

January 12, 2016

FIRST MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on January 12, 2016, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Edward Norden called the meeting to order at 9:30 a.m.

Edward H. Norden	Commissioner	Present
Debbie Bell	Commissioner	Present
Tim Payne	Commissioner	Present
Katie Barr	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present

Also present: George Sugars, County Manager and Matt Koch, Planning and Zoning Director

The Invocation was given by Tom Killgore of First Southern Baptist Church.

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 Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

CONSENT AGENDA

1. Approval of Minutes / December 22, 2015
2. Approval of Bills for January 12, 2016 / \$ 1,460,745.21
3. Authorization for Chairman to sign the Stormwater Discharge Annual Report for the Airport
4. Adoption of Resolution No. 39, Series of 2015, Resolution Granting an Exemption from the Subdivision Regulations for a Tract of Land in Fremont County Indian Springs Property Owners Outlot
5. Approval of an Agreement with Whinnery Construction, Inc for the Arkansas Riverwalk Trail Streambank Stabilization Project
6. Schedule Public Hearings for January 26, 2016 at 10 a.m.
 - a. Special Review Use (SRU) Permit, Department file #SRU 15-004 RoCnJeN's HaYe, by Jennice Fagin, to allow a Feed Store on an Agricultural Rural zoned property in Penrose
 - b. Reschedule Public Hearing for Consideration of Service Plan for Proposed Tallahassee Fire Protection District to January 26, 2016 at 10:00 a.m.

Commissioner Payne moved to approve the Consent Agenda. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

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ADMINISTRATIVE/INFORMATIONAL

1. Staff / Elected Officials:
 - a. County Clerk's Monthly Report, Katie Barr, County Clerk and Recorder

Clerk Barr reported for the month of December total Motor Vehicle Fees, Recording and Sales Taxes collected were \$822,280.04. Fremont County's portion for disbursement is \$466,030.37.

Clerk Barr gave her year-end report. For 2015, total Motor Vehicle Fees, Recording Fees, and Sales Taxes collected were \$11,645,003.05. Fremont County's portion for disbursement was \$6,383,087.25 which was \$426,890.09 more than 2014.

Commissioner Payne moved to accept the County Clerk's Monthly and Annual Reports. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

Commissioner Norden referred to an email circulated by the Fremont County Tourism Council awarding \$8000 in community grants to 13 local agencies. Commissioner Bell added there were 28 applicants. The agencies receiving funding will be holding events that will bring in tourists for overnight stays.

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

None.

OLD BUSINESS

1. SV 15-001 Boysen Outlot Resolution

Commissioner Bell moved to adopt Resolution #44, Series of 2015, SV 15-001 Boysen Outlot. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

NEW BUSINESS

1. Re-organization of the Board of County Commissioners

Commissioner Bell moved to appoint Commissioner Norden as the 2016 Chairman of the Board. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

Commissioner Norden moved to appoint Commissioner Bell as the 2016 Vice-Chairman of the Board. Commissioner Payne seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

2. Appointment of County Attorney

Commissioner Payne moved to appoint Brenda Jackson as County Attorney for an additional one-year term. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

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3. Resolution Designating and Approving Official Depositories for Fremont County for 2016

Commissioner Bell moved to adopt Resolution #1, designating and approving Sunflower Bank of Canon City, Colorado Surplus Asset Fund Trust, ColoTrust, and Canon Bank/Glacier Bank as the official depositories for Fremont County for 2016. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

4. Resolution Designating Schedule for Regular Meetings for the Fremont County Board of Commissioners

Commissioner Payne moved to adopt Resolution #2, designation the second and fourth Tuesdays at 9:30 a.m. for regular meetings for the Fremont County Board of Commissioners. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

5. Resolution Designating Official Newspaper for Fremont County

Commissioner Bell moved to approve Resolution #3, designating the Canon City Daily Record as primary official newspaper and the Florence Citizen as secondary official newspaper for Fremont County. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

6. Resolution Designating Official Posting Place for Notice of Public Meetings for the Fremont County Board of Commissioners

