

APRIL 28, 2009

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**EIGHTH 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 9:30 A.M.

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

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

Pastor Larry Chell from Christian Family Fellowship 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 with the exception of approving the April 22<sup>nd</sup> meeting minutes until the Planning and Zoning Director as well as the County Attorney can review them. 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 with the same exception of approving the April 22<sup>nd</sup> meeting minutes until the Planning and Zoning Director as well as the County Attorney can review them. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commission Stiehl, aye. The motion carried.

**ADMINISTRATIVE / INFORMATIONAL**

1. Staff and Elected Officials

Treasurer Pat McFarland gave a Quarterly Report of the Public Trustee to the Board which was derived from the records of the Fremont County Public Trustee for the period of January, February and March of 2009.

Total Public Trustee Fees Collected:	\$	27,277.81
Earned Interest 4 <sup>th</sup> Quarter 2008	\$	68.11
Earned Interest 1 <sup>st</sup> Quarter 2008	\$	11.57
Total Expenses of the operation of the Public Trustee Office	\$	<6,624.34>
First Quarter Income	\$	20,733.15

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

2. Citizens not scheduled:

Becki Vettese from Fremont County Nursing Services stated that they now have a new name which is Fremont County Public Health and will be referred to as such from this moment forward.

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Ms. Vettese stated that the Swine Flu is something that we all need to be concerned with. At the current time, the numbers reported for people getting the Swine Flu in the U.S. is relatively low. However, they expect those numbers to increase steadily and would like everyone to be aware of its existence and what we can do to avoid unnecessary spreading of this particular flu strain which is a mixture of bird, swine and human flu. Ms. Vettese stated that if this should reach pandemic status, they do have a national stockpile which includes masks, gloves and drugs for a flu of this nature and magnitude. She also stated that Tamiflu and Rulenza are two drugs that are available if needed to help lessen the severity of the Swine Flu as well as shorten the duration.

Commissioner Norden asked Ms. Vettese if the flu shots that were administered already for this year would help with this strain of Swine Flu. She stated that they would not help with this particular flu.

Ms. Vettese pointed out some ways that may help to avoid Swine Flu:

- Wash hands frequently
- Don't shake hands
- Use hand sanitizer
- Cough or sneeze into a Kleenex and not into the air
- Pay attention to what you are touching (rails, light switches, door handles, etc)
- Make sure you get adequate rest
- Eat healthy foods
- Try to maintain optimum health

## **NEW BUSINESS**

### **ITEM #1 – Tom Anderson – Ambulance License Renewals**

Mr. Anderson stated that all ambulance companies in Fremont County have been inspected and applications for renewals are as follows. Penrose, one ambulance renewal; Florence, two ambulance renewals; Northwest, two ambulance renewals; Arkansas Valley, two ambulance renewals; AMR, has approximately 12, five which are stationed here in Fremont County which are subject to Pueblo County inspection.

Commissioner Norden moved to approve ambulance re-licensing for Penrose with one ambulance waiving application and inspection fees; Re-licensing for Florence with two ambulances waiving application and inspection fees; Re-licensing for Northwest with two ambulances allowing an additional 30 days to stock necessary medication of basic life support ambulance and waiving application and inspection fees; Re-licensing of two ambulances for Arkansas Valley for basic life support waiving application and inspections fees; and acceptance of inspection reports from Pueblo County for AMR in regards to their ambulances that operate in Fremont County. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commission Stiehl, aye. The motion carried.

### **ITEM #2 – Resolution Suspending the Fire Ban for Fremont County Pursuant to Ordinances No. 2006-1 and 2007-1**

Commissioner Lasha moved to approve Resolution No. 23 suspending Fire Ban for Fremont County. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commission Stiehl, aye. The motion carried.

### **ITEM #3 – Tommy Covington – Bid Award for Bleachers at Pathfinder Park Arena**

Mr. Covington stated that there were two bid proposals for bleachers at Pathfinder Park Arena. Southern Bleachers' bid was in the amount of \$44,600 for the bleacher fabrication and Bleachers International's bid was \$58,058. A representative of Southern Bleachers said that there are no specifications in the request that they are not able to meet.

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Mr. Covington also said that Lee Daffron of Fremont Enterprises has agreed to transport the bleachers for them at minimal or no charge. Mr. Daffron's company said that they will also assemble the bleachers at no charge which will save approximately \$11,000.

Mr. Covington recommended acceptance of the low bid from Southern Bleachers in the amount of \$44,600.

Commissioner Lasha moved to approve the recommendation of the bid to Southern Bleachers in the amount of \$44,600. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commission Stiehl, aye. The motion carried

**ITEM #4 –Lease Purchase Agreement – 1996 Ford 3000 gallon capacity jet refueler VIN #1FDPF70J8TVA21647**

Mr. Dick Baker explained that there have been some problems in the past years with adequate fuel storage and servicing of major events at the airport. The Airport Board had a meeting to see if they could find a solution for this problem. After meeting, the board decided the best way to solve this problem would be to get an additional fuel truck that has more fuel storage capability to help with major events at the airport.

