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SEVENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on April 10, 2007, 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
Larry Lasha	Commissioner	Present
Michael J. Stiehl	Commissioner	Present
Brenda Jackson	County Attorney	Present
Norma Hatfield	Clerk and Recorder	Present

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

Pastor Steve Schwartz from the Cañon City Seventh Day Adventist 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 announced the Proclamation of National Crime Victim's Rights Week April 22 – 28, 2007 will be added as Item 10 under New Business. **Commissioner Stiehl** moved to approve the revised Agenda. Commissioner Lasha seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

CONSENT AGENDA

Commissioner Lasha moved to approve the Consent Agenda.

1. Approval of Minutes, March 27, 2007
2. Approval of Bills April 10, 2007/ \$625,876.91
3. LIQUOR LICENSES
Quality Inn & Suites
3075 E. Highway 50
Cañon City, CO. 81212
Hotel and Restaurant Liquor License Renewal – Malt, Vinous and Spirituous

Royal Gorge Co. of Colorado
Christine Blazer
4218 CR 3A
Cañon City, CO. 81212
Optional Premises Renewal – Malt, Vinous and Spirituous
4. SCHEDULING OF A PUBLIC HEARING/None

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

ADMINISTRATIVE/INFORMATIONAL

1. Staff/Elected Officials

Norma Hatfield, Fremont County Clerk & Recorder, submitted the Clerk's Report for the month of March 2007. She stated that total revenue earned in the Clerk's Office was \$667,678.54 and that figure was down \$17,557.96 from a year ago. The sales tax collected was \$70,727.18 which was up \$5,441.09 from a year ago. Money collected for distribution among the entities was \$373,511.76 and that was a decrease of \$37,123.58 from a year ago.

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Commissioner Lasha moved to approve the Clerk's Report for March 2007. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

Commissioner Lasha reported that CR 132 is near completion from the July 5, 2006 flood damage. The district #2 road crews will now be able to focus on the district area maintenance and repairs.

Commissioner Norden announced on Saturday, April 14th Fremont County is cooperating with the Holcim Portland Plant for the company's third annual county-wide Tire Collection Day. Holcim will accept a maximum of fifteen passenger tires per household from 8:00am to 12:00pm.

Commissioner Stiehl announced on Saturday, April 14th Cañon City and Fremont Recycling Board will accept household hazardous waste at Elm Street (east of 9th Street) from 9:00am to 12:00pm. He stated computer disposals will be accepted for a fee.

Jim Beicker, Fremont County Sheriff reported he had recently attended a regional forum on courthouse security in Pueblo. He remarked having a new courthouse designed for security enabled Fremont County to excel on the issue of security. Sheriff Beicker advised as a result of state-wide interest a commission was formed with submitted legislation to the capital. If successful, revenue monies would be generated based on per case court fees and Fremont County would qualify for those grant monies.

2. Citizens Not Scheduled/None

OLD BUSINESS:

REQUEST: CUP 06-004 BEEDLE QUARRY RESOLUTION #25

(Continued from March 13, 2007 and March 27, 2007 BOCC Meetings)

Tim Rocchio, R.D. & T.R., LLC stated they were requesting approval of a Conditional Use Permit, Department file #CUP 06-004 Beedle Quarry, to allow surface mining and processing of limestone, granite, sandstone and decorative rock, by Charles T. Gutierrez and Jack H. Beedle. Their property is *located approximately 4 miles southeast of the intersection of State Highway 67 and County Road 19, aka Siloam Road, then approximately 1600 feet southwest of the intersection of County Road 19 and County Road 835C, aka Green Valley Ranch Road, then approximately one-hundred (100) feet of the southeast corner of the property*. The property is located southeast of the City of Florence, Colorado. The proposed number of trucks hauling from the site is a maximum of 10 per day during daylight hours. The proposed hours of mining, crushing, stockpiling, etc. are from 6am to 6pm. The property contains 40 acres and is zoned Agricultural Forestry. Mr. Rocchio stated most of the tabled issues dealing with the flood hazard area and the storm water management plan have been addressed. He remarked the State prohibits retained water in the pit and the depth of the pit will stay well above the water table. Mr. Rocchio advised the original permit has been revised to include a keyhole (channel) open to Hard Scrabble Creek.

