

## FIFTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on March 28, 2023, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chairman 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	Interim County Manager	Present
Daniel Victoria	Planning & Zoning Director	Present

### INVOCATION

Joe Garkovich, Mercy Today Ministries

### 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 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 / March 14, 2023
2. Approval of Bills for \$2,607,914.96
3. Ratification of Chairman's Signature on Pathfinder RFC #1 – Add 100 LF of 15” CMP from Corsentino Construction Inc.
4. Ratification of Chairman's Signature on Pathfinder RFC #2 – Grade for fire lane and additional parking, Crusher fines approximately 14,600 square feet from Corsentino Construction Inc.
5. Schedule Public Hearings: Public Hearing on a proposal to change the boundaries of Commissioner Districts April 11, 2023 at 10am

**Commissioner McFall** moved to approve the consent agenda. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

### ADMINISTRATIVE & INFORMATIONAL

Ref. Fremont County BOCC Meeting 3/28/2023 – 3:55

1. Staff / Elected Officials:
  - a. 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 [www.fremontco.com](http://www.fremontco.com).

**Commissioner Grantham** asked for clarification on whether the budget line item for retail sales tax was specific to January or a year average of the total budget.

**Officer Sutton** confirmed that it represents a 12-month average.

**Commissioner Grantham** pointed out that the big collection months are yet to come.

**Officer Sutton** agreed with Commissioner Grantham.

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 Bell** thanked County Manager Carochi for his report.

**Commissioner Grantham** invited the elected officials to speak.

**Commissioner Bell** informed the public that Holcim is doing their Annual Tire Collection Day on Saturday, April 22<sup>nd</sup> at the Holcim Portland Plant Park. She noted that since 2005 Holcim has recycled over 65,000 tires in Fremont County. Commissioner Bell also talked about updates and information regarding the broadband study. The survey for the study can be found at [www.fremontco.com](http://www.fremontco.com) and in Room 106 of the Fremont County Administration Building.

**Commissioner McFall** spoke about the Board's opposition to Senate Bill 168, House Bill 1219, Senate Bill 170, and House Bill 1230.

**Commissioner Grantham** added on to Commissioner McFall's comments and explained that they infringe on our Second Amendment Rights. He also mentioned and elaborated on Senate Bill 213 regarding land use regulatory authority affecting municipalities.

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

a. Ron Dudley – Oak Creek Grade

**Ron Dudley** mentioned a transportation infrastructure bill that Congress had passed. He asked how the Board identifies projects, acquires funding, and executes funding for the community.

**Commissioner Grantham** agreed to follow up with Mr. Dudley.

### **OLD BUSINESS**

1. There were none.

### **NEW BUSINESS**

Ref. Fremont County BOCC Meeting 3/28/2023 – 27:04

1. Proclamation naming April as Fremont County Child Abuse Prevention Month  
Representatives: Amanda Wright-Whitt and Barry Acton, Department of Human Services

**Amanda Wright-Whitt** explained the purpose of the blue pinwheel and blue ribbons that represent child abuse prevention.

**Barry Acton** read the Proclamation naming April as Fremont County Child Abuse Prevention Month.

**Commissioner McFall** thanked Ms. Wright-Whitt and Mr. Acton and commented that although the proclamation is specific to April, the intention to prevent child abuse is a year-round matter.

**Commissioner Bell** also thanked Fremont County Department of human Services (FCDHS) for all they do for local families and children.

**Commissioner Grantham** also thanked FCDHS for their role in protecting those who can't protect themselves.

**Commissioner Bell** moved to approve the Proclamation naming April as Fremont County Child Abuse Prevention Month. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

2. Proclamation naming April as Sexual Assault Awareness Month  
Representatives: Randi Hayden, Family Crisis Services

**Randi Hayden** spoke about sexual assault awareness and conveyed that Family Crisis Services aims to support and seek justice for victims of sexual assault then read the Proclamation naming April as Sexual Assault Awareness Month. She also told the Board that Family Crisis Services will be hosting a Take Back the Night Event at Depot Park on April 27<sup>th</sup> from 5:00 p.m. to 7:00 p.m. to honor survivors and spread awareness.

**Commissioner Bell** thanked Ms. Hayden for her work and for speaking on the matter. She also mentioned her own prior involvement working on the Board of Family Crisis Services.

**Commissioner McFall** also thanked Ms. Hayden and touched on the unfortunate prevalence whereupon no justice is served for victims of sexual violence.

**Commissioner McFall** moved to approve the Proclamation naming April as Sexual Assault Awareness Month. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

3. Change meeting date for the regularly scheduled Board of Health (BOH) and Board of Human Services (BOHS) meetings from Tuesday, May 30, 2023 to Thursday, May 25, 2023. The BOHS meeting will begin at 9:00am and the BOH meeting will begin at 9:15am.

**Commissioner Bell** explained that the changes are necessary because the Boards will be attending a Colorado Counties Incorporated (CCI) conference at those times.

**Commissioner Bell** moved to approve changes to the meeting dates of the regularly scheduled Board of Human Services (BOHS) and Board of Health (BOH) meetings from Tuesday, May 30, 2023 to Thursday, May 25, 2023 at 9:00 a.m. and 9:15 a.m. respectively. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

4. Change meeting date for the regularly scheduled Board of County Commissioner (BOCC), BOH and BOHS meetings from Tuesday, July 25, 2023 to Wednesday, July 26, 2023. BOCC will begin at 9:30am, BOHS at 1:15pm, and BOH at 2:00pm.

**Commissioner McFall** explained that the scheduling changes to these meetings are also being made because the Boards will be attending a CCI conference.

