

March 22nd, 2011

SIXTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on March 22nd, 2011, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Edward H. Norden called the meeting to order at 9:30 A.M.

Edward H. Norden	Commissioner	Present
Michael J. Stiehl	Commissioner	Present
Debbie Bell	Commissioner	Present
Brenda Jackson	County Attorney	Present
Katie Barr	Clerk and Recorder	Present

Also present: Bill Giordano, Planning and Zoning Director; George Sugars, County Manager, and Jody Blausen Deputy Clerk.

Pastor Benny Soto of Mountain View Community Church and Chaplain for the Fremont County Sheriffs Office gave the Morning Prayer.

Those present recited the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF AGENDA

Commissioner Stiehl moved to approve the agenda, Commissioner Bell seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

CONSENT AGENDA

Commissioner Bell moved to approve the consent agenda. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials

Commissioner Stiehl mentioned that it has been very dry and windy. Even though the Sheriff has not requested to impose a fire ban, conditions for burning are not ideal and should be reconsidered until we get more moisture.

Commissioner Bell said this afternoon from 4:00 to 6:00 P.M. at the Steam Plant in Salida the Governors office is hosting a regional meeting for the “Bottoms Up” plan on Economic Development. Some of the County Officials will be attending, and the event is open to the public as well.

Commissioner Norden noted the Spring Clean Up Campaign is underway. The County and City are distributing free trash vouchers to local residents. Yesterday was the first day to distribute these vouchers, and they distributed 103 vouchers. The City of Canon City reported they gave out 189 vouchers yesterday. A date has not been published yet for the tire recycling that Holcim conducts annually. Saturday April 16th is the date set for the tire recycling at the Holcim Plant at Portland from 8:00 A.M. till Noon. More specifics will be published about this in the coming weeks.

March 22nd, 2011

Commissioner Norden officially announced they had received a vacancy notice late last week on the Fremont County Planning Commission. They had received written notice from Tom Doxey of Penrose that he was resigning his seat on the Planning Commission. That seat had typically been for the Penrose area so Penrose residents are encouraged to apply. It is a three year term, and the person appointed will serve the balance of Tom Doxey's term of two years. The deadline for letters of interest is 4:30 P.M. March 31st for the Planning Commission vacancy. Commissioner Stiehl said it is not restricted to Penrose applicants. They prefer to have representation from that part of the County but if you live in another part of the County and are interested please submit a letter of interest.

2. Citizens Not Scheduled: None.

OLD BUSINESS

None.

NEW BUSINESS

1. Consideration of Pathfinder Regional Park Facility Usage Policies and Agreement

Commissioner Norden said there was a language change that they were going to insert into the Usage Policies. It deals with specific uses of the arena to clarify that no activity is allowed that would require vehicles/equipment of any kind to be used in the arena. Examples include tractor pulls, equipment rodeos, demolition derbies, etc. Also that working the arena surface is not included in the above facility fee. Only Fremont County tractors and/or equipment are allowed to perform work in the arena. Norden said that two weeks ago Donald Taton addressed the Board regarding the fees. Norden had indicated at that time there would be a public hearing on the fees. While there will not be a formal public hearing, Norden wanted to announce they will give the public the opportunity to be heard on these fees. Norden suggested tabling the proposed Usage Policy to the next meeting, and announce the proposed language changes today along with the proposed fee changes. In the past there was a \$50 charge for the first five hours. This fee would be adjusted to a flat \$10 per hour. The County is billed a demand charge of \$250 if the lights are turned on even once during a month. The proposed fees for the arena with the lights would be \$60 for the first hour and \$30 for each additional hour. Norden would like to publicize these fees and give citizens time to review the proposed policies and fees. Commissioner Norden moved to table the consideration of Pathfinder Regional Park Facility Usage Policies, Agreement and Fees to the April 12th, 2011 Board of County Commissioners meeting. Commissioner Bell seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Bell, aye; Commissioner Stiehl, aye. The motion carried.