Bill Giordano, Planning and Zoning Director reiterated that the depth of excavation cannot be more than ten (10) feet and stated that it is critical relating to the underground water. He addressed the contour mistakes in the drawing and **Mr. Rocchio** responded the drawing had been corrected and a reapplication to the State with the new boundaries has been submitted. Mr. Giordano advised the recommended additional notifications have been completed.

Commissioner Lasha shared concerns regarding the days and hours of trucking or hauling and asked the applicant if Monday – Friday was unreasonable for truck usage. **Jack Beedle** responded that he preferred not to limit the Saturday schedule.

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Commissioner Stiehl shared concerns regarding the water issue and dust control from the possibility of future crushing. **Jack Beedle** responded that water will be hauled in to control the dust in the event of future crushing. **Tim Rocchio** commented that the existing well could be reclassified from household to commercial use if necessary.

Commissioner Norden remarked the public hearing was conducted and closed on March 13, 2007. He stated public comments in the form of questions or clarification relating to storm or ground water would be accepted.

Michael Drake, CR 19 Resident stated he and his neighbors were opposing the gravel pit for the previous reasons expressed on March 14, 2007.

Commissioner Lasha made a motion to approve **Resolution #25** CUP 06-004 Beedle Quarry with the twenty-three (23) Conditions six (6) Contingencies; Waiving surfacing, lighting and landscaping. **Commissioner Stiehl** requested clarification on the number and schedule of truck haul trips. **Commissioner Lasha** amended the motion revising Condition H truck haul trips from 6am to 7pm instead of sunrise to sunset.. The motion was seconded by Commissioner Norden. **Commissioner Stiehl** expressed concerns regarding dust control and felt it lacked specification in the Conditions. Condition W was revised to address dust control. **Commissioner Lasha** accepted the revision. **Commissioner Norden** stated the motion and second stand with the revisions.

RECOMMENDED CONDITIONS:

- A. The term of the Conditional Use Permit shall be for a ten (10) year term.
- B. The Department of Planning and Zoning shall review the permit annually to determine compliance with the conditions of the permit and forward it to the Board for their review as required by regulations.
- C. Applicant shall conform to all plans, drawings and representations submitted with or contained within the application except as may be inconsistent with other provisions of the permit.
- D. Applicants shall comply with the laws and regulations of the County of Fremont, its agencies or departments, the State of Colorado, its agencies or departments, and the United States of America, its agencies or departments, as now in force and effect or as the same may be hereafter amended.
- E. Applicants shall obtain and keep in effect all other permits required by any other governmental agency and as otherwise may be required by Fremont County. Revocation, suspension or expiration of any such other permits shall evoke suspend or terminate the permit authorized hereunder as the case may be
- F. All loads of material transported from the site shall comply with applicable Colorado Revised Statutes.
- G. Days of operation will be limited to Monday through Saturday from 6am to 6pm for crushing and stockpiling.
- H. Days and hours for truck hauling will be Monday though Saturday from 6:00am to 7:00 pm.
- I. The number of haul truck trips shall not exceed 10 truck trips per day. (A trip is considered as a single or one direction vehicle movement with either the origin or the destination (exiting or entering) inside the subject property.)
- J. If a conditional use is abandoned, discontinued or terminated for a period of six (6) months, the approval thereof shall be deemed withdrawn and the use may not be resumed without approval of a new application. Provided, however, if the holder of the permit intends to, or does temporarily cease the conditional use for six (6) months or more without intending to abandon, discontinue or terminate the use, the holder shall file a notice thereof and the plan for the resumption of the use. The requirement of a notice of temporary cessation shall not apply to applicants who have included in their permit applications a statement that the use would continue for less than six (6) months in each year and such fact is noted on the permit. In no case, however, shall temporary cessation of use be continued or more than two (2) years without approval by the Board.

