

SEVENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on April 9th, 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

Bradley Buck from Bridge to Life 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 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 / March 26, 2024
2. Approval of Bills for \$1,458,515.30
3. Extension of Franchise Agreement between Spectrum Pacific West, LLC and Fremont County, Colorado
4. Approval of contract with Maxwell Asphalt, Inc. for airport pavement maintenance project
5. Authorize Chairman to execute Intergovernmental Agreement (IGA) with Pueblo Community College for CDL training at Florence salt and sand lot

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 4/9/2024 1:50

1. Staff / Elected Officials:

a. County Clerk’s Monthly Report, Justin Grantham, County Clerk

Clerk Grantham gave the Count Clerk’s Monthly Report, which can be found in its entirety at <https://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

Administrator Carochi said on Thursday April the 11th Fremont County employees from several departments, including Sheriff’s Office, Department of Human Services, and Fremont County Department of Public Health will be participating in the PACE Employer Fair to provide interviews to students in the surrounding three school districts to participate in meaningful and educational experiences, close to 300 students are expected to attend. Pathfinder Park Event Center has a proposal for an experienced contractor to provide alcoholic and non-alcoholic beverage services inside the Pathfinder Park Event Center. The contractor will be responsible to ensure beverage sales are provided at public events and have exclusive right to sell beverage services at meetings, private parties, and banquets.

County Administrator Carochi gave the County Administrator Report, which can be found on in its entirety at <https://fremontcountyco.gov>.

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

County Clerk Grantham stated that the elections department is starting to collect bids to upgrade video surveillance and the ability to upgrade drop boxes since there were concerns last election of people stopping in the middle of the road to drop off their ballot. The goal is to have a drive-thru drop box at the Garden Park Building. There is also a recording grant to buy equipment to be able to digitize individual pages out of old books. There is an election in June so now is the time to change your address, register to vote, or change affiliation.

UNFINISHED BUSINESS

Ref. Fremont County BOCC Meeting 4/9/2024 20:00

None.

NEW BUSINESS

Ref. Fremont County BOCC Meeting 4/9/2024 20:07

1. Proclamation naming April 14 - 20 as National Public Safety Telecommunications Week
Representative: CRCA Director, Angela Clawson, and Deputy Director Lindsay Hubbard

Commissioner McFall announced the Proclamation and expressed his confusion on the fact that Safety Communication Officers weren't recognized as first responders until recently.

To view the proclamation in its entirety please see attached at the bottom of the minutes.

Commissioner Grantham moved to approve this proclamation naming April 14th to the 20th as National Public Safety Telecommunications Week. 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 4/9/2024 26:55

2. Award Acceptance Notice – Grandview Avenue Bridge
Representative: J. Bunderson

County Engineer Bunderson said the county has received five bids from contractors to replace the Grandview Avenue Bridge, four of the bids were well within range of each other so the low bid by Siete Inc. reflects the true cost of the project. Mr. Bunderson asks the County Commissioners of Fremont County to award them the bid for \$3,115,704.00.

Commissioner Bell asked Mr. Bunderson what the timeline is for this project; beginning to end.

County Engineer Bunderson answered that the notice to proceed should be around the first of May and the contract states the work is expected to be done in six months which would be the end of October or beginning of November.

Commissioner Bell moved to approve the bid of the Grandview Bridge replacement project to Siete Incorporated at the amount of \$3,115,704.00, the motion does include all the associated signatures as requested. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

PUBLIC HEARING SCHEDULED 9:30 a.m.

Ref. Fremont County BOCC Meeting 4/9/2024 33:32

Commissioner McFall opened the public hearing at 9:35am.

1. ZC 23-003 T-K Processing

The applicant consultant, George Hall with Crown Point Land Services, on behalf of T-K Processing, is requesting to rezone 2.27 acres from Agricultural Estates to industrial. The application also includes a Final Development Plan and Special Review Use Permit to allow for a slaughterhouse (meat process slaughtering operation) located at 1906 and 1910 North Street.

Consultant: George Hall

Applicant: Jeffrey Kessler & Zach Tracy

Mr. Hall said the request is for a meat processing plant at 1906 and 1910 North Street where they are putting two lots together. The plan is to move the 98 square foot building to be in compliance, a contingency was to put curbing around the leach field to avoid someone backing over it, but they are requesting a rock barrier instead.

Mr. Tracy said it is going to be a locally owned and operated slaughterhouse/meat processing plant. The intention is to provide a service for residents who raise their own animals and then later need assistance in processing the animal.

