

May 14, 2013

NINTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on May 14th, 2013, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Debbie Bell called the meeting to order at 9:30 A.M.

Debbie Bell	Commissioner	Present
Tim Payne	Commissioner	Present
Edward H. Norden	Commissioner	Present
Katie Barr	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present

Also present: George Sugars, County Manager; Bill Giordano, Planning and Zoning Director and Jody Blauser, Chief Deputy Clerk.

The Invocation was given by Keith Naumann from the Church at the Abbey.

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

APPROVAL OF AGENDA

Commissioner Bell added a Modification of Premise Application for JEE Enterprises Inc. DBA Gateway Liquor as New Business #1, moving all other New Business items down one item on the agenda.

Commissioner Norden moved to approve the amended agenda. Commissioner Payne seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

CONSENT AGENDA

Commissioner Bell noted the scheduling of two Public Hearings on June 11, 2013 at 10:00 a.m. The first Public Hearing is for SRU 13-002, Captain Zipline Adventure Tours, and the second Public Hearing is for a Proposed Amendment to the Final Plat Section of the Fremont County Subdivision Regulations.

Commissioner Payne moved to approve the consent agenda. Commissioner Norden seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Norden, aye; Commissioner Bell, aye. The motion carried.

ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials

Commissioner Bell said she and Commissioner Norden had attended the Florence Chamber of Commerce Banquet. Bell congratulated Dori Williams, the Florence City Clerk, who was awarded the Inaugural Linda Smith Public Service Award. Millie Wintz was given the Citizen of the Year Award. Aaron Spadinger was named the Florence School Employee of the Year. Holcim Inc., was named outstanding Business of the Year.

Commissioner Payne said last Thursday Paul Vertrees and 30 of the ROTC Cadets cleaned up the parking lot at the Ecology Park. Payne thanked them for their efforts.

County Clerk Barr gave her report for April 2013. The total amount collected was \$843,621.10. Of this amount the County kept \$410,172 for disbursement which was about 49% of the total collected. This was \$22,513.17 more than last year.

Commissioner Norden moved to accept the County Clerk's Report for April 2013. Commissioner Payne seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

Commissioner Norden said the Commissioners were recently briefed by some students from CU in Boulder on the Fremont County Community Health Assessment. The top three health issues in Fremont County are; Substance Abuse, Tobacco Use, and Mental Health issues.

Sunny Bryant, Fremont County Finance Officer, reported on Sales and Use Tax Collections for April 2013. Overall Total Sales and Use Tax Collections were up about \$29,000 compared to last year. Of this amount Sales Tax is up three out of five months so far. The Sales Tax collected in April was for revenue in February. The Auto Use Tax is down about \$300 from last year. The Construction Use Tax is down approximately \$11,000 from 2012.

2. Citizens Not Scheduled: None.

OLD BUSINESS

None.

NEW BUSINESS

1. Application for Request of Modification of Premise for JEE Enterprises Inc./Gateway Liquor Retail Liquor Store, Ed Lucas Owner/Representative

Ed Lucas said he plans to expand his liquor store into the vacant adjacent space next to his store in the shopping center. This will require an opening to be cut through the wall from his store into the adjacent space. One office space and a reception area will be removed in the expanded space. The carpet will also be removed. He hopes this will increase business. The additional space will be used for storage, retail and display areas.

Jody Blauser, Chief Deputy Clerk, said all of the paperwork received was in order. The inspection from Sid Darden came back fine. The inspection from the Sheriff was not received yet, but the Sheriff is here today to answer any questions. The applicant cannot begin construction until the Board and State approve the modification request.

Sheriff Jim Beicker explained he had been by Gateway Liquor for the inspection but did not realize they could not start construction until the Board approved the modification request. In the past other businesses had not gone through the proper process for modifications. He does not have any concerns with the expansion or security. The front entrance in the expanded area will be sealed off leaving only the one front entrance. There are two back entrances in the expanded area. Sheriff will do a final inspection once construction is complete.

Commissioner Norden moved to approve the Modification of Premise Request for JEE Enterprises/Gateway Liquor. Commissioner Payne seconded the motion.

Upon Vote: Commissioner Norden, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

2. Proclamation for Foster Care Month in Fremont County, May 2013
Representative: Steve Clifton, Department of Human Services Director

Steve Clifton explained May is Foster Care Month in Colorado. There are currently 18 certified Foster Homes and 13 Kinship Homes in Fremont County. He thanked the citizens who provide foster care for their dedication and hours spent caring for these children in need.

Stacy Kwitek said there is a need for many more Foster Homes in Fremont County. There are currently 94 children in Foster Care in Fremont County. Unfortunately 41 of these children have to be placed in Foster Homes outside of Fremont County. She read the proclamation.

Commissioner Payne moved to approve the Proclamation for Foster Care Month in Fremont County for May 2013. Commissioner Norden seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Norden, aye; Commissioner Bell, aye. The motion carried.

3. Consideration of bid award to Innovative Structures, Inc. for Pathfinder Park Utility/Storage Building. Representative: Tommy Covington, CSU Extension County Director

Tommy Covington said the bids are for an equipment shed/garage at Pathfinder Park. County Engineer Don Moore designed the plans for the structure. There were five companies that returned bids for the project. He recommended the bid from Innovative Structures be approved. Currently all equipment and the tractor are stored at the Florence Shop on the other side of Florence. Commissioner Norden noted the bids received range from \$27,611 to \$72,254.

Commissioner Norden moved to approve the bid to Innovative Structures for \$27,611.20. Commissioner Payne seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

4. Approval to transfer \$8,000 from the General Fund to the Fremont County Fair Livestock Sale Fund

Commissioner Bell said the Livestock Sale had previously been conducted by the Fremont Fairs and Shows Committee which is a 501C3 organization. The Board of County Commissioners decided to form a new Livestock Sale Committee for better accountability and transparency. In order to conduct the sale later this year, the new Committee needs to have funds available now. Commissioner Norden said the Commissioners had requested the Fairs and Shows Committee transfer any money associated with the Livestock Sale to the new Sale Committee, and no money was transferred. Norden hopes some of this money will be restored to the General Fund once the Livestock Sale has been conducted.

Commissioner Norden moved to approve the transfer of \$8,000 from the General Fund to the Fremont County Fair Livestock Sale Fund. Commissioner Payne seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

1. Request: SRU 13-001 Tallahassee Volunteer Fire Protection – Main Station. Request approval of a Special Review Use (SRU) Permit, Department file #SRU 13-001 Tallahassee Volunteer Fire Protection – Main Station, by Tallahassee volunteer Fire Protection on property owned by Rideout Family LLLP, to allow a fire station for the Tallahassee Volunteer Fire Protection, which will include housing of operations, and administration activities. The fire station will house a minimum of five fire apparatus and can be used as a command/disaster center. The property is located on the northeast side of Colorado State Highway 9, approximately 2.25 miles northwest of the intersection of US Highway 50 and Colorado State Highway 9. The SRU permit property contains 5.271 acres and is zoned Agricultural Forestry. Representative: Gordon Grosslight, Tallahassee Volunteer Fire Protection

Chairman Bell opened the Public Hearing at 10:00 a.m.

Gordon Grosslight said they are trying to build a station that will provide better services for the area. This fire station would serve 108 homes in the lower area and more than 300 homes in the upper area. The facility will house four to six pieces of equipment. This is a volunteer staff and will only be at the station for training or when an incident occurs. The facility could be used to house people in the event of an emergency in the area. It could be used as a base of operations if needed. Last year their department responded to 72 in district calls and 28 out of district calls.

Planning and Zoning Director Giordano said publication, posting, and notifications have all been completed per regulations. Normal notification to property owners is within 500 feet of the proposed site, however, notifications were sent to owners within 1500 feet of the site. The Planning Commission met on April 2, 2013 and unanimously approved the request. The cistern is actually a 10,000 gallon cistern instead of the 2,000 gallon cistern that was proposed. Giordano discussed the recommended conditions, contingencies and waiver requests.

Public Comments:

Stuart Chappell said he is delighted to have a fire station so close to his home. He believes this will be a benefit to the community.

Donald Wiltse said he does not believe proper notice of the meeting was given. He said no weed control plan or traffic control plan was submitted with the application. Construction has already begun before the Board issued approval. Mr. Wiltse is in favor of the Fire Station but believes Mr. Grosslight is in violation of the zoning regulations.

Bill Giordano said he has certified mail receipts from the entities that were notified. The sign was posted on the property but could not be in the State Highway Right of Way. The lighting, landscaping, and buffering waivers are what the Planning Commission did recommend. This application process has followed regulations and is consistent with past policy.

Commissioner Bell asked Mr. Wiltse what he thinks is an acceptable amount of lighting. He replied no lighting would be acceptable. Bell explained the waiver of lighting request would allow for no lighting to be installed. Mr. Wiltse showed Commissioner Norden where his properties are located in regards to the proposed fire station.