Commissioner Payne moved to approve Resolution #4, designating the bulletin board in the hallway outside of the offices of the Board of County Commissioners and the bulletin board located at the main entrance of the Fremont County Administration Building as the official posting places for the Fremont County Commissioner public meetings. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

7. In consideration of a proclamation issued by the County Commissioners of Fremont County, Colorado, Declaring 2016 as a Year of Celebration for the Canon City First United Methodist Church and its 150th Year of Ministry

Commissioner Bell read the proclamation and introduced Eric Feuerstein, the pastor of Canon City First United Methodist Church. She explained the proclamation is special to her since she is a member of the church.

Commissioner Bell moved to adopt the proclamation declaring 2016 as a year of celebration for the Canon City First United Methodist Church and its 150th Year of Ministry. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

Eric Feuerstein thanked the Board for their hospitality and for sharing in the special event.

8. In consideration to award bid to Colorado Crushing for 20,000 tons at \$3.50 per ton for aggregate crushing at the Cottonwood pit
Representative: Tony Adamic, Department of Transportation Director

Tony Adamic said the department had taken bids for 15,000 and for 20,000 tons of material crushing. 20,000 tons is estimated to last four years. The pit has not had crushing done before, but the past year has seen more hard rock and overrun in the screening process. The crushed material will be used in the Tallahassee area.

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Commissioner Payne moved to award the bid to Colorado Crushing for 20,000 tons at \$3.50 per ton for aggregate crushing at the Cottonwood pit. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

9. SV 15-002 Indian Springs Outlot Request approval of a refund of the \$350 application fee

Director Koch said the request was submitted after the approval of the outlot which will be used for a fire station. In the past, the Board has refunded half of the fees for such organizations.

Commissioner Bell moved to grant a refund of \$175 of the application fee for Indian Springs Outlot. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

10. Request: CUP 02-003 Ranchland Rock Pit #1, Holcim (US) Inc.
Request approval to extend temporary cessation for CUP 02-003 Ranchland Rock Pit #1 for two years beyond its expiration date of June 11, 2015
Representative: Joe Lamanna

Joe Lamanna explained there is currently no activity nor plans to begin mining the property. Holcim reserves the pit as part of its long-term plan for future use when the Bear Creek Area reserves are extinguished. The property is in a secluded area of the southeast quadrant of Fremont County.

Director Koch said the Department has no issues or concerns with extending the temporary cessation.

Commissioner Payne moved to extend temporary cessation for two years ending June 11, 2017 for CUP 02-003 Ranchland Rock Pit #1, Holcim (US) Inc. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

11. Request: CUP 12-003 Dawson Gold Project (Exploration) Extension of Exploration, Zephyr Gold USA, LTD
Request approval to extend exploration for Conditional Use Permit CUP 12-003 Dawson Gold Project (Exploration) for three additional years beyond the current expiration date of February 26, 2016. The amended Conditional Use Permit was approved on February 12, 2014 and the original approval was February 12, 2013. The property (access entrance) is located on the south side of Fremont County Road #3 approximately three miles southwest from the intersection of Fremont County Road #3 and Mariposa Road, thence approximately one mile south from County Road #3 to the claim area.
Representative: Dr. Angela Bellantoni, Environmental Alternatives, Inc.

Dr. Angela Bellantoni requested a three-year extension for the exploration which will coincide with developing a mining plan.

Director Koch said the Department had no issues or concerns with granting the extension.

John Hamrick was in support of the project. He said mineral extraction is one of the most direct ways to create wealth.

Commissioner Bell moved to approve the three-year extension of exploration beyond the current expiration date of February 26, 2016 for CUP 12-003 Dawson Gold Project,

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Zephyr Gold USA, LTD. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

12. Request: Transfer of CUP 07-003 Parkdale Aggregate to Martin Marietta. Front Range Aggregates.
Request approval of a transfer of ownership and name change of Conditional Use Permit, Department file CUP 07-003 Parkdale Aggregate from Parkdale Aggregate to Martin Marietta. The property is located on the north side of U.S. Highway 50, approximately 1.5 miles west of Parkdale. The new file name will be CUP 07-003.
Representative: David Hagerman

James Sharn explained how Martin Marietta had acquired the Parkdale operation in November 2015. The company is aware of the conditions of the permit and are willing to comply in every way as well as be a good neighbor.

