

THIRTEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on July 11th, 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 D Grantham	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present
Tony Carochi	County Manager	Absent
Dan Victoria	Planning & Zoning Director	Present

INVOCATION

Luke Canady, Vineyard Cañon City

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 including the following changes:

Item 1

Consent Agenda, #3 add the letter “b” to schedule a public hearing- per Planning and Zoning Director Victoria, Public Hearing **PP 22-001 Mistry Subdivision Filing #2** was scheduled for August 8th, 2023, and will need to be moved to September 26th, 2023, at the request of the applicant.

Item 2 Item

Administrative / Informational, Staff / Elected Officials remove item “a” County Manager Report.

Commissioner Bell moved to approve the agenda with changes. 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

1. Approval of Bills for \$2,912,728.74

2. Schedule Public Hearings:

a. Public Hearing scheduled for August 22, 2023

SRU 23-001 Major Modification Captain Zipline – Play Dirty ATV Tours

Major modification to their existing permit to move the existing operations from the 1500 County Road 45 location and the 520 County Road 54 location which are current permitted zipline locations to strictly the 520 County Road 54 locations. The operations will include check-ins, office type work associated with the business, all traffic and parking associated with the business plus be the starting/ending point for the ATV tours. This modification also includes a proposed restroom that is 10’ x 20’.

Representative: TBD

b.

PP 22-001 Mistry Subdivision Filing #2

The applicant is out of the country and will be unable to attend the meeting on August 8th, 2023. This will allow the time necessary for mailed notices and advance notice for those wanting to attend the public hearing in September.

Commissioner McFall- made mention that there are no minutes that are being approved at the meeting and moved to amend the change the agenda with the following changes:

Item 1

Consent Agenda, strike “approval of minutes” and renumber the consent agenda accordingly. 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 6/27/2023 – 6:50

1. Staff / Elected Officials:

Commissioner Bell – talked about attending the NaCO (National Association of County Officials) where she receives a lot of information. She stated that Commissioner McFall sits on the steering committee for public land and that she sits on the steering committee for agriculture and rural affairs. She continued and said that this is the first year that two commissioners from Fremont County are running resolutions in their respective steering committees to go on to the nation board and become a permanent platform for NaCO. This helps make federal policy at the national level. She was also able to present a class on media in rural areas. She also reminded everyone that because of Commissioners being out of town the next scheduled meeting is not until July 26th, 2023 (not the July 25th). The meeting will still start at 9:30am as normal.

Commissioner McFall – Commissioner McFall talked about not having fire restriction in Fremont County, however, Custer County just went into Stage 1 fire restrictions. It is still very dry even though we have had a lot of moisture. Encouraged everyone to be careful. He continued and started talking about the County Fair that is coming up. The County Fair starts on July 28th and goes through August 5th. This year the Fair will be able to use the new pavilion that is being built. There will be many events every day for participants and families. August 5th at 2pm is the BBQ and at 4pm the action will start. He encouraged everyone to come out and participate in the Fair.

Commissioner Grantham – Reiterated the dry condition especially in the mountains in western Fremont County. He wants everyone to continue to be careful and encourages everyone to be safe. He reminded everyone that the County Board of Equalization will be meeting over the next few weeks for those appealing the valuation of their property by the County Assessor. He also noted that with all the rain that the Department of Transportation is doing its best to keep up with road maintenance. He said that DOT does a great job to prepare and plan for weather and they are doing their best to get out to all of the road in the county.

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

Alex McCurdy – said he purchased a property at 4346 County Road 15. He bought the property with wildlife in mind. He stated that he is concerned with the state of his neighbor’s property and more specifically with the bears that have taken up in the area and it is getting into his neighbors’ dumpster. The bears have become accustomed to going into the dumpster that is not “bear proof”. He said his neighbor refuses to get a bear proof dumpster and trash gets everywhere. He wants his property to be safe for his children and grandchildren and is coming before the commissioners to request a legislative change to require bear proof dumpsters in the areas where bears live. The sheriff can’t do anything about requiring bearproof dumpsters and the neighbor refuses to get one. Mr. McCurdy is requesting some sort of legislation to make it required upon complaints from the public.

