

FIRST MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on January 10, 2023, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chair Debbie Bell called the meeting to order at 9:30 a.m.

Debbie Bell	Commissioner	Present
Kevin Grantham	Commissioner	Present
Dwayne McFall	Commissioner	Present
Justin Grantham	Clerk & Recorder	Present
Brenda Jackson	County Attorney	Present
Tammy Childs	Interim County Manager	Present
Daniel Victoria	Planning & Zoning Director	Present

PLEDGE OF ALLEGIANCE

Those present cited the Pledge of Allegiance to the flag of the United States of America.

APPROVAL OF AGENDA

Commissioner Grantham moved to approve the agenda including the removal of **Item 1) a. County Clerk's Monthly Report of Administrative & Informational**, and re-alphabetizing Item b. to a. Commissioner McFall seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

CONSENT AGENDA

1. Approval of Minutes / December 19, 2022, December 27, 2022
2. Approval of Bills for \$1,108,330.81
3. Ratification of Chairman's Signature on Employment Contract for 2023 for County Attorney, Interim County Manager, Interim Planning & Zoning Director, Director of Human Services, Assistant Attorney (DHS)
4. Resolution #1 for Special Review Use Permit for SRU 22-001 Arkansas Valley Ambulance District
5. Intergovernmental Agreement for Inmate Detention Services with Custer County and Fremont County Sheriff's Office
6. Schedule Public Hearing: None.

Commissioner McFall moved to approve the consent agenda, including assigning Resolution #1 to Item 4 of the Consent Agenda for SRU 22-001 Arkansas Valley Ambulance District. Commissioner Grantham seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Grantham, aye; Commissioner Bell, aye. The motion carried by unanimous consent.

ADMINISTRATIVE & INFORMATIONAL

Ref. Fremont County BOCC Meeting 1/10/2023 – 2:58

1. Staff / Elected Officials:
 - a. ~~County Clerk's Monthly Report~~
 - a. County Manager Report, Tammy Childs, Interim County Manager

Interim County Manager, Tammy Childs gave the County Manager Report, which can be found in its entirety at www.fremontco.com.

Commissioner McFall informed the public that the County is moving forward with the construction of the covered pavilion at Pathfinder Park. He wished everyone a Happy New Year and reminded the community about fire restrictions.

Commissioner Grantham congratulated the elected officials for having been sworn in. He relayed that the Legislature is back in session as of yesterday and that the Board anticipates there will be a lot of new legislation that may negatively affect the community. He stressed that the Board will continue to inform the public of this legislation.

Clerk Grantham reminded the public of the implementation of the State Parks Pass fees. He explained that they will be allocated to all vehicles including light trucks and stressed that those registering or renewing vehicles must clarify that you do not want it. Clerk Grantham also notified the public that both January and February postcards were sent out last week.

Commissioner Bell announced that Interim Planning & Zoning Director Dan Victoria was elevated to Planning & Zoning Director then congratulated Director Victoria.

Director Victoria thanked the Board.

Commissioner Bell announced that Director of Fremont County Department of Human Services Tony Carochi is taking on the role of County Manager. She thanked Tammy Childs for her work as Interim County Manager.

County Manager Carochi approached the Board and expressed his excitement to serve in the capacity of County Manager. He also thanked Tammy Childs for her great work.

Commissioner Bell described the community's support in accepting Carochi for the County Manager position.

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

Doug Koehn spoke on behalf of Four Mile Community Club. He explained that the School District has decided to sell the Four Mile Community School and the surrounding land, except a portion of land owned by the Community Club. They are requesting ARPA funds or other funds from Fremont County to help pay for a portion of the expense for the Club to buy the obtainable property from the School District. He said it would allow the club to continue to provide a venue for different events, then read a proclamation by a former mayor of Canon City.

Commissioner Grantham asked whether the property has been formally listed.

Mr. Koehn said it has not been.

Commissioner Grantham asked about the price of the property.

Mr. Koehn said it was previously expected to be listed at \$221,000 and added that the School District wants to offer them a deal.

Commissioner Bell thanked Mr. Koehn and told him that the Board would take his request under advisement.

OLD BUSINESS

1. There was none.

NEW BUSINESS

Ref. Fremont County BOCC Meeting 1/10/2023 – 17:08

1. Organization of the Board of County Commissioners

Commissioner Bell moved to elect Commissioner Grantham as Chairman of the Board of County Commissioners. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Commissioner Bell moved to elect Commissioner McFall as Chairman Pro Tem of the Board of County Commissioners. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

2. Appointment of County Attorney

Commissioner Grantham considered it a privilege to work with Attorney Brenda Jackson.

Commissioner McFall attested to Attorney Jackson's amazing knowledge.

Commissioner Bell also expressed gratitude for Attorney Jackson's institutional knowledge and ability to evade conflict.

Richard Mandell approached the Board and imparted his feeling privileged to practice with Brenda when she had private practice. He said she is his go-to for any problems then congratulated her.

Commissioner Grantham expounded on the extent that the County depends on those who possess institutional knowledge.

Commissioner McFall moved to appoint Brenda Jackson as the Fremont County Attorney. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

3. Resolution No. 2 Designating and Approving Official Depositories for Fremont County for 2023

Commissioner Bell said Fremont County Treasurer Kathy Elliot recommends the Sunflower Bank of Canon City, Colorado Surplus Asset Fund Trust, Colo Trust, and Bank of the San Juans Division of Glacier Bank for Fremont County's Official Depositories.

