

SIXTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on March 25th, 2025, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chairman Grantham called the meeting to order at 9:00 a.m.

Kevin Grantham	Commissioner	Present
Debbie Bell	Commissioner	Present
Dwayne McFall	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

Loren Kolman from Evangelical Free Church 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 with moving new business item number eight the award for bids for road construction materials up to item number three and renumbering item three through seven by moving them down. 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: February 11, 2025; February 25, 2025; and March 11, 2025
2. Approval of Bills for \$3,378,039.74
3. Ratification of Chairman Signature on Professional Services Agreement between Fremont County and Lochner
4. Schedule Public Hearings: None.

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 3/25/2025 3:07

1. Staff / Elected Officials:

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

Shawn Sutton gave the Sales & Use Tax Report, which can be found in its entirety at www.fremontcountyco.gov

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

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

Commissioner McFall announced that he has been appointed from the National Association of Counties as the Second Vice President of the Western Interstate Region which represent the 15 western states. He was appointed to an intergovernmental disaster reform task force, it includes 30 people, and they are attempting to reform FEMA. Their goal is to have voices at the county levels be heard and to help create a system within FEMA that makes sure money gets to areas that need it. They are not trying to get rid of FEMA entirely because they believe it is necessary to have this resource but there are people just now receiving funds from disasters that happened 10 or 15 years ago, so the restrictions and process need to change.

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

OLD BUSINESS

None.

NEW BUSINESS

Ref. Fremont County BOCC Meeting 3/25/2025 21:39

1. Proclamation naming April 7 through 13 as National Public Health Week
Representatives: Autumn Dever, Cheyenne McGinniss and Paula Buser,
Fremont County Public Health Department

Paula Buser said National Public Health Week provides us with a critical opportunity to recognize and celebrate the tremendous work of Public Health professionals who work hard to protect and improve the health of our communities.

Autumn Dever and Cheyenne McGinnis recited the proclamation for National Public Health Week, which can be found in its entirety at:

https://fremontcountyco.gov/sites/default/files/9.1_2025_NPHW_Proclamation_-_with_Eric_edits.pdf

Commissioner Bell moved to proclaim April 7th through April 13th, 2025, as National Public Health Week here in Fremont County, Colorado. 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 3/25/2025 29:05

2. Proclamation naming April as Fremont County Child Abuse Awareness Month
Representatives: Christi DeGarmo and Brianna Davis, Department of Human Services

Christi DeGarmo said that their team represents a progressive shift in child welfare practice which comes from family first, they focus on collaboration, prevention, strength-based approaches, resources, and family empowerment. They strive to enhance child safety and well-being by minimizing the negative impacts on families and helping empower families to take an active role in addressing their challenges. April is the time of year when it's recognized as Child Abuse Awareness Month, which is a time dedicated to raising awareness about the importance of prevention against child abuse and neglect. In 2008 Prevention Child Abuse America introduced the pinwheels as the new national symbol for child abuse prevention, through pinwheels they symbolize the notion of playfulness, joy, and childhood.

Brianna Davis recited the proclamation in its entirety which can be found at:
https://fremontcountyco.gov/sites/default/files/9.2_2025_Fremont_County_Child_Abuse_Prevention_Awareness_Month.pdf

Commissioner Bell commented that they have one of the hardest and most emotional jobs in Fremont County. She is impressed that they show up every day to protect children in the community and then take it further by spreading awareness to the rest about the signs of abuse.

Commissioner McFall wanted to add that he knows a lot of teachers report things, but he also encourages the public to speak up because it's very important to protect the vulnerable population.

Commissioner Grantham believes that one of the pillars of government is to protect those that are not able to protect themselves and that largely consists of children.

Commissioner McFall moved to proclaim April as Fremont County Child Abuse Awareness Month, starting April 1st. 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 3/2/2025 38:40

3. Award of Bids for Road Construction Materials
Representative: Michael Whitt, Director, Fremont County Department of Transportation

DOT Director Michael Whitt said the bid meeting was completed, and he was there to present the recommendations. For the asphalt bids, Fremont County Department of Transportation recommends the award of the bid as follows: ½ standard mix asphalt mix to United Companies for \$82 a ton for the asphalt projects and Fremont County will pick up the material.

