

EIGHTH MEETING

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

Kevin Grantham	Commissioner	Present
Dwayne McFall	Commissioner	Present
Debbie Bell	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

Pastor Mark Meyer from Christ 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. 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 / April 9, 2024
2. Approval of Bills for \$3,057,899.56
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 4/23/24 3:40

1. Staff / Elected Officials:

a. Public Trustee Quarterly Report, Kathy Elliott, County Public Trustee

Public Trustee Kathy Elliott gave the Quarterly Report, which can be found in its entirety at <https://fremontcountyco.gov>.

Commissioner Bell moved to accept the Public Trustee quarterly report for the months of January, February, and March of 2024. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

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

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

c. County Administrator Report, Tony Carochi, County Administrator

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

County Administrator Carochi announced Siete Inc was awarded the contract for replacing the Grandview Bridge. Preconstruction preparations are taking place in advance of the May 13th contract start date. Fremont County will be notifying residents and businesses near Grandview Avenue Bridge since it will be closed to all traffic (the entire road of Grandview Avenue). The project is estimated to take six months to complete.

Clerk Grantham said there will be a contest for the “I Voted” sticker. Anyone 18 years old or more can participate in designing the sticker for the contest.

Commissioner Bell announced that there will be a dedication ceremony for Veterans at the Colonel Leo Sydney Boston War Memorial Park out at the airport. They will be adding new bricks to the wall on Memorial Day which is on May 27th starting at 10am.

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 4/23/24 29:53

1. Proclamation naming May as Foster Care Awareness Month

Representatives: Molly Willard and Chelsea Arellano, Department of Human Services

Tonya Sutton said she wanted to begin the presentation with some statistics. Currently in Fremont County there are four certified foster homes. There are also four certified kinship homes meaning family members such as grandparents, aunts, and uncles get involved and certified to take in the child. In the first quarter of 2024 they have had 100% of all children removed from their home placed initially with kin. Mrs. Sutton began to read the proclamation which can be found at the bottom of these minutes.

Commissioner Grantham moved to approve the proclamation naming May as Foster Care Awareness month. 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 4/23/24 36:28

2. Requesting the issuance of a Malt, Vinous, and Spiritous & Fermented Malt Beverage Special Events Permit
Canon City Rodeo Association: Royal Gorge Rodeo 1595 S 9th St Canon City, CO 81212 on the following date: May 3rd and May 4th from 4:30 pm to 10:30Pm in 2024.
Representative: Andy Philips

Mr. Philips said there will be Fremont County Sheriff deputies for security of the event watching behavior. The whole event will be fenced in. There will be an ID check, if they get mad and refuse to show, they have instructed the servers to just notify the Sheriff's department.

Commissioner Bell asked who is going to be serving the alcohol and are they trained at all?

Mr. Phillips answered said three people will be TIP certified and there will be one at each location.

BOCC Clerk Samantha Ryan said all offices recommend approval, Andy and Kristi Elliott always responded quickly and were eager to comply with requests, so County Clerk's office recommends approval.

Commissioner Bell moved to approve the issuance of a malt, vinous, and spiritous and fermented malt beverage Special Event Permit to the Canon City Rodeo Association for the Royal Gorge Rodeo which will be held at 1595 South 9th St Canon City, CO on the following dates May 3rd and May 4th from 4:30pm to 10:30pm this year. 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 /23/24 43:04

3. Requesting the issuance of a Malt, Vinous, and Spiritous & Fermented Malt Beverage Special Events Permit
Royal Gorge Chamber Alliance for an event at Colorado Jeep Tours 50905 West US 50 Canon City, CO 81212 on the following date: May 9th from 4:00pm to 8:00pm in 2024
Representative: Emmaly Dennehy

Mrs. Dennehy said this event is for Business After Hours, the drinking area will be roped off. As usual all servers will be trained.

BOCC Clerk Samantha Ryan said the 45-day requirement was met, health and sheriff office recommend approval. Public Notice was posted 15 days before. A formal host agreement was provided, and the well labeled map is always appreciated.