Commissioner Bell moved to approve Resolution #2 Designating and Approving the Sunflower Bank of Canon City, Colorado Surplus Asset Fund Trust, Colo Trust, and Bank of the San Juans Division of Glacier Bank as the Official Depositories for Fremont County for 2023. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

4. Resolution No. 3 Designating Schedule for Regular Meeting for the Fremont County Board of Commissioners

Commissioner McFall moved to approve Resolution #3 Designating the 2nd and 4th Tuesdays of each month commencing at 9:30 a.m. to conduct regular business. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

5. Resolution No. 4 Designating Official Newspaper for Fremont County

Commissioner Bell clarified a whereas clause within the resolution referring to the Canon City Daily Record being the one legal publication 6 days per week in Fremont County.

Commissioner McFall expressed the value of having a newspaper 6 days per week to publish urgent notices.

Commissioner Bell moved to approve Resolution #4 Designating the Canon City Daily Record as the Official Newspaper for Fremont County. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

6. Resolution No. 5 Designating Official Posting Place for Notice of Public Meetings for the Fremont County Board of Commissioners

Commissioner McFall moved to approve Resolution #5 Designating the Official Posting Places for Notice of Public Meetings for the Fremont County Board of Commissioners as follows: Fremontco.com, the bulletin board outside the office of the Fremont County Board of Commissioners, and the bulletin board at the main south entrance of the Fremont County Administration Building. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Commissioner Bell pointed out that notices for public meetings are also informally posted on social media.

7. Resolution No. 6 Appointing John E. Kratz as the Fremont County Surveyor

Commissioner Bell told the public that John E. Kratz agreed to continue acting as County Surveyor.

Attorney Jackson said he will get sworn in at 3:30 p.m. this day.

Commissioner Bell moved to approve Resolution #6 Appointing John E. Kratz as the Fremont County Surveyor. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

8. DKRB LLC dba Sugarbush Campground & Liquor Store is requesting a Tasting Permit for their Liquor Retail Store at 9229 Hwy 50 Howard, CO 81233.
Representative: Dara Kort

Dara Kort explained that they are requesting a Tasting Permit so the store can hold tastings one Saturday per month from 12:00 p.m. to 4:00 p.m. She said the person working the store will conduct the tastings.

Assistant Clerk to the Board, Talia Smith gave the staff report and noted that, if approved, the business must renew this permit at the time of their liquor license renewal.

Ms. Kort pointed out that the license expiration is in July.

Assistant Smith clarified that the due date mentioned in June is the 45-day guideline.

Commissioner Bell added that DKRB LLC submitted a proof of posting for this hearing. She pointed out that Ms. Kort is TIPS Certified and asked about other potential servers.

Mrs. Kort replied that the four other employees are TIPS Certified.

Commissioner Grantham invited public comment. None approached.

Commissioner McFall moved to approve the issuance of a Tasting Permit for DKRB LLC dba Sugarbush Campground & Liquor Store, a retail liquor store at 9229 Hwy 50 Howard, CO 81233. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

PUBLIC HEARINGS

Ref. Fremont County BOCC Meeting 1/10/2023 – 33:30

1. Florence Fire Protection District modification of Statement of Purposes
Representative: Bill Ritter, or designee

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

Rich Hilderbrand explained that the need for a modification came about because of the mill levy increase passed November 2021. He said they have been improving EMS services through the district, but the statement needed to be modified with the addition of the EMS, amongst other changes. He thanked County staff for funding and support.

Commissioner Bell thanked Mr. Hilderbrand for his hard work on the mill levy increase.

Mr. Hilderbrand thanked Commissioner Bell and the community for their vote.

Commissioner Grantham invited those from the public who would like to speak on the matter. None approached.

Commissioner Grantham closed the public hearing at 10:08 a.m. with no public input.

Commissioner Bell moved to approve the Florence Fire Protection District modification of Statement of Purposes. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Commissioner Grantham thanked Commissioner Bell for her work as Chair and gave her an honorary gavel-plaque for her work as Chair in 2022 and during the Covid-years.

NEW BUSINESS CONTINUED

Ref. Fremont County BOCC Meeting 1/10/2023 – 41:05

9. SRU 05-007 Transfer of Fremont County Special Review Use Permit for Alpine Disposal Inc. to acquire the assets of Howard Disposal Services, LLC and its solid waste management business. As part of the transaction Alpine Disposal, Inc. will purchase the property at the Fawn Hollow Transfer Station, 645 McDaniel Blvd., Canon City, CO
Representative: Ken Atencio

Ken Atencio explained that Alpine Disposal is purchasing Howard Disposal and wants to transfer the SRU Permit to continue to provide services to the County.

Commissioner Bell asked if they anticipate any changes to their services.

Mr. Atencio said they are not.

Commissioner McFall asked about the status of the recycling service.

Mr. Atencio responded that they would like to continue to expand the recycling services.

Director Victoria reported that the business is comfortable moving on with the existing terms.

Commissioner Bell noted that the item is for SRU 05-007.

Commissioner McFall moved to approve SRU 05-007 Transfer of Fremont County Special Review Use Permit for Alpine Disposal Inc. to acquire the assets of Howard Disposal Services, LLC and its solid waste management business. As part of the transaction Alpine Disposal, Inc. will purchase the property at the Fawn Hollow Transfer Station, 645 McDaniel Blvd., Canon City, CO, contingent upon the real estate closing effective January 18, 2023. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

10. Airport Courtesy Vehicle Application for Automobile Liability Insurance
Representative: Wes Brandt, Airport Manager

Wes Brandt spoke about the request to use a spare airport pick-up truck as a courtesy vehicle for the Fremont County Airport, a common service at rural airports. He explained that county vehicle insurance doesn't cover a courtesy vehicle, so it would require a separate policy; the quote being \$1,967.

Commissioner McFall conveyed that this topic has been discussed since he took office.

Commissioner Bell said it's been talked about longer than that.