Paul Vertrees said he lives about two and a half miles from this site. He has served on the Board of Directors for the Tallahassee Fire Protection and is one of the founders of the organization. They cover over 300 square miles of ground. No taxpayer money will be used to construct the station. This is a strategic location that will allow for quicker response time.

Catherine Zundel lives across the street from the proposed fire station. The land the station would be built on is a dirt pasture. She said many of the surrounding residents do not have landscaping on their properties, it is the natural terrain. She would prefer no outdoor lighting be installed. Zundel is in favor of the fire station.

Mike Moser lives across the street from the proposed station and is neutral. The building process had already started three days prior to the notification. The retention pond and excavation were completed prior to this hearing. The ground was not compacted during the excavating process. Moser prefers not to have exterior lighting at the site.

Bill Giordano explained there is nothing in the regulations that would prevent excavation work to be done prior to approval. The applicant runs the risk of beginning work prior to approval, but it is not prohibited.

Dale Rideout does not really want a fire station in his front yard but the logistics make sense. Response time is crucial when dealing with a fire. Residents in the area will have decreased property insurance because of their location to the fire station. He hopes the station will be completed before a wildfire breaks out. The reason he donated the land for the station is to benefit the community.

Phyllis Swenson lives close by and has full visibility of the station. She believes the fire station will be an asset to the entire valley. Swenson thanked Mr. Rideout for donating his land for the project.

Mike Cox, Fremont County Building Official, said he is neutral on the issue. As there are 20 parking spaces he believes at least one of the spaces is required to be handicap accessible. Mike would request the handicap accessible parking space and an access to the front door be a hard surface. The compaction requirement of six inches is normally for fill dirt. Otherwise undisturbed soil is preferred.

Mike Moser is an engineer and explained the side of the mountain had been scraped off, moved forward, and into a flat pad. This process concerns him.

Chairman Bell closed the Public Hearing at 10:55 a.m.

Commissioner Norden asked Mr. Grosslight to clarify the amount of vehicles per day on the CDOT permit. Mr. Grosslight said the permit states four vehicles per day. Commissioner Payne asked Mr. Grosslight about the handicap parking space. Mr. Grosslight said it would not be a problem to put it near the front door on a concrete pad. Grosslight said hooded lights would be installed over the front and back entrances to keep the skies as dark as possible. Grosslight addressed many of the other concerns. The property will be reseeded on areas that were disturbed. The compaction was done with six inch lifts, and was wheel rolled with a loader. The fill dirt is in the parking area only. A professional engineer will perform a soils test.

Commissioner Payne moved to approve SRU 13-001 Tallahassee Volunteer Fire Protection Main Station with the added requirement of a hard surface handicap accessible parking space, with the conditions, contingencies and waivers recommended by the Planning Commission as Resolution #20. Commissioner Norden seconded the motion with a record of finding that the applicant did make proper posting notice, proper notification and the Board of County Commissioners are satisfied that there were no irregularities in the review of the application by the Planning and Zoning Department. Commissioner Payne accepted the amended motion. Upon Vote: Commissioner Payne, aye; Commissioner Norden, aye; Commissioner Bell, aye. The motion carried.

Public Hearings Continued:

2. Consideration of the proposed Fremont County Ambulance Licensing Regulations

Chairman Bell opened the Public Hearing at 11:05 a.m.

County Attorney Jackson said the Commissioners review ambulance licensing for Fremont County every year. She has reviewed the proposed regulations with Tom Anderson to make sure they are in line with what the state requires. Some of the items needed to be updated to be consistent with the state. Notice of this Public Hearing has been published and posted per regulations.

Tom Anderson said the proposed draft is up to date and a complaint form was added to be compliant with the state.

Public Comments: None.

Chairman Bell closed the Public Hearing at 11:09 a.m.

Commissioner Norden moved to approve the adoption of the Fremont County Ambulance Licensing Regulations as Resolution #21 to be effective May 15, 2013. Commissioner Payne seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried. Resolution #21 is attached.

New Business Continued:

5. Presentation regarding Electronic Recycling at Canon City High School
Representative Ken Cline

Sheriff Beicker said Mr. Cline asked him to let the Commissioners know he had to get back to class. Commissioner Bell said there would be no action on this item by the Board today and will invite Mr. Cline to attend another meeting.

6. Consideration of the Bylaws of the Fremont County Heritage Commission

County Attorney Jackson said the Heritage Commission has drafted these proposed bylaws to regulate their meetings. She has reviewed these Bylaws and added some statutory language. If the Commissioners approve these Bylaws the Heritage Commission will act on them at their next meeting.

Commissioner Payne moved to approve the Bylaws for the Fremont County Heritage Commission. Commissioner Norden seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Norden, aye; Commissioner Bell, aye. The motion carried.

7. Consideration of TUP 13-002 Cotopaxi Farmers Market

Request approval of a Temporary Use Permit to allow a Farmer's Market by Big Sky Cooperative Inc. The event will take place at the Cotopaxi Community Church, 20326 U.S. Highway 50, Cotopaxi, Colorado. The Farmer's Market will run once weekly on Fridays from June 14th through October 11th from 9 a.m. to 1 p.m. the subject property is located in the Agricultural Suburban Zone District. Representative: Kathy Reese, Big Sky Cooperative, Inc.

Kathy Reese lives in an area that is underserved by local producers. The closest markets are in Westcliffe or Canon City. She put together a CO-OP and the Cotopaxi Community Church has agreed to let their parking lot be used for the Farmers Market. The events will take place on Fridays from 9:00 a.m. to 1:00 p.m. from June 14th until October 11th.

Bill Giordano said the applicant did request a waiver of the cleanup bond. The Board would need to accept the Insurance. There are conditions from the Environmental Health Officer, Sid Darden, listed in a memo from April 16th that may apply.

Commissioner Norden moved to approve TUP 13-002 Cotopaxi Farmers Market for the location and dates as listed in the application, waiving the surety bond, acceptance of their insurance and compliance with the letter on April 16th from Sid Darden. Commissioner Payne seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

8. Consideration of TUP 13-004 Deer Mountain Community Organization Fundraising Events

Request approval of a Temporary Use Permit to allow fundraising events to include community markets (similar to flea markets), flea markets, farmers markets, bake sale, craft fairs, holiday fairs, etc. by the Deer Mountain Community Organization. The event will take place at 2995 County Road 27A. The events will run on selected dates in May, June, July, August, and September, 2013 (22 total dates). The subject property is located in the Business Zone District. Representative: Gwen Hoffnagle, Deer Mountain Community Organization.

Gwen Hoffnagle, explained during the summer they would like to hold fundraising events at their property located at 2995 County Road 27A. The organization has a goal to raise enough money to build a Community Center on this property. The vendors set up and tear down their own booths. The Deer Mountain Community Organization has volunteers that help clean up the trash. She did request a refund of the \$250 application fee.

Bill Giordano said the applicant is asking for a waiver of the clean up bond. The Board would need to accept the liability insurance. Compliance with the letter from Sid Darden on May 1, 2013 needs to be met as well.

Commissioner Payne moved to approve TUP 13-004 Deer Mountain Community Organization Fundraising Events for 2013 waiving the surety bond, accepting the insurance, compliance with letter on May 1, 2013 from Sid Darden, and refunding the \$250 application fee. Commissioner Norden seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Norden, aye; Commissioner Bell, aye. The motion carried.

9. Consideration of a Resolution confirming approval of the Amended Statement of Purposes dated July 11, 2000 submitted by the canon City Area Metropolitan Recreation and Park District

County Attorney Jackson explained the Clerk's office has been getting letters from the Department of Local Affairs (DOLA) with respect to special districts. In October of 2000 the Park and Recreation District had requested approval from the Board of Commissioners of an Amended Statement of Purposes. In November of 2000 they had a question on the ballot for a tax increase to build a recreation center which did not pass. They had to Amend their Statement of Purposes in order to get that question on the ballot. The Park and Recreation District should have had a Resolution at that time, and did not. This is a Resolution for the Board today based on the minutes from 2000 approving the Amendment to the Statement of Purposes. If the Board approves this Resolution it will be sent to DOLA to complete the file.

Commissioner Payne moved to approve Resolution #22 confirming the Amended Statement of Purposes dated July 11, 2000 for the Canon City Area Metropolitan Recreation and Park District. Commissioner Norden seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Norden, aye; Commissioner Bell, aye. The motion carried. Resolution #22 is attached.

10. Consideration of award for rail replacement at the Fremont County Detention Center Representative: Sheriff Jim Beicker

Sheriff Jim Beicker said four bids were received during the bid process and only one was a local bid. After discussion with their architect he urges the Board to approve the bid to CML RW Security. They have worked with them in the past and believe they will do a good job. This project is important for the safety of officers and inmates. This item was not included in the 2013 Budget.

County Manager Sugars said the money from this project will come from the General Fund Reserves.

Commissioner Norden moved to award the bid for guard rail replacement to CML RW Security in the amount of \$59,878. Commissioner Payne seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

Chairman Bell adjourned the meeting at 11:33 A.M.