Commissioner Bell moved to award this bid to United Companies for ½ standard mix asphalt mix to United Companies at \$82 a ton for asphalt projects and Fremont County will deliver to job sites. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

DOT Director Whitt moved on to dust suppression, Fremont County Department of Transportation recommends the award of the bid for the dust guard liquid supplied from GMCO Storage Yard in Florence, Colorado and FC DOT will pick up the material. The price is set at \$1.01 a gallon.

Commissioner McFall moved to approve the bid for dust suppressant to GMCO Storage Yard in Florence at \$1.01 a gallon. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

DOT Director Whitt announced the next bid for CRS-2P Emulsion should go to Suncor Energy for \$2.78 per gallon from Pueblo, Colorado plant for the chip-seal projects and asphalt patching. Fremont County will pick up the at plant.

Commissioner Bell asked if Fremont County picking it up or if the vendor delivering the product is more cost effective for the county.

DOT Director Whitt said it is 100% more cost effective for the county to pick up the product.

Commissioner Bell moved to award this bid for CRS-2P Emulsion to Suncor Energy for \$2.78 per gallon from the Pueblo plant for chip-seal and asphalt and Fremont County will pick up this materiel at the plant. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

DOT Director Whitt wanted to tell the commissioners that asphalt went up 8%, emulsion went up 11%, rock aggregate went up 26%. Considering all this, the Fremont County Department of Transportation is recommending that for ¾ and ½ aggregate that all bids be rejected and request a rebid. The reason for this being because with that 26% raise it would cause the department to have to cut quite a few projects.

Commissioner Bell moved to reject the current bids and rebid both the ¾ and ½ inch aggregate chip rock for chip seal seeking more affordable pricing. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

PUBLIC HEARING SCHEDULED 9:30 a.m.

Ref. Fremont County BOCC Meeting 3/25/2025 44:00

1. CDP 24-001 Penrose RV & Boat Storage

Request for a **Commercial Development Plan** for storage units for Recreational Vehicles and Boats located at 17225 State Hwy 115 in Penrose, CO

Applicant: Anna Fluckey

Nicole Suttle is an employee of McCauley Constructors, and she was excited to be there to share the goal of this project. She believes that by creating the Penrose RV and Boat storage facility it aligns with the county's vision for uniform and steady growth. The primary goal is to not only contribute significantly to the economic development of Fremont County, but also to ensure harmony with the historic and scenic attributes of the territory. She said by the understanding of Mr. Edgar as well as McCauley Constructors that the proposed project now satisfies the application for commercial development per the Fremont County Zoning Resolution as approved by BOZA and the planning commission.

Commissioner Grantham opened the public hearing at 9:47am.

Planning and Zoning Director Victoria began the staff report by introducing the application as CDP 24-001 Penrose RV and Boat Storage located 17225 State Highway 115 in Penrose, EPCOCO REI ONE LLC is the owner, Anna and Nicole are the representatives. The request is for approval of a Commercial Development Plan. The proposed use is storage units for RV's and boats that will be pre-engineered metal units, the facility will be strictly self-storage open to the customers approximately 365 days a year with 24/7 access which will be gained through an assigned personal gate code. The property is currently zoned as business on a total of 1.36 acres, it has one permitted access point. The parking plan has the correct number of spaces, the landscaping and drainage plan was approved by the county engineer. There were two waiver requests, the first one was for sanitation and the second one was for refuse. BOZA granted a front yard setback adjustment to State Highway 115, reducing the 40-foot setback down to 10 feet.

Department Recommendations: The Department of Planning and Zoning finds the application does not meet development regulations and recommends denial, because the owner has created unnecessary hardships in order to yield the highest return for his development. They also did not submit a completed hazardous spill plan and requested a waiver concerning sanitation which would create adverse environmental influence. Director Victoria requested that if the commissioners decide to approve the development plan that the contingencies include providing a hazardous spill procedure plan, copy of the CDOT notice to proceed for access permit, approved noxious weed control plan, and installing a fire hydrant.

Commissioner McFall asked Director Victoria what the access permit would entail, is it a three-access point meaning right in, right out, and left in are allowed but not left out.

P & Z Director Victoria answered that was the initial response but has now changed to full unrestricted access.

Commissioner McFall said that is an issue considering there is a personalized gate code, so the customers would either partially block or fully block the highway while waiting to get into the gate.