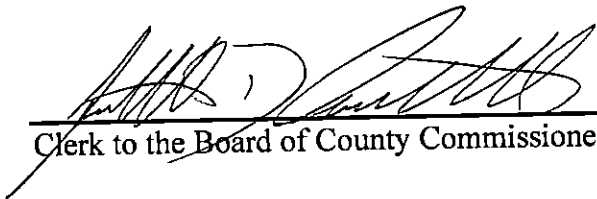
Commissioner Bell moved to approve the Airport Courtesy Vehicle Application for Automobile Liability Insurance. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

11. Appointment of new member to the Penrose Community Library Board of Trustees with a term expiring December 31, 2026

Commissioner McFall said Carolyn Armstrong was recommended to be a member of the Board by the Penrose Community Library Board.

Commissioner McFall moved to appoint Carolyn Armstrong to the Penrose Community Library Board of Trustees with a term expiring December 31, 2026. 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 10:17 a.m.


Clerk to the Board of County Commissioners



RESOLUTION NO. 1, SERIES OF 2023

A RESOLUTION APPROVING THE
OCTOBER 18, 2022 STATEMENT OF PURPOSES OF THE
FLORENCE FIRE PROTECTION DISTRICT

WHEREAS, On October 18, 2022, the Florence Fire Protection District, a Colorado special district under Title 32, C.R.S., filed a revised Statement of Purposes for the district with the county clerk and recorder for Fremont County, a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, at the November 22, 2022 regular meeting of the Board of County Commissioners for Fremont County, a public hearing on the revised Statement of Purposes was scheduled for January 10, 2023; and

WHEREAS, on November 24, 2022, notice of the public hearing was published in the *Canon City Daily Record*, the official newspaper for Fremont County, (see Exhibit B, affidavit of publication, attached hereto and incorporated herein by reference); and

WHEREAS, on December 8, 2022, notice of the public hearing was also published in the *Florence Reporter*; and

WHEREAS, the Florence Fire Protection District has provided such additional notice as it deems appropriate; and

WHEREAS, the public hearing, open to the public, on the revised Statement of Purposes was held on January 10, 2023, at which time interested persons had the opportunity to appear and present testimony and evidence relevant to the revised Statement of Purposes, in accordance with §32-1-204, C.R.S.; and

WHEREAS, the Board of Commissioners has considered all testimony or evidence which in the discretion of the board, is relevant to the revised Statement of Purposes for the Florence Fire Protection District; and

WHEREAS, the Board of Commissioners accepted written comments into the public hearing record if submitted prior to the public hearing and provided the opportunity at the public hearing to all interested persons and others with relevant information, to present comments, testimony or evidence.




NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR FREMONT COUNTY AS FOLLOWS:

The Board of Commissioners finds that based on the October 18, 2022, revised Statement of Purposes, satisfactory evidence presented at the public hearing by the petitioners and interested parties that:

- a. There is sufficient existing and projected need for the addition of emergency medical services (EMS) in the area serviced by the Florence Fire Protection District;
- b. The voters of the District approved the addition and funding of EMS at the November, 2021, election in the area served by the Florence Fire Protection District, a clear indication that adequate EMS was unavailable for present and projected needs;
- c. The Florence Fire Protection District is capable of providing economical and sufficient EMS service to the area within its boundaries;
- d. No additional indebtedness is proposed regarding the addition of EMS to the Statement of Purposes for the Florence Fire Protection District.

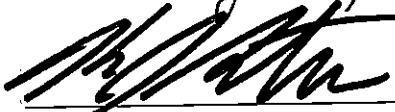
BE IT FURTHER RESOLVED that the Board of Commissioners for the County of Fremont hereby approves the October 18, 2022 revised Statement of Purposes as submitted, without condition or modification, seeking the addition of EMS to the Florence Fire Protection District, a Colorado special district.

Commissioner McFall moved the adoption of the foregoing Resolution with a second by Commissioner Bell.

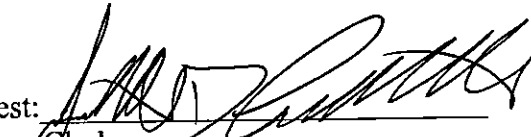
Debbie Bell		Nay	Absent	Abstain
Kevin J. Grantham		Nay	Absent	Abstain
Dwayne McFall		Nay	Absent	Abstain

The Resolution was declared to be duly adopted.

Date: January 10th, 2023



 Chairman

Attest: 

 Clerk



EXHIBIT A

October 18, 2022

Board of County Commissioners
Fremont County
615 Macon Ave.
Canon City, CO 81212

Dear Commissioners:

The Florence Fire Protection District (FFPD) has added Emergency Medical Services (EMS) to the previously provided emergency responses for fire protection within the district. This addition is in response to the 10 Mill Levy passed by District voters in November of 2021. This is a major change in the purposes of the FFPD and requires modification to the Statement of Purposes describing the functions of the District.

A new Statement of Purposes has been developed by the Board and reviewed by the law firm that represents the District and is submitted to you, the County Commissioners, under this cover letter for your action. One original with 3 copies is submitted for your purposes. Please contact Richard Hilderbrand (719-359-6725, rhilder7399@aol.com) or William Simmons (719-947-5940, ffpd.bsimmmons@gmail.com) for additional information or questions.

Thank you for your assistance in this matter and for previous financial support for the additional emergency response capabilities.

Respectfully submitted,



William E. Simmons,
President, FFPD

FLORENCE FIRE PROTECTION DISTRICT

300 West Main St. • Florence, Colorado 81226-0367

STATEMENT OF PURPOSES

FLORENCE FIRE PROTECTION DISTRICT

In accordance with Section 32-1-208 of the Colorado Revised Statutes ("C.R.S.") this document and attached exhibits shall constitute the Statement of Purposes of the Florence Fire Protection District, a political subdivision of the State of Colorado.

1. INTRODUCTION.

This Statement of Purposes represents the services and protections provided by the Florence Fire Protection District (the "District") to be located within Fremont County, Colorado. The District is an independent unit of local government, separate and distinct from Fremont County and may choose to do business and provide services as "FFPD" or other similar designation.