- K. If a Conditional Use Permit is to be transferred, it shall comply with all Federal, State and Local regulations regarding such transfer.
- L. If it is found by judicial action or it is determined that any easement used for access into the subject property is not valid; then termination of the Conditional User Permit will result.
- M. Fremont County shall retain the right to modify any condition of the permit, if the actual use demonstrates that a condition of the permit is inadequate to service the intended purpose of the condition. Such modification shall not be imposed without notice and a public hearing being provided to the applicant, at which time applicant and members of the public may appear and provide input concerning the proposed modifications to the conditions of the permit.
- N. Only the named party on the permit shall be allowed to operate this Conditional Use Permit. Board approval shall be required prior to allowing any other person or entity to operate at the site under the conditions of this permit. All persons, entities or others requesting Board approval to operate under this Conditional Use Permit must agree to abide by all terms and conditions of this Conditional Use Permit and shall be required to be named on this Conditional Use Permit as additional parties who are bound by the terms and conditions of this Conditional Use Permit.
- O. Provide a copy of the permit or license or documentation from the listed entity that the following are not required prior to operation:
 - 1. The Division of Reclamation, Mining and Safety Permit.
 - 2. Colorado Department of Public Health and Environment Fugitive Dust Permit.
 - 3. Colorado Department of Public Health and Environment APEN Permit
 - 4. Colorado Department of Public Health and Environment Storm Water Discharge Permit
 - 5. United States Department of Labor Mine Safety and Health Administration number.
 - 6. Corps of Engineers 404 Permit.
- P. Written documentation from the County Road Foreman or County Reviewing Engineer noting compliance with the following requirements of the County Engineer and County Road Foreman prior to operation of the quarry:
 - 1. The intersection of County Road 835C with County Road 19, aka, Siloam Road, should be revamped so that vehicles approach at a right angle, or a perpendicular intersection, instead of a "Yield" sign.
 - 2. The existing cattle guard on County Road 19 (northerly of the site) needs to be widened and replaced.
 - 3. As per the County Road Foreman, gravel in the amount of 1500 ton shall be provided annually to assist in increased maintenance of County Road 10
- Q. Documentation from the Colorado Department of Transportation as to compliance with any requirements or improvements, prior to operation.
- R. Documentation as to an acceptable sewage disposal source for employees from the Fremont County Environment Health Department, prior to operation.
- S. Documentation as to the issuance of a building permit for any buildings, requiring a building permit.
- T. A copy of an approved well permit for specified use prior to operation.
- U. Copy of a flood damage prevention permit for any mining which will take place within the FEMA designated flood hazard area.
- V. Copy of a flood damage prevention permit for any buildings to be constructed within the FEMA designated flood hazard area.
- W. Temporary parking areas and internal haul roads shall be graveled and dust control measures applied if necessary.

RECOMMENDED CONTINGENCIES:

It is recommended that this item be approved and referred to the Board for scheduling of a public hearing provided the following contingencies are provided within six (6) months (no extensions) after final approval by the Board.

1. Documentation from the Florence Fire Protection District as to acceptance of the fire plan or that a fire plan is not required.
2. Documentation from the Weed Control Officer as to acceptance of the plan and/ or compliance with any additional requirements or recommendations.
3. Statements in notes 2&4, on the site plan shall be corrected, as they are inconsistent as to whether there are buildings proposed.
4. The first part of the statement, in note #3, on the site plan shall be removed or re-written, as there are drainages within the mining area that will be affected.
5. Bearings and dimensions of the 30 foot ingress-egress easement shall be shown on the site plan.
6. The ingress-egress easement shall state that it includes ingress-egress for mining, from assignees.

WAIVED:

Surfacing 5.3.1

Lighting 5.3.3

Landscaping 5.3.4

Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, nay. The motion carried with the Adoption of **Resolution #25**. Commissioner Stiehl commented his objection related to the ground water and storm water management.

**PUBLIC HEARING
WHITE WATER BAR AND GRILL
HOTEL & RESTAURNT
LIQUOR LICENSE RENEWAL
10:00 A.M. APRIL 10, 2007**

Commissioner Norden announced the liquor license renewal application for White Water Bar and Grill is being reviewed after the Board of Commissioners received a petition dated March 1, 2007 from Frank and Toni Mauro of Fort Gorge RV Park accompanied by signed petition. Commissioner Norden read the introduction of the petition. We the undersigned residents and businesses of the eight-mile-hill area and neighbors of the White Water Bar and Grill do hereby request attention to the following matters: The noise level from the music at the bar and grill is keeping people awake and disturbing the peace of the neighborhood. At times the extremely loud music continues until 1:00 or 2:00 AM. When the Sheriff is called we are told there is no noise ordinance in Fremont County so there is nothing we can do. This is disturbing to the businesses as well as to the residential neighbors. We, the undersigned, request that you consider limiting the volume and regulating the hours for the entertainment through their liquor license.