Director Koch said the Department has no concerns or issues with the transfer.

Commissioner Payne moved to approve the transfer of CUP 07-003 Parkdale Aggregate to Martin Marietta. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

Michael Sheahan thanked the Board for their support of the mining industry.

13. SRU 98-17 New Horizon Ministries Resolution to terminate existing Special Review Use Permit

Director Koch referred to a letter submitted by New Horizon Ministries requesting the termination of the permit. The Penrose site has not had foster children for several months, and they are contemplating selling the property.

Commissioner Bell moved to approve Resolution #5 terminating existing SRU 98-17 New Horizon Ministries. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

14. In consideration of reappointments of Beth Katchmar and John Miller to the Fremont County Tourism Council for an additional three-year term ending January 1, 2019

Commissioner Bell praised the Tourism Council for being a very hard-working board that was always evaluating the most effective way to spend funds to bring additional tourism into Fremont County.

Commissioner Bell moved to reappoint Beth Katchmar and John Miller to the Fremont County Tourism Council for an additional three-year term ending January 1, 2019. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

15. In consideration of an appointment to the Fremont County Tourism Council for a three year term ending January 1, 2019

Commissioner Bell explained the vacancy was due to a resignation. Six applications were submitted for the position, and all were interviewed.

Commissioner Bell moved to appoint Kristyn Econome to the Fremont County Tourism Council for a three-year term ending January 1, 2019. Commissioner Payne seconded the

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motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

16. In consideration of an appointment to the Fremont County Planning Commission to fill a vacancy with a term expiring on January 1, 2017

Commissioner Norden said the vacancy was for a Penrose-area seat that had recently been vacated through a resignation. Out of the three applicants, only one resides in Penrose.

Commissioner Payne moved to appoint Mark Masar to the Fremont County Planning Commission with a term expiring January 1, 2017. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

17. In consideration of a Resolution Adopting an Amended Policy Regarding Temporary Full-time, Policy 3.04 and Health Insurance (Medical), Policy 8.02 of the Fremont County Personnel Policies and Procedures Manual

Manager Sugars explained amending the policy will allow the County to offer healthcare to temporary full-time employees.

Commissioner Bell moved to approve Resolution #6, adopting an amended policy regarding temporary full-time, Policy 3.04 and health insurance, Policy 8.02 of the Fremont County Personnel Policies and Procedures Manual. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

PUBLIC HEARINGS SCHEDULED FOR 10 A.M.

None.

Chairman Norden adjourned the meeting at 10:20 a.m.

Clerk and Recorder

January 12, 2016

RESOLUTION NO. 44, SERIES OF 201~~6~~5

**RESOLUTION GRANTING AN EXEMPTION FROM THE SUBDIVISION
REGULATIONS FOR A TRACT OF LAND IN FREMONT COUNTY
BOYSEN OUTLOT**

WHEREAS, the Fremont County Board of County Commissioners has received a request from Dale Boyesen for an exemption from the county subdivision requirements to allow for the creation of a parcel of land one acre in size to be used as an outlet for parking and signage purposes only. The parcel is located in Fremont County, Colorado and is described as:

That portion of Section 16, Township 18 South, Range 71 West of the 6th Principal Meridian, laying south of the North line of Lot 1, Pauline Subdivision, according to the recorded plat thereof, filed for record in the Fremont County Clerk and Recorder Office on February 19, 1980 in Book 648 at Reception No. 465530, Fremont County, Colorado, if extended west to intersect the easterly apparent Right of Way line of Fremont County Road 3A, as it presently exists and laying north of the South line of said Lot 1 if extended west to intersect said easterly apparent Right of Way line and laying east of said easterly apparent right of way line and laying west of the East line of the NE 1/4 said Section 16, being more particularly described as follows;