- a. This Statement of Purposes is prepared in accordance with Article 1, Title 32, C.R.S. (the "Special District Act") and will be submitted to the Fremont County Board of Commissioners for review and approval. The descriptions herein provide the basis for planning, operation, financial management and emergency responses of the District and have been designed with sufficient flexibility to enable the District to provide required services and facilities under evolving circumstances, without the need for numerous amendments. Any material modifications of this Statement of Purpose shall be interpreted in accordance with Section 32-1207, C.R.S.
- b. The reasonableness of the assumptions in this Statement of Purpose and the information in this Statement of Purpose have been discussed in detail with the current volunteers, staff, Officers and District Board.
- c. The District was organized in 1953 pursuant to "An Act of the Thirty-seventh Session of the General Assembly, being Chapter 164, Colorado Session Laws 1949", to supply protection against fire by any available means, through the exercise of all powers and authority granted to Colorado fire protection districts under said Act, as may be amended, which, as amended, includes the powers and authority granted under C.R.S. § 32-1-101 *et seq.* ("Special District Act"). The authority includes the common powers delineated in C.R.S. § 32-1-1001 and the additional powers and authority granted fire protection districts under C.R.S. § 32-1-1002, and all powers and authority granted under federal, state or local constitutional, statutory, regulatory or common law (including all inherent/implied powers and authority), as may be modified or established from time to time (collectively, "Applicable Law").

- d. Emergency Medical Service (EMS) was initiated January 1, 2022 under the auspices of the District as an additional service. These additional services were added with the knowledge of other agencies directly and indirectly involved with EMS, and individuals actively involved in the efforts to form the EMS. The additional service shall be subject to the provisions of the Colorado Emergency Medical Services Act (C.R.S. § 25-3.5-601). This Statement of Purposes is in compliance with the County and Municipal master plans in the Service Area.
- e. The District will continue to participate in Mutual Aid Agreements, Inter-governmental Agreements and community assistance activities as is possible and in accordance with Applicable Law.

2. DISTRICT BOUNDARIES AND SERVICE AREA.

A map of the current jurisdictional Fire Protection District Boundaries is attached hereto as **Exhibit A**. The Service Area includes approximately 249 square miles and covers the incorporated areas of Florence, Rockvale, Williamsburg, and Coal Creek and the unincorporated area of Penrose. The District serves a population of approximately 10,000 residents 21% of whom are over the age of 65, nearly double the State of Colorado (the "State") average. Considering this population and the fact that approximately 9.1 % of the Service Area's population lives in poverty, the services provided are of extreme importance.

3. SERVICES PROVIDED OR TO BE PROVIDED FOR FIRE SERVICES.

- a. The District was organized to provide, and currently provides, fire suppression and related support services for many types of accidents, wildland fire, and structural fires. The services include suppression, investigation, fire prevention and public education services, first responder emergency rescue and extrication, and hazardous materials spill mitigation (collectively, "**Emergency Services**") to the citizens and property within its jurisdiction, to individuals passing through its jurisdiction, and to citizens and property outside its jurisdiction to the extent authorized by Applicable Law. The fire services include assistance to EMS providers when needed. At the time of organization, the term "Emergency Services" did not include provision of EMT, paramedic or ambulance transport services.
- b. The Fire Protection District Board of Directors (**District Board**) shall, in its sole discretion, determine the scope and level of Emergency Services to be provided, and the method by which the Emergency Services will be provided, based upon such factors as (a) current and projected general economic conditions; (b) Emergency Services technology and best practices; and (c) the District's current and projected: (i) financial condition and budgetary constraints; (ii) Emergency Services area, both within and outside the District's jurisdictional boundaries; (iii) capital and workforce resources; and (iv) Emergency Services demands.
- c. The District Board also may consider such other factors as it deems appropriate. All of the Emergency Services as herein defined constitute the same "type" of public services and the District Board's decision to increase, modify or terminate some aspect of the Emergency Services it provides shall not constitute a material modification of this Statement of Purposes within the meaning of C.R.S. § 32-1-

207, as may be amended from time to time. The District may in the future become authorized to provide additional service by Applicable Law and by a District Board decision that the service is in the best interests of the District and its constituents.

- d. The District plans to add a limited number of full-time paid staff to support daytime operations of the Fire Service. Volunteers will continue to be a vital part and the major provider of Fire Service response. The paid staff and volunteers will be provided training to departmental standards, equipment, supplies, reimbursement for personal expenses, and retirement.

4. SERVICES PROVIDED OR TO BE PROVIDED FOR EMS.

- a. Effective January 1, 2022, the District established Emergency Medical Service (EMS) as an additional service. The EMS is provided under the authority of the District and, as a result, the boundaries for EMS are the same as the Service Area of the fire protection services. Prior to the establishment of the EMS within the District, that service had been provided by 501c3 volunteer organizations, known as Florence Volunteer Fire Department and Penrose Volunteer Fire Department and, when available, service from a commercial ambulance service operating in the community.
- b. The EMS was established with the intent of providing emergency medical care and transport to the people within the District and to surrounding rural areas when possible and as provided by law. The transition from the all-volunteer 501c3 organization is complete and the services are now being provided by FFPD EMS units.
- c. As a result of the loss of volunteers for the previous all-volunteer ambulance service and the suspension of ambulance service in the Penrose area, the community recognized the need for a paid EMS and passed a mill levy increase in November of 2021 to ensure funding for the necessary ambulance services to this community. The transition from volunteers to the District EMS must be, and has been, smooth and without interruption of services and with provision of appropriate response times and a high standard of care that is expected by the community.
- d. The District's financial projection plan for EMS reflects maintaining a balanced and sustainable budget, including an allowance for a capital replacement plan for equipment and ambulances, and the expansion of service as needed.
- e. The plan projects a full-time paid EMT or paramedic staff at both the Florence Station and the Penrose Station, backed by volunteers and part-time paid staff to fill time when full time crews are not available or require time off. The volunteers will continue to be an essential component of the EMS and will be provided up-to-date equipment, supplies, reimbursement for personal expenses and retirement. Volunteers used as drivers or patient care assistants must be CPR and EMR qualified. Additional training will be to departmental standards.