Clerk and Recorder

May 14, 2013

**RESOLUTION NO. 21, SERIES OF 2013
ADOPTING FREMONT COUNTY
AMBULANCE LICENSING REGULATIONS**

WHEREAS, Fremont County is authorized pursuant to the authority contained in Title 25, Article 3.5, C.R.S. to license and regulate ambulance service providers and ambulance vehicles; and

WHEREAS, Colorado Revised Statutes, at §25-3.5-301 provides that no person shall provide ambulance service publicly or privately in this state unless that person holds a valid license to do so issued by the board of county commissioners of the county in which the ambulance service is based; and

WHEREAS, the current Ambulance Regulations for Fremont County require updating and revision to comply with Colorado state law; and

WHEREAS, Fremont County Board of Commissioners finds that the proposed amendments and revisions are appropriate and necessary; and

WHEREAS, a public hearing concerning the proposed amendments was held by the Board of County Commissioners on the 14th day of May, 2013, notice of which was published in a newspaper of general circulation in the county, at least fourteen days prior to the date of the hearing; and

WHEREAS, due consideration has been given to the comments received at said public hearing.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fremont County that:

1. All prior versions of the Fremont County Ambulance Regulations are hereby repealed in the entirety, effective May 15, 2013.
2. The Fremont County Ambulance Regulations as set forth in Exhibit "A" attached hereto and incorporated herein by reference, for licensing of ambulance services in Fremont County and for permitting of ambulance vehicles in Fremont County are hereby adopted, effective May 15, 2013.

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Katie E. Barr, Clerk and Recorder, Fremont County, CO


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Commissioner Norden moved adoption of the foregoing Resolution, with a second by Commissioner Payne and approved by roll call vote as follows:

Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Edward H. Norden	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain

Date: May 14, 2013

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: Debbie Bell
Chairman

By: Katie E. Bau
Clerk to the Board

May 14, 2013

FREMONT COUNTY AMBULANCE REGULATIONS

Effective: May 15, 2013

ARTICLE I

DEFINITIONS: As used in these regulations, the following words, unless the context in which they are used indicates otherwise, shall be given the following meanings:

- A. "Ambulance" means any privately or publicly owned ground vehicle, especially constructed or modified and equipped, intended to be used, and maintained or operated by an ambulance service for the transportation, upon the streets and highways in this state and county, of individuals who are sick, injured or otherwise incapacitated or helpless.
- B. "Ambulance Service" means the furnishing, operating, conducting, maintaining, advertising or otherwise engaging in or professing to be engaged in the transportation of patients by ambulance twenty-four hours a day, seven days a week. Taken in context, it also means the person so engaged or professing to be so engaged. The person so engaged and the vehicles used for the emergency transportation of persons injured at a mine are excluded from this definition when the personnel utilized in the operation of said vehicles are subject to the mandatory safety standards of the Federal Mine Safety and Health Administration, or its successor agency.
- C. "Based" means an ambulance headquartered in; having a substation, office or a permanent station in the County, whose primary response area is dedicated to transporting patients originating in the County.
- D. "Board" means the Board of County Commissioners for Fremont County, Colorado.
- E. "County" means Fremont County, Colorado.
- F. "Emergency" means any actual or self-perceived event which threatens life, limb or well-being of an individual in such a manner that a need for immediate medical care is created.
- G. "Emergency Facility" means a general hospital with an emergency department staffed twenty-four (24) hours a day, seven (7) days per week, with a licensed physician or an emergency medical outpatient facility staffed twenty-four (24) hours a day, seven (7) days per week with a licensed physician or registered nurse with direct medical supervision by a licensed physician.
- H. "Emergency medical service provider" means an individual, who holds a valid emergency medical service provider certificate issued by the Colorado Department of Public Health and Environment. Such certificates may be issued for categories of Emergency Medical Service

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("EMS") providers, including Emergency Medical Technician (EMT)-Basic, EMT-Intermediate, EMT-Advanced, and Paramedic. Paramedic Interns serving in a practical field training program must be directly supervised by a certified Paramedic when delivering paramedic level Advanced Life Support care.

- I. "License" means the authorization and certificate issued by the Board to operate an ambulance service in the County. It also means the certificate issued by the Board as evidence that an ambulance service has met the requirement of these regulations.
- J. "Licensee" means the person or entity that has been issued a license by the Board to provide ambulance service in the County.
- K. "Medical Director" means a Colorado licensed physician who establishes protocols and standing orders for medical acts performed by EMS providers of a pre-hospital EMS service agency and who is specifically identified as being responsible to assure the competency of the performance of those acts by such EMS Providers as described in the physician's medical continuous quality improvement program. Any reference to a "physician advisor" in any previous regulation or document shall apply to a "medical director" as described herein.
- L. "Patient" means any individual who is sick, injured or otherwise incapacitated or helpless.
- M. "Permit" means the authorization and certificate issued by the Board of County Commissioners with respect to an ambulance used or to be used to provide ambulance service in the County.
- N. "CDPHE Regulations" shall mean all regulations related to Emergency Medical Services promulgated by the Colorado Department of Public Health and Environment, Division of Emergency Medical Services, specifically 6 CCR 1015-3 and other applicable regulations.

ARTICLE II

REGULATIONS:

- A. Ambulance Service License Required. No person, partnership or corporation shall provide or operate an ambulance service, publicly or privately, in the County using any ambulance based in the County, unless that person holds a valid license to do so issued by the Board.
- B. Ambulance Permit. No ambulance based in the County shall be operated within the County unless a permit has been issued and posted in the patient compartment, as hereinafter provided. All ambulances shall bear evidence that its equipment meets or exceeds, or is the equivalent to the requirements set forth in the minimum equipment list established by the CDPHE Regulations.

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1. **Basic Life Support (BLS) Permit.** Each ambulance operated by an ambulance service shall be issued a basic life support vehicle permit, or an advance life support permit. A basic life support vehicle shall be equipped in a manner that meets or exceeds or is equivalent to the current items listed in the CDPHE Regulations and shall operate within the scope of practice of an EMT. There shall be at least one EMS provider on board at all times.
 2. **Advanced Life Support (ALS) Permit.** Each ambulance for which an Advance Life Support (ALS) permit is issued must, **at all times**, meet the basic requirements of a BLS vehicle and shall operate within the scope of practice of a Paramedic, EMT-Intermediate, or EMT-Advanced, depending on the certification of available personnel actually on board the ambulance. There shall be at least one EMS Paramedic, EMT-Intermediate, or EMT-Advanced, on board at all times.
- C. Advanced Life Support Ambulance Services. An ambulance with an advanced life support permit may provide basic life support care. During such times, the attending EMT-I, EMT-A, or Paramedic, may drive while an EMT attends, but the ambulance must maintain the capacity to provide advanced life support care. An advanced life support ambulance providing only basic life support care may not charge for advanced life support care and may be subject to having the ALS permit revoked for failure to comply with the permit requirements.
- D. Basic Life Support Ambulance Services. Any ambulance permitted, staffed, equipped or operating as a basic life support ambulance, shall not advertise, display, or claim to be an advanced life support ambulance. This shall not restrict an ambulance from providing advanced life support care, and charging for such care, when the appropriate staffing and equipment levels can be met.
- E. Ambulance Crew Members. No patient shall be transported in an ambulance which is based in the county unless there are two (2) or more crew members, including the driver, present and authorized to operate the ambulance in accordance with the requirements for an advanced life support ambulance or basic life support ambulance. A licensed ambulance shall be driven only by a person with a valid driver's license.
- F. Exceptions to Licensing and Permits Requirements. The provisions of the licensing and permit paragraphs as set forth above shall not apply to the following:
1. Vehicles used by other agencies including quick response teams and rescue units that do not routinely transport patients or vehicles used to transport patients for extrication from areas inaccessible to a permitted ambulance. Vehicles used in this capacity may only transport patients to the closest practical point for access to a permitted ambulance or hospital;

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2. Ambulances from outside the County and/or another vehicle rendering services as an ambulance in case of a major catastrophe or disaster when ambulances with permits based in the localities of the catastrophe or emergency are insufficient to render the services required;
 3. Vehicles used or designated for the scheduled transportation of convalescent patients, handicapped individuals, or persons who would not be expected to require skilled treatment or care while in the vehicle;
 4. Ambulances based outside of Fremont County, which are transporting a patient in/through Fremont County when the transport originated outside of Fremont County;
 5. An ambulance service that does not transport patients from points originating in Colorado, or transporting a patient originating outside the borders of Colorado.
 6. Vehicles used solely for the transportation of intoxicated persons or persons incapacitated by alcohol as defined in Section 25-1-302, C.R.S. as amended, but who are not otherwise disabled or seriously injured and who would not be expected to require skilled treatment or care while in the vehicle.
 7. A service licensed as an ALS company will make every effort to staff every ambulance with ALS personnel, and a service licensed as a BLS company will make every effort to staff every ambulance with BLS personnel. However, in the case of an emergency in any ambulance service area where no person possessing the qualifications required by these regulations is present or available to respond to a call for the emergency treatment and transportation of patients by ambulance, any person may operate such an ambulance to transport any sick, injured, or otherwise incapacitated or helpless person in order to stabilize the medical condition of such a person pending the availability of appropriate medical care. (C.R.S. 25-3.5-202, as amended).
- G. Insurance. Each ambulance service shall maintain insurance coverage for each and every ambulance owned, operated or leased by the ambulance service.
1. The insurance shall provide:
 - a. Coverage for injury to or death of persons in accidents resulting from any cause for which the owner of the said vehicle would be liable on account of any liability imposed on him by law, regardless of whether the ambulance was being driven by the owner, his agent or lessee, or any other person;
 - b. Coverage as against damage to the property of another, including personal property, under like circumstances, in amounts as required by Colorado state law; and
 - c. Worker's compensation coverage consistent with the Colorado Worker's Compensation Act of CRS title 8, articles 40-47.