Mr. Kessler said in addition to that they are also looking forward to hiring around 10 employees. He said not only are we offering Fremont County a product but also a service that this community desperately needs. They also intend to continue cleaning up and improving the area.

Director Victoria began his staff report by introducing the property and stating the 2.27 acres of land is currently zoned as agricultural and the request is to change it too industrial. Included is a final development plan and special use permit to allow for the slaughterhouse meat processing operation, the proposed development would include a slaughterhouse operation to be contained within an existing 2,619 square foot building. A holding pen in the Southeast corner of the property. A 900-foot cooler to be constructed. A 1,159 square foot manufactured trailer is proposed to be used as an office space. An 831 square foot manufactured trailer would be dedicated as a watchman's quarters. Behind the processing facility there are two septic tanks, a leach field, and 12500 gallon holding tank. 11 parking spots are proposed with a delivery/pick up trailer backing area to be surfaced with six-inch gravel. Contingencies include applying for a non-conforming use status application because once the land is changed to industrial the location of the watchman's quarters would not be in compliance. The 98 square foot shed will need to be moved. The final development plan indicates a sign for the business, the planning commission allows a 32 square foot sign, no higher than six-foot, lighting is allowed but recommends down lighting to reduce light pollution. The requirements for the parking lot shall be asphalt or concrete unless waived by this board, the rest of the lot should be six-inch gravel that is graded.

To view Director Victori's staff report in its entirety on T-K Processing please visit: <https://fremontcountyco.gov/commissioners/commissioner-meeting-tue-04092024-900am>

Keith Leonhardt is with Local Mountain Outfitters. He said they always have a problem finding wild game processing, and he has been there for 12 years. He stated he has known the family for a long time;

they do good business, and the quality is excellent. He believes it would be very good for the community because locals always have to take their business elsewhere so if this business were to open people could stay local.

Lindsay Camper said that their business requires a lot of beef to be processed. She believes last year they took approximately \$25,000 dollars out of county because there wasn't a processing establishment available, so she wanted the commissioners to know this business is very much needed in the community.

Commissioner McFall – closed the public hearing at 10:07 am.

Commissioner Bell moved to approve zone change 23-003 T-K Processing, the request to rezone 2.27 acres from agricultural estates to industrial. This application does also include a final development plan and special review use permit to allow for the processing/slaughtering operation located at 1906 and 1910 Noth Street. Included in this motion are seven contingencies as presented within our packet, with the exclusion of the continuous curb that language shall be changed on contingency number five to read a physical barrier as deemed appropriate by the department. This motion also includes the acceptance of the recommended findings of fact, there are eight of them on the same page and our packet on page 12 it also includes the payment of the annual roadway impact fee, also a waiver for the hard surfacing except for the ADA spaces. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

NEW BUSINESS continued at 10:14 am.

Ref. Fremont County BOCC Meeting 4/9/2024 1:12:36

2. MS 24-001 Hilgren

Requesting approval for minor subdivisions that will create a total of 2 lots.

Lot 1: 23 Acres 1,002,095 square feet

Lot 2: 6.00 Acres 261,114 square feet

The subject property is located in the Agricultural Rural Zone District, on County Road 95, in Florence

Consultant: Matt Koch

Mr. Koch said the property is located Southwest of Florence on County Road 95, it's 29 acres, it has an existing single wide house on it, it is intended to stay on the six-acre lot. They are requesting a variance since the lot does not meet the width requirement. The owners of lot one are planning on building a house and owning horses.

Director Victoria said the applicant is requesting a deferment of percolation test until development and the applicant is requesting deferment of a drainage plan. The County engineer has reviewed the drainage report and stated that one is unwarranted at this time because there will be no change to the drainage discharge. Fremont County Department of Transportation requires the applicant to submit a driveway access permit for the new lot and in reviewing the map of the existing home there are two access points that will be required to submit access permits. Planning and zoning recommend the following three deferments: the drainage plan and report for lot number one at the time of development and address

issuance application at the time of development. There is one contingency request that is the driveway access permits for both access points be applied for on lot two.

To view the Staff Report in its entirety for MS 24-001 please visit:

<https://fremontcountyco.gov/commissioners/commissioner-meeting-tue-04092024-900am>

Commissioner Grantham moved to approve Minor Subdivision 24-001 requesting approval minor subdivision that will create two lots, one being 23 acres and lot two being six acres located in agricultural zone district on County Road 95 in Florence. The variance regulations for the depth versus width of the lot and the deferment requests the drainage plan, report the address issuance, and the driveway access permit. 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 4/9/2024 1:23:20

3. TUP 24-002 RMTA Club Trials Event

Event to be held on April 21, 2024.