5. **FINANCIAL PLAN.**

- a. The Financial Plan includes revenue projections, which, like all other financial information contained therein, are based on reliable historical records and projected mill levy revenue. The District's tax base is expected to be stable with a growing residential and business community. If unforeseen changes result in financial shortfalls, the District Board will have to consider raising its service fees or making adjustments to services. The Financial Plan sets forth reasonably estimated projections, but such projections shall not serve as limitations on the District's financial capabilities or activities.
- b. District Revenues are provided by a pre-existing mill levy for the District, an additional mill levy passed by voters in November of 2021 for both fire and EMS, the District's share of Fremont County specific ownership taxes, and direct billing of insurance companies and Medicare and Medicaid for services provided. The initial increase in the mill levy of 10 mills is reasonable for the District taxpayers as it will impose an additional annual tax of about \$72 for every \$100,000 of residential property value. The tax levy is expected to ensure the District has the flexibility to allow for a dynamic economic environment without placing too large a burden on the taxpayers. In addition, the District may apply for grants and shall have all the revenue raising authorities as provided in the Special District Act.
- c. Residents and property owners of the District will be exempt from paying deductibles or cost shares of EMS when appropriate and legal. In 2021, the volunteers responded to 1008 calls; of those calls, approximately 690 were billable. Most private insurance companies, Medicare, and Medicaid set limits for reimbursement for volunteer ambulance service, causing the volunteers to write off a large percentage of its billing. Medicare and Medicaid billing and reimbursements are a substantial, yet potentially unreliable, source of revenue going forward. The formation of the paid EMS in the District will improve the reimbursement rate from Medicare and Medicaid.
- d. The District will not assume any debt of the 501c3 organization as a result of the transition to the paid EMS and augmentation of fire services; however, the District may seek voter approval to issue general obligation debt in accordance with TABOR and other applicable State laws, if deemed necessary, in the future, by the District Board. The interest rate on any debt is expected to be the market rate at the time such debt is issued. Debt, if and when issued, will comply with all relevant requirements of this Statement of Purposes and Applicable Laws.

6. **FACILITIES PROVIDED OR TO BE PROVIDED BY THE DISTRICT.**

The District shall have the full power and authority granted by Applicable Law, including without limitation, C.R.S. §§ 32-1-401 & 501, *et seq.*, to include within its jurisdiction, or to exclude from its jurisdiction, such real property and improvements thereon as the District Board determines to be in the best interests of the District, the District's constituents, the real property and improvements to be included or excluded, and the real property's owner(s). The use of real property currently owned by the District eliminates the need for purchase or development of new property as a result of the addition of EMS.

The District currently maintains facilities, with associated buildings, structures and improvements, at the following addresses within its boundaries.

- a. FFPD Station 1
300 W Main
Florence, CO 81226
- b. FFPD Station 2
207 Broadway
Penrose, CO 81240
- c. FFPD Station 3
510 Railroad
Rockvale, CO 81244
- d. The District has purchased land in a location central to the towns of Coal Creek, Williamsburg, and Rockvale to replace the aging Rockvale Station. The land is incorporated into Rockvale and will access utilities through local communities and providers. FFPD Station 3 will continue service to the Coal Creek, Williamsburg, and Rockvale communities as they have for past decades. The new building will contain the fire apparatus and provide administrative and storage space for the southern area of the District. The District received a significant gift to cover much of the cost of this development and completion is expected in July of 2023.

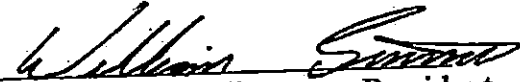
7. CONCLUSION.


The FFPD has served the community as an all-volunteer Special District with efficacy and passion for decades. It has evolved with the community to become not just a Fire District but a vital part of the fire and emergency medical response system within the district boundaries. Both fire protection services and ambulance EMS are essential parts of a modern and growing community. The continuation of Fire and the establishment of EMS are the only responsible and sustainable path to provide quality emergency services to a large, rural district.

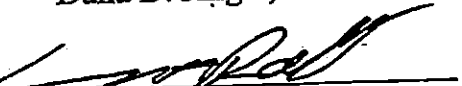
It is in the best interest of the area being served to have financially stable, capable emergency services that can serve the residents with professionalism and compassion. The community has recognized that financial responsibility for this service should be assumed by the residents and property owners within the special district by the passage of the mill levy to provide augmentation of fire protection and full-time EMS.

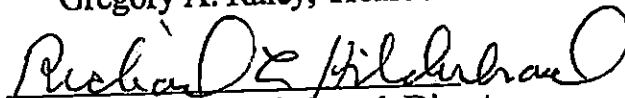
ADOPTED this 18th day of October 2022.

