

TWENTYNINTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on December 23rd, 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	Absent
Eric Bellas	County Attorney	Present
Tony Carochi	County Administrator	Present
Dan Victoria	Planning & Zoning Director	Present

INVOCATION

Commissioner Grantham 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 as presented. 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 12, 2024, November 26, 2024
2. Approval of Bills for \$3,974,315.95
3. Schedule Public Hearings: 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 11/27/2024 2:07

1. Staff / Elected Officials:

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

Budget & Finance Officer Shawn Sutton gave the Sales and Use Tax Report, which can be found in its entirety at <https://www.fremontcountyclerkco.gov/>

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- 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 <https://www.fremontcountyclerkco.gov/>

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

UNFINISHED BUSINESS

None.

NEW BUSINESS

Ref. Fremont County BOCC Meeting 12/23/2024 11:57

1. **Resolution No. 42**, Series of 2024, Honoring County Attorney Brenda Jackson on her Retirement

Commissioner Bell recited **Resolution No. 42** which can be found in its entirety at the bottom of these minutes. She also wanted to thank Attorney Jackson for her years of service and always continuing her education.

Commissioner Grantham also wanted to thank her for her outstanding professionalism and knowledge of the past local government actions on how to deal with problems that may or may not be reoccurring.

Count Attorney Bellas began with reaffirming all the kind things he has said about Brenda professionally and understands the long shadow she has cast. He knows that it will be impossible to replace her. He said that she will certainly be missed, and he deeply appreciates the mentoring that she has provided to him over the past 12 months.

Former Commissioner Ed Norden wished her best of luck on her retirement and said he knows from the standpoint of a commissioner personally and professionally that her counsel is priceless.

Commissioner McFall said he appreciates her dedication over the years and her institutional knowledge is going to be greatly missed.

County Attorney Jackson said she cannot believe this many years have gone but they have and the advice she intends to follow came from a good friend of many years. That advice is as soon as you are

financial able to retire you should and pursue other interests. She said it has been an honor to work with the people she was worked with and serve the community she has lived in.

Commissioner Bell moved to approve **Resolution No. 42**. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent

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2. **Resolution No. 43**, Series of 2024, Adopting the Emergency Operations Plan for the County of Fremont, State of Colorado
Representative: Mykel Kroll, Fremont County Emergency Manager

FCE Manager Kroll explained that the Emergency Operations Plan must be renewed or updated every five years which is required by FEMA and state guidance. He explained that this plan is created from collaboration with other departments around the country and state to decipher the best practices of responding to emergencies and relying on elected officials to organize other departments to be able to work together on emergencies.

Commissioner McFall said that they made a change to the resolution that states in the event of the board of the Fremont County Commissioners cannot be timely convened and the director of the office of Emergency Management with the concurrence of the County Administrator and the singular Commissioner are hereby authorized to spend up to \$250,000.

Commissioner Grantham moved to approve **Resolution No.43**. 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 12/23/2024 35:59

3. **Resolution No. 44**, Series of 2024, Establishing Fees for Submission of Applications Pursuant to Fremont County Guidelines and Regulations for Matters of State Interest (1041 Regulations)
Representative: Dan Victoria, Fremont County Planning & Zoning Director

Planning & Zoning Director Victoria began the presentation by explaining that they came up with this fee schedule by researching surroundings counties schedules and with the consideration that these are base fees and that there will most likely be other fees to pay during the process. For permit types there is the FONSI (Finding of No Significant Impact) for \$5,000 and the 1041 Permit is \$10,000 both permits had additional costs of \$200 an hour per staff member for the review after the initial permit fee has been exhausted. In addition, consultant fees will be passed along to the applicant. This cost is for the applicant to cover their own costs and not use taxpayer money.

Commissioner McFall said the board already approved these regulations a couple weeks ago, but they do not go into effect until January 1st, 2025, so the Planning and Zoning Department had time to create this fee schedule.

Commissioner Bell moved to approve **Resolution No. 44**. 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 12/23/2024 41:33

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

Commissioner Grantham moved to reappoint Travis Payne 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.

Ref. Fremont County BOCC Meeting 12/23/2024 42:28

5. Reappointment of Dale McCullough to the Fremont County Planning Commission with a term expiring December 31, 2027

Commissioner Bell moved to reappoint Dale McCullough to the Fremont County Planning Commission with a term expiring 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.

