	County Attorney	Present
Tony Carochi	County Administrator	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 said that there is a change to the agenda, the change includes an addition to the consent agenda, moving number five to number six and making number five **Resolution No. 37** series of 2024 to approve special review use 24-001 Vertical Bridge BTS II LLC Tower.

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

CONSENT AGENDA

1. Approval of Minutes / November 7, 2024
2. Approval of Bills for \$1,992,228.12
3. Ratification of Chairman's Signature on Colorado Retirement Association Participation Agreement
4. Ratification of Chairman's Signature on Signature Authorization Form for Colorado Division of Homeland Security & Emergency Management

5. **Resolution No. 37**, Series of 2024, To Approve Special Review Use 24-001 Vertical Bridge BTS II LLC Tower
6. Schedule Public Hearing: None.

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

ADMINISTRATIVE & INFORMATIONAL

Ref. Fremont County BOCC Meeting 12/10/24 3:36

1. Staff / Elected Officials:

- a. County Clerk's Monthly Report, Justin Grantham, County Clerk

Clerk Grantham gave the County Clerk's Monthly Report, which can be found in its entirety at www.fremontcountyco.gov

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

- b. County Administrator Report, Tony Carochi, County Administrator

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

Commissioner Bell announced that a very prestigious award was won by County Administrator Tony Carochi, he was recognized by his peers in the Association of Colorado County Administrators as 2024 Administrator of the Year. She wanted to point out that he's only been the administrator for 20 months, so in his first full year he won this award.

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

Dustin Elliot the commander for Fremont Search and Rescue came to the meeting to give an overview on the organizations last year.

Randy Sorge the captain for Fremont Search and Rescue said the team reached a milestone this year because they were able to get reaccredited by the Mountain Rescue Association. The cycle is every five years and due to COVID they were not able to participate in the last cycle. He also said that there are 23 active members which is a little low for the average, partially due to some retirements this year. He explained that their team isn't just a general search team that provides rescue or medical care, that they

are also trained in technical ropes for high angle rescue, they have canine search dogs, alpine searches, and swift water rescue.

Mr. Elliot said in 2024 they have worked 27 missions, such as lost and injured hikers, injured ATV riders, incidents along the river, missions in high elevation, and assisted the local police department in locating an individual involved in a rollover car accident. Last March there was a huge snowstorm that caused massive power outages that activated six total missions for the Fremont Search and Rescue team. These missions required the team to snowshoe miles to houses where there were medical emergencies to rescue the patient from their home and get them to an ambulance.

Mr. Sorge explained how they help the surrounding counties, one mission for example was in Chaffee County where a group of 14 hikers from Florida went on a team building hiking trip when they oddly left a member behind which made the individual become lost which then required him to be rescued. Another mission he recalled was in Alamosa where K9 teams were deployed to locate the missing female hiker. He said that the total hours the team has spent together this year is 6,278 hours, it breaks down into 743 hours dedicated to missions, training for missions was 2,813 hours, and for events/fundraising was 1,881 hours.

Leo Evans, Public Works Director and engineer for the City of Cañon City, was present at the meeting concerning the old business agenda item which is the 1041 Powers. He requested the commissioners table this item once more so the city has time to review the proposed regulations to evaluate if and how this will affect the existing systems.

UNFINISHED BUSINESS

Ref. Fremont County BOCC Meeting 12/10/24 29:53

1. 1041 Regulations-Designation of activities of state interest by Fremont County, to include site selection and construction of major new domestic water and sewage treatment systems and major extension of existing domestic water and sewage treatment systems; site selection and construction of major facilities of a public utility; and efficient utilization of municipal and industrial water projects, and regulations concerning the same.

Commissioner McFall said the reason this was tabled was because there were some concerns brought up at the public hearing that they felt the need to evaluate before coming to a decision. This has been a several month process, ever since the commissioners placed a moratorium to give time to set regulations concerning these matters.

Commissioner Bell recited what she believes is the most important part of the resolution; “Whereas the board has considered the proposed guidelines and regulations and finds the adoption of the same is essential

- a. To promote the health and safety and general welfare of the citizens and to protect the environment of Fremont County.

- b. To protect the beauty of the landscape and natural scenic characteristics to conserve natural and cultural resources including to preserve historical assets and resources to protect and enhance wildlife habitat, air and water quality, and to conserve natural resources.
- c. To promote safe efficient and economic use of public resources in developing and providing needed community and areawide infrastructure facilities and services in a manner that will not overload facilities of existing government service providers.
- d. To ensure that new development will pay for itself to the maximum extent practicable and to ensure that present residents of Fremont County will not have to subsidize new development through increased cost of public services and or degradation of the quality of life.
- e. To plan for an regulate the site selection, construction, expansion and operations of matters of state interest to facilitate the planed and orderly use of land in accordance with their character and adaptability and as recommended by the Fremont County master plan.
- f. To regulate the use of land on the basis of the financial and environmental impact thereof on the community or surrounding areas with the development area and sou development area.”

County Attorney Bellas explained that this is more of a process than an event and throughout the process was the initial development of the regulations, then the public hearing to provide input, and stakeholders engaged with the staff at planning and zoning department. He said one of the entities that the staff engaged with was the Fremont Sanitation District which expressed the same concerns as the City of Cañon City did earlier in this meeting. To address those concerns the commissioners and Attorney Bellas made changes to certain definitions by removing the limiting language that caused regulations to impact those entities and what they consider as their day-to-day operations.

Commissioner McFall added that these regulations only involve unincorporated Fremont County, that these regulations will not affect municipalities. He also mentioned that the 1041 Powers also include regulations a public utility which includes wind, solar battery storage water, sewer, etc. These aspects have not been officially addressed yet.