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2. Proof of insurance showing the County as a certificate holder, shall be filed with the Board, together with the application for an ambulance service license as required in these regulations. Every insurance policy required shall contain a provision for continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, that the liability of the insured shall not be affected by the insolvency or bankruptcy of the insured, and that until a policy is revoked, the insurance company will not be relieved from liability on account of nonpayment of premiums, failure to renew license at the end of the year, or any act or omission of the named insured.
 3. Proof of renewal of any and all insurance policies shall be provided to the Board. The Board shall be identified to the insurance company, in order that it will receive, automatically from the insurance company, notification of any policy changes, renewals, lapses, or cancellations.
 4. A certificate of insurance shall indicate the vehicles covered by the policy, type of insurance (vehicle and professional liability, etc.) Policy number(s), policy effective date, policy expiration date, amount of coverage, and contain a provision that thirty (30) days prior written notice of any cancellation, termination or revocation of said insurance policy shall be given to the Board.
 5. Any changes in the status of vehicles listed on the certificate of insurance during the licensing cycle shall be noted on a new certificate of insurance and forwarded to the Board within thirty (30) days of the changes.
 6. Notification of any changes in insurance shall be made in writing within thirty (30) days of such changes to the Board, by the Licensee, to be followed with a certificate of insurance as outlined in previous paragraphs. The Board may require additional proof of insurance at any time as needed in order to promote health, safety, and welfare of residents of the County.
 7. The Board shall be provided with documentation from the applicant that information regarding the amount of professional liability insurance the ambulance service carries was provided to all volunteers and employees.
- H. Ambulance Specifications. Ground vehicles obtained, licensed and placed in use as ambulances, shall meet the requirements as adopted by the State of Colorado. Variances of the above-mentioned specifications may be granted at the discretion of the Board. Except for temporary replacement vehicles, all ambulances shall have the name of the ambulance service clearly visible on said vehicles.
- I. Ambulance Equipment. Each ambulance shall contain the following equipment which shall be maintained in good working order:

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1. Emergency lighting, audible warning equipment and special markings compliant with Colorado law for emergency vehicles.
 2. Safe tires and in addition, adequate snow tires or chains when weather conditions demand.
 3. Radio communications equipment, maintained in good working order, that is capable of transmitting and receiving clear voice communications and is compatible with E-911 dispatch, and one or more emergency facilities or a physician, receiving facilities, mutual aid agencies, and ten channel medical radio communications capability.
 4. Safety belts and/or other restraining devices for each patient and all personnel.
 5. A functioning fire extinguisher with current annual inspection of the all-purpose dry chemical type, ABC, and of the size as specified on the equipment list for the County.
 6. The minimal required equipment as established by the CDPHE Regulations. The Board may add to this list at their discretion as other needs or new methodology becomes known.
 7. Required equipment may be swapped between in-service and out-of-service ambulances, but under no circumstances shall an ambulance be placed in-service or operated at the permitted level with less than the minimum required equipment.
- J. Inspections. The Board shall appoint and direct personnel to inspect each ambulance to be issued a permit under a valid license in the County once a year or more often if required by the Board. Such inspections shall determine that each such ambulance is being properly maintained and contains the equipment specified in these regulations. Inspections shall also ensure that all equipment on the ambulance is properly secured, and medications and supplies are maintained and stored according to the manufacturer's recommendations and any federal, state or local requirements. Maintenance records shall be made immediately available upon the Board's request. Such inspections shall be in addition to other safety or motor vehicle inspections required to be made under Colorado law and shall not excuse compliance with any requirement of any other applicable Colorado law. The permit for each ambulance shall be posted in the patient compartment of the ambulance and made available for inspection by the Board. An ambulance will not be required to be taken out of service during a permit inspection. However, if an inspection is interrupted due to a call for service, the entire inspection must be repeated.

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- K. Medical Oversight. All ambulance services based in the County shall have a local Medical Director, meeting the requirements as defined in the EMS Practice and Medical Director Oversight Rules at 6 CCR 1015-3, Chapter Two to supervise the medical acts performed by all personnel on the ambulance service. A licensee shall inform the Board in writing, within 15 calendar days, of changes in medical oversight of the ambulance service and/or the medical director of record. The Medical Director shall be notified in writing by the Board of any violations of these regulations by the ambulance service or individual licensee.
- L. Quality Improvement. Each licensed ambulance service operating within the County shall have an ongoing medical continuous quality improvement program consistent with the requirements as defined in the EMS Practice and Medical Director Oversight Rules at 6 CCR 1015-3, Chapter Two.
- M. General Regulations.
1. The Board shall be authorized to enforce such rules and regulations as it deems necessary to provide for quality emergency medical services and ensure compliance with Colorado law and any resolution adopted by the Board, which regulate the operation and licensing of ambulance services in the County.
 2. The Board may appoint an individual or office to represent the board and fulfill any or all of the responsibilities listed in these regulations. This "Authorized Representative" shall be responsible to the Board.
 3. All ambulances shall deliver patients to the licensed emergency facility of the patient's choosing, or as directed by the patient's physician or member of the patient's immediate family, provided however, when the patient's condition is determined to be emergent, the ambulance service shall deliver the patient to the most appropriate emergency facility when the physician at the emergency facility places a hold on the patient. In all cases where a preference is not expressed, the ambulance service should deliver the patient to the most appropriate emergency facility. For the public good, in the case of ambulances owned by public entities, previously defined boundaries of an ambulance service area and its delivery destination may override the patient's choice or may require that the patient be transferred to another ambulance service.
 4. In the event of an incident where transportation of serious trauma or multiple patients (two or more) is possible, the ambulance service(s) should notify the receiving emergency facility as soon as possible after arriving on the incident scene. The emergency facility may issue special transport instructions which may include delivery of the patient(s) to alternate and appropriate emergency facilities.
 5. No licensed ambulance service shall operate from locations other than those on file with the Board nor shall such licensed ambulance service abandon said location without prior notification to the Board.

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6. Each ambulance service shall make available statistical information concerning the transportation of patients as specified by the Board. The licensee shall make available any statistical information concerning the transportation of patients upon request of the Board.
7. An ambulance service operating in the County must comply with all County zoning, and other regulations.
8. All ambulance services shall, upon request, submit to the County copies of the ambulance service's written policy and procedure manual, operational or medical protocols, or other documentation the County may deem necessary.
9. The County shall accept Ambulance Permits issued by another Colorado county as if issued by Fremont County, for ambulances operating in more than one county and not based in Fremont County. Ambulances based in Fremont County shall be required to have a valid County ambulance permit, regardless of whether the ambulance is operated in other counties.

ARTICLE III

LICENSES & PERMITS:

- A. Application for Ambulance Service License. An application for an ambulance service shall be submitted in writing to the Board and shall contain the following information and necessary supporting documents:
 1. The name, address, and telephone number of the ambulance service and each individual licensee.
 2. The name, address, and telephone number of the owner of the ambulance service, and the status of the owner as sole proprietor, partnership, or corporation.
 3. The name, address, telephone number, and position of the person applying for the license, hereinafter referred to as the applicant.
 4. The name, address, and telephone number of the person responsible for the management of the operations on a daily basis.
 5. The name, address, and telephone number of each director and officer of any corporation owning or applying for an ambulance service license, and the name, address, and telephone number of each partner of any partnership and each member of any other entity owning or applying for an ambulance service license.
 6. The number of vehicles operated by the ambulance service, both within the County and those operated in any other county.