Ref. Fremont County BOCC Meeting 12/23/2024 42:55

6. Reappointment of Kevin Mahmalji to the John C. Fremont Library District Board of Trustees for a term ending December 31, 2029

Commissioner Grantham moved to reappoint Kevin Mahmalji to the John C. Fremont Library District Board of Trustees for a term ending 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.

Ref. Fremont County BOCC Meeting 12/23/2024 43:50

7. Appointment of New Member to the 4-H Sale Committee for a term expiring December 31, 2027

Commissioner Bell moved to appoint Tracy Brubaker to the 4-H Sale Committee for a term expiring 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.

Ref. Fremont County BOCC Meeting 12/23/2024 44:37

8. Appointment of New Member to the Penrose Community Library District
Board of Trustees for a term expiring December 31, 2029

Commissioner Grantham moved to appoint Brandi Archer to the Penrose Community Library District 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.

Commissioner McFall adjourned the meeting at 9:45am.

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

<https://www.youtube.com/watch?v=cmQzAQpsGK4>

Clerk to the Board of County Commissioners

RESOLUTION NO. _____, SERIES OF 2024

RESOLUTION HONORING
COUNTY ATTORNEY BRENDA JACKSON
ON HER RETIREMENT

WHEREAS, Brenda Jackson, Esquire will retire on December 31, 2024, after about thirty-three years of distinguished service as Fremont County Attorney; and

WHEREAS, Brenda began her service to the County on January 14, 1992, serving as County Attorney while still maintaining a local full-time private law practice; and

WHEREAS, as a result of demonstrated legal ability, strong work ethic, and the County's increasing need for professional legal services, Brenda transitioned to become the full-time County Attorney on January 1, 2001; and

WHEREAS, Brenda has served with distinction as County Attorney for eleven Boards of County Commissioners and with sixteen individual County Commissioners; and

WHEREAS, there are scarcely enough superlatives to describe Brenda's contribution to the County or the esteem in which thirty-three years' worth of Commissioners have held her, having described her as "reliable," "exceptional," "extremely professional," "team player," "efficient," "outstanding" and, perhaps most importantly, "trusted;" and

WHEREAS, during her tenure, Brenda has deftly guided the County through good times and challenges, including acquisition and construction projects, an ever-changing legal and regulatory landscape, land use planning and economic development, and disasters both local and global; and

WHEREAS, Brenda has forever left her mark on the facilities and landscape of Fremont County, including the construction of a new Sheriff's Office and Jail, a new Courthouse, and a new home for the Department of Human Services; renovation of the Fremont County Administration and Garden Park buildings; acquisition and construction of Pathfinder Park, the Fremont County Emergency Response Center, Ecology Park, the Col. Leo Sidney Boston War Memorial Park; and expansion of the Fremont County Airport; and

WHEREAS, Brenda has given the Board of County Commissioners invaluable and trusted legal advice regarding land use planning by keeping the Fremont County Zoning Resolution and Subdivision Regulations relevant and up to date and by shepherding the complex process of development and adoption of 1041 regulations regarding matters of statewide interest; and

WHEREAS, Brenda has protected the interests of the County through such challenges as the legalization of marijuana, the Royal Gorge Fire, a devastating ransomware cyberattack, and a global pandemic; and

WHEREAS, Brenda has been recognized by her community for her outstanding leadership, her lifetime of contributions to the Fremont County community, and her professional achievement, being named Fremont's Exceptional Professional Woman in 2017; and

WHEREAS, Brenda has also been recognized by her peers as an AV Preeminent lawyer, the highest possible peer review rating in legal ability and ethical standards; and

WHEREAS, Brenda served Fremont County beyond its borders as an Executive Board Member of the Colorado County Attorney's Association for nine years; and

WHEREAS, Brenda's stalwart presence and sound advice have enabled decades of Boards of County Commissioners, including this one, to confidently make decisions in the best interest of the County, knowing that the County's legal interests are being protected.

NOW, THEREFORE, BE IT RESOLVED that the Fremont County Board of County Commissioners does hereby extend to Brenda Jackson our grateful appreciation for her faithful and dedicated service to Fremont County and its citizens, our heartfelt congratulations on her well-earned retirement, and our sincere best wishes for continued success, happiness and good health in the years to come.

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

Debbie Bell	AYE	NAY	ABSTAIN	ABSENT
Kevin Grantham	AYE	NAY	ABSTAIN	ABSENT
Dwayne McFall	AYE	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: _____

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: _____
Chairman

By: _____
Clerk to the Board