

April 8, 2008

1

SEVENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on April 8, 2008, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman, Larry Lasha called the meeting to order at 9:30 A.M.

Larry Lasha	Commissioner
Edward H. Norden	Commissioner
Michael J. Stiehl	Commissioner
Brenda Jackson	County Attorney
Norma Hatfield	Clerk and Recorder

Also present Finance Director, Dana Angel; Bill Giordano, Planning and Zoning Director and Tina Taylor, Deputy Clerk.

Pastor Wayne Dickenson from Praise Community Church gave the Morning Prayer.

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

APPROVAL OF AGENDA

Commissioner Norden removed Item #2 from the Consent Agenda for the Public Hearing, Request: CUP 08-001 Taylor Ranch Exploration/Black Range Minerals Colorado, LLC, scheduled for May 13, 2008, and moved it to Item #2 of New Business, May 27, 2008. **Commissioner Norden** moved to approve the Agenda as revised. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Lasha, aye. The motion carried.

CONSENT AGENDA

Commissioner Stiehl moved to approve the Consent Agenda as previously amended.

1. Approval of Minutes March 25, 2008
2. Approval of Bills April 8, 2008 / \$644,079.48
3. **LIQUOR LICENSE**
Quality Inn & Suites Canon City
3075 E Highway 50
C/O 1st. Pacific Investments
2195 N. Hwy 83, Suite 14-B
Franktown, CO 80116
4. Cancel Resolution Numbers 9 and 10 of 2008.
5. **SCHEDULING OF PUBLIC HEARING FOR APRIL 22, 2008 AT 10:00 A.M.**

1. **REQUEST: CUP 08-002 CHEROKEE CLAY MINE**

Request approval of a Conditional Use Permit, Department file #CUP 08-002 Cherokee Clay Mine, to allow open pit mining of clay, by Summit Brick & Tile Company/JAT Investments, LLC, for their property which is located *approximately 0.7 miles southerly of the intersection of Fremont County Road #84 and Locke Mountain Road (not a County Road), on the easterly side of County Road #84 in the Locke Mountain Area*. The application will be a renewal as the property is currently operating under permit number CUP 98-1 which will expire on April 14, 2008.

SCHEDULING OF PUBLIC HEARING FOR MAY 13, 2008 AT 10:00 A.M.

1. **REQUEST: SRU 08-001 CROSSROADS EVENT CENTER**
Request approval of a **Special Review Use Permit, Department file #SRU 08-001 to allow a restaurant and rodeo ground (both permitted in existing SRU 00-1, McDowell Sports Club) a veterinary premises (permitted use), a future residence (permitted use) and overnight parking for event participants (self-contained units) (all three are proposed), in the Agricultural Living Zone District by Crossroads Land & Cattle, LLC (James Pickart, Michael Hoge and Danny Schicke).** The property is presently owned by Pueblo Bank & Trust (purchase contract with Crossroads Land & Cattle, LLC). The property is *located approximately 2,200 feet south of the intersection of U.S. Highway 50 and Colorado State Highway 115, on the east side of Colorado State Highway 115, just south of Penrose.*

Commissioner Norden Seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Lasha, aye. The motion carried.

ADMINISTRATIVE/INFORMATIONAL

Norma Hatfield, Fremont County Clerk and Recorder, submitted the Clerk's Report for the month of March, 2008. She stated that total revenue earned in the Clerk's Office was \$667,678.54 and that figure was down \$9,031.61 from a year ago. The sales tax for Fremont County collected was \$70,727.18 which was an increase of \$2,692.69 from a year ago. Money collected for distribution among the County's special districts and schools was \$373,511.76 and that was an increase of \$8,282.27.

Ms. Hatfield stated there will be a special election for the Deer Mountain Fire District on May 6, 2008. The election will be a mail ballot election.

Commissioner Lasha moved to approve the Clerk's Report for March, 2008. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

Commissioner Stiehl stated that Veteran Services is going to have a table at the 9Health Fair this weekend April 11th from 8 am to 12 pm and they particularly want to reach widows and widowers of veterans. Representatives will be there to provide outreach and information on available services. Veteran Services in this area has grown from 7,200 to 7,900 known veterans.

Commissioner Stiehl stated there is a good chance that the South Delivery System water pipeline project, which is a part of Colorado Springs Utilities, will go through Fremont County. The Bureau of Reclamation will have a workshop Thursday, April 10th from 6 to 9 p.m. at the Quality Inn in Canon City.