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7. The locations within the County from which each ambulance will operate.
 8. The geographic area to be served by the ambulance service.
 9. The name, address, and telephone number of the Medical Director of the ambulance service.
 10. An attestation by the medical director of willingness to provide medical oversight and a medical continuous quality improvement program for the ambulance service
 11. A statement from the Licensee that the equipment, personnel and the ambulances are in compliance with the provisions of these regulations and applicable federal and state laws and regulations.
 12. Certificate of insurance as set forth and required in these regulations. Self-insured municipalities shall provide proof of insurance as required by the Board.
 13. A fee in the amount of one hundred dollars (\$100.00) for the ambulance service license, by check or money order made payable to the Board. A fee of ten dollars (\$10.00) for each ambulance permit, by check or money order made payable to the Board, shall be presented at or before the time of the inspection(s). The Board may waive payment of such fees for ambulance services operated by municipalities or special districts (C.R.S. 25-3.5-301, as amended). Request for waiver will be processed in the same manner as a new or renewal application.
 14. A list of all paid or unpaid personnel, together with copies of all current certifications for such personnel. All new personnel information and renewal certifications shall be sent to the Board within thirty (30) days of hire or renewal. The personnel list shall include: name, date of hire, certification numbers, and drivers license number(s).
 15. Any changes to any license information shall be sent to the Board within thirty (30) days of said change, except when a different time frame is specifically required pursuant to these regulations.
- B. Issuance of Ambulance Service License & Vehicle Permit(s). Upon receipt of an application for a license to provide ambulance service and vehicle permit(s); the Board shall review the application and the applicant's record. The Board may recommend that a resolution be passed to issue the applicant a license to operate an ambulance service and authorize the issuance of permits for each ambulance inspected. An Ambulance Service License shall be signed by the Chairman or his/her replacement to the Board and witnessed by the County Clerk. An Ambulance Permit may be signed, on behalf of the Board, by the person conducting the inspection. A license and/or permit is valid when issued, and shall be valid for a period of twelve (12) months following the date of issue providing that:

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1. The ambulance service staff, vehicle, equipment, and locations remain in compliance with the requirements of these regulations.
2. The ambulance service personnel are certified or possess at the least the minimum qualifications set forth in provisions of these regulations.

A license or permit expires at 11:59 p.m., on April 30 of each year unless revoked or suspended earlier by the Board. A permit is valid only as long as the service holds a valid County Ambulance Service License.

In the event an Ambulance Service License expires, all Ambulance Permits held by the service shall be temporarily invalid. Upon restoration of a license, any permits rendered temporarily invalid shall become valid and their original expiration dates restored. If the licensee does not intend to renew said license, all permits must be returned to the Board within 48 hours.

- C. Ambulance Service License Renewal. Any such license, unless revoked by the Board, may be renewed by filing an application for renewal. Applications for renewal shall be filed annually, BUT NOT LESS THAN THIRTY (30) DAYS BEFORE THE DATE THE LICENSE EXPIRES. Failure to receive notice of renewal from the County shall not release the individual agency from its responsibility for renewal of said license. If the renewal application is not received at least thirty (30) days prior to expiration, and the applicant's license expires, the applicant shall cease operation until the license is reissued. A renewed license becomes effective on the day the old license expires or as of the time of reissue, whichever is later. The renewed license shall be mailed to the applicant and shall be valid for a period of twelve (12) months, or until April 30.
- D. Ambulance Permit Renewal. Any such permit, unless revoked or suspended by the Board, may be renewed by a licensed ambulance service by requesting and scheduling an inspection. Requests for renewal inspections must be made annually, BUT NOT LESS THAN FIFTEEN (15) DAYS BEFORE THE DATE THE PERMIT EXPIRES. Requests should be made to the Board and may be made in writing or by telephone. The County will not provide renewal notices. If a request is not received at least fifteen (15) days prior to expiration, and the applicant's permit expires, the ambulance shall be taken out-of-service until the permit is reissued. The renewed permit will be issued at the time of the inspection and shall be valid for a period of twelve (12) months following the date of issue.
- E. Transfer of License or Permits. No license or permit issued by the Board shall be sold, assigned, or otherwise transferred.
- F. Change of Ownership. Prior to beginning operations and upon change of ownership of an ambulance service, the new owner or operator must file for and obtain a new ambulance service license and ambulance permit. Any sale or exchange of stock in excess of twenty-five

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percent (25%) of the total outstanding stock of a privately held corporation to anyone other than an existing stockholder at the time of the original issuance of the license shall be deemed a change of ownership for the purpose of these regulations.

G. Reporting.

1. Licensed ambulance services shall complete a patient care report for each patient that is assessed. The patient care report shall include the minimum pre-hospital care data as set forth in the Rules Pertaining to Emergency Medical Services Data and Information Collection and Record Keeping at 6 CCR 1015-3, Chapter Three.

2. Ambulance services shall provide patient care information to the CDPHE pursuant to the Rules Pertaining to Emergency Medical Services Data and Information Collection and Record Keeping at 6 CCR 1015-3, Chapter Three.

3. Each licensed ambulance service shall complete and submit to the CDPHE an agency profile as defined by the State Emergency Medical and Trauma Services Advisory Council and approved by CDPHE to provide information on resources available for planning and coordination of statewide emergency medical and trauma services on an annual basis.

4. It is recommended that all licensed ambulance services utilize the statewide emergency medical services uniform pre-hospital care reporting system operated by the Department of Public Health & Environment, EMS Division. Those ambulance services that do not utilize the statewide reporting system, shall be required to complete an annual report with information consistent with the information derived from the uniform system and submit said report to the CDPHE-EMS Division and to the Board.

ARTICLE IV

COMPLAINT AND INVESTIGATION PROCEDURE:

- A. The County has adopted a complaint and investigation policy and procedure which is intended to address:
1. Complaints against any ambulance service licensed in the County;
 2. Allegations of unlicensed ambulance services or vehicles without a valid permit operating within the County.
- B. The policy includes, but is not limited to, the procedures associated with complaint intake; complaint validation; criteria for initiating an investigation; a method for notification to the complainant about the resolution of the investigation; and a method for the notification of other local entities with jurisdiction over ambulance services, the department and/or the Colorado Medical Board for complaints regarding EMS Providers or other medical personnel

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associated with the service or the medical director.

- C. The County shall notify the primary medical director of the ambulance service, in writing, of any violation of the ambulance licensing regulations by the ambulance service or alleged complaints or violations by individual medical providers operating on an ambulance service.

ARTICLE V

REVOCATION/SUSPENSION PROCEDURES AND HEARINGS:

- A. The Board may on its own motion or on complaint, after an investigation and/or public hearing at which the licensee shall be afforded an opportunity to be heard; suspend or revoke any license or permit issued by the Board pursuant to these regulations. The Board may temporarily suspend, for a period not to exceed thirty days, any license or permit issued pursuant to these regulations, pending any prosecution, investigation, or public hearing. The licensee shall receive written notice of such temporary suspension, and a hearing shall be held no later than ten (10) days after such temporary suspension. After such hearing, the Board may suspend any license or permit, issued pursuant to these regulations for any portion of or for the remainder of its life. At the end of such period, the person whose license or permit was suspended may apply for a new license or permit as in the case of an original application. Upon a second violation or failure to comply with any provision of these regulations by any licensee, the Board may permanently revoke such license or permit.
- B. When appropriate, the Board should make every effort to consult with and include the Fremont County EMS Council in any revocation/suspension proceedings.
- C. All hearings before the Board shall be public and every vote and official act of the Board shall be public. The Board has the power to administer oaths and issue subpoenas to require the presence of persons and the production of papers, books, and records necessary to the determination of any issue at any hearing which the Board is authorized to conduct.
- D. Written notice of temporary suspension, suspension or revocation as well as any required notice of such hearing shall be given by certified mail to the licensee or permit holder at the address contained in such license application.
- E. If any license is suspended or revoked, no part of the fees paid therefore shall be returned to the licensee.
- F. Notice of temporary suspension of a permit for the operation of any individual ambulance shall be made in writing at any time following inspection by the Board. The Notice of Temporary Suspension shall include specific information regarding steps necessary for correction of the deficiency. The Board shall have a hearing on the temporary suspension of such permit, and such hearing shall be conducted within ten (10) days following temporary

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suspension. The permit may be reinstated by the Board prior to such hearing, following a reinspection that determines the ambulance fully complies with the provisions of these regulations. Upon issuance of a reinstatement permit, any scheduled hearing shall be vacated. In all cases, whether or not a hearing is held, an inspection must be conducted prior to resuming operation.

- G. Upon revocation or suspension of an ambulance service license, all vehicle permits issued to said ambulance service will be automatically suspended or revoked, and the license and all permits must be returned to the Board within 48 hours.
- H. The Board shall notify local law enforcement authorities, fire department, hospitals and medical director(s) of any such revocation or suspension.
- I. The following practices shall be unlawful and may be grounds for a suspension or revocation of a license:
 - 1. Violation of any provision of these regulations;
 - 2. Violation of any state or federal law, rule or regulation, or applicable ordinance or regulation of any municipality of the County.
 - 3. Willful and deliberate failure to respond to any call in the absence of good cause shown. Private companies may choose not to accept a call, but must respond once and if a call is accepted.
 - 4. Willful and deliberate failure to transport a patient when required by nature of the injury, unless an informed patient refusal is signed by the patient or guardian.
 - 5. Administration of unnecessary treatment or supplies to a patient for the purpose of increasing the patient's bill.
 - 6. Advertisement, claims of, or charging as an Advanced Life Support ambulance when permitted, staffed or equipped as a Basic Life Support ambulance.
 - 7. Administration of any substance considered a drug or intravenous fluid unless under direct order of a physician, either present or by radio or telephone, except as permitted by protocol or standing order.
 - 8. Responding to a call for ambulance service by an ambulance service company that has not been requested, with the knowledge that another ambulance service company has been notified to respond to the call or is actually responding to the call ("call jumping").
 - 9. Conduct which constitutes a threat to the health or safety of the individuals receiving emergency care from a licensed ambulance service or services.