Ty Seufer, Owner stated his establishment had no desire to hurt anyone's business. He said it was a family-owned business and live music is part of their draw. To his knowledge the sheriff was called on two (2) occasions when the outside music was loud and until receiving this notification was not aware of neighboring concerns. He stated the live music is only two nights a week, although he agreed the music could be loud. He remarked that a gazebo for bands was added last summer which apparently has created the noise concern and stated when the bands played inside the noise levels had never been a problem. Mr. Seufer commented that he had not broken any laws or received any liquor violations.

Jim Beicker, Fremont County Sheriff advised during the 2005 and 2006 tourist season his department documented eleven (11) calls of noise complaints. He explained the applicant may not have been aware of the calls since Fremont County has no noise ordinance; there was no law for his deputies to enforce.

Commissioner Norden asked for anyone wishing to speak for or against to come forward.

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James Whiteside, Royal Gorge Rafting (Part Owner with Ty Seufer). He stated the business was adjacent to the White Water Bar and Grill and they did not experience any noise disruptions. He agreed the outdoor music could be too loud at times and felt Ty Seufer would compromise on the noise complaints. He stated he had spoken with several of the business owners who signed the petition and reported a noise disturbance was recognized one time.

John Zimmerman, Highway 50 West Resident stated his property is approximately a mile from the establishment and the music is so loud they cannot open their windows at night. Mr. Zimmerman said he had nothing against the business except for the level of music. He said the eleven (11) noise complaints recorded at the sheriff's department was a much lower number than the actual complaints received.

Commissioner Norden announced he had personally received noise complaint phone calls during the week. **Ty Seufer** responded private parties booked during the week and holiday events may include live music. **Commissioner Norden** said a compromise was needed so everyone can continue to do business on Eight Mile Hill.

Toni Mauro, Fort Gorge RV Park acknowledged the White Water Bar and Grill was a positive addition to the area. She suggested controlling the music volume and turning off the outside music at midnight

Ty Seufer offered a compromise including turning off the outside music by midnight each night, trying to book smaller, quieter bands and control the noise level.

Commissioner Lasha complimented the establishment and the compromise of turning off the outside music at midnight directly addresses the expressed concern. He read from the cover letter of the petition. Our rules and regulations stress the importance of quiet time at 10:00 PM. With the excessive noise from across the street it is and will be impossible to enforce and our guests will go to another campground where it's quiet. Isn't there a way the music can be shut down at 10:00 PM or 10:30 PM? Can't we work this issue out together?

Commissioner Norden closed the Public Hearing and returned to Regular Session.

Commissioner Norden made a motion to renew the liquor license for White Water Bar and Grill accepting the applicant's suggestion to cut off the outdoor live music at midnight, making every effort to control the noise level. He stated it would be incumbent of the applicant to demonstrate consideration and cooperation with the neighboring businesses and residents since operations this summer could affect next years license renewal. The motion was seconded by Commissioner Stiehl. Upon vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Lasha, aye. The motion carried.

NEW BUSINESS (CONTINUED):

FREMONT COUNTY HEADSTART

Jo Beth Palmer, Director of Fremont County Headstart - GED Examiner for Fremont County stated as a program they would like to thank the Board of Commissioners for affording some funding which has enabled the program to proceed with the GED preparation classes. These classes will help citizens of Fremont County further their education and increase self sufficiency. The polar bear class of three year old children created a picture and she presented it to the Board with appreciation. She extended an invitation to the public for the Brookside Headstart Safety Town USA program that was starting Tuesday April 17th and would run for a week.

EMERGENCY RESPONSE AUTHORITY

Jim Beicker, Fremont County Sheriff stated he has been functioning as the Designated Emergency Response Authority for Hazmat and is satisfied with the existing designation since situations often require law enforcement participation. He advised his department does not have the appropriate equipment, training or personnel and requires the mutual aid agreement of support from the fire districts.

Brenda Jackson, County Attorney advised the Reciprocal Hazardous Material Incident Assistance Agreement, dated March 19, 1992 will designate and acknowledge Fremont County Sheriff as the continuing Emergency Response Authority for hazardous substance incidents occurring within the boundaries of the County of Fremont with Fire District mutual aid agreements.