COMMENCING at the NE corner of Section 16, Township 18 South, Range 71 West of the 6th Principal Meridian, said point also being the NW corner of Pauline Subdivision, thence

S02°01'38"W along the East line of said NE 1/4 of Section 16 (bearings based on the East line of the NE 1/4 of Section 16, Township 18 South, Range 71 West of the 6th Principal Meridian

and is assumed to bear S02°01'38" W), a distance of 60.14 feet, to the POINT OF BEGINNING, said point also being the Northwest corner of Lot 1 of said Pauline Subdivision; thence

S02°01'38" W continuing along said East line of the NE 1/4 of Section 16, a distance of 600.06 feet (600.00 feet, plat) to a point being the SW corner of said Lot 1, Pauline Subdivision; thence S74°13'08" W (S73°31'33" W , plat) along the extension of the South line of said Lot 1, a distance of 268.09 feet to the point intersection with the apparent easterly Right of Way line of Fremont County Road 3A, as it presently exists; thence northeasterly along said easterly Right of Way line the following three (3) courses:

- 1) N17°51'53"E, a distance of 454.98 feet;
- 2) N15°00'58"E, a distance of 222.22 feet;
- 3) N06°45'06"E, a distance of 22.37 feet;

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To the point of intersection with the extension of the North line of said Lot 1, if extend west to intersect with said apparent easterly Right of Way line; thence N88°03'27"W (N87°20'13"W, plat) along said extension of said Lot 1, a distance of 79.47 feet to the POINT OF BEGINNING. Said parcel contains 99,064 square feet or 2.27 acres, more or less.

WHEREAS, pursuant to §30-28-101 (10)(d), C.R.S., the Board possesses the authority to grant a subdivision exemption if it determines that the division of land is not within the purposes of the subdivision requirements and the exemption is not intended to evade the subdivision requirements; and

WHEREAS, on July 14, 2015, the Board of Commissioners considered the request and all attendant circumstances regarding the ownership history of the property, the historic use of the property for a parking area and posting of signage in conjunction with the business use on the adjoining parcel, the deed restriction encumbering the parcel, and other considerations; and

WHEREAS, the Board was persuaded that the request for the subdivision exemption was meritorious and that a grant of the request would not evade or defeat the purpose of the subdivision statutes and regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Fremont County hereby grants the request for an exemption from the requirements of county subdivision regulations with respect to property described herein.

BE IT FURTHER RESOLVED, that the Board specifically finds that the equities of the circumstances regarding the transfer of the property, combined with the other exemptions granted by the County for other similar parcels in the county, warrant granting an exemption in this case. Any future division or change of use of the property shall fully comply in all respects to all applicable subdivision and zoning laws and regulations.

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

Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Edward H. Norden	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain

Date: 12 January, 2016

BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY ATTEST:

By: Edward H. Norden
Chairman

By: Katie E. Barr
Clerk to the Board

January 12, 2016

RESOLUTION NO. 1, SERIES OF 2016

RESOLUTION DESIGNATING AND APPROVING OFFICIAL DEPOSITORIES FOR FREMONT COUNTY FOR 2016

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 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 CANON CITY
- 2. COLORADO SURPLUS ASSET FUND TRUST (CSAFE)
- 3. COLOTRUST
- 4. CANON BANK/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.

