

**April 12, 2016**

**SEVENTH MEETING**

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on April 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: Sunny Bryant, County Manager and Matt Koch, Planning and Zoning Director

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 / March 22, 2016
2. Approval of Minutes / Special BOCC Meeting April 7, 2016
3. Approval of Bills for April 12, 2016 / \$1,324,950.41
4. Ratification of Chairman's signature on an Administrative Services Agreement and Monthly Aggregate Accommodation Agreement with Meritain Health Inc. to act as the Administrator for the Fremont County Self-Funded Insurance effective from April 1, 2016 to March 30, 2017
5. Ratification of County Manager's signature on the Plan Document with Meritain Health, Inc. for the Fremont County Self-Funded Insurance effective from April 1, 2016 to March 30, 2017
6. Adoption of Resolution #13 Series of 2016, CUP 16-001 Iron Mountain Road Gravel Pit
7. Schedule Public Hearings for Tuesday, April 26, 2016 at 10:00 a.m.:
  - a. Request approval of a Zone Change (ZC #1 application as per the Fremont County Zoning Resolution) from the Low Density Residence Zone District to the Agricultural Rural Zone District, Department file #ZC 16-001 BHEB Zone Change, by Bill Balhiser, for his property which is located on the south side of Grandview Avenue, 300 feet west of the intersection of Grandview Avenue and Steinmeier Avenue, in the East Canon area. This parcel was part of the development plan for Canon Creek Ranch. The original plan was to develop this lot in to 28 lots with utilities, curb & gutter and sidewalks. This proposal will allow for no more than 2 (two) lots being a minimum of 4 ½ acres. Access will be taken from Grandview Avenue or via an easement

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from Longs Peak Lane in the future and all utilities are existing adjacent to the parcel. The purpose of this proposal is to rezone to a zone that allows agricultural uses as it has been used for in the past. The LDR zone district does not allow for agricultural uses.

**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.

### **ADMINISTRATIVE/INFORMATIONAL**

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

**Clerk Barr** reported that for the month of March, the total Motor Vehicle Fees, Sales Taxes and Recording Fees collected were \$1,128,858.74. Fremont County's portion for disbursement is \$598,071.57, which is \$6,378.31 less than March of 2015.

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

**Commissioner Bell** reminded citizens of the free trash vouchers that are available to the residents of the unincorporated parts of the county. Holcim will be sponsoring a tire-recycling event on Saturday, April 16. She encouraged citizens to take advantage of both services.

**Commissioner Norden** said the electronics-recycling event that UAACOG partnered with Florence Cleanup to hold on April 9<sup>th</sup> was a success. 107 households, 13 businesses, and 17 non-profits took advantage of the significantly reduced rates for electronics disposal. Five tons of electronics were collect. UAACOG was able to use \$2500 of the \$7500 allotted by Fremont County towards this event, and the remaining \$5000 will be put towards a similar event in Canon City in September.

**Commissioner Payne** thanked the Canon City Fire Protection District and the BLM Fire Crew for supervising and conducting the control burn at the ecology park. The burn helped in the cleanup of the park and was used as a training exercise.

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

None.

### **OLD BUSINESS**

1. Third Reading and proposed adoption of Ordinance No. 1 Series of 2016, an Ordinance Regulating the Cultivation of Marijuana on Residential Properties, in Residential Structures, on Unoccupied Property and Requiring Registration of Primary Caregivers in the Unincorporated Area of Fremont County, Colorado

**Attorney Jackson** presented the changes since the second reading. She noted the most significant change from the second reading is that there will be a cultivation limit of 36 plants for persons who own less than ten acres. Anyone owning ten acres or more will be limited to 99 plants.

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**Dr. Victoria King** said she does not want the people of Fremont County to grow marijuana in an area where children can have access to the product. She feels the ordinance is too lenient. The residents of Fremont County should not bear the burden of a few individuals' financial gain.

**Commissioner Bell** moved to adopt Ordinance No. 1, Series of 2016, an Ordinance Regulating the Cultivation of Marijuana on Residential Properties, in Residential Structures, on Unoccupied Property and Requiring Registration of Primary Caregivers in the Unincorporated Area of Fremont County, Colorado, effective April 17, 2016. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

### **NEW BUSINESS**

1. Presentation of 2015 Fremont County Accountability Report

**Commissioners Bell, Norden, and Payne** presented the 2015 Fremont County Accountability Report. Commissioner Bell reminded citizens that the presentation could be accessed on the Fremont County website.

