

## ELEVENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on June 13, 2023, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chair Kevin Grantham called the meeting to order at 9:30 a.m.

Kevin Grantham	Commissioner	Present
Dwayne McFall	Commissioner	Present
Debbie Bell	Commissioner	Present
Justin Grantham	Clerk & Recorder	Present
Brenda Jackson	County Attorney	Present
Tony Carochi	County Manager	Present
Dan Victoria	Planning & Zoning Director	Present

### INVOCATION

~~Bradley Buck, Bridge To Life~~ Alicia Swearingen, Royal Gorge Vineyard Church

### 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 a change of the invocator under agenda section INVOCATION. 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 / May 23, 2023
2. Approval of Bills for \$4,976,286.42
3. Schedule Public Hearing: 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 6/13/2023 – 3:20

1. Staff / Elected Officials:
  - a. County Clerk's Monthly Report for April & May, Justin Grantham, County Clerk

**Clerk Grantham** gave the Clerk & Recorder's Monthly Reports for April and May, which can be found in their entirety at [www.fremontco.com](http://www.fremontco.com).

**Commissioner Bell** moved to accept the County Clerk's Monthly Reports for April and May. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

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

**County Manager Carochi** gave the County Manager Report, which can be found in its entirety at [www.fremontco.com](http://www.fremontco.com).

**Commissioner McFall** conveyed that the Director for Department of Transportation was open because Tony Adamic (current director) is retiring from the County.

**Commissioner Bell** – recognized and wished all fathers out there a Happy Father’s Day.

**Commissioner McFall** – Highlighted the upcoming fire danger. Then spoke about the recent weather with its potential drainage problems. He also mentioned that all ditch laterals and culverts on personal property need to be kept cleaned out. Update on covered pavilion at Pathfinder; on track to have that done before the Fair.

**Commissioner Grantham** – reiterated the previous comments from Commissioner Bell about fathers and wished fathers a Happy Father’s Day. He also showed his support for the Denver Nuggets. He shared his excitement with the fans and players who have waited for so long for a championship win.

**Clerk Grantham** – each precinct and commissioner district has been updated by the Elections Division. Shoutout to Jami Goff and her team for making those changes within 60 days. Check your voter registration at [www.govotecolorado.gov](http://www.govotecolorado.gov)

2. Citizens who wish to address the Commissioners on a matter not scheduled on the agenda:
  - [Ref. Fremont County BOCC Meeting 6/13/2023 – 14:33](#)
  - a. Tim Jordan – inquired about the IGA with Florence for water and asked if anyone from Florence city government had contacted the Commissioners about the previous meetings information that he had shed light on.

#### **OLD BUSINESS**

1. There was none.

#### **NEW BUSINESS**

[Ref. Fremont County BOCC Meeting 6/13/2023 – 18:50](#)

1. **Resolution #18** Extending the Moratorium on Enforcement of Certain Provisions of the Fremont County Zoning Resolution regarding Single-Wide Manufactured Homes for Fremont County, Colorado

**Director Victoria** – conveyed that Planning and Zoning is in the process of revising and consolidating the zoning code for the county. Seeing that the process won’t be done soon, he is requesting extending the moratorium.

**Commissioner McFall** – indicated that the extension is for single wide homes and allows the attainability of affordable housing and cheaper housing. This is the second extension.

**Attorney Jackson** said the first moratorium was adopted in 2021. She noted that the zoning code didn’t allow for singlewide manufactured homes, but allowed for stick-built houses to be built that had the same size.

**Commissioner Bell** moved to approve Resolution #18 Extending the Moratorium on Enforcement of Certain Zoning Codes for Manufactured homes. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

2. Resolution #19 Suspending the Fire Restrictions (Fire Ban) for Fremont County Pursuant to Ordinance #2012-1.

[Ref. Fremont County BOCC Meeting 6/13/2023 – 21:20](#)

**Commissioner McFall** explained that the County has been under fire restrictions for the last year, but the Sheriff feels comfortable discontinuing the fire restrictions due to the recent weather. He pointed out that fuels and lightning still pose a risk.

**Commissioner Bell** added that the suspension will be effective at 10:00 this morning.

**Commissioner McFall** moved to approve **Resolution #19** Suspending the Fire Restrictions (Fire Ban) for Fremont County Pursuant to Ordinance #2012-1. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

3. Fremont County Airport Land Lease Agreement with James Wick  
Representative: Wes Brandt

Ref. Fremont County BOCC Meeting 6/13/2023 – 24:10

**Airport Manager, Wes Brandt** explained that Hangar 26 was recently purchased by James Wick. He is requesting a new land lease for 30 years with an option to extend the lease for 5 years. A 30-year land lease would be more favorable for tenants.

**Attorney Jackson** – reminded the Board to terminate the existing lease with Bruce Claremont

**Commissioner Bell** – conveyed that the 30-year lease is standard.

**Commissioner Bell** moved to approve Fremont County Airport Land Lease Agreement with James Wick for 30 years. Commissioner McFall seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

4. Reconsideration of drainage plan requirements for  
MS 22-002 Bison Ridge Minor Subdivision  
Minor subdivision that will create a total of 2 lots  
Lot 1: 5.04 acres 219,542.4 square feet  
Lot 2: 4.5 acres 196,020 square feet  
The subject property is located in the Agricultural Rural Zone District, on 6<sup>th</sup> Street and G Street, in Penrose

Ref. Fremont County BOCC Meeting 6/13/2023 – 27:10

**Commissioner Grantham** – addressed items 4, 5, and 6 which have to do with drainage plan requirements. The discussion is about the drainage studies requirements. There were many discussions on Minor Subdivisions to find a path forward to deal with drainage regulations internally. The Board understands that some actions cannot be undone, but if there are ways the changes will help the Board hopes the changes will help.