Commissioner Grantham – thanked Mr. McCurdy for his comments and encouraged him to get with Code Enforcement.

OLD BUSINESS – None.

NEW BUSINESS

Ref. Fremont County BOCC Meeting 6/27/2023 – 21:50

1. Requesting the issuance of a Malt, Vinous and Spiritous Liquor Special Events Permit for American Medical Refugees Foundation for an event at Pathfinder Park / Fremont County Fair

6655 Hwy 115, Florence, CO 81226 on the following dates: July 28th through August 5th from 12:00pm to 12:00am in 2023

Representative: Amy Bourlon-Hilterbran

Ms. Bourlon-Hilterbran – started off with saying that she is the founder of the American Medical Refugee Foundation which assists chronically and critically ill children who have had to relocate to get the necessary services for their conditions. The intent is to have a beer garden the entirety of the county fair as to benefit multiple organizations. The Foundation will be pouring the alcohol and the other organizations will be providing the security and all the funds raised will be distributed based on participation. She mentioned that although the time of the permit is from noon to midnight, those times are buffer times and serving will not go late. The fair board is working on having later events on the second Friday and second Saturday night, but they do not plan on serving alcohol later than 9pm or 10pm those nights. They are trying to be as flexible as possible with the application so as to have a successful fundraiser donate the funds.

Commissioner Bell – thanked the applicant for answering most of the questions she would normally ask of applicants and reiterated that all servers must be TIPS certified. Then asked how the servers will distinguish between those who are of age to drink and not of age.

Ms. Bourlon-Hilterbran – responded by saying that those of age will have a wristband, but even if the person looks older than 21 years old, they will still be IDed if they wish to have alcohol.

Clerk Grantham – all paperwork was in order and turned in on time. The office did receive approval from the Public Health Department and sufficient notice was posted on site required by law. The only paperwork missing was the report from the Sheriff's Office on approval of the site plan. The office recommends that the permit be approved contingent on the Sheriff's Office's report comes back with no irregularities.

Commissioner Bell – thanked the Clerk's Office for the great job with the application. There were a lot of questions about the application as it is rarely used, and the Clerk's Office did a great job working with the applicant to get the questions and issues resolved in a timely manner.

Ms. Bourlon-Hilterbran – also thanked the Clerk's Office for all of its hard work making sure the application was complete to come before the board.

Commissioner McFall – asked if applicant to explain the security for the event.

Ms. Bourlon-Hilterbran – explained that there is a neon orange snow fence around the perimeter of where alcohol will be allowed and there will also be signs mentioning no alcohol beyond the fence. She also mentioned that there will be security placed around the perimeter to enforce the boundary.

James Sheridan – said he is a resident of Penrose. He is in favor of the special event. He reviewed the security measures and considered the benefit to the community. The applicant is thinking outside the box and the security is adequate for the festival.

Commissioner McFall – asked if any of the donations were going back to the fair.

Ms. Bourlon-Hilterbran – said that on heavy traffic days, 20% of the proceeds will go back to the fair and on slower traffic days, 10% will go back to the fair.

Commissioner McFall made the motion to approve the requesting the issuance of a Malt, Vinous and Spiritous Liquor Special Events Permit for American Medical Refugees Foundation for an event at Pathfinder Park / Fremont County Fair 6655 Hwy 115, Florence, CO 81226 on the following dates: July 28th through August 5th from 12:00pm to 12:00am in 2023 contingent on the approval on the report from the Sheriff's Office. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

2. Appointment of new DOT Director to GIS Authority Board with a term expiring July 11th, 2025.

Commissioner Bell – explained that Tony Adamic is retiring from the Fremont County Department of Transportation. His replacement will be Mike Whitt, who has been diligently working to learn everything he can from Mr. Adamic before he leaves. Mr. Whitt will be a good replacement for Mr. Adamic and represent the county on the GIS Authority board.

Commissioner Bell made the motion to appoint Mike Whitt as the DOT director to the GIS Authority Board with the term expiring July 11th, 2025. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

Commissioner Bell – mentioned that the next BoCC meeting the board will be honoring Director Tony Adamic for his many years of service and invited everyone to attend the next meeting.

Meeting adjourned at 10:06am

Clerk to the Board of County Commissioners