2. Consideration of the Fremont County War Memorial Penny Project- Dennis Withers and Mike Drake

Dennis Withers wanted to get everyone up to speed on the status of the War Memorial Project. He said several articles have been in the Daily Record about the project. The first phase was putting the HUEY helicopter in place. The second phase was putting the COBRA helicopter in place. The third phase included a bronze memorial with two infantry men which has been put on hold due to lack of funds. The fourth phase is the "In God We Trust" Penny Project. This includes spelling out "In God We Trust" with pennies on four stones that are approximately six feet high and eight inches thick. These will sit on a poured engineered foundation. Each penny will represent a death in Vietnam and will coincide with the Washington D.C. Memorial.

March 22nd, 2011

It will have 58,262 pennies spell out the words “In God We Trust” on the rocks and be placed between the helicopters. The motto will take up about 76 feet of the 100 feet between the two helicopters. Commissioner Norden said there was some question as to whether or not all of the phases of the project had gotten formal approval. He noted former County Commissioner Myron Smith was on the Board at the inception of the War Memorial Project for the Phantom Jet Placement. Norden said the Project is on the agenda today for formal approval of the phase four project. Commissioner Norden asked Dennis about phase three the Bronze Memorial. Withers explained they had been working with Robert Henderson on a wounded warrior statue. The statue had been completed and was on display at Lindner Chevrolet but they did not have the financial means to purchase the statue. Commissioner Norden asked Withers who was on the original War Memorial Committee. Withers replied the present Committee is made up of Dave Strom, Mike Drake, Bobby Cole, and himself. It is an informal Committee and numerous people have contributed to the project over the years. Withers is not sure who the original members of the Committee were. Commissioner Norden asked what the budget is for the “In God We Trust” phase of the project. Withers answered “What Budget”? Norden said it is on the agenda for conceptual approval today. Norden asked if there are any expectations for the County to contribute funds to the Penny Project or if they are looking at conceptual approval only. Withers replied they are aware that there is funding earmarked specifically for the War Memorial Park. He explained so far the Memorial has been strictly donations and fundraisers. They would like to use some of the available funding to complete the project. Commissioner Norden said these are some of the issues that need to be addressed, but they do not need to be addressed today. Norden noted that after they consider the project for conceptual approval they need to look at a budget. Norden stated the budgetary item that is in there for the park is primarily conservation trust money that is for the maintenance of the park and landscaping. George Sugars noted that some of the money they have budgeted could go towards this project. But there are other expenses they need to take out to keep the park going. Norden said they need to consider any Conservation Trust dollars to help fund this segment of the project separately from the conceptual approval today. Withers agreed.

Mike Drake said he is the newest member of the Committee. He said the words “In God We Trust” do have meaning. Drake said his understanding from the meeting they had a few weeks ago, is this has been a communication issue. People who started the Committee are not necessarily the people who are on the Committee now. He wants to see this project completed not only for the veterans, but also for the people of Fremont County. He has researched the motto. Drake noted at the meeting Commissioner Stiehl had brought up whether or not the motto is appropriate. Drake stated the Supreme Court ruled the display of the National Motto in government is more than compatible. Drake said Mr. Sugars and the Council had wanted to know how much support the project has within the community. Drake has provided in the packet 80+ names of people and businesses in the community who do support the project. Drake said they had contacted Siloam Stone about the cost of the actual walls and it was going to be about \$4,500. Once they found out it was going to be for the War Memorial Project, they dropped the cost down to just the cost of the truck to haul the rocks. The Marine League presented the War Memorial Committee with a large jug of pennies which weighed 168.5 pounds. There are 144 pennies per pound which is a lot, but it will take a lot more to complete this project. They have not had a problem with getting people to donate time and money to the project. He explained the reason they did not have people appear at the meeting is that there are 58,262 voices here with them today, and the purpose of this project is to make sure their voices are not silenced and that they will be remembered. Drake thanked the Board for their time, and hopes they will support this project. Commissioner Norden said there had been discussions with the Committee and previous Boards of Commissioners and there had been verbal commitments from previous Commissioners. If the project does proceed, Norden suggested to have follow up discussions regarding the budget, requests for County funds from the Conservation Trust, management and maintenance concerns.