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ARTICLE VI

MISCELLANEOUS:

- A. Use of Sirens and Emergency Equipment. All emergency equipment and warning devices shall be used in accordance with all Colorado traffic statutes, rules, and regulations.
- B. Alleged Negligence.
1. In any legal action filed against a licensee in which it is alleged that plaintiff's injury, illness, or incapacity was aggravated by, or was otherwise injured by the negligence of the licensee, no negligence shall be presumed because of such allegations.
 2. If a judgment is entered against such licensee, he shall, within thirty (30) days, file a copy of the findings of fact and conclusions of law, and order of the court, with the Board and with the Clerk and Recorder of the County. The Board shall take note of such judgment for purposes of investigation and appropriate action if a violation of these regulations is present.
 3. The licensee shall notify the Board of any lawsuit pending against the licensee in reference to the above Section, A and B.
- C. Violation - Penalty. Any person who violates any provision of these regulations, which is required pursuant to §25-3.5-301, et seq., C.R.S., commits a class 3 misdemeanor, and shall be punished as provided by law.
- D. Remedies. These regulations create no private remedy for the breach of any provision of these regulations. The penalties set forth herein are the sole and exclusive penalties and remedies for the breach of any provisions of these regulations.
- E. Severability. If any of the provisions of these regulations are determined to be invalid, such determination shall not affect the remaining provisions of these regulations.
- F. Responsibilities of the Board. The Board of County Commissioners will:
1. Comply with all provisions of 25-3.5-301, C.R.S., as amended, regarding the inspection and licensing of ambulances.
 2. Develop and maintain an emergency medical services plan as part of the Health & Medical Annex (Annex H) to the Local Emergency Operations Plan which:
 - a. Outlines the emergency medical services which are and are not available in particular areas of the County.

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- b. Identifies ways in which emergency medical services providers can coordinate responses so that such responses are cooperative rather than duplicative.
 - c. Promotes mechanisms for the efficient sharing of resources in disasters or multiple casualty incidents, such as mutual aid agreements between counties and adjacent emergency medical service entities;
3. Each year, submit to the local EMS Council on Emergency Medical Services, an annual report which details the County's emergency medical services plan and any revisions to such plan and which details the expenditure of moneys received.

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RESOLUTION NO 22, SERIES OF 2013

**A RESOLUTION CONFIRMING APPROVAL OF THE AMENDED
STATEMENT OF PURPOSES DATED JULY 11, 2000 SUBMITTED BY THE
CANON CITY AREA METROPOLITAN RECREATION AND PARK DISTRICT**

WHEREAS, On September 14, 2000, the Canon City Area Metropolitan Recreation and Park District ("District"), a Colorado special district under Title 32, C.R.S., filed a request with the Fremont County Clerk and Recorder seeking approval of an Amended Statement of Purposes by the Board of County Commissioners for Fremont County; and

WHEREAS, the request of District was scheduled for public hearing before the Board of County Commissioners for Fremont County on October 10, 2000; and

WHEREAS, according to the October 10, 2000 minutes of the meeting of the Board of County Commissioners, the public hearing for consideration of the Amended Statement of Purposes for the District was held, at which time interested persons appeared and presented testimony and evidence relevant to the issue of amendment of the Statement of Purposes in accordance with §32-1-204, C.R.S.; and

WHEREAS, the October 10, 2000 minutes also reflect that all verbal and written comments, evidence and testimony presented to the Board of Commissioners for Fremont County were considered by the Board; and

WHEREAS, the October 10, 2000 minutes further reflect that the Board of Commissioners unconditionally approved by unanimous vote, the District's Amended Statement of Purposes; and

WHEREAS, the records for Fremont County do not contain a formal resolution of the Board of Commissioners indicating approval of the Amended Statement of Purposes for the Canon City Area Metropolitan Recreation and Park District, as required by §32-1-204, C.R.S.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF
COUNTY COMMISSIONERS FOR FREMONT COUNTY AS FOLLOWS:**

The Board of Commissioners finds that based on satisfactory evidence presented to the Board at the October 10, 2000 public hearing as reflected in the formal, approved minutes of the Board, a copy of which is attached hereto and incorporated herein by reference, that the Amended Statement of Purposes for the Canon City Area Metropolitan Recreation and Park District is approved without modification or conditions and that the effective date of such approval shall be October 10, 2000.

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Commissioner Payne moved the adoption of the foregoing Resolution with a second by Commissioner Norden.

Debbie Bell	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Edward H. Norden	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Timothy R. Payne	<u>AYE</u>	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: May 14, 2013

Debbie Bell
Chairman

Attest: Katie E. Bann
Clerk

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HART INFO-AUSTINE00000723

October 10, 2000

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TWENTIETH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on October 10, 2000, 615 Macon Avenue, Room 4B, Fremont County Administration Building, Canon City, Colorado. The meeting was called to order at 9:30 A.M. by Commissioner Chairman Keith McNew.

Keith McNew	Commissioner	Present
James R. Schauer	Commissioner	Present
Joseph Rall	Commissioner	Present
Brenda Jackson	County Attorney	Present
Norma Hatfield	Clerk and Recorder	Absent

Also present Finance Director Dana Angel, Planning & Zoning Representative Marshall Butler and Assistant to Clerk and Recorder Sharon Kendall.

Pastor Kirk Yamaguchi, Vineyard Christian Fellowship of Fremont County gave the morning prayer.

The Pledge of Allegiance to the Flag of the United States of America was recited by those present.

Approval of Agenda: Dana Angel requested the addition of Item No. 7 under New Business to schedule 2001 budget hearing. Commissioner Schauer requested that under New Business, Item No. 4 be moved to Item No. 1. Commissioner McNew made the motion to approve the Agenda with the stated changes. The motion was seconded by Commissioner Rall. Upon vote: Commissioner McNew, aye; Commissioner Rall, aye; Commissioner Schauer, aye. The motion carried.

CONSENT AGENDA: Commissioner Rall made the motion to approve the Consent Agenda:

1. Approval of Minutes, September 26, 2000
2. Approval of Bills, October 10, 2000/\$762,360.48
3. **LIQUOR LICENSES**
4. **ADOPTION OF RESOLUTION:**
 1. Adoption of Resolution #46, Series 2000, Los Pinos Boarding, Training & Events
5. **SCHEDULE PUBLIC HEARING: NOVEMBER 14, 2000 AT 10:00 A.M.**
 1. **REQUEST: ZC 00-8 OVNICEK ZONE CHANGE**
Request approval of a Zone Change from Agricultural Rural Zone District, to Business Zone District, by Cody Ovnicek, for property owned by Eugene & Jennifer Ovnicek. The property is located at the southeast corner of 5th Street, which has been vacated, and State Highway 115 in the Beaver Park area.

The motion was seconded by Commissioner Schauer. Upon vote: Commissioner Rall, aye; Commissioner Schauer, aye; Commissioner McNew, aye. The motion carried.

ADMINISTRATIVE/INFORMATIONAL BUSINESS ITEMS:

1. Staff/Elected Officials Report

Virginia Woltemath, Fremont County Treasurer, presented the Public Trustee's Quarterly Report. This report period was from July 1, 2000 through September 30, 2000, and she reported they did 769 Release Deeds of Trust, totaling \$11,535. She stated they commenced 29 foreclosures. Foreclosure fees collected was \$3,796.06; disbursements from the Public Trustee's Office was \$1,567.21. Beginning balance July 1 was \$23,914.27 and ending balance \$33,833.12.

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Commissioner Rall made the motion to approve the Trustee's Report. The motion was seconded by Commissioner Schauer. Upon vote: Commissioner Rall, aye; Commissioner Schauer, aye; Commissioner McNew, aye. The motion carried.

Sharon Kendall, Assistant to Clerk and Recorder, reported that revenues from the Clerk and Recorder's Office for September, 2000 was \$568,350.13 which is an increase of \$79,708.81 from September, 1999.

Commissioner Schauer made the motion to approve the County Clerk and Recorder's report for the month of September. The motion was seconded by Commissioner Rall. Upon vote: Commissioner Schauer, aye; Commissioner Rall, aye; Commissioner McNew, aye. The motion carried.

COMMISSIONER'S REPORT:

Commissioner Schauer reported that the County Nurse still does not have the flu vaccine. She will receive about 10% of her allotted amount at the end of October; about 50% -60 in November, and will go into December before she receives the full amount. A public announcement will be made when the vaccine is available.

Commissioner McNew reported that guardrails are being replaced along Highway 50 between here and Salida. Wooden posts are being replaced with metal posts. Guardrails will be put in on Hyde Park, and guardrails have been put up north of Cotopaxi. He reported that they have acquired used guardrails and new metal posts at close to 50% discount. He also reported there is extensive striping project going on throughout the County.