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

Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Edward H. Norden	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain

Date: 12 January 2016

ATTEST:

Edward H. Norden
Chairman

Katie E. Bauer
Clerk to the Board

January 12, 2016

RESOLUTION NO. 2, SERIES OF 2016

RESOLUTION DESIGNATING SCHEDULE FOR REGULAR MEETINGS FOR THE
FREMONT COUNTY BOARD OF 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 Canon City, the county seat, and at the Fremont County Administration Building, 615 Macon Ave., Room LL3, Canon 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 Payne 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
Edward H. Norden	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain

Date: 12 January 2016

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: Edward H. Norden
Chairman

By: Katie E. Bauer
Clerk to the Board

January 12, 2016

RESOLUTION NO. 3, SERIES OF 2016

RESOLUTION DESIGNATING OFFICIAL NEWSPAPER FOR FREMONT COUNTY

WHEREAS, the Fremont County Board of County Commissioners is required by statute to designate an official newspaper for the purpose of legal notices, publication of ordinances and regulations, and announcement of requests for bids, as well as other official County publications; and

WHEREAS, there currently exist two legal publications or newspapers in Fremont County, as defined in C.R.S. §24-70-102, those being the Canon City Daily Record (six day-a-week publication), and the Florence Citizen (weekly publication).

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Fremont County hereby designates the following newspapers as the official newspapers for Fremont County publications:

Primary official newspaper: Canon City Daily Record
Secondary official newspaper: Florence Citizen

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

Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Edward H. Norden	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain

Date: 12 January 2016

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: Edward H. Norden
Chairman

By: Katie E. Bauer
Clerk to the Board

January 12, 2016

RESOLUTION NO. 4, SERIES OF 2016

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

WHEREAS, the Fremont County Board of County Commissioners is required by C.R.S. §24-6-401 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, the Board currently maintains a calendar system for notice of all Board of Commissioners meetings and other scheduled events at which one or more Commissioners plans to attend; and

WHEREAS, the Board of Commissioners intends to continue the practice of posting the current calendar of Commissioner schedules 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 bulletin board in the hallway outside of the offices of the Board of County Commissioners, Fremont County Administration Building, 615 Macon Ave., Room 105, Canon City, CO 81212, and the bulletin board located at the main (south) entrance of the Fremont County Administration Building, as the official posting places for notice of Fremont County Commissioner public meetings. 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 Payne 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
Edward H. Norden	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain

Date: 12 January, 2016

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: Edward H. Norden
Chairman

By: Katie E. Baur
Clerk to the Board

January 12, 2016

RESOLUTION NO. 5
Series of 2016

RESOLUTION CANCELING SPECIAL REVIEW USE PERMIT
SRU 98-017 NEW HORIZONS MINISTRIES

BE IT RESOLVED by the Fremont County Board of County Commissioners (hereafter "Board"):

THAT WHEREAS, New Horizons Ministries, Inc. Gaylord Knepp, CEO has requested through written correspondence to terminate the Special Review Use Permit that was approved on March 23, 1999, by Resolution 13, Series of 1999.

NOW THEREFORE, BE IT RESOLVED by the Board that in accordance with the request of Applicant, New Horizons Ministries, Inc., Special Review Use Permit SRU 98-017 New Horizons Ministries which is legally described as:

LEGAL DESCRIPTION

LOT 1, MITCHELL'S SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, FREMONT COUNTY, COLORADO.

GRANTOR RESERVES A RIGHT OF WAY FOR AN IRRIGATION PIPE ACROSS SUBJECT PROPERTY TO TRANSPORT WATER TO LOTS 2 AND 3 AT MITCHELL'S SUBDIVISION. LOCATION OF SAID RIGHT OF WAY SHALL BE THE SAME AS THE CURRENT BEAVER PARK IRRIGATION EASEMENT.

Generally described as follows: Located at 1107 13th Street, Penrose, Colorado 81240.

is hereby terminated and canceled, effective **January 12, 2016**.

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

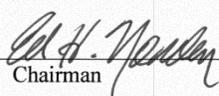
Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Edward H. Norden	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain

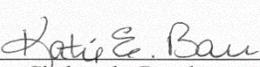
January 12, 2016

Date: 12 January, 2016

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: 
Chairman

By: 
Clerk to the Board

January 12, 2016

RESOLUTION NO. 6, SERIES OF 2016

RESOLUTION ADOPTING AN AMENDED POLICY REGARDING TEMPORARY FULL-TIME, POLICY 3.04 AND HEALTH INSURANCE (MEDICAL), POLICY 8.02 OF THE FREMONT COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, pursuant to §30-2-104, the Board of County Commissioners is authorized to adopt a classification and compensation plan for all county employees paid in whole or in part by the county; and