2. Consideration of a Proclamation for National Public Safety Telecommunications Week during the week of April 10 – 16, 2016

**Manager Bryant** read the proclamation.

**Commissioner Payne** moved to approve the Proclamation for National Public Safety Telecommunications Week during the week of April 10-16, 2016. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

3. Consideration to reappoint Michael O. Pullen to the Planning Commission for another 3-year term ending April 27, 2019

**Commissioner Bell** moved to reappoint Michael O. Pullen to the Planning Commission for another 3-year term. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

4. Consideration to reappoint Tony Adamic to the GIS Authority for another 2-year term ending April 30, 2018

**Commissioner Payne** moved to reappoint Tony Adamic to the GIS Authority for another 2-year term. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

5. Special Event Permit  
Royal Gorge Rodeo / Canon City Rodeo Assoc.  
1595 S 9<sup>th</sup> St., Canon City, CO 81212 (Fairgrounds)  
Representative: Jill Nichols/Josh Hawk

**Josh Hawk** explained the Royal Gorge Rodeo will be May 6-7, 2016, from 7:00 p.m. to 10:00 p.m. Coors and Wet Mountain Spirits are sponsoring the event. Each sponsor will have a trailer where beverages will be sold. The Rodeo Association plans to have deputies to patrol, wristbands, and servers with previous bartending experience supervising alcohol distribution. A training meeting will be held the week prior to the event.

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**Clerk Barr** said the application is in order; there have been no problems in the past; and she recommends approval.

**Sherriff Beicker** expressed concerns over monitoring traffic in and out of the event, the way alcohol will be dispensed, and the type of alcohol being dispensed.

**Commissioner Payne** moved to approve the Special Event Liquor Permit for Royal Gorge Rodeo/Canon City Rodeo Assoc. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

6. Consideration of annual ambulance licensing renewals  
Representative: Steve Morrissey, Fremont County Emergency Management Director

**Steve Morrissey** said that after inspecting the ambulances, all is in order to issue the renewal licenses.

**Commissioner Bell** moved to approve the annual renewal of ALS-16-5, American Medical Response. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

**Commissioner Payne** moved to approve the annual renewal of ALS-16-1, Penrose Fire Department. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

**Commissioner Bell** moved to approve the annual renewal of ALS-16-2, Florence Fire Department. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

**Dr. Paul Numsen**, as County EMS Medical Director, feels the personal conflicts and animosity between Deer Mountain Fire Protection District and Ark River EMS have disrupted the level of patient care in the western part of Fremont County. He recommended approving Deer Mountain's plan to expand and dissolving Ark River EMS. However, if Ark River's ambulance renewal is approved, he will continue to serve as Medical Director as long as standards are met.

**Joe Watts**, Chief of Deer Mountain Fire Protection District, does not feel revenue is sustainable for two paid agencies in the area. The district would like to be promoted to ALS status since staff has been added with ALS certification.

**Marshall Nichols** would like Ark River EMS to be renewed. The agency, which has provided service for over 30 years, is under new management. A sustainable business plan is being developed which includes housing in Howard Volunteer Fire Department. The name will be returning to Arkansas Valley EMS. The staff currently consists of 3 ALS providers, 2 BLS providers, and 30 First Responders.

**Mark Rowland** said if Dr. Numsen were not comfortable with continuing to serve as Medical Director of Arkansas Valley EMS, the agency would find someone to do so.

**John Walker** appreciated the new management for Ark Valley for reaching out to him as Chief of Western Fremont Fire Protection District to work together. He would have appreciated the same from Deer Mountain in regards to the proposed expansion.

**Commissioner Payne** moved to approve the annual renewal of ALS-16-4, Deer Mountain Fire Protection District. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

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**Commissioner Bell** moved to approve the annual renewal of ALS-16-3, Ark River EMS aka Arkansas Valley EMS, with the condition that dispatch be notified when operating under ALS status or dispatch will assume operations are BLS status. Commissioner Norden seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Norden, aye; Commissioner Payne, aye. The motion carried.

7. TUP 16-005 Super Bud Bowl III

Request approval of a Temporary Use Permit, Department file #TUP 16-005 Super Bud Bowl III to be located at the Desert Reef Hot Springs, 1194 F.C.R. 110, Florence. The event will run April 22 – 23, 2016, noon to 9 p.m. daily. The event showcases local Marijuana Businesses and growers in a contest / expo format. The event will include live music, public speakers, booths and food vendors. The site has an existing CUP for the hot springs. The site contains 75 acres more or less.

Representative: Singleton Lee

**Singleton Lee** withdrew his application for the Temporary Use Permit due to an issue with the lease agreement with Desert Reef Hot Springs.

**PUBLIC HEARINGS SCHEDULED FOR 10 A.M.**

None.

**Chairman Norden** adjourned the meeting at 11:48 a.m.

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Clerk and Recorder