COLORADO STATE FOREST SERVICE EQUIPMENT AGREEMENT AND ADDENDUM

Jim Beicker, Fremont County Sheriff explained his department has been paying the annual assessments and fees for equipment that is placed throughout the county to address wildlife fire fighting. He advised the entities controlling the equipment will be responsible for the State required maintenance and assessment costs. He advised the department will continue to control and be responsible for the maintenance and assessment of one six-by truck currently retained at the sheriffs department facility. He stated the sheriffs department and all the entities have use of all the equipment by agreement with an annual operating plan. The agreements being reviewed: Amendment 22-5-A-1 State Forest Service and Fremont County Sheriffs Office; Agreements 22-6 State Forest Service and Deer Mountain Fire Protection District Coaldale Station; 22-3 and 22-4 State Forest Service and Tallahassee Rural Fire Protection.

Commissioner Stiehl made a motion to approve the equipment agreements and addendum as presented. The motion was seconded by Commissioner Lasha. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

COLORADO DEPARTMENT OF LOCAL AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT CONTRACT AMENDMENT

Commissioner Norden read from the Contract Amendment #1 stating the current umbrella contract between the Colorado Department of Local Affairs, Division of Emergency Management and Fremont County will expire in August 2007. The State Department of Local Affairs will discontinue use of the current umbrella/master contracts and unilateral award letters process at the end of the contract period or upon approval of new waived bilateral contract for emergency management grants. Commissioner Norden advised the Contract Amendment #1 would extend all one year contracts issued last year until March 21, 2008.

Commissioner Lasha made a motion to approve the Contract and Amendment extension with the Colorado Department of Local Affairs, Division of Emergency Management. The motion was seconded by Commissioner Stiehl. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

MARV'S PLACE – LIQUOR LICENSE RENEWAL

Brenda Jackson, Fremont County Attorney reported that Marv's Place filed their renewal application late. The liquor license renewal is for the leased premise at 103 Broadway in Penrose. The lease on file expired on March 31, 2007 and the applicant submitted a lease agreement for three months at 103 Broadway as part of the renewal application. She explained if the Board approves the renewal, it would require a waiver of the 45-day requirement. **Commissioner Lasha** made a motion to waive the 45-day requirement for Marv's Place at 103 Broadway and approve the liquor license renewal. The motion was seconded by Commissioner Stiehl. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

REQUEST: EXTENSION OF MS 05-010 LONE EAGLE SUBDIVISION

Bill Giordano, Planning and Zoning Director stated the applicant was requesting approval of a second six (6) month extension to allow completion of the required contingencies (ratification, consent and release forms and State approval of septic design for campground), by Douglas & Cathie Brill, for a two (2) lot minor subdivision *located approximately 1 ¼ miles north of the intersection of US Highway 50 and County Road 45 north of the Arkansas River.*

REQUEST: EXTENSION OF ZC 05-006 BRILL ZONE CHANGE

Bill Giordano, Planning and Zoning Director stated the applicant was requesting approval of a second six (6) month extension to allow completion of the required contingencies (ratification, consent and release form and State approval of septic design for campground), by Douglas & Cathie Brill, for a zone change from Agricultural Farming & Ranching to Travel Trailer Park and Campground, for property located *approximately 1 ¼ miles north of the intersection of US Highway 50 and County Road 45 north of the Arkansas River.*

Commissioner Stiehl made a motion to approve the six-month extension for MS 05-010 Lone Eagle Subdivision and ZC 05-006 Brill Zone Change. The motion was seconded by Commissioner Lasha. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

REQUEST: TUP 06-009 TEMPLE CAÑON AUTO HILL CLIMB

Trudy Adamovich, Race Director for Temple Cañon Colorado Hill Climbing Association, stated she was seeking approval for a Temporary Use Permit to allow an Auto Hill Climb by The Colorado Hill Climb Association (CHCA). This is the sixteenth year for the event and it will take place at County Road 3, Temple Canyon Road, off South 1st Street in Cañon City. Participation of approximately seventy to eighty vehicles is anticipated. The Hill Climb will take place on May 12 from 8:00AM to 5:00 PM, and May 13 from 9:30AM TO 4:00 PM. Ms. Adamovich requested waiver of the surety bond and approval of certificate of liability insurance submitted.