March 22nd, 2011

Commissioner Stiehl said he applauds their dedication to this project over the last five years. He said there have not been any formal County Commissioner meetings regarding the project. There are a variety of issues they need to discuss before we can move forward on the project. The penny memorial is one issue. The main concern is of the committee receiving and disbursing of money, he is not sure where their funds are held, and what authority they use when they do disburse funds. These are items that have been on his mind for years and he wants to discuss them further. Stiehl said this is not the forum to discuss these items any further. As far as the appropriateness of the motto, the last he knew, the priority was for the fallen veteran and injured soldier statues. He said the statues are on display at Lindner Chevrolet and are now on display at Phil Long in Colorado Springs. They are still available and were designed for our War Memorial Park. He still thinks this is a more important priority. His questions are what the Committee really is, who is appointed, what constitutes the makeup of that committee, how they disburse and receive funds, where the funds are kept, what the authorities are. In his mind there may be higher priorities for the War Memorial Park. It is not just for the Vietnam War but for all Wars. He has wanted to bring this up for the last five years, and now we are finally there. Drake replied they have been out in the public, there have been numerous newspaper articles. In previous years they have always communicated through the airport manager Dick Baker. They were unaware there was any funding available, and have been running on donated money. They would be more than willing to have more meetings with Mr. Sugars and the Board. Drake apologized to Stiehl for this being troublesome to him for so long, and he should have just asked for the information. Stiehl said his point was he has asked and there has been no response. Drake asked who he had inquired to. Stiehl replied, Mr. Withers. Withers explained he has been to several meetings with the Commissioners, and Mr. Stiehl was not present at the meeting that explained most of this information. Withers said Mr. Norden and Mr. Lasha were there. Withers said Mr. Stiehl had signed about 36 pictures they gave out as an award for the work these people have done. Withers does not feel the lack of communication falls on their part. Drake showed a copy of this drawing and said he would like to have a copy with the Commissioners signatures on it. Drake told Mr. Stiehl if he did not want to sign it after he signed 36 of them, he could just write refused to sign, and he would be ok with that. Commissioner Stiehl said he thinks they are missing his point. Commissioner Norden said there is obviously work to be done. He said they need to clarify who the committee is and the status of the committee.

Commissioner Bell stated she has done her due diligence with research. It is her understanding that the issue of the motto "In God We Trust" has come before the United States Supreme Court twice. Both times the Supreme Court has said it is our National Motto it does not necessarily mean a Christian God nor does it mean another specific God and that it is a good choice for public use. Most recently the United States Supreme Court has refused to hear the case again. Commissioner Bell moved to approve the Fremont County War Memorial Penny Project using the words "In God We Trust" in concept, which means they will have to sit down and discuss it. Commissioner Norden seconded the motion. Norden said in previous discussions his reservations were about the location, size, and fundraising aspect of it. Norden asked former County Commissioner Myron Smith if he had any comments.

Myron Smith said he and prior Commissioner Tom Doyle originated this project. Neither of them are veterans and felt that Fremont County was not honoring the veterans as good as they could. He is glad that so many people have supported it and taken over the project. As the Board of Commissioners has changed they have not always felt the same about the project as him. He said if you look at the names of the people who have paid to have bricks at the memorial and could talk to the people who have given their lives for this Country they would agree with the motto. He said it is wonderful to have volunteers for the project. Smith believes the ownership and final approval should come from the Commissioners but volunteers are needed to work on the project. Smith said he would like to make a 10,000 penny donation to the project and handed a \$100 bill to Mr. Withers.

March 22nd, 2011

Commissioner Stiehl said his concern on this is still the same as mentioned before. He thinks there are other higher priorities. He does not think they should move forward until we do have a better discussion about the committee and how the money is handled. Upon vote: Commissioner Bell, aye; Commissioner Norden, aye; Commissioner Stiehl nay. The motion carried. Commissioner Stiehl noted he is a veteran and he does wear the Fallen Veterans pin on his lapel. Commissioner Norden said they will talk with Sugars to set up discussions on those specifics.

PUBLIC HEARINGS SCHEDULED FOR 10:00 A.M.

Colorado Holiday Properties LLC
Prospectors RV Resort at Royal Gorge
43595 Hwy. 50 West
Retail Liquor Store License

Chairman Norden opened the Public Hearing at 10:00 A.M.

Norden explained this is a new liquor license application. He asked Mike Johnston to explain his plans for his liquor license.