Commissioner Grantham moved to approve the request for the issuance of a malt, vinous, and spirituous and fermented malt beverage Special Event Permit at Colorado Jeep Tours 5095 West US HWY 50 Canon City on May 9th from 4:00pm to 8:00pm this year. 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 4/23/24 45:54

4. TUP 24-004 MARCHAND RANCH WEDDING & EVENT CENTER

Request to extend Temporary Use Permit

Applicant: Tiffany Foster-Marchand

Mrs. Foster said she turned in her Temporary Use Permit Application, but more information is required, including a traffic analysis study, which was turned in shortly after. The State wants a study done called minimum traffic study from State Highway 9 onto County Road 323a which will take a while to complete. Mrs. Foster said she has two engineers currently working on it, they have not given her a time frame on how long it is going to take to complete. She is requesting an extension because everything else is in order and there have been zero problems.

Commissioner McFall suggested she work on getting a Special Review Use Permit rather than a Temporary Use Permit.

Planning and Zoning Director Victoria said Marchand has had one temporary use permit and they submitted their second one, everything was complete until Colorado Department of Transportation sent their comment letter requesting this study be done and that is what is prohibiting this from moving forward.

Commissioner Bell said the original email request asked for a six-month extension.

Commissioner Bell moved to approve a request to extend this temporary use permit for TUP 24-004 for the Marchand Ranch Wedding & Event Center for a period of six months from May 25th. 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 4/23/24 1:00:31

5. Requesting the issuance of a Malt, Vinous, and Spiritous & fermented Malt beverage Special Events Permit
Canon City Music & Blossom Festival at Marchand Ranch 4807 CO-9 Canon City, CO 81212 on the following date: April 27th from 6:00pm to 11:00pm in 2024.

Representative: Holly Harp

Ms. Harp explained that Blossom Ball used to be the Blossom Banquet that was held every year, last year it was made into more of a fundraising event. The event is going to be held at Marchand Ranch and the theme is Derby Style this year. This is more of a private event, so tickets were sold privately. There will only be one bartender. The event is expected to have 150 guests. Most people are expected to be over the age of 21 but we will still be IDing and putting wristbands on people.

BOCC Clerk Samantha Ryan said that this is the second time this organization has hosted an event at this specific venue. The event received really good feedback, all paperwork was submitted on time, and all offices recommend approval.

Commissioner Grantham moved to approve the request for the issuance of a malt, vinous, and spiritous & fermented malt beverage Special Event Permit for the Canon City Music and Blossom Festival at Marchand Ranch 4807 CO-9 Canon City on April 27th from 6:00pm to 11:00pm 2024. 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 4/23/24 1:05:44

6. TUP 24-003 HARD ROCK ENDURO

The owner/applicant is requesting a Temporary Use Permit to allow Hard Rock Enduro to conduct a one-day off-road motorcycle event conducted on private property at the Stock Ranch.

May 5th, 2024, at 815 Garden Park Road, Canon City, CO 81212

Applicant: Tina Barlow

Ms. Barlow said the event is where participants come from all over, it is a one-day event on May 5th at the Stock Ranch. Participants are allowed to camp on the premises, there will be no food vendors. There will be chemical toilets on site.

Planning and Zoning Director Victoria began the staff report by describing the event and that this is the third-year Hard Rock Enduro has applied for the TUP. Planning and Zoning has never received any complaints or documented any violations associated with this event. Since there isn't any business in the surrounding area the participants will supply their own food and water. The permits for the chemical toilets have been completed and the event will have a pack in and pack out policy for trash. The emergency plan includes two firefighters/EMTs and one response vehicle. Staff recommends approval.

Commissioner Bell moved to approve this temporary use permit to allow Hard Rock Enduro to conduct a one-day off-road motorcycle event on May 5th of 2024, located at 815 Garden Park Road, on the Stock Ranch this motion does include approval of the waiver of the surety bond as well as approval of the use 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 4/23/24 1:11:20

7. Resolution No. 17, Series of 2024 Supporting Fremont County Sheriff Department and Other Local Law Enforcement Agencies and Personnel and Opposing HB24-1460 “Measures to Strengthen Responses to Law Enforcement Misconduct”

Commissioner Grantham recited Resolution No. 17, and then reiterated that the only purpose of HB 24-1460 is to make it nearly impossible for local law enforcement to do their job. The emphasis of this Resolution is that it would make law enforcement officers subject to criminal penalties for failing to report speculative violations of undefined conduct.