Commissioner Stiehl stated Golden Belt Tour would like to have land owners with large tracts of land and want to preserve that land for the future to give them a call regarding conservation easements. There will be a workshop held the first full week of May at the Holiday Inn.

Dick Baker, Fremont County Airport Manager, presented a grant application of the FAA in Denver for total funding for \$150,000.00 general aviation entitlement money. The money will become available in May, 2008. The fund will be used to build a maintenance and equipment building at the airport. **Commissioner Norden** moved to authorize the Chairman of the Board to sign the application. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Lasha, aye. The motion carried.

CITIZENS NOT SCHEDULED

Ron Leyba, Warden of Canon Minimum Centers, extended an invitation to attend Family Day May 8th and to attend DOC Annual Fight Night on May 23rd at the Abbey. **Melvin Cole, Dept. of Corrections, East Canon Complex**, wanted to remind everyone there will be a Fallen and Lost Officer Memorial Ceremony at 11 A.M. at the Territorial Park May 21st followed by a barbeque. Proceeds from the barbeque go to the DOC Scholarship Fund. Mr. Cole stated this weekend Gov. Bill Ritter will pay a visit to DOC, followed by a reception at the Colorado Workforce Center.

Lisa Bilger, Director to Starpoint Early Care and Education Center, and **Ron Hinkle, Starpoint Foundation Chairman**, thanked **Commissioner Norden** for donating his time and participating by reading to the children in their Third Annual Fairytale Night, April 2nd.

Mr. Hinkle announced April 26th Starpoint is having the Gibson Mansion Historical Guided Tours event. All proceeds will benefit Starpoint.

OLD BUSINESS – None

NEW BUSINESS

AUTHORIZATION FOR CHAIRMAN TO SIGN INTERGOVERNMENTAL AGREEMENT WITH COLORADO SPRINGS UTILITIES REFERENCE APPLICATION FOR SOUTHERN DELIVERY SYSTEM

Brenda Jackson, County Attorney, stated essentially the Intergovernmental Agreement (IGA) is an agreement to cooperate between the City of Colorado Springs and the County regarding the Southern Delivery System (SDS) project. The City of Colorado Springs intends to apply for various permits relating to the project. The actual and final location of the final SDS pipeline is not yet determined but they want to start the permitting process and have permits in place should Fremont County be chosen for the location of the pipeline. The IGA basically states the two governments will cooperate through the permitting process. The IGA allows them to apply for site development, special review use permits, any subdivision requirements and any other applicable regulatory requirements. **Commissioner Norden** stated that there is a \$50,000.00 good faith cost deposit. Ms. Jackson said that was to cover the application costs, any expert review charges that we might have and any other review costs. They fully anticipate reimbursing the County for all staff time and review time for any expert hired that the commissioners might think necessary for a thorough understanding of the application. **Commission Stiehl** stated the two routes that are under consideration are either through Pueblo County or Fremont County. Colorado Springs has water rights to deliver and they are allowed to perfect the right and use them to their advantage. This arrangement gives us more influence over how the pipeline might look if it comes through Fremont County. **Commissioner Norden** moved to authorize the Chairman of the Board to sign the Intergovernmental Agreement with Colorado Springs Utilities reference (SDS). Commissioner Stiehl seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Lasha, aye. The motion carried.

REQUEST FOR PUBLIC HEARING: CUP 08-001 TAYLOR RANCH EXPLORATION / BLACK RANGE MINERALS COLORADO, LLC.

Request approval of a Conditional Use Permit, Department file # CUP 08-001 Taylor Ranch Exploration/Black Range Minerals Colorado LLC, to allow for mineral exploration by Black Range Minerals Colorado, LLC, for property which is leased from various property owners. The property is *located south of Fremont County Road #2 and #21 in the Tallahassee Area*. The proposed operation will consist of approximately 800 drilling sites, which is anticipated to be completed within a ten (10) year time frame. There will be no more than 5 to 10 active drill sites at any given time.

Planning and Zoning Director, Bill Giordano stated that by moving the hearing date to May 27th would give everyone more time to prepare for the hearing. **Commissioner**

April 8, 2008

4

Stiehl moved to schedule the public hearing date for the County Commissioners for CUP 08-001 Taylor Ranch Exploration / Black Range Minerals Colorado, LLC to May 27, 2008 at 10:00 A.M. Commissioner Norden seconded the motion adding that the date change was a request from the applicant. Upon vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Lasha, aye. The motion carried.

Commissioner Lasha adjourned the meeting at 10:00 A.M.

County Clerk