Mike Johnston explained they have a convenience store already and it will be primarily for the campground residents during the summer months. They are also going to keep the store open during the winter months for surrounding residents. He said they sell milk, eggs, butter etc. from their convenience store side to local residents, but if they have to go into town to buy beer, they will probably buy their groceries in town as well. Commissioner Norden asked if he would be selling wine, spirits and beer. Johnston answered yes, it will be a package liquor store. Norden asked if the location of the liquor store is in the campground office. Johnston said yes. One side of the store will be a retail grocery store. The other side will have a dedicated refrigerator for the alcohol. They will also have a separate storage building for liquor in back. Norden asked if all of the liquor will be in the two coolers indicated on their map. Johnston replied yes. Commissioner Bell asked Johnston about training for him and his staff as far as the alcohol sales go. Johnston explained they will be attending the TIPS training class. County Clerk Barr explained there is training the State will come down and do if needed. He said they will not have any underage employees either. Bell asked when they would do the training. Johnston asked Barr when the next class would be held. Deputy Clerk Blausner replied the next class will be in April, but an exact date has not been set. Johnston said they will attend it in April. Commissioner Stiehl said he understands the statute requires they provide evidence of support from the community and asked Johnston if has that. Barr said she has the petition in the file. Johnston said he thinks he had about 30 signatures of support on the petition from neighboring residents and businesses. Norden asked if it was a signed petition instead of letters. Barr said there are letters as well. Norden asked how he determined what the neighborhood was to petition. Johnston replied he got to meet all of his neighbors in the 8 mile area and on Highway 9. Norden said for clarification purposes, Warren and Rogene Clark are listed on the LLC and Johnston is listed as the manager on the application. Johnston said that is correct. Commissioner Bell said looking at the petition it was signed by 28 people and there were 4 or 5 more letters of support of which most addresses were on Highway 50, Texas Creek, and County Road 3A. Only a few had Canon City addresses. Norden stated all of the employees would be 21 or older. Johnston confirmed this. Norden asked if he had any concerns with younger customers coming in and having access to the coolers. Johnston said it is not a concern as they have 8 cameras set up in their surveillance system in and around the front office. He also has hired a night security guard to patrol the entire campground. Norden asked if he anticipated most of the customers to be from the campground. Johnston replied definitely. He hopes that in the off season local residents will shop there, but is not sure if that will happen. Norden asked if there was any other information from the Clerks office. Blausner replied the applicant did post and publish. Norden asked if all of the paper work is in order.

March 22nd, 2011

Barr said yes it is. Commissioner Stiehl noted it is very important for Johnston to respect the map they provided or they will be in violation. Norden asked how many clerks will be selling alcohol. Johnston said there will be 3 clerks, himself and his wife. Norden asked if they all will be attending the training. Johnston said yes.

Chairman Norden explained this is a public hearing and asked if anyone in the audience would like to address the Board on this Retail Liquor Store Application.

Public Comments: None.

Chairman Norden closed the Public Hearing at 10:18 A.M.

Commissioner Stiehl moved to approve the Retail Liquor Store License for Colorado Holiday Properties LLC/Prospectors RV Resort at Royal Gorge. Commissioner Bell seconded the motion. Commissioner Norden asked Stiehl if he wanted to qualify his motion with any stipulations in regard to the intended training. Stiehl noted its part of our record but noted the Board is requiring their attendance at the State or City alcohol training class. Commissioner Bell said the second agrees with that requirement. Johnston stated that their insurance company requires that they I.D. any customer under the age of 40. Upon vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