Sheriff Cooper said he is one of thirty Sheriff’s that sit and serve on the County Sheriffs of Colorado Legislative organization. One of the things the organization does is act as resource for our representatives and senators when questions like this come up. Four years ago, when they started noticing that they were targets by our State Legislature, the County Sheriffs of Colorado, the Fraternal Order of Police, and the Colorado Association of Chiefs of Police lobbied against some of the things that would negatively impact law enforcement. The Governor was contacted about this bill and reacted with confusion. Sheriff Cooper wanted it to be clear that the only thing this bill does is make it harder to recruit and maintain staff.

Commissioner Grantham moved to approve Resolution No.17 series of 2024 in opposition to House Bill 24-1460 and I would add that we amend the number of days from 20 to 15. Commissioner Bell seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

Kathy Madonna wanted to publicly comment that what seems to be happening is they are trying to legislate ethics and that is impossible, it is up to all citizens to stand up and do the right thing all the time.

Ref. Fremont County BOCC Meeting 4/23/24 1:25:00

8. Resolution No. 18, Series of 2024 Supporting Efforts of Douglas County and El Paso County to End Unconstitutional Interference by the Governor and Legislature of Colorado with Immigration Enforcement

Commissioner Bell said a few months ago this board approved a Resolution recognizing Fremont County’s limited resources and prioritizing Fremont County Citizens, declaring that Fremont County is not a sanctuary county. The board shares support with El Paso and Douglas County to end unconstitutional interference by the Governor and the Legislature of Colorado with immigration enforcement.

Commissioner Bell moved to approve Resolution No. 18 series of 2024 supporting the efforts of Douglas County and El Paso County to end unconstitutional interference by the Governor and Legislature of Colorado with immigration enforcement. 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 4/23/24 1:36:45

9. Resolution No. 19, Series of 2024 Affirming Commitment to Protect Agricultural Water Rights in the Arkansas River Basin

Commissioner McFall said that in 2003 Southeastern Colorado Water Conservation District signed an Intergovernmental Agreement with the City of Aurora giving them the opportunity to use water coming from the Western Slope through the frying pan diversion for drinking water. In the 2003 IGA there was an agreement in place that Aurora would not buy any land to take agricultural water, in the last couple of weeks there has been a breach of the IGA because Aurora bought land in Otero County amounting to 5,000 acres, 4,806 of those acres were also purchased with water rights which amounts to several billion gallons of water.

Commissioner McFall moved to approve **Resolution No. 19**. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

PUBLIC HEARING SCHEDULED 9:30 a.m.

None.

Commissioner McFall adjourned the meeting at 10:52 am.

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

<https://www.youtube.com/watch?v=czrWLxQCLk4>

Clerk to the Board of County Commissioners



*Fremont County Board of County Commissioners
Proclamation*

Whereas, Foster Care Awareness month is celebrated nationally each May to raise awareness regarding foster care and to encourage increased community involvement as foster families, volunteers, or mentors; and

Whereas, there are numerous individual, nonprofit organizations and public servants who are dedicated to raising awareness about the needs of children and youth in foster care; and

Whereas, children are the key to Colorado's future success, prosperity, and quality of life; and

Whereas, children have a right to thrive, learn and grow; and

Whereas, the Human Services Agency oversees the children and youth in foster care in Fremont County with the goal of ensuring safety, permanency and well-being of children in Fremont County; and

Whereas, those who have wholeheartedly committed to the welfare of the children in foster care despite all of its legal, economic and social challenges continue to fight to protect the rights of children and improve their outcomes; and

Whereas, Colorado is experiencing an acute shortage of foster families and is in need of families willing to care for teens, children with complex behavioral and mental health needs, and sibling groups; and

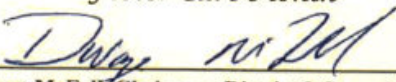
Whereas, we must recognize the important role foster parents play in caring for children who have experienced abuse and neglect, supporting family reunification and building strong communities; and

Whereas, foster parents provide the love, safety and stability that young children need in order to overcome past traumatic experiences in order to reach their full potential; and

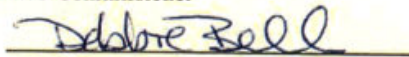
Whereas, we all play a role in ensuring Fremont County's children are healthy and safe and are able to reach their full potential.

Now, Therefore, Be It Resolved That, the Board of Commissioners of the County of Fremont, State of Colorado, proclaims the month of May, 2024 as

"Foster Care Month"


Dwayne McEath, Chairman, District 3 Commissioner


Kevin Grantham, District 1 Commissioner


Debbie Bell, District 2 Commissioner