Bill Giordano, Planning and Zoning Director stated that the application was in order. They are asking for a waiver of the clean up fee and the Board needs to accept the amount of the insurance policy.

Commissioner Stiehl moved to approve TUP 06-009 Temple Canyon Hill Climb with the waiver of the clean up fee and the acceptance of the insurance amount. The motion was seconded by Commissioner Lasha. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

PP 070-001 CRANBERRY PARK SUBDIVISION

Ron W. Southard, Alpine Design Concepts Inc. stated they were requesting approval of a Preliminary Plan, Department file #PP 07-001 Cranberry Park Subdivision, in conjunction with a site development plan, by D.C.S. Development & Construction, LLC. The property is *located at the northwest corner of the intersection of Steinmeier Avenue and the Union Pacific Railroad right-of-way, in the Fourmile Area.* The vacant property is proposed to be developed into 24 lots which will house forty-nine (49) residences, with seven (7) single-family townhouse units and twenty-one (21) two-family townhouse units. The property is presently zoned Low Density Residence, however preliminary approval for a zone change to Medium Density Residence has been approved contingent upon approval of preliminary plan and final plat and contains 11.056 acres. Mr. Southard stated the property is now owned by D.C.S. Development & Construction, LLC. He reported the situation with Atmos Energy substation on the premise would be resolved prior to the final plat. He addressed contingencies #1, 2, 12b, 14-17, 22-23, and 32-41 along with the additional considerations from the Planning Commission Meeting of March 6, 2007. The contingencies were reviewed and discussed resulting in revisions.

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Commissioner Stiehl made a motion to approve PP 07-001 Cranberry Park Subdivision accepting the recommended revised contingencies and the waiving of the additional considerations.

RECOMMENDED CONTINGENCIES:

The following items shall be provided to the Department of Planning and Zoning within eighteen (18) months of preliminary plan approval by the Board or with submittal of the final plat:

1. Documentation as to compliance with any requirements of the County Engineers concerning traffic analysis and drainage as per the following:
 - A. The main concern with this design seems to be the lack of information regarding ditches and culverts; how will the runoff be transported? No quantities, sizes, slopes, outlets have been given except the proposed 24" CMP culvert under Grandview; this culvert could only carry about 10 to 12 cfs.
2. All construction plans shall reflect any requirements by the County Engineer.
3. Plans and profiles, approved by the Fremont Sanitation District, for sewer lines extending from the existing sewer main and all mains within the subdivision. (*final plat*)
4. Documentation that information requested by the Cañon City School District RE-1 was provided to them as outlined in the letter provided from L.F. Buddy Lambrecht, dated February 5, 2007. Additional requirements may result upon further response from the School District based on receipt of the additional information.
5. Executed water tap contract with the City of Cañon City for all water taps, mains, etc.
6. Documentation from the Office of the State Engineer that there is an adequate water supply, for the proposed subdivision.
7. Fire hydrants, as required by the Cañon City Area Fire Protection District as per fire protection form dated January 23, 2007 shall be included in the water line plans and profiles.
8. Documentation as to acceptance of the installation of fire hydrants, by the Cañon City Fire Authority and other requirements as per fire protection form, dated January 23, 2007.
9. Temporary erosion and sediment control plans during the construction period as per letter from Fremont Conservation District dated February 13, 2007.
10. Final plat shall note a 10 foot easement along street frontage and exterior subdivision boundaries as per letter from Craig Cutter, Aquila, dated February 6, 2007.
11. Compliance with the following requirements of Gregg A. Larsen, Senior Management Real Estate, Union Pacific Railroad as per letter dated October 10, 2006:
 - A. The final plat shall reflect the Railroad's 60' wide right-of way.
 - B. The final plat shall contain a statement that notes that the subdivision will be subject to impacts from the generation of noise and vibrations from railroad freight operations.
12. Existing power lines and existing easements/rights-of-way for Aquila transmission and electrical distribution facilities shall be shown on the final plat as per letter from Craig Cutter, Aquila dated February 6, 2007.
13. Final plat shall note that the recommendations as per letter from T.C. Waite, Colorado Geological Survey, dated February 8, 2007 shall be incorporated.
14. The culvert under Steinmeier Avenue at East Main Street conveying the Oil Creek Ditch is extended to the limits of the ROW of Steinmeier Avenue to allow for the future widening of this intersection as per recommendation of Adam Lancaster, Cañon City Engineer, as per letter dated February 12, 2007.