**Commissioner Grantham** – continued with item #4 the Bison Ridge Minor Subdivision

**Commissioner Bell** – commented and thanked all who participated and had input on the drainage discussion. Any work completed already is not in vain and will eventually be required.

**Commissioner McFall** – verbiage needs to be fixed in regulations and processes and procedures will be updated in Planning and Zoning.

**Commissioner Bell** moved to reconsider the drainage plan requirements for MS 22-002 Bison Ridge Minor Subdivision to defer the drainage plan to the time of development. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

5. Reconsideration of drainage plan requirements for  
MS 23-001 Canon Farms Minor Subdivision  
Minor subdivision that will create a total of 2 lots  
Lot 1: 0.74 acres 32,234.4 square feet  
Lot 2: 13.87 acres 604,177.2 square feet

Ref. Fremont County BOCC Meeting 6/13/2023 – 32:25

The subject property is located in the Agricultural Suburban Zone District, on Adams Avenue, in Canon City.

**Commissioner McFall** moved to reconsider the drainage plan requirements for MS 22-002 Bison Ridge Minor Subdivision to defer the drainage plan to the time of development. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

6. Reconsideration of drainage plan requirements for MS 23-002 J & S HALL Minor Subdivision  
Minor subdivision that will create a total of 2 lots  
Lot 1: 4.77 acres 207,851.43 square fee  
Lot 2: 4.77 acres 207,790.00 square fee  
The subject property is located in the Agricultural Rural Zone District, located at 569 E Street, Penrose, Colorado

Ref. Fremont County BOCC Meeting 6/13/2023 – 33:05

**Commissioner Bell** moved to approve the deferral drainage plan until time of development for MS 23-002 J & S HALL Minor Subdivision. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

#### **PUBLIC HEARINGS**

Ref. Fremont County BOCC Meeting 6/13/2023 – 33:50

1. **ZC 23-001 YODER STORAGE SHEDS**  
Requesting approval for a Zone Change #2 with Final Development Plan that will change the zoning from Agricultural Rural to Industrial.  
Lot size: 4.51 acres. The subject property is located in the Agricultural Rural Zone District, on K Street & Highway 50, Penrose, CO.  
Consultant: Matt Koch- Cornerstone Land Surveying

**Commissioner Grantham** opened the public hearing at 10:03 a.m.

**Matt Koch** – thanked the Board for considering and making changes to the Minor Subdivision requirements, specifically about the time of the submission of the drainage plans.

**Mr. Koch** – continued with the public hearing and explained that his clients intend to construct a building to store storage sheds and the remainder of the property to display storage sheds for sale in the gravel parking lot. He mentioned that the property will be serviced by the Penrose Water District, a septic system will be installed, and the drainage plan has been approved by the county engineer. His clients are requesting a waiver of the landscaping, buffering and screening.

**Director Victoria** – gave the staff report including a waiver request for landscaping, buffering, and screening. The drainage plan was approved by the county engineer as submitted. Fremont County Department of Transportation approves. The Building Department said that although no soil analysis was submitted, the property should meet requirements based on review of other properties in the area. Colorado Department of Transportation conveyed that the property does not meet the requirements for access on US Highway 50. Planning and Zoning recommends approval and approves the waivers as listed.

**Commissioner Bell** – asked for clarification on how far the access is from US Highway 50 to entrance is 358 feet, correct?

**Mr. Koch** – responded saying it is 368 feet. from the highway to the entrance.

**Commissioner McFall** – asked what days the business will be open.

**Mr. Koch** – responded saying Monday thru Friday

**Commissioner Bell** – commented that this item before the Board is not a typical application. It rarely comes before the Board. It is a combination of a Zone change and a Final Development Plan.

**Mr. Koch** – clarified that the County has 3 options when it comes to Zone changes.

**Commissioner Grantham** – invited public to speak about the item of the public hearing. *No one approached to speak for the public hearing.*

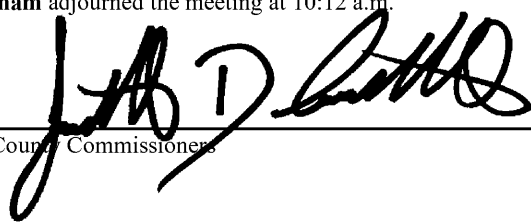
**Commissioner Grantham** closed the public hearing at 10:10 a.m.

**Commissioner Bell** – noted that the application process takes time and there is a lot of paperwork. The Board takes the opportunity to study each application before the meeting and comes to the meetings asking clarifying questions. She wanted to convey that the board doesn't just come to the meeting, ask a few questions, and make a decision. The board does a lot of studying for each application submitted to the board for approval.

**Commissioner McFall** – reiterated what Commissioner Bell said and added that the larger applications take time to study, and he appreciates the clean and thorough application.

**Commissioner McFall** moved to approve ZC 23-001 Yoder Storage Sheds with the waiver of the landscaping, buffering, and screening. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

**Commissioner Grantham** adjourned the meeting at 10:12 a.m.



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Clerk to the Board of County Commissioners

