

APRIL 14, 2009

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## SEVENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Michael J. Stiehl called the meeting to order at 9:33 A.M.

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

Also present Bill Giordano, Planning and Zoning Director; George Sugars, County Manager, and Carol Papen, Deputy Clerk.

Pastor Don Farr from Loaves and Fishes 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 moved to approve the agenda. Commissioner Lasha seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commission Stiehl, aye. The motion carried.

### CONSENT AGENDA

Commissioner Lasha moved to approve the Consent Agenda. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commission Stiehl, aye. The motion carried.

Commissioner Stiehl stated that the consent agenda includes some lengthy minutes from the past two meetings on March 10<sup>th</sup> and March 24<sup>th</sup> of 2009. When those meeting minutes are approved they will be posted to the website for viewing.

1. Approval of Minutes March 10, March 24 and Special Meeting march 27, 2009.
2. Approval of Bills, April 14, 2009 / \$730,276.55
3. SCHEDULED PUBLIC HEARINGS: NONE

### ADMINISTRATIVE / INFORMATIONAL

1. Staff and Elected Officials

County Clerk Hatfield reported for the month of March 2009 for fees earned. Remittance that was sent to the Treasurer was \$382,218.60 which was an increase of \$424.57. Local checks to the Treasurer for sales and use tax was \$56,639.17 which was down \$16,780.70. Overall total collected for the month March was \$643,547.78

Commissioner Norden moved to approve the County Clerk's report. Commissioner Lasha seconded. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commission Stiehl, aye. The motion carried.

2. Citizens not scheduled:

Don Farr stated that Loaves and Fishes is having a Golf Tournament Friday May 1<sup>st</sup>. Tee Off time is at 12 o'clock noon. The cost is \$80 per golfer and lunch will be included. Mr. Farr said that you can call 719-275-0593 to sign up.

Commissioner Stiehl stated that the Census is starting to collect information in the field and that they should be carrying identification on them at all times.

**OLD BUSINESS**

**ITEM #1 – Request: CUP 08-003 Salt Canyon Project**

Planning and Zoning Director Bill Giordano stated that the Applicant has accepted the conditions as written in Resolution No. 21 with emphasis on life of the mine, stock piles, adequate water holding suppression, access for hauling and visual buffering.

Commissioner Norden moved to approve Resolution #21 adopting the approval of Conditional Use Permit with the conditions and language as indicated. Commissioner Lasha seconded. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commission Stiehl, aye. The motion carried.

**ITEM #2 – Request SRU 08-004 Southern Delivery System Correction to Resolution No. 14, Series of 2009**

Planning and Zoning Director Bill Giordano stated there were minor editorial changes made to Resolution No. 14 in regards to Condition “KK” as well as Condition “LL”. In addition, a new resolution number (Resolution No. 22) will be assigned, and the adoption date will change to April 14, 2009.

Commissioner Norden moved to approve Resolution No. 22 correcting Resolution No. 14. Commissioner Lasha seconded. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commission Stiehl, aye. The motion carried.

**NEW BUSINESS**

**ITEM #1 – Consideration of Suspending Fremont County Fire Ban**

Due to the current weather conditions and moisture that the county has received, the Fremont County Fire Ban has been suspended until such a time it would need to be re-imposed.

Commissioner Norden moved to suspend the Fremont County Fire Ban until it would need to be implemented again. Commissioner Lasha seconded. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commission Stiehl, aye. The motion carried.

**ITEM #2 – Application for Special Events Permit (Canon City Rodeo Association)**

Clarence Chess, President of the Canon City Rodeo Association stated that the event will be held on May 1<sup>st</sup> and 2<sup>nd</sup> of 2009 at 7:00 p.m. Pre-Rodeo events will begin at approximately 5:00 p.m. at the Canon City Rodeo Grounds.

Commissioner Lasha moved to approve the Special Events Permit for the Canon City Rodeo Association. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commission Stiehl, aye. The motion carried.

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**ITEM #3 – Schedule Date and Time for Special Notice of Determination Hearing Schedule #998-04-247 Tax Year 2008**

The Special Notice of Determination Hearing has been scheduled for April 29<sup>th</sup> 2009 at 10:00 a.m.

Commissioner Lasha moved to schedule the date and time for the Special Notice of Determination Hearing for April 29<sup>th</sup> 2009 at 10:00 a.m. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commission Stiehl, aye. The motion carried.