NEW BUSINESS CONTINUED

3. Consideration of bid award for dust suppressant

Tony Adamic, Director of Department of Transportation, presented the bids to the Board that were opened last Tuesday. The 3 companies they solicited were Enviro Tech from Greeley Colorado, Hill Brothers from Salt Lake Utah, and GMCO from Rifle Colorado. Adamic said spec #1 would be delivered to Canon City by rail to Colorado Quarries. For a number of years the County has been using their rail site to offload the railroad cars. Adamic explained the best deal they have is going with Enviro Tech at the 30% solids. There is \$118,000 budgeted for dust suppressant and they are looking at doing 65 miles of road this year. Commissioner Stiehl asked how this compares with previous years. Adamic replied last year they put down about 47 miles of road and this also helps out with their maintenance dollars. Commissioner Bell asked how often they have to reapply the suppressant. Adamic said they reapply every year. He explained on a road that has no materials on it, they apply ½ gallon per square yard. Some of these roads are down to .15 that they are applying themselves, so it does get cheaper. Commissioner Norden said it depends on whether it is a dry or rainy season. Adamic said both seasons are bad. If it is a dry season it still gets dusty. If it is a rainy season, it will leach out the suppressant. Commissioner Stiehl asked if they award the bid to Enviro Tech would they apply the suppressant in all 4 scenarios. Adamic said the Company is asking .21 cents per gallon to apply it. The County has a tanker that hauls it from the rail site to the road where they have a water truck set up with a spray bar. It takes 2 people for the process but works better as they can apply it themselves when the roads are ready rather than waiting for days on the Company to apply it. Stiehl asked if Adamic is recommending .445 cents per gallon on 30% solids. Adamic agreed that is correct. Commissioner Stiehl moved to award the dust suppressant bid for 2011 to Enviro Tech with Spec 1 of 30% solids at .445 cents per gallon. Commissioner Bell seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

4. Consideration of bid award for asbestos removal in the Fremont County Administration Building

March 22nd, 2011

George Sugars said they have received 2 bids for asbestos removal work in the Fremont County Administration building. Colorado Hazard Control out of Pueblo bid \$35,517. Environmental Abatement Southwest, Inc. from Colorado Springs bid \$71,700. Sugars said the Colorado Hazard Control bid includes removal of asbestos removal on the ceiling of Room 207, Room 210 and cleaning the contents in the Vault. Sugars recommended the lowest bid for Colorado Hazard Control for asbestos abatement in the amount of \$35,517. Commissioner Bell moved to accept and approve the bid from Colorado Hazard Control in the amount of \$35,517 for asbestos removal and abatement in Rooms 207, 210, and cleanup of asbestos in the vault. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

5. Consideration of Agreement between State of Colorado Department of Local Affairs and Fremont County – Project Name: Fremont County Multi-purpose Emergency Operations Center – Representative Steve Morrissey, Office of Emergency Management

Steve Morrissey, Director of Emergency Management, said back in December he applied for a grant for an Emergency Operations Center based out of Florence. We are one of the few counties that does not have an established center of some sort. Using some funds overseen from the Department of Local Affairs (DOLA) he applied for the grant and it was approved. The Board has copies of the approved contract between the County and the State. It is a 50% match and they supply up to 50% of the matching funds available. Through working with Florence and other agencies in the County they have come up with about \$23,000. Of this amount \$13,000 is a matching grant and \$10,000 is from DOLA. This money is to establish the building as an Emergency Operations Center. The building can also be used for training, meetings, or a classroom if not being used as an Emergency Center at the time. Commissioner Bell asked which building in Florence they will use. Morrissey replied it is the old St. Joseph Center, and is currently the Florence City Hall. They chose this building as it has generator backup, it is a secure facility and dispatch is already there. Commissioner Norden said the grant award is for \$10,930 and asked if this money will be used to renovate or equip the building. Morrissey said it's a little of both. They will be bringing in emergency phone lines, extra outlets for the electrical system, audio-video displays, wall chalk boards, computers and printers. They will also have a secure locker to store the equipment in when it is not being used. Commissioner Norden asked if with the grant award Morrissey would pursue a separate agreement with the City of Florence. Morrissey said he and George Sugars would be pursuing that later on once this gets accepted. Commissioner Stiehl moved to authorize the Chairman to sign the grant documents with DOLA for the Emergency Operations Center. Commissioner Bell seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

6. Consideration of Purchasing Portable and Mobile Radios – Representative Steve Morrissey, Office of Emergency Management

Steve Morrissey received a Homeland Security Grant to purchase more radios. These are the same radios that all of the local agencies currently use. It will allow us inner-operability regardless of where they are at or who they are throughout the State. They work similar to a cell phone so distances are not an issue as they were in the past. These new radios will be for the First Responders, County Department of Transportation, Road and Bridge, Public Works, and the Fire Departments. This is a 100% Grant, so the State and Homeland Security will reimburse the County once they pay the bill and receive the equipment. Commissioner Stiehl asked Morrissey if it was a Homeland Security Grant. Morrissey replied yes, it is applied for through a 5 county region, and this is our share. Commissioner Norden asked how long it will take to actually get the radios. Morrissey said it takes anywhere from 1-3 weeks to receive the radios. It can take up to 90 days to receive reimbursement from the time they request it.