WHEREAS, the Board of County Commissioners, with consent of all elected officials, has adopted the March 1, 2010 Fremont County Personnel Policies and Procedure Manual; and

WHEREAS, the Board of County Commissioners has determined that the language of Policy 3.04 regarding temporary full-time, and Policy 8.02 regarding Health Insurance (Medical), require revision to better understand the purpose, intent and requirements of Fremont County regarding the availability of group health Insurance if working on average at least 30 hours of service per week, or 130 hours of service per month; and

WHEREAS, a copy of the amended Temporary Full-time, Policy Number 3.04 and Health Insurance (Medical) Policy Number 8.02, are attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fremont County:

1. Amended Policy 3.04 regarding Temporary Full-time, for the Fremont County Personnel Policies and Procedures Manual, (March 1, 2010) is hereby approved and adopted, effective January 1, 2016.
2. Amended Policy 8.02 regarding Health Insurance (Medical), for the Fremont County Personnel Policies and Procedures Manual, (March 1, 2010) is hereby approved and adopted, effective January 1, 2016.
3. The County Manager, in his Human Resources capacity, shall provide a copy of the Amended Policy 3.04 and Amended Policy 8.02, to all employees, by a means reasonably calculated to reach all employees, at the earliest possible opportunity.

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

Debbie Bell	<input checked="" type="radio"/> Aye	Nay	Abstain	Absent
Edward H. Norden	<input checked="" type="radio"/> Aye	Nay	Abstain	Absent
Timothy R. Payne	<input checked="" type="radio"/> Aye	Nay	Abstain	Absent

The Resolution was declared to be duly adopted.

Date: January 12, 2016

BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY

ATTEST:

By: Edward H. Norden
Chairman

By: Katie E. Bau
Clerk to the Board

January 12, 2016

3.04 Temporary Full-time

Temporary full-time employees may be hired as required and as fiscal appropriations allow. Compensation will be based on an hourly rate. Temporary full-time employees are not eligible for standard employee benefits such as vacation leave, sick leave, holiday pay, retirement programs, but will be eligible for group health insurance if working on average at least 30 hours of service per week, or 130 hours of service per month.

Temporary employees also receive legally mandated County benefits, such as Worker's Compensation and Unemployment Insurance coverage

January 12, 2016

8.02 Health Insurance (Medical)

Fremont County provides a group health insurance program consisting of medical coverage for all regular and temporary full-time employees working on average at least 30 hours of service per week, or 130 hours of service per month. The County contributes to the cost of the premium, in an amount that is determined by the Board of Commissioners on a year to year basis. The County expressly reserves the right to adjust the County share/Employee share of the health insurance premium.

Information regarding the County sponsored health plan are distributed to new employees in their initial employee orientation. New employees are eligible to participate in the County health insurance program after the first day of the month following thirty (30) days of employment. If an employee delays enrolling in the insurance plan for a period of thirty-one days or more after he/she becomes eligible, he/she may be required to furnish satisfactory evidence of insurability for himself / herself and his/her qualified dependents.

The County will continue to contribute towards the premium of the group health plan while the employee is employed or is on paid sick or vacation leave as set forth in these policies. If the employee is on injury leave, the county will continue to pay its part of the premium for a maximum of three (3) calendar months in any twelve (12) month period. The employee remains responsible for his/her share of the premium. See also, provisions under Worker Injury Leave and under FMLA Leave.

County employees who separate/terminate from employment will be eligible for health insurance coverage for up to eighteen (18) months under the provision of the "Health Continuation Program" described in the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). In addition, covered beneficiaries of county employees may be entitled to health insurance coverage for up to eighteen (18) months after specific qualifying events such as divorce, or legal separation. Detailed information concerning the provisions of this act will be furnished by the Human Resource Department upon separation/termination of employment with the County and to any employee upon request.