**Commissioner McFall** moved to approve changes to the meeting dates of the regularly scheduled Board of County Commissioner (BOCC), BOHS, and BOH meetings from Tuesday, July 25, 2023 to Wednesday, July 26, 2023 at 9:30 a.m., 1:15 p.m., and 2:00 p.m. respectively. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

5. Award bids for Aggregate Chip for the Chip Seal Program  
Representative: Tony Adamic, County Department of Transportation Director

**County DOT Director, Tony Adamic** explained to the Board that on February 16<sup>th</sup> the Department of Transportation (FCDOT) opened bidding, of which he briefly explained the process. His department recommends that they award ¾" Aggregate Chip at \$18 per ton and ½" Aggregate Chip at \$21 per ton to The Aggregate Source for the material to be dropped off by FCDOT at the jobsites.

**Commissioner Bell** thanked Director Adamic for mentioning that the County awards bids with the intention of doing what is best for taxpayers.

**Commissioner McFall** mentioned the inflated prices of materials since last year.

**Commissioner Bell** moved to award the bid to The Aggregate Source for ¾” Aggregate Chip at \$18/ton and ½” Aggregate Chip at \$21/ton for the material to be picked up. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

6. Award bid for Tack Oil

Representative: Tony Adamic, County Department of Transportation Director

**Director Adamic** said that his department recommends awarding the bid to Sun Core Energy at \$2.41 per gallon or \$1.61 per gallon for diluted product. He added that this will be picked up.

**Commissioner McFall** moved to award the bid to Sun Core Energy at \$2.41 per gallon or \$1.61 per gallon for diluted product for the material to be delivered by FCDOT to the job site. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

7. Award bid for Asphalt

Representative: Tony Adamic, County Department of Transportation Director

**Director Adamic** said his department recommends awarding the bid for ½” Asphalt to Martin Marietta at \$68 per ton to be picked up at the Pueblo plant.

**Commissioner Bell** moved to award the bid to Martin Marietta for ½” Asphalt at \$68 per ton to be picked up at the Pueblo plant. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

8. Award bid for Dust Guard Liquid Suppressant

Representative: Tony Adamic, County Department of Transportation Director

**Director Adamic** said his department recommends awarding the bid for Dust Guard Liquid Suppressant to GMCO at 81 cents per gallon. He said FCDOT will apply it to the roads.

**Commissioner McFall** moved to award the bid to GMCO for Dust Guard Liquid Suppressant at 81 cents per gallon to be applied to the roads by FCDOT. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

9. Award bid for Emulsion Oil

Representative: Tony Adamic, County Department of Transportation Director

**Director Adamic** said his department recommends awarding the bid for CRS2P Emulsion Oil to Sun Core Energy at \$2.81 per gallon, to be picked up from the Pueblo plant.

**Commissioner McFall** asked about the difficulty of bids in regard to the oil products.

**Director Adamic** explained that the vendors guarantee their material for 30 days. He added that by the end of last year Sun Core had almost run out of bulk chip seal product.

**Commissioner McFall** expressed concern regarding potential future regulations that may worsen the problem.

**Commissioner Bell** moved to award the bid to Sun Core Energy for CRS2P Emulsion Oil at \$2.81 per gallon, to be picked up from the Pueblo plant. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

10. TUP 23-001 Rocky Mountain Trials Association. Requesting approval for a Temporary Use Permit to compete in a motorcycle trials event. The event is scheduled to be held April 16, 2023, May 27 – 28, 2023. The property is located on County Road 9, in Canon City. The property consists of 136 acres located in the Agricultural Forestry Zone District. This is the second year this of this event.

Representative: Danny Wickersham

**Danny Wickersham** spoke about the same event held last year and issues that persisted due to extreme weather conditions. He added that they have held events at the property for over 30 years and the Rocky Mountain Trials Association (RMTA) has been in Colorado for over 50 years. He also explained that trials riding, known as a non-speed event, is not a racing event, then elaborated on the proceedings of the event.

**Commissioner McFall** commented on the skill of the riders as he has watched the event before.

**Mr. Wickersham** said they are anticipating 90 riders at the national event.

**Planning & Zoning Director Victoria** gave the staff report and noted that RMTA is also requesting the use of chemical toilets as well as a Surety Bond waiver. He also noted that his department hasn't had a response from Public Health regarding the application.

**Commissioner Bell** asked Mr. Wickersham to address food vendors.

**Mr. Wickersham** said there will be no vendors and people will be expected to provide their own food.

**Commissioner Bell** commented on the previous year's weather.

**Commissioner Grantham** asked if the event was in May last year.

**Mr. Wickersham** said it was held May 20<sup>th</sup> and 21<sup>st</sup>.

**Commissioner McFall** spoke about his concerns regarding fire safety.

**Mr. Wickersham** replied with measures the RMTA will take to mitigate the risk of fire.

**Commissioner McFall** moved to approve TUP 23-001 Rocky Mountain Trials Association with the approval of chemical toilets for the event and a waiver of the Surety Bond. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

11. Appointment of new member to 4-H Sale Committee with a term ending December 31, 2023

**Commissioner McFall** explained that this position's term ends at the end of this year because it is filling a vacancy due to resignation.

**Commissioner Bell** spoke about Kevin (Nick) Montanez, who applied to the 4-H Sale Committee after being involved in 4-H for a long time.

**Commissioner Bell** moved to appoint Kevin Montanez as a new member of the 4-H Sale Committee with a term ending December 31, 2023. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

**PUBLIC HEARINGS** – None.

**Commissioner Grantham** adjourned the meeting at 10:30 a.m.