BOARD OF DIRECTORS
FLORENCE FIRE PROTECTION DISTRICT

By: 
William E. Simmons, President

By: 
Dana D. Angel, Vice-President

By: 
Gregory A. Raley, Treasurer

By: 
Richard L. Hilderbrand, Director

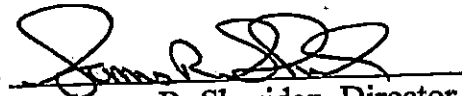
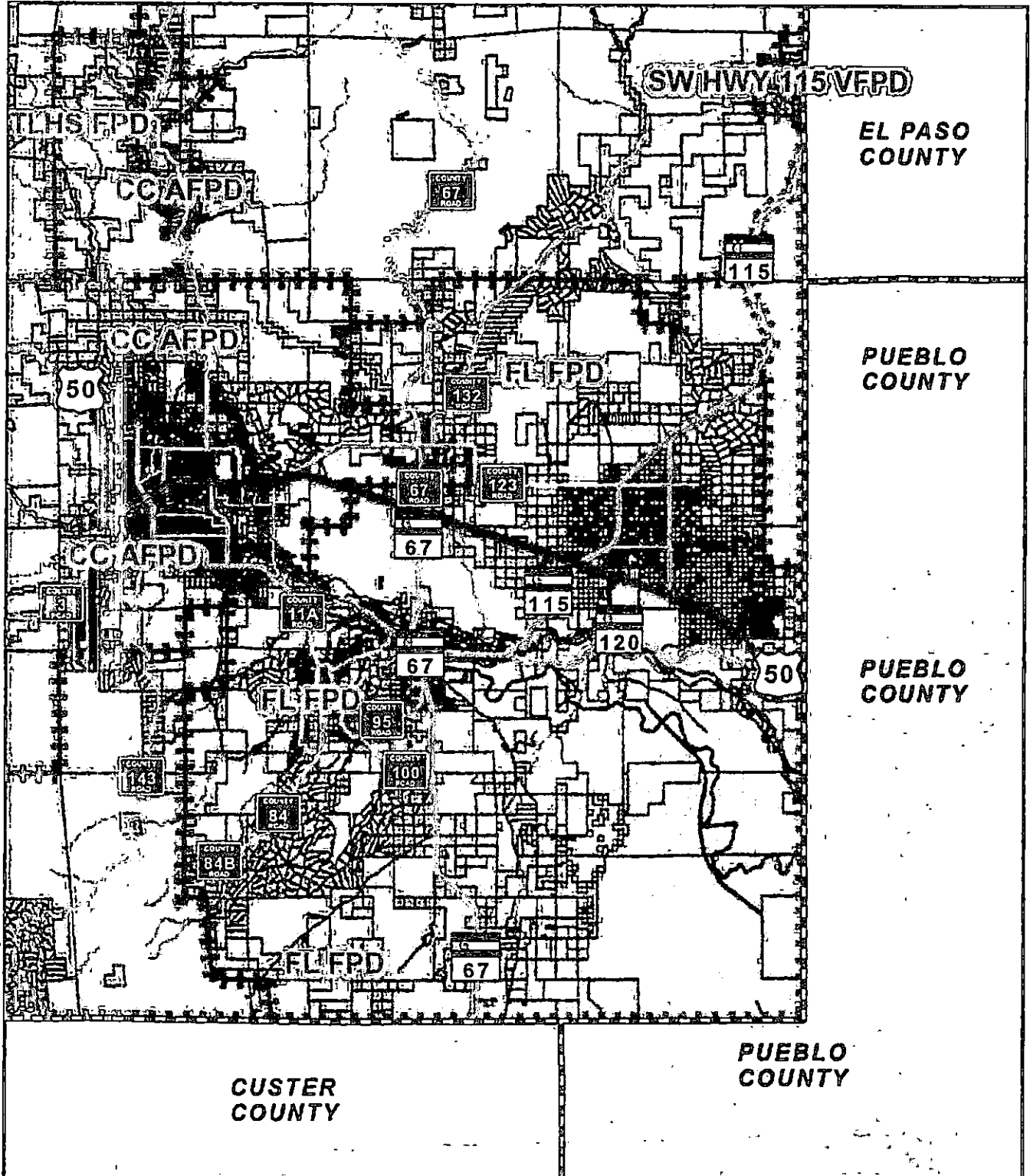
By: 
James R. Sheridan, Director

EXHIBIT A

Map of District Boundaries



**NOTICE OF PUBLIC HEARING
FLORENCE FIRE PROTECTION DISTRICT STATEMENT OF
PURPOSES**

Notice is hereby given by the Board of County Commissioners for Fremont County that the Florence Fire Protection District has presented to the Board of County Commissioners a modified and new Statement of Purposes which includes the addition of emergency medical services. In accordance with §32-1-207, C.R.S. A public hearing is scheduled for TUESDAY, JANUARY 10, 2023 at 10:00 a.m., at which time the proposed new Statement of Purposes will be considered. The meeting will be held in Room LL-1 of the Fremont County Administration Building, 615 Macon Ave., Cañon City, Colorado 81212.

The proposed Statement of Purposes is available for inspection by the public at the Office of the Fremont County Commissioners, Room 105, Fremont County Administration Building, 615 Macon Avenue, Cañon City, Colorado 81212.

Date: November 21, 2022
Fremont County Board of County Commissioners

Published: Canon City Daily Record November 24, 2022-1937577

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

**County of Fremont
State of Colorado**

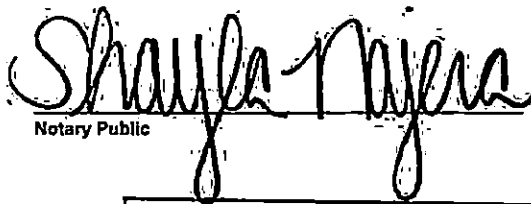
The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Canon City Daily Record*.
2. The *Canon City Daily Record* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Fremont County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Canon City Daily Record* in Fremont County on the following date(s):

Nov 24, 2022


Signature

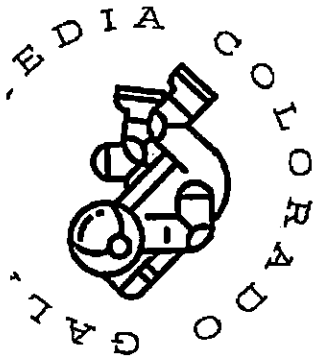
Subscribed and sworn to me before me this
25th day of November 2022