Connie Johnson from Beaver Park Water wanted to raise awareness that they have a 60-foot easement starting in the center of the canal and going 30 feet both ways. This easement doesn't allow any permanent structures on the easement, so they are able to have access 365 days a year in case of an issue. They are also concerned about trash being in the area since the Penrose Water Plant is right downstream from this proposed commercial development plan, and this is domestic drinking water system.

Commissioner McFall said that the very first plan showed the development partially encroaching on the easement but has now since been corrected, not impeding the easement at all.

Jim Brzostowicz is the Civil Engineer for this project, he wanted to comment on Commissioner McFall's concern about the gate being so close to the road. He said that the distance from the road to the gate is almost 80 feet, their team was also concerned about the distance, so they took it into consideration and decided on the 80 feet and CDOT was also approving of this distance. Mr. Brzostowicz said that some of the contingencies were a pad for a porta potty that needs to be installed which they have added to the plans as well as a fire hydrant.

Commissioner Grantham – closed the public hearing at 10:03am.

Commissioner Bell wanted an explanation of why they are not going to provide a refuge accommodation.

Ms. Suttle said they are suggesting that their requirement be that the units must be processed completely before they are being stored at their facility.

Ms. Fluckey said the intent is to not provide an opportunity to dump items that are hard to get rid of or they believe that when they do provide those accommodations that is when things such as trash become a problem.

Commissioner Bell also addressed the fact that the department has found the owner has created its own unnecessary hardship in order to yield the highest returns from the development. This development could meet all the requirements if revised, at the first BOZA meeting a plan labeled option two was shown that met all the setback requirements.

Mr. Brzostowicz said that the plan Commissioner Bell is referring to is the one that had a drive file in the Beaver Park ditch easement.

Ms. Fluckey did not believe that there was a plan that would meet all the regulations.

Commissioner McFall said that removing some of the units would make it possible to meet all the regulations so there isn't a considerably dangerous only 10-foot setback.

Commissioner Grantham wanted clarification on which side of the development plan is not in compliance with the regulations.

P&Z Director Victoria answered that just the front side is not in compliance being at only 10-foot setback instead of the standard 40 foot.

Commissioner Bell reiterated the issues with this current development plan and the only lawful way to grant a variance by definition is a device which grants a property owner relief from certain provisions of a zoning ordinance when a particular physical surroundings shape or topography condition of the property would result in a particular hardship upon the owner not just mere inconveniences that don't maximize profit.

Commissioner Grantham requested to discuss the changes that are possible to bring this plan into compliance.

Mr. Brzostowicz said that there are options of removing the southern building entirely and making it outdoor storage or possibly making the northern building smaller.

Commissioner Bell moved to table CDP 24-001 Penrose RV and Boat Storage to the meeting on Tuesday May 13th at 9:00am where this will appear on the old business agenda. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

NEW BUSINESS continued at 10.30am.

4. Secure Transportation Service License and Permit for Good Kind Transportation Service LLC

County Attorney Bellas said these next several items on the agenda are similar to what they have been approving in the last few meetings, issuing transportation licenses as well as permits for the vehicles they will be using.

Commissioner McFall moved to approve the license and permit for Good Kind Transportation Service LLC Type A for one vehicle, a 2018 Ford Explorer. 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 3/25/2025 1:32:50

5. Secure Transportation Service License and Permit for Basena Transport LLC

Commissioner Bell moved to approve a license for Type Class A secure transport service license for a Basena Transport LLC included in this motion is a vehicle permit for a Type One, year 2019 Ford Explorer. 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 3/25/2025 1:33:25

6. Secure Transportation Service License and Permit for AM Glory LLC

Commissioner McFall moved to approve a license for AM Glory LLC Class A secure transport license with a permit for a Type One vehicle, a 2019 Ford Explorer. 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 3/25/2025 1:34:03

7. Secure Transportation Service License and Permit for SecureMed Transportation LLC

Commissioner Bell moved to approve a Class A Secured Transportation Service License for Secure Med Transportation LLC including a Vehicle Permit Type One for a 2017 Ford Taurus. 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 3/25/2025 1:34:34

8. Secure Transportation Service License and Permit for KindHeart Transport LLC

Commissioner McFall moved to approve Secure Transport License Type B for KindHeart Transport LLC and a Vehicle Permit, a Typer Two transport vehicle le which is a 2015 Toyota Rav4. 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 3/25/2025 1:35:05

9. Appointment of new member to the John C Fremont Library District Board of Trustees with a term expiring December 31, 2028.