March 22nd, 2011

Commissioner Norden noted these are very expensive radios and we have had similar grant applications before and wants to know how these radios are holding up so far. Morrissey explained that some of the earlier recipients are starting to run into some minor problems with batteries. The radios themselves are very resilient. Some have occasional glitches and have to be reprogrammed. Battery life is always an issue, and the Sheriffs Department is having some fail. The phone normally comes with a spare battery. Commissioner Bell said Morrissey did a good job on getting a 100% grant. Commissioner Bell moved to authorize signature on the 2 separate purchase orders, one for \$136,393.64 and one for \$14,190.00 for the portable/mobile radios for the Office of Emergency Management use. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

7. Consideration of approval of the appointment of Karen Olmen to the Penrose Community Library Board of Trustees. This appointment will fill the vacancy created when Diana Armstrong resigned from the Board.

Commissioner Norden said the Board has a letter from Kristina Lindsey explaining Karen's term will complete Diana's term and will begin April 1, 2011 and will finish at the end of 2013. Commissioner Bell moved to appoint Karen Olmen to the Penrose Community Library District Board of Trustees. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

8. Consideration of approval of the appointment of F. Russell Helm to the John C. Fremont Library Board to fill a vacant seat.

Commissioner Norden said the Board has a letter from Cid Larson recommending the appointment of F. Russell Helm to the Library Board. Commissioner Stiehl moved to appoint F. Russell Helm to the John C. Fremont Library Board of Trustees. Commissioner Bell seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

9. A resolution approving the exclusion of property from the John C. Fremont Library District and the inclusion of the same property into the Penrose Library District.

County Attorney Jackson said this is our annual resolution that we do to adjust properties between these 2 Library Districts. The problem arose during formation of the John C. Fremont Library District and little by little they are sorting out who should be in which Library District. They submit their resolutions to the Board of Commissioners and the Board makes the change of properties from one district to another. Commissioner Stiehl noted this is for the purpose of assessing taxes. Commissioner Stiehl moved to approve Resolution #11 approving the exclusion of property from the John C. Fremont Library District and the inclusion of the same property in the Penrose Library District. Commissioner Bell seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

10. A resolution concerning fees charged by the Fremont County Sheriff's Office relating to the service of process pursuant to 2010 amendments to 30-1-104, 30-1-105.5, 30-1-106, 30-1-107, and 30-1-116 C.R.S. (House Bill 10-1057)

Andrea Cooper of the Sheriffs Department said they created this resolution to update fees as the last one had been done in the 1980's. She said in order to be in compliance with all of the changes and statutes they needed to have this resolution. Commissioner Norden said these fees involve a lot of different things. Cooper said it is for Civil Process and mileage that they charge to Attorneys and Government Agencies. County Attorney Jackson asked her to explain how they did the zones. Cooper said Steve Morrissey had helped set up the zones.

March 22nd, 2011

Morrisey said he broke the County up into different areas and figured out the mileage to the center of those areas and gave the maps to Cooper. Commissioner Norden said in reading the language it made him realize how little he knows about some of the terms like "Writ of Repleven". Jackson explained it is when you take personal property prior to getting a judgment. The court has to issue a writ allowing repossession of a vehicle or other personal property. Norden asked if the statute says what the fee will be or is it a range of fees. Jackson said they allow a range of fees up to a certain amount not to exceed in most of the statutory provisions, plus mileage. Norden asked if the last time the fees were updated was in the 1980's. Cooper said in August of 2010 there was new legislation for mileage. They made adjustments on the fees, so they are just updating all of them. Commissioner Bell moved to approve Resolution #12 concerning fees charged by the Fremont County Sheriffs Office relating to the service of process pursuant to 2010 amendments to state statute. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

Chairman Norden adjourned the meeting at 10:43 A.M.

Clerk and Recorder