Notary Public

(SEAL)

**SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES July 31, 2025**

Account: 1111477
Ad Number: 1937577
Fee: \$21.12



NOTICE OF PUBLIC HEARING FLORENCE FIRE PROTECTION DISTRICT STATEMENT OF PURPOSES

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Date: November 21, 2022
Fremont County Board of County Commissioners
Date of Publication: December 8, 2022



ANNUAL SUBSCRIPTION \$28

Printed and Distributed by Subscription

Minutes of the previous two meetings were ready for approval by council, but before the October 17 document was approved, Councilmember Debbie Gibson asked that all of the comments made by Julianne Smith be summarized in the minutes. Smith, who spoke during citizen comments at the October 17 meeting is the paralegal for Florence attorney Brock Miller, who was in consideration for the city attorney job in the early stages of the search.

Smith's comments were addressed specifically to Councilmember Johanna Nabors due to a statement Nabors made to the *Canon City Daily Record* in October. It was printed in the Oct. 5, 2022, edition, and read, "Nabors cited that Miller's paralegal possessed questionable items on her initial background check."

In a long statement, Smith asked Nabors to tell her what was found in the background check, and then did not allow Nabors to comment, and answered it herself. Smith admitted that she "made a mistake" ten and a half years ago when handling money for the Florence Husky Youth Baseball League, of which she was president. She said she has never tried to hide it, and has learned from the experience.

[Note: A story in the Feb. 18, 2014, Daily Record reported that \$6,675.53 of Florence Husky Youth Baseball League funds were withdrawn in multiple transactions by Smith for her personal use. In other articles covering the incident, it was reported the initial charge was felony theft and was plea bargained down to a misdemeanor.]

The minutes did not mention the incident, but did record a list of accolades that Smith said are in her background. Concluding her remarks, Smith attempted to discredit the

initiated by Nabors, in regard to council considering an option of hiring a local attorney or firm solely to prosecute cases in municipal court, in order to save the city paying for drive time from Denver for the newly hired firm. Nabors referred to a letter that Interim City Manager Tom Piltingsrud sent to selected local attorneys for the purpose of gauging their interest. She expressed discomfort with the letter being sent out at all, because council did not have knowledge that it was being sent. She said, "every part of the hiring process of the city attorneys should be a majority vote of the entire council."

In this case, she said, there was no vote at all. She said she would not have approved the letter going out to attorney Brock Miller [due to his paralegal Julianne Smith, mentioned above.]

Piltingsrud replied, "there was a motion last time to separate the prosecuting attorneys," to which Nabors agreed. She reiterated that the letter should not have been sent without approval of council and it should specifically have not been sent to Miller's firm.

Piltingsrud said that no one is suggesting that Miller be hired. Council discussion followed with the gist being, if a letter is being sent to all local attorneys, the city cannot discriminate against Miller. Nabors pointed out that not every attorney in Florence and Canon City was mailed the letter.

Mayor Paul Villagrana said he is OK with Piltingsrud sending the letter out. He said the city needs a prosecuting attorney now, because "the city is getting way behind in the court, and we needed action." He praised Piltingsrud by saying, "Tom took initiative, and I agree that he should have taken initiative," and, "I feel very comfortable that it was done correctly."

RESOLUTION NO. 2, SERIES OF 2023

RESOLUTION DESIGNATING AND APPROVING OFFICIAL DEPOSITORIES FOR
FREMONT COUNTY, COLORADO IN 2023

WHEREAS, the Fremont County Board of County Commissioners is required by C.R.S. §30-10-708 to designate and approve, by written resolution, all depositories for Fremont County funds; and

WHEREAS, Kathy Elliott, the Fremont County Treasurer has submitted a recommendation for designation and approval of depositories for Fremont County funds, based upon the Fremont County Treasurer's investment policy, a copy of which is available for review in the Fremont County Treasurer's Office; and

WHEREAS, it appears to the Board of County Commissioners the depositories recommended by the Treasurer are appropriate for the investment of County funds and that each of the depositories meet the requirements of the provisions of C.R.S. §30-10-708 and of article 47 of title 11, C.R.S. and part 6, article 75, title 24, C.R.S.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR FREMONT COUNTY, that the following depositories are hereby approved and designated as the official depositories for Fremont County funds:

1. SUNFLOWER BANK OF CAÑON CITY
2. COLORADO SURPLUS ASSET FUND TRUST (CSAFE)
3. COLOTRUST
4. BANK OF THE SAN JUANS/GLACIER BANK

BE IT FURTHER RESOLVED, that the Fremont County Treasurer is hereby authorized to use these designated depositories for the deposit and investment of the funds of Fremont County, and is authorized to invest all or any part of the funds and moneys in securities meeting the investment requirements established in part 6 of article 75 of title 24, C.R.S.

Commissioner Bell moved for adoption of this Resolution, with a second by Commissioner McFall. The roll call vote of the Board was as follows:

Debbie Bell	<input checked="" type="radio"/> Aye	Nay	Absent	Abstain
Kevin J. Grantham	<input checked="" type="radio"/> Aye	Nay	Absent	Abstain
Dwayne McFall	<input checked="" type="radio"/> Aye	Nay	Absent	Abstain

Date: January 10th, 2023

[Signature]
Chairman

ATTEST:

[Signature]
Clerk to the Board



RESOLUTION NO. 3, SERIES OF 2023

RESOLUTION DESIGNATING SCHEDULE FOR REGULAR MEETINGS FOR THE
FREMONT COUNTY, COLORADO, BOARD OF COUNTY COMMISSIONERS

WHEREAS, the Fremont County Board of County Commissioners is required by C.R.S. §30-10-303 to designate and publish a schedule for regular meetings of the Board; and

WHEREAS, the Board currently meets on the second and fourth Tuesdays of each month, commencing at 9:30 a.m. to conduct the regular business of Fremont County and finds that such schedule is widely known and accepted to the members of the public in Fremont County.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Fremont County hereby designates the second and fourth Tuesdays at 9:30 a.m. as the time for regular meetings of the Board of County Commissioners for Fremont County. All regular meetings shall be held in Cañon City, the county seat, and at the Fremont County Administration Building, 615 Macon Ave., Room LL3, Cañon City, CO 81212, unless otherwise previously publicized. The designation of the regular meeting schedule shall in no manner affect the ability of the Board of Commissioners to schedule and hold special or emergency meetings, as deemed necessary for best serving the public interest.