**ITEM #4 – Bid Award – Phantom Canyon Road Stabilization Project**

Representative: Don Moore, County Engineer

County Engineer Don Moore states that this Bid Award would be to stabilize three wash areas and cap the roadway with concrete slab. There were six bids on the project ranging from \$15,500 - \$99,000. The low bid coming from Patch Construction in the amount of \$15,427.87 will be used. Estimated commencement should be approximately three weeks due to a bonding period for Patch Construction.

Commissioner Norden moved to approve the bid from Patch Construction for \$15,427.87 for the Phantom Canyon Road Stabilization Project. Commissioner Lasha seconded. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commission Stiehl, aye. The motion carried.

**ITEM #5 – Ratification of March 30, 2009 Consensus. Energy and Mineral Impact Assistance Program Application – Fremont Road Equipment**

Representative: George Sugars, County Manager

County Manager Sugars stated they applied for an Energy and Mineral Impact Assistance Grant in the amount of \$475,000. The County would put in an additional \$200,000 for a total application amount of \$675,000. This would be used to purchase five tandem axel trucks with plows. Due to the deadline of the application, the Chairman signed application for this request.

Commissioner Lasha moved to ratify the decision on March 30, 2009 to sign the application to meet the deadline for the Energy and Mineral Impact Assistance Grant. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

**ITEM #6 – Honorary Proclamation Older Fremont County Citizens Month**

Commissioner Lasha moved to approve Honorary Proclamation Older Fremont County Citizens Month for May of 2009. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

**ITEM #7 – Proclamation Foster Care Month in Fremont County**

Commissioner Lasha moved to approve Proclamation Foster Care Month in Fremont County for May of 2009. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

**ITEM #8 – Request: TUP 09-002 Temple Canyon Hill Climb 2009**

Representative: John Wells speaking for wife Trudy Adamovich, CHCA Race Director

There was one main issue in regards to the TUP 09-002 Temple Canyon Hill Climb 2009. This concern was raised by the Dawson Ranch Homeowners Association represented by Roxanne Brashaw. Ms. Bradshaw stated the Dawson Ranch HO Association would like the opportunity to raise a red flag during certain events if weather is a factor. They would like special precautions taken during this event. They have also requested that open pit fires be banned during this event due to a fire that started last year during the same event.

Commissioner Lasha stated that he is glad that the homeowners association is concerned and appreciates their awareness concerning the fire potential. He stated that open fire concern would be determined by the Sheriff at the time of the event.

Commissioner Lasha made motion to approve TUP 09-002 Temple Canyon hill Climb 2009 limiting off road usage, respecting fire restrictions put in place by the governing authorities which in this case would be Canon City Fire District, waiving the clean up bond and accepting the general liability insurance. In addition the applicant would need to contact the Canon City Fire District for any special limitations or restrictions the fire district would place. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

**ITEM #9 – Request TUP 09-003 Canon City Music & Blossom Festival**

Representative: Gina Grisenti, Secretary, canon City Music and Blossom Festival, Inc.

Ms. Grisenti states that this will be the 71<sup>st</sup> Festival. She goes on to list numerous events for the Blossom Day Festival which can be viewed on their website [www.ccblossomfestival.com](http://www.ccblossomfestival.com). Ms. Grisenti said that the carnival will run Wednesday through Sunday with Wednesday night being a discount night for wristbands to anyone who donates non-perishable food for Loaves and Fishes. An entertainment schedule for the weekend is also posted on the website.

Commissioner Norden moved to approve the TUP for the Canon City Music and Blossom Festival/Carnival requiring compliance with requirements in regards to environmental health from the Public Health Officer, acceptance of the General Liability insurance, waiver of clean up fee as well as waiver of the application fee. Commissioner Lasha seconded. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commissioner Stiehl, aye. The motion carried.

**ITEM #10 – Request: Extension of BLA 08-004 EMJ Boundary Line Adjustment**

Representative: George Hall, Crown Point Land Services

Mr. Hall states they need more time to complete the Ratification Consent and Release Form. They are having difficulties getting the title company and/or the mortgage company to accept accountability and need more time to work through this issue.

Commissioner Lasha moves to approve the requested 12 month extension for BLA 08-004 EMJ Boundary Line Adjustment. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

Commissioner Stiehl adjourned the meeting at 10:36 a.m.

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