The owner/applicant is requesting a Temporary Use Permit to allow the Rocky Mountain Trials Association to conduct a trials event at the Stock Ranch. The RMTA clarified that this event is not a race and not expected to have any spectators.

Location and/or street address of the event will be 1790 Red Canyon Road, Canon City.

Formerly known as 2074 CR 9

Applicant: Danny Wickersham

Mr. Wickersham said it is a local club event, they expect 20 to 30 vehicles, most people carpool. There will be no spectators. Porta potties will be delivered next week which is a week prior to the event from Twin Enviro. Many of the riders are EMS, and all the bikes will have spark arresters.

Director Victoria said this is the third year they have applied and that after this it will only be administrative approval. Riders will supply their own food and water, no vendors, two chemical toilets, pack in and pack out policy for trash.

Commissioner Bell moved to approve temporary use permit 24-002 RMTA Club trials event to be held on April 21st at the Stock Ranch, it is not a race and is not expected to have any spectators located at 1790 Red Canyon Road it includes the waiver of the Surety Bonds well as approval of chemical toilets. 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 4/9/2024 1:30:18

4. Fremont County District Attorney's Office Attorney's Fees Reimbursement Request

Attorney Bellas said the Fremont County finance office received an invoice from the District Attorney's office on April 1st, the District Attorney's office is not funded by the county or by any system of invoicing it is in fact funded by annual appropriation. This invoice will still be treated as a request for reimbursement of expenses incurred in the discharge of official duties for the benefit of the county as is contemplated in chapter 20 Article 1 part 3 of the revised statute. The invoice was for \$9,262, Attorney Bellas requested supporting documentation to review whether the amount claimed was appropriate under both statute and the case law interpreting the statute. It has been determined that only a portion is reimbursable. One attorney's costs were not reimbursable at all. The other attorneys were partially reimbursable costs totaling \$2,106, under Colorado law Fremont County would be responsible for its proportional share based on population that amount would be \$1,121.66 or 53.26% of the total reimbursable amount.

Commissioner Grantham asked if Attorney Bellas could explain in more detail what is subject to reimbursement under Colorado law and what isn't.

Attorney Bellas said the District Attorney's Office is entitled to reimbursement for expenses in the discharge of the official duties of the office for the benefit of the county. The expenses claimed were mostly attorney fees and costs associated in defending professional misconduct claims. The Colorado Supreme Court basically says that any expenses incurred in the defense of one of these claims, if found exonerated of all charges, then those charges must be reimbursed by the county. If the expenses are incurred for something else other than a claim that's not related to doing the duties of office or if the claim results in a finding of misconduct it is not reimbursable.

Commissioner Grantham moved to approve the reimbursement to the office of the district attorney in the amount of \$1,121.66 which is the Fremont County portion of the \$2,106. 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 10:42 am.

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

<https://www.youtube.com/channel/UCuxNBR3UWq0vV2T2Rgyl6rA>

Clerk to the Board of County Commissioners



Fremont County Board of Commissioners

Proclamation

National Public Safety Telecommunications Week

April 14 - 20, 2024

Whereas, 2024 marks the first year that Public Safety Communication Officers are officially recognized as First Responders in the State of Colorado; and

Whereas, dedicated Public Safety Communication Officers serve the citizens of Colorado by answering their requests for law enforcement, fire or emergency medical services; and

Whereas, the Public Safety Communication Officers are the first link between the citizen and the emergency responder; and

Whereas, the safety of both citizens and emergency responders is dependent upon the highly trained and skilled Public Safety Communication Officers; and

Whereas, the role Public Safety Communication Officers play in ensuring public safety occurs behind the scenes and is seldom recognized; and

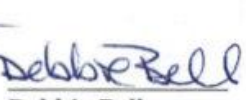
Whereas, Public Safety Communication Officers serving Fremont County have exhibited professionalism, efficiency, and compassion during the performance of their essential duties in the past year; and

Whereas, the Association of Public Communication Officials has designated the third week in April to recognize Public Safety Telecommunicators; and

NOW, THEREFORE, LET IT BE PROCLAIMED by the County Commissioners of Fremont County, Colorado, that the week of April 14 through April 20, 2024, is hereby designated as Colorado Public Safety Telecommunications Week in Fremont County in honor of the men and women of Colorado who play a critical role in the protection and preservation of life and property.

Signed this 9th day of April, 2024.


Kevin Grantham
District 1 Commissioner


Debbie Bell
District 2 Commissioner


Dwayne McFall
District 3 Commissioner