CONCERNS OF THE PEOPLE: None

OLD BUSINESS:

REQUEST: ZC 00-6 NORMAN ZONE CHANGE

Marshall Butler, Planning & Zoning Department reported that this was tabled at the September 12, 2000 meeting. This is a zone change from mobile home park zone to business zone. He also stated they had received copies of letters that had been sent to residents of the mobile home park notifying them of the sale.

Commissioner Rall made the motion to approve ZC 00-6 Norman Zone Change with the following findings:

- C. There has been a material change in the neighborhood which justifies the requested zone change.
 - D. Proposed zone change will be in conformance to the Comprehensive or Master Plan.
 - H. There is no effect on adjacent use properties.
 - I. Proposed development will be in harmony and compatible with the surrounding land use.
- The motion also includes recommended contingencies:
1. Removal of all residential buildings from the property.
 2. Buffering and landscaping be provided along the south side of the subject property which abuts Stratmoor Hills.

The motion was seconded by Commissioner Schauer. Upon vote: Commissioner Rall, aye; Commissioner Schauer, aye; Commissioner McNew, aye. The motion carried.

NEW BUSINESS:

STATUS REPORT/AMENDMENT TO FREMONT COUNTY MASTER PLAN

Chuck McIntyre, Chairman, of Planning & Zoning for Fremont County reported they had had four meetings with another scheduled for this evening. They have gone through most all of

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Chapters 1, 2, and 3 of the Master Plan. They are not correcting mistakes, they are updating. This Plan is supposed to be reviewed and updated every three to five years. He stated they have good representation from Fremont County. He stated that they are hoping to schedule a public hearing by the end of January, 2001, and have a final plan review mid-January. They are planning at least one public hearing, possibly two to three.

P.C.C. FOUNDATION/PRESENTATION OF SCHOLARSHIP

Tom Thielemier, Executive Director, P.C.C. Foundation, reported that their purpose is to develop scholarships for P.C.C. They currently receive support in the form of cash, stocks and bonds, real estate and contributions from the estates of donors. During the last fiscal year ending June 30, the Foundation provided in excess of \$120,000 for scholarships. Mr. Thielemier presented a scholarship in the amount of \$500.00 stating this was the Foundation's gift to Fremont County, and asked for personal support by considering a matching grant. The only requirements for this scholarship is that the individual be at least age 16 and at least have a GED. This scholarship is for any citizen within Fremont County.

Dr. Mary Griffith, P.C.C., gave an update on the new campus. She stated that in their fund raising effort, they are up to \$850,000. The work is well under way and 183 piers have been put down to support the building. The framework is being put up this week for the foundation. She stated they are anticipating a completion date of late summer of next year.

PUBLIC HEARING

REQUEST: CANON CITY RECREATION DISTRICT
OCTOBER 10, 2000 10:00 A.M.

A request has been received asking for the approval of a modification of the statement of purposes, which would allow the Canon City Area Metropolitan Recreation and Park District to go to an election to seek approval of the construction and operation of a multi-generational community recreation center. In accordance with Colorado Revised Statutes, a special district must petition the Board of County Commissioners when there is a material modification of a service plan or statement of purposes. In addition, the material modification of a service plan or statement of purposes must be reviewed by the Planning Commission which makes its recommendation to the Board of County Commissioners.

John McDermott, attorney for Canon City Area Metropolitan Recreation and Park District, stated their reason they are here is to tend to some legalities involved in allowing the District to go forward with the ballot issue election on November 7 for a new proposed multi-generational family recreation center. He stated the site for the recreation center had not yet been firmed up entirely, and they are negotiating with the Abbey. He stated this is a 9.2 million dollar project, funded entirely from a bond issue if ballot question 5B is authorized and passed by the voters. This will be repaid over time at reduced market rates, and those bonds will be tax exempt. Attached in front is ballot question 5A, which is the operational side and asks the voters to approve a not-to-exceed 2.2 mill levy increase. The rest of the income will come from fees by the users.

Jeff Jackel, Executive Director, Recreation Center, reported that an architectural consulting firm from Denver had been selected to help the District to do a needs-feasibility study on what this recreation facility should include. They selected 15 citizens from the Canon City area to form a citizens steering design committee. They polled 300 citizens by phone to determine what should be included in this center. The number one component that citizens wanted to see was an indoor aquatic center. Another survey was conducted which focused on the funding of the facility. The results of this survey was that citizens were in favor of the recreation complex providing that their property taxes would not exceed \$75.00 per year. One Public Hearing was held in April and another one in July.

Jim Hoar, President of the Recreation District Board, stated that 68% of the people they surveyed said they wanted to see this center in the community. He stated they had to raise

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\$200,000 through the mill, and \$650,000 through the admission fees. The projected daily pass would cost \$3.50 for seniors and youth; \$5.00 adults. They are also proposing an annual pass which would run \$300 for single adult and \$150 for youth or single senior. The family annual pass would be \$550 for a family of four.

Marshall Butler, Planning & Zoning reported that he had received the affidavit of publication.

Ted Bagley, Lincoln Park resident, as a senior on a fixed income is against the Center.

Darwin Dalzell, Savage Road resident, stated he thinks the cost is very reasonable. He stated it is time for Canon City to get something really nice and fundamental. He is for the Center and asked the Board to please consider the application.

Garry Smith, property owner on fixed income and asked why funding for this is put on the property owners as opposed to a limited temporary sales tax? He stated renters will use the facility but not have to pay the tax.

Brenda Jackson, County Attorney responded by stating that the Recreation District does not have statutory authority to impose the sales tax. There is not a law that allows them to do that.

Kathleen Lautaret, Blake Drive property owner, stated she has arthritis and needs to swim. Her husband is interested in the proposed climbing wall. They are for the Center.

Freda Stumpf stated in her career, she was an expert on the exterior of commercial buildings. She stated this building was very expensive, the roof was very expensive and would leak. She stated the humidity from the pool would buckle the gym floor, and the pool should be by itself.

John Blatnick, 2nd Street resident, stated he is against the Center because of the cost.

Cherie Welch, Ash Street resident, stated she strongly feels a good solid recreation center is needed, and is worth the extra \$5-\$6. She stated she would be willing to donate an extra dollar a month toward someone else's taxes.

John Nichols, Canon City resident and member of the committee that helped steer the design of this facility. He stated it is an expensive project but a frugal one for it's size. He stated he felt there was a pressing need for a recreation center in Canon City.

Terry Hamilton, Cedar Street resident, stated he has been very involved with the Recreation District, and has served on the steering committee. He stated the humidity from the pool would not bother the gym floor.

Marge Atwood stated she has been on the Recreation Board for 11 years, and they have worked very hard on this project.

Commissioner McNew closed the Public Hearing and returned to Regular Meeting.

John McDermott stated they are still in the planning process with the architects, and that the picture presented is only an artist's rendition of what it might look like. The building has not been designed. He explained that the visit cost per single visit is \$5.00 for an adult, \$3.50 for seniors (over age 61), \$3.50 for youth. The monthly charge for a senior to go anytime in a given month is \$13.00. This project is an opportunity to extend services to seniors. People who live outside the district, will pay approximately 10% more. If the district is expanded, the property tax may go down as much as 30% next year. The mill levy is in addition to the existing mill levy, and the mill levy will pay 100% of the debt service on the bonds. It will be financed 100% with municipal tax-free bonds. As far as operations about 25% will come

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from property tax and about 75% of the budget will come from user fees. He stated the debt service would disappear and cease to exist at the conclusion of the life of the bonds.

Brenda Jackson stated that this morning the Board would be voting either to approve or disapprove an amendment to the service plan for the Recreation District. If the service plan is amended, the two issues can proceed to the election this November for the voters to decide.

Commissioner Rall made the motion to approve the request for modification of the service plan for the Canon City Recreation District and stated this is an appropriate avenue to take to allow the citizens of Canon City to vote on this issue. Commissioner Schauer seconded the motion. Upon vote: Commissioner Rall, aye; Commissioner Schauer, aye; Commissioner McNew, aye. The motion carried.

Commissioner McNew stated that the agenda was being changed, and they would call TUP 00-10.

REQUEST: TUP 00-10 AFGE LOCAL 1300

Flake Owens, representing AFGE Local 1300, stated they had put in for a Temporary Use Permit for the purposes to hold an informational picket.

Steve Browning, President, AFGE, Local 1301, stated they had a complex union meeting and voted to conduct an informational picket to address some of the issues they have with the government. It is simply contract and treatment issues, and is a non-partisan picket. They plan to use the 40 acres adjacent to the complex for parking and for public speaking. They have purchased a million dollar's insurance to cover the union with an additional rider for Fremont County of one million dollars.

Marshall Butler, Planning & Zoning, stated they did have the application, documentation has been submitted regarding the insurance and that the Local was asking for a waiver of the surety bond for cleanup.

John Blatnick stated that they do have issues out there and thought they should be issued a permit.