Commissioner Bell moved to appoint Sue Schlesinger to John C. Fremont Library District Board of Trustees with a term that will expire on December 31st of 2028. 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 3/25/2025 1:35:45

10. Appointment of new member to the John C Fremont Library District Board of Trustees with a term expiring December 31, 2029.

Commissioner McFall moved to approve the appointment of Jean Edwards to the John C. Fremont Library District Board of Trustees with the term ending December 31st, 2029. 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 3/25/2025 1:36:28

11. 2024 Accountability Report

Commissioner Grantham began the accountability report with the opening of the beverage concessions at Pathfinder Park Events Center, they contracted with Gerry Meloni. The Grandview Bridge replacement project was contracted and completed in the year 2024. The county hired private security to protect the Administration Building, Garden Park, and Department of Human Services. Some other accomplishments include the Veterans Day celebration by hosting veterans with a catered luncheon, changing the domain of the county website from .com to .gov, and allocating all the ARPA funds. Fremont County participates

in many different grant programs such as small business, financial recovery, and entity expense reimbursement. They also allocated funds to 20 different community organizations totaling \$1,990,018.17. Several county departments were able to do much needed renovations that otherwise were not able to get done due to budget constraints. Every year they do employee of the year where someone is selected from the nominees, this year Detention Deputy Tracy Breeding won. Next department highlighted, the Fremont County Airport run by Wes Brandt, the airport has received more and more traffic, a lot of people stopping for fuel. The Fremont County Building Department has a total construction valuation of issued permits in 2024 of \$43 million.

Commissioner Bell continued the presentation with the CSU Extension Office, they have 14 4-H clubs, 81 volunteers, and 181 members. The Fremont County Department of Human Services continues to stay very involved in the community with activities and partnerships such as job fairs, adoption day, safety jam, and hosting the annual craft fair. Onto Department of Transportation led by Michal Whitt, they take care of chip-seal projects, cattle guards, dust suppressants and more. DOT is also responsible for all maintenance for county vehicles, they spent a total of more than 3,700 hours in 2024. The next department is Emergency Management with director Mykel Kroll, they handle local disasters and emergencies which differ from hikers lost in a snowstorm to protecting people and homes from wildfires. The facilities department has several long-term projects such as heating, ventilation, and air conditioning systems. The last department commissioner reported on was GIS Authority, they updated address points, road centerlines, and wall maps in the dispatch center.

Commissioner McFall took over the final portion of the accountability report starting with Information Technology, there were 163 brute force attempts, 31,160 phishing attempts, and 4,703 malware attempts. They are upgrading and expanding the wireless network and updating the website to be more accessible. The Department of Planning and Zoning takes care of applications, permits, licenses, and reviews. The other side is Code Enforcement, where they inspect violations and annual inspections. Pathfinder Park Events Center held more than 400 events in 2024 with an estimated attendance of 30,852. Public Health and Environment offers clinical services such as immunizations lead test, and STI's. The environmental health side performs inspections of retail food establishments, schools, childcare facilities, and body art. Fremont Search and Rescue is fully funded by donations. There are 23 members who can perform general search and rescue, technical ropes, K9 search, alpine, swift water rescue, and tracking. The Sheriff's Office on the administrative side processed 321 new handgun permits, processed 1,046 civil paper and obtained a sizable amount of illegal drugs. On the patrol side, they performed 282 stops on patrol, recovered 24 stolen vehicles, initiated 165 cases, and booked 1,453 individuals. The Veterans office encourages veterans to come in to see if they have any benefits they are entitled to, they have conducted 1,686 office visits and appointments. The Weed Management department run by Brittant Pierce the Noxious Weed Director, recovered 15 acres of land infested with List A species, 25 biocontrol's were released on private and public lands. A total of 296 acres recovered and over 18,00 gross acres covered.

Commissioner Grantham adjourned the meeting at 11:02am.

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

<https://www.youtube.com/watch?v=jJvtPTxI5A8>

Clerk to the Board of County Commissioners