15. If required street improvements, including street signs, water and sewer lines, fire hydrant installation, drainage facilities and any other required improvements are not completed prior to recording of the final plat, an improvement and escrow agreement shall be provided for all required improvements.
16. Documentation that all improvements have been accepted and installed according to design standards, from all appropriate agencies or engineers that designed the improvements will be required, prior to recording of the final plat and/or release of escrow funds.
17. If all other required improvements are not completed prior to the recording of the final plat, a Colorado Professional Registered Engineers estimate shall be provided prior to recording of the final plat for installation of all improvements, road construction, irrigation improvements, drainage facilities, fire hydrants, water and sewer main extensions, street signs, fencing requirement and etcetera.
18. A quitclaim deed addressing maintenance by Homeowners' Association or property owners for all drainage facilities including drainage ditch along the west side of Steinmeier Avenue, will be required prior to the recording of the final plat.
19. Final plat shall contain a statement that the "Homeowners' Association or property owners" shall be required to maintain all drainage facilities.
20. The final plat shall contain a setback line for all wedge shaped lots. The setback line shall not be a curve and must be dimensioned along property lines to be able to determine its location in the field.
21. All drainage easements should be established for all the drainages and clearly shown on the final plat as "no-build" areas.
22. The new open drainage channel along the west side of Steinmeier Avenue will need to be constructed and maintained to prevent a re-occurrence of flooding as it years past, as per comments from the Fremont Conservation District letter dated February 13, 2007.
23. If retention ponds are to be used, documentation as to proof of water rights from the Colorado State Engineer's Office is required.
24. Copy of a Colorado Stormwater Permit if more than one (1) acre of land is to be disturbed.
25. All easements of record will be noted on the subdivision plat/drawing.
26. Final plat shall note dedication of an additional 5 feet of right-of-way, to provide for 35 feet of right-of-way from the centerline of Steinmeier.
27. An executed copy of the "Annexation Agreement to the City of Cañon City".
28. The building footprint for Lots 8,9,16 and 17 shall be placed on the final plat. This will be an accepted replacement for the design plans.
29. Drainage easement shall be obtained from the southeast corner of the property to Fourmile Creek.
30. Obtain any other easements as may be required.
31. All utilities new and/or interior to the site shall be buried underground, as per recommendation of Adam Lancaster, Cañon City Engineer, as per letter dated February 12, 2007.
32. Provide some post-construction best management practices on site that address stormwater quality, such as oil/debris separators on the outlets from the subdivision, as per recommendation of Adam Lancaster, Cañon City Engineers, as per letter dated February 12, 2007.
33. Conform to all State and local regulations with regard to stormwater runoff and erosion control, which includes a State Stormwater General Permit for the Construction, as per recommendation of Adam Lancaster, Cañon City Engineer, as per letter dated February 12, 2007.
34. Pave all streets in accordance with the City of Cañon City Standard Specifications, as per recommendation of Adam Lancaster, Cañon City Engineer, as per letter dated February 12, 2007.

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35. Install curb and gutter and five (5) foot sidewalk along the entire frontage on Steinmeier Avenue and all street within subdivision, with handicap ramps at the appropriate locations, as per recommendation of Adam Lancaster, Cañon City Engineer, as per letter dated February 12, 2007.
36. Install 4 streetlights internal to the site and put a proper mechanism in place for the Homeowners Association to own and fund such lighting, as per recommendation of Adam Lancaster, Cañon City Engineer, as per letter dated February 12, 2007.

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

PROCLAMATION NATIONAL CRIME VICTIMS' RIGHTS WEEK

Commissioner Norden reported that Fremont County is joining forces with victim service programs, criminal justice officials and concerned citizens throughout Fremont County and America to raise awareness of victims' rights and observe National Crime Victims' Rights Week April 22 – 28, 2007.

Commissioner Stiehl made a motion to accept the National Crime Victims' Rights Week Proclamation as presented. Commissioner Lasha seconded the motion with the revision from City to County on the second page of the Proclamation. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

Commissioner Norden adjourned the meeting at 12:35 PM.

County Clerk