Commissioner Grantham wanted to make it clear that the commissioners did not push these regulations because they enjoy implanting new regulations to restrict citizens in Fremont County but because of changes that were made on the state level that if the county did not implement these regulations that they could lose the power of land use in this county.

Commissioner Bell moved to approve **Resolution No. 38** series of 2024 a resolution designating matters of state interest adopting guidelines and regulations for the County Administration of certain activities of state interest. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

NEW BUSINESS

Ref. Fremont County BOCC Meeting 12/10/24 42:45

1. 2024 Fremont County Employee of The Year

Commissioner McFall said that they do this every year where they ask departments to nominate some of their employees who they think deserves this award, each of the commissioners will recognize four of this year's nominees.

Commissioner Bell began the reading with Tracy Breeding a detention deputy for the Fremont County Sheriff's Office, some highlights included they believe he is the model of a sheriff's deputy, being honest, reliable, professional, and caring when speaking to others. Next up was Evelyn Campbell who is the supervisory custodian with facilities, recognized for her flexibility and overcoming every obstacle, and for always recognizing her employee's hard work. Kevin Cavalier from Information Technology was described as dedicated and knowledgeable as well as having a lot of charisma and tremendous initiative. The last read for Commissioner Bell was for Josh Clark, known for being the smartest person in the facilities department, still always looking for new things to learn, and for being a team player.

Commissioner McFall took over the nominations starting with Sydney Danielson who has an exceptional attitude, determination, and the best customer service skills that has enhanced the Public Health Department's reputation. Dotty Gardunio, the chief deputy for the Clerk and Recorder's department was recognized for her dedication to continuously studying and maintaining current knowledge of laws and regulations, and using creative tactics to keep her staff engaged and moral up. Loni Hudnall from the assessor's office was nominated because she is a rockstar that always has a smile and is always willing to help anyone, anywhere, at any time. The last read for Commissioner McFall was Indira Lottig, specific details included a great attitude, personality, and being a great team player which makes her a joy to be around.

Commissioner Grantham began his set of nominations with Berta Newell Motor Vehicle Director. Her coworkers believe she deserves this award because she is always willing to help with title and registration work. Next was Bailey Owen, the Administrative Sergeant Detention Officer nominated because of her dedication, hard work, consistency, common sense, and care for others which makes her the true definition of a public servant. Lenny Saint, the IT Lead Specialist, who always is encouraging, patient, and is always eager in any way he can. The last nominee was Jacquelyn Wilner, Lead Case Worker with DHS, known for being a bright light in the sometimes dark world of child welfare and for always bringing a can do attitude to the situation and always putting families first.

Commissioner McFall announced the winner as Tracy Breeding, a sheriff office deputy. He was awarded because of his several years of loyal service, reliability, being professional and caring attitude whenever speaking to someone.

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2. Requesting the issuance of a Malt, Vinous, and Spiritous & Fermented Malt Beverage Special Event Permit for The Cañon City Music and Blossom Festival for an event at Pathfinder Park & Event Center 6655 HWY 115, Florence, CO 81226 on the following date: December 12th, from 4:00pm to 10:00pm.

Representative: Holly Harp

Ms. Harp said they are providing bar tending services for the City of Cañon City board appreciation banquet, the agreement is that the organization will keep the tips for fundraising. All staff that will be present is TIP's certified and anyone who requests alcohol and provides identification will get a wristband. They will buy in bulk with this event, and anything left over they will take back with them.

BOCC Clerk Sammy Ryan said that Ms. Harp turned in the application fully filled out with all the supporting documents. The health report came back recommending approval, and the county attorney did not report any deficiencies in the application. The public notice posting remained up for more than 10 days and proof of posting was provided so clerk's office recommends approval.

Commissioner Grantham moved to approve the request for the issuance of a malt, vinous, and spirituous liquor fermented malt beverage special event permit for the Canon City Music and Blossom Festival for an event at Pathfinder Park on December 12th from 4:00pm to 10:00pm. Commissioner Bell seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

Ref. Fremont County BOCC Meeting 12/10/24 58:28

3. Notice of Award for East Main SAR-EMS Buildings Project
Representative: J Bunderson, Fremont County Engineer and Project Manager

Mr. Bunderson said the county posted the bid for this project on November 27th and received three bids. The bids were from \$509,580 to \$639,783.49. Bids were then evaluated by a committee of three. During the committee reviewing these bids they concluded that all the companies provided the information that was asked, and all companies could complete the job, so the obvious choice was to choose the lowest bid. That bid was from Alcon Construction for \$590,580.

Commissioner McFall wanted to note that the funds for this project came from the ARPA funds that the county received nearly two years ago.

Commissioner Bell moved to award this bid for the East Main Search and Rescue Emergency Management buildings project to Alcon Construction Inc in the total amount of \$509,580. 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 12/10/24 1:03:14

4. Reappointment of Gardner Fey to the Fremont County Planning Commission
with a term expiring December 31, 2027

Commissioner Grantham moved to reappoint Gardner Fey to the Fremont County Planning Commission with a term expiring December 31st, 2027. Commissioner Bell seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

5. Appointment of new member to the Fremont County Weed Advisory Board for a term ending December 31, 2027

Commissioner Bell moved to appoint the new member John Coyle to the Fremont County Weed Advisory board with the term expiring on December 31st, 2027. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

Commissioner McFall adjourned the meeting at 10:05am.

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

<https://www.youtube.com/watch?v=ecqjW9T-trE>

Clerk to the Board of County Commissioners