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

Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Kevin J. Grantham	<u>Aye</u>	Nay	Absent	Abstain
Dwayne McFall	<u>Aye</u>	Nay	Absent	Abstain

Date: January 10th, 2023

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: [Signature]
Chairman

By: [Signature]
Clerk to the Board



RESOLUTION NO. 4, SERIES OF 2023

RESOLUTION DESIGNATING OFFICIAL NEWSPAPER
FOR FREMONT COUNTY, COLORADO

WHEREAS, the Fremont County Board of County Commissioners is required by section C.R.S. §24-70-103, to publish in a "legal newspaper" all legal notices, publication of ordinances and regulations, and announcement of requests for bids, as well as other official County publications; and

WHEREAS, one legal publication or newspaper currently exists in Fremont County, as defined in C.R.S. §24-70-102, that being the *Cañon City Daily Record* (six day-a-week publication); and

WHEREAS, the Board finds that a daily newspaper is well-equipped to provide public notice of official actions such as special meetings, public hearings, and unexpected events on short notice, which is essential for effective notice to the public; and

WHEREAS, the Board is authorized, without official designation, to publish notices in any other publication in the County to provide additional or supplemental notice to the public, if deemed appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for Fremont County hereby designates the *Cañon City Daily Record* as the official newspaper for Fremont County official publications.

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

Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Kevin J. Grantham	<u>Aye</u>	Nay	Absent	Abstain
Dwayne McFall	<u>Aye</u>	Nay	Absent	Abstain

Date: January 10th, 2023

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: [Signature]
Chairman

By: [Signature]
Clerk to the Board



RESOLUTION NO. 5, SERIES OF 2023

**RESOLUTION DESIGNATING OFFICIAL POSTING PLACE FOR
NOTICE OF PUBLIC MEETINGS FOR THE FREMONT COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

WHEREAS, the Fremont County Board of County Commissioners is required by C.R.S. §24-6-402 to designate a public place for posting notice of all public meetings at which the adoption of any proposed policy, position, resolution, rule, regulations, or formal action occurs, or at which a majority or quorum of the Board is in attendance or expected to be in attendance; and

WHEREAS, it is the intent of the Colorado general assembly, as stated in §24-6-402(2)(c)(II)(A), C.R.S., that local governments transition from posting physical notices of public meetings in physical locations to posting notices on a website, social media account, or other official online presence of the local government to the greatest extent practicable; and

WHEREAS, the Board of Commissioners may exercise its discretion and also post a notice by any other means including in a designated public place and intends to continue the practice of posting all notices of public meetings at two physical locations at the Fremont County Administration Building, 615 Macon Avenue, Cañon City, Colorado as a means of providing public notice of all meetings.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Fremont County hereby designates the following official posting places for the posting of notices for public meetings of the Board of County Commissioners for Fremont County, Colorado:

1. The website of Fremont County, Colorado <https://www.fremontco.com/> (online notice)
2. The bulletin board in the hallway outside of the offices of the Board of County Commissioners, Fremont County Administration Building);
3. The bulletin board located at the main (south) entrance of the Fremont County Administration Building (physical notice);

The posting place inside the building is open to the public during normal Fremont County business hours. The main entrance posting place is visible to the public from the outside of the building at all times.

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

Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Kevin J. Grantham	<u>Aye</u>	Nay	Absent	Abstain
Dwayne McFall	<u>Aye</u>	Nay	Absent	Abstain

Date: January 10th, 2023

BOARD OF COUNTY COMMISSIONERS
FOR FREMONT COUNTY

By: [Signature]
Chairman

ATTEST:

By: [Signature]
Clerk to the Board



RESOLUTION NO. 6, SERIES OF 2023

RESOLUTION APPOINTING JOHN E. KRATZ
AS THE FREMONT COUNTY SURVEYOR

WHEREAS, the Fremont County Board of County Commissioners is authorized by C.R.S. §30-11-117 and §30-10-904 to fill, by appointment, a vacancy occurring in any county office, including the office of County Surveyor; and,

WHEREAS, because no person ran for election to the office of Fremont County Surveyor in the November 2022 election, the Fremont County office of the Surveyor became vacant as of January 10, 2023- and

WHEREAS, Fremont County Board of County Commissioners has determined that the office of the Fremont County Surveyor should be filled by appointment and that John E. Kratz, is a professional land surveyor (License PLS-0020142) as provided by Colorado law and is duly qualified for the office and is willing to serve in the office of the Fremont County Surveyor.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF FREMONT, that John E. Kratz is hereby appointed to the office of the Fremont County Surveyor, and shall commence his duties after being duly sworn to the office and posting the appropriate bond as required by state law. Mr. Kratz's appointment shall continue until the next general election and shall perform all the duties of such office until his successor is duly qualified as required by law.

Commissioner Bell moved for adoption of this Resolution, with a second by Commissioner McFall. The roll call vote of the Board was as follows:

Debbie Bell	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Kevin J. Grantham	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Dwayne McFall	<u>AYE</u>	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: January 10th, 2023

[Signature]
Chairman

Attest: [Signature]
Clerk