Steve Martinez, President AFGE, Local 1302, spoke in favor. He stated they have done everything requested by the County, and that they have no intention of impeding the operations of the facility. Employees will be there on their own time or annual leave.

Michael Lavalle, with Local 1301, stated that this is not a demonstration that will be out of hand. It is going to be done by the numbers.

Beatrice Kauffman, speaking as a citizen not as a candidate said she saw no reason why there needs to be a temporary use permit to picket for informational purposes only.

Commissioner Schauer made the motion to approve TUP 00-10 and waive the cleanup surety bond. The motion was seconded by Commissioner McNew. Upon vote: Commissioner Schauer, aye; Commissioner McNew, aye; Commissioner Rall, aye. The motion carried.

Commissioner McNew closed the Regular Meeting and returned to Public Hearing.

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PUBLIC HEARING

**REQUEST: SRU 00-8 CANON WEST ELECTRIC UTILITY SUBSTATION/WEST
PLAINS ENERGY**

OCTOBER 10, 2000 10:00 A.M.

A request has been received asking for approval of a Special Review Use Permit to allow for the construction and operation of an electric utility substation, by Westplains Energy and Western Area Power Administration for property owned by Marion E. Kederich. The property is under contract to be purchased by Westplains Energy, a division of UtiliCorp United Inc. The property is *located approximately 1/2 mile east and 1/2 mile north of the intersection of Fremont County Road 3A and U.S. Highway 50, in the Eightmile Area.*

Carl Kennedy, Wilbanks Resources Corporation, representing Westplains Energy, stated they are attempting to connect the existing transmission lines, a 230,000 volt line owned by Western Area Power Administration as well as a 115,000 volt line owned by Westplains Energy. A substation will be necessary for this purpose.

Marshall Butler, Planning & Zoning, stated that this Special Review Use Permit is proposed to be issued for the life of the use. It was approved by the Planning Commission, with four recommended contingencies. The Planning Commission took no action on surfacing, lighting, and landscaping.

Commissioner McNew closed the Public Hearing and returned to Regular Meeting.

Commissioner McNew made the motion to approve SRU 00-8 with waiving: 1. Surfacing; 2. Lighting; and 3. Landscaping; with the 4 contingencies and with the recommended conditions:

RECOMMENDED CONDITIONS

1. 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 of County Commissioners for their review as required by regulations.
2. Applicants shall conform to all plans, drawings and representations submitted with or contained within the application except as may be inconsistent with the other provisions of the permit.
3. Applicants shall comply with all laws and regulations of the State of Colorado, its agencies or departments, the Board of County Commissioners of Fremont County, and the United States of America, its agencies or departments, as now in force and effect or as the same may be hereafter amended.
4. 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 revoke, suspend or terminate the permit authorized hereunder, as the case may be.
5. If a Special Review 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 with the Department of Planning and Zoning prior to the expiration of the six-month period stating the reasons 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 for more than two (2) years without approval by

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the Board of County Commissioners.

6. If a Special Review Use is to be transferred, it shall comply with all applicable Federal, State and County regulations regarding such transfer.
7. Days and hours shall not be limited.
8. Hours and days of operation shall not be limited.
9. The 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 serve 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 provided input concerning the proposed modifications to the conditions of the permit.
10. Only the named party on the permit shall be allowed to operate this Special Review Use Permit. Board approval shall be required prior to allowing any other person or entity to operate at the site under the conditions of the permit. All persons, entities or other requesting Board approval to operate under the Special Review Use Permit must agree to abide by all terms and conditions of this Special Review Use Permit and shall be required to be named on this Special Review Use Permit as additional parties who are bound by the terms and conditions of this Special Review Use Permit.

RECOMMENDED CONTINGENCIES:

1. Copy of the deed creating the Special Review Use Permit parcel, which will include a restriction that the parcel will only be used the proposed specified use.
2. Documentation for right of access from U.S. Highway 50 to the site.
3. Documentation from the Colorado Department of Transportation that existing access from U.S. Highway 50 is adequate or provide an approved highway access permit.
4. A copy of a deed for the Special Review Use Permit area, which is to be in the name of the applicants.

WAIVED:

1. Surfacing
2. 3. Landscaping Lighting

The motion was seconded by Commissioner Schauer. Upon vote: Commissioner McNew, aye; Commissioner Schauer, aye; Commissioner Rall, aye. The motion carried.

Commissioner McNew closed Regular Meeting and returned to Public Hearing.

PUBLIC HEARING

REQUEST: CUP 00-8 HARDCRABBLE PIT
OCTOBER 10, 2000 10:00 A.M.

A request has been received asking for approval of a Conditional Use Permit to allow for the operation of a surface sand and gravel open pit mine by Hardscrabble LLC for their property which is located approximately 1 1/4 miles east of the intersection of Colorado State Highways 115 and 120 on the south side of Colorado State Highway 120.

Joe Gagliano, Buck Barnhart Agency, Inc., representing J.R. and William Phillips, stated they had agreed with every condition. He stated they had the affidavit of publication and they have

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a CDOT permit. He reported they are in the process of submitting for their State permit. The operator of the pit will be Pioneer Sand.

Marshall Butler, Planning & Zoning, reported that this contains 165 acres with approximately 100 acres to be mined. The property is zoned Agricultural-Forestry. There are the standard recommendations, and the Planning Commission took no action on the surfacing, lighting and landscaping.

Commissioner McNew closed the Public Hearing and returned to the Regular Meeting.

Commissioner McNew made the motion to approve CUP 00-8 Hardscrabble Pit with 15 recommended contingencies and waiving surfacing, lighting and landscaping.

RECOMMENDED CONTINGENCIES

1. Conditional Use Permit be issued for life of the mine.
2. 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 of County Commissioners for their review as required by regulations.
3. Applicant shall conform to all plans, drawings and representations submitted with or contained within the application except as may be inconsistent with the other provisions of the permit.
4. Applicant shall comply with all laws and regulations of the State of Colorado, its agencies or departments, the Board of County Commissioners of Fremont County, and the United States of America, its agencies or departments, as now in force and effect or as the same may be hereafter amended.
5. Applicant 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 revoke, suspend or terminate the permit authorized hereunder, as the case may be.
6. The following will be required prior to mining:
 - a. Division of Minerals and Geology Permit.
 - b. Colorado Stormwater Discharge Permit (CDPH&E).
 - c. MSHA Permit Number.
 - d. APEN permit (CDPH&E).
 - e. Division of Minerals and Geology Permit.
 - f. A404 (US COE) permit or documentation that a permit is not required (Army Corps of Engineers).
 - g. Colorado Department of Transportation access permit.
7. The applicant shall provide the Fremont County Department of Planning & Zoning with copies of any technical revisions to its Mined Land Reclamation permit and with any copies of any and all other permits which may be required by any governmental agency.
8. All loads of material transported from the site shall comply with applicable Colorado Revised Statutes.
9. Notwithstanding the term for which this permit will be issued, the permit shall be subject to additional review by the Board of County Commissioners as its discretion, and during any such review, the Board may consider, if warranted in the judgment of the Board, the impact of the use upon traffic patterns and volume in the area to include setting additional or different conditions regarding access to the area and to designate routes which trucks and traffic to and from the site are to use.

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10. Days and hours of operation will be limited to Monday through Saturday, from sunrise to sunset, respectively.
11. 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 with the Planning Department prior to the expiration of the six-month period stating the reasons 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 for more than two (2) years without approval by the Board of County Commissioners.
12. If it is found by judicial action or it is determined by any other proper authority that the easement for access into the subject property is not valid, then termination of the Conditional Use Permit will result.
13. If a conditional use permit is to be transferred, it shall comply with all applicable Federal, State and Local regulations regarding such transfer.
14. 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 serve 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.
15. 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.

Waived: 1. Surfacing. 2. Lighting. 3. Landscaping.

The motion was seconded by Commissioner Schauer. Upon vote: Commissioner McNew, aye; Commissioner Schauer, aye; Commissioner Rall, aye. The motion carried.

NEW BUSINESS:

STEVE HOLLAND-AREA AGENCY ON AGING/BUDGET 2001

Mr. Holland not present.

Brenda Jackson, County Attorney requested that Item 5. Adoption of Resolution, a correction of Resolution #31, Howard McDowell Sports Club and Item 6. Adoption of Resolution, a correction of Resolution #34, Aspen Wilderness Camp be tabled until she has time to review.

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Commissioner McNew made the motion to table Items 5 and 6 until October 24, 2000. The motion was seconded by Commissioner Rall. Upon vote: Commissioner McNew, aye; Commissioner Rall, aye; Commissioner Schauer, aye. The motion carried.

SCHEDULE 2001 BUDGET MEETING

Dana Angel, Finance Director reported the proposed budget should be available by Friday for the public and to the Board. He stated that public hearings need to be scheduled anytime after October 23. The budget needs to be adopted by December 12. Meetings were scheduled for November 14, one during the board meeting, and one that evening.

Commissioner McNew adjourned the meeting at 11:50 A.M.



County Clerk