Their fuel supplier had two trucks available for a lease/purchase option. The board assessed which vehicle would be the better option and came up with a lease/purchase agreement that would be paid off within a four to five year period. This vehicle would be purchased by funds generated from jet fuel sales and aviation gas.

Commissioner Norden moved to approve the lease purchase agreement on a 1996 Ford 3000 gallon capacity jet refueler VIN #1FDPF70J8TVA21647 at a three percent interest rate for a total sum of \$78,000. Commissioner Lasha seconded. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commission Stiehl, aye. The motion carried

**ITEM #5 –Request: Waiver of Paving Requirements for Coyote's Coffee Den**

Request approval of a **waiver of hard surfacing requirements** of the Coyote's Coffee Den parking lot, by Pete Mugasis. The property is addressed as *675 Highway 115, which is located at the Southwest corner of 6th and Colorado State Highway 115, Penrose, Colorado*. The subject property is located in the Business Zone District. The Board of County Commissioners granted a two (2) year extension to allow completion of paving on April 12, 2005, and another two (2) year extension on August 14, 2007. The last extension deadline was March 5, 2009.

Representative: Pete Mugasis, owner of Coyote's Coffee Den

Mr. Mugasis stated that Coyote's Coffee Den has not generated enough revenue to pay for traditional paving of the parking lot.

He did some research to see if there would be other options available in order to comply with this requirement. He discovered an alternative surface called "crushed asphalt" which is recycled roto millings. This type of material when compacted creates a hard surface that is dust free.

Commissioner Norden asked when paving would commence. Mr. Mugasis replied that the process would start immediately and within the next 30 days an overlay would be applied. There would be no changes made to the handicapped surface which is a hard cement surface that already exists and is in good condition.

Commissioner Lasha moved to approve the substitution of crushed asphalt in the Coyote's Coffee Den parking lot with the first phase to be completed by June 30<sup>th</sup> and the second phase to be completed by July 31<sup>st</sup> of 2009. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commission Stiehl, aye. The motion carried.

**ITEM #6 –Request: TUP 09-004 Belvedere Blues Festival X**

Request approval of a Temporary Use Permit, File # **TUP 09-004 Belvedere Blues Festival X**, to allow a 3-day music festival with motorcycle ride and car show by Belvedere Community Foundation. The event will take place at *1330 Elm Avenue behind (south) and West of Merlino's Belvedere Restaurant*. The event will take place *Friday, September 11, 2009 from 4:00 p.m. to 2:00 a.m., Saturday, September 12, 2009, from 8:00 a.m. to 2:00 a.m., and Sunday September 13, 2009, from 9:00 a.m. to 7:00 p.m.*

Representative: Dan Brown in place of Michael A. Merlino, Belvedere Community Foundation

Planning and Zoning Director Bill Giordano stated that all the minimum requirements for this event have been provided to the department and the action needed from the board today is approval of the event. Secondly the applicant is requesting waiver of the application and clean up fee. In addition the board would need to accept the general liability amounts which are the same as last year.

Commissioner Norden moved to approve the TUP 09-004 Belvedere Blues Festival X for September 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> waiving the clean up and application fee and accepting the general liability insurance. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commission Stiehl, aye. The motion carried.

**ITEM #7 –Request: TUP 09-005 Hardrock Enduro Off-Road Motorcycle Race**

Request approval of a Temporary Use Permit, File # **TUP 09-005 Hardrock Enduro Off-Road Motorcycle Race**, to allow an **off-road "enduro" motorcycle race** by E-Racer Productions, LLC. The event will take place at *1815 Red Canyon Road, AKA The Stock Ranch. The property is located approximately two (2) miles north of Cañon City, and one (1) mile west of Red Canyon Road*. The race will run on *May 31, 2009 from 8:00 am to 2:00 pm*. The subject property is located in the Agricultural Forestry Zone District.

Representative: George Pennington, E-Racer Productions, LLC

Mr. Pennington stated that this event is a timed event with a closed course. There would be three riders on a timed schedule released each minute with an average speed of 18 miles per hour or less. It is a very controlled environment.

He said this event is family oriented. It is a participant only event with no spectators. Only family members and friends are in attendance. There will be approximately 150 participants. The course is approximately 13 miles winding in and out of the rocks and canyons and the participants will run four laps each.

The event is being held on private property in which the applicant has received approval from the property owner.

The Planning and Zoning Director, Bill Giordano stated that minimum requirements for the event have been submitted to the department and are in place. He said that the board would need to accept the general liability which has not been provided by the applicant yet. Mr. Pennington said that the general liability was waiting to be purchased until the event was approved by the board.

Commissioner Lasha moved to approve TUP 09-005 Hardrock Enduro Off-Road Motorcycle Race with the insurance requirements met and the waiver of clean up. Commissioner Norden seconded. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commission Stiehl, aye. The motion carried.

Commissioner Stiehl adjourned the meeting at 10:28 a.m.

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