

May 26, 2015

TENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on May 26th, 2015, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Edward Norden called the meeting to order at 9:30 A.M.

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

Also present: George Sugars, County Manager; Matt Koch, Planning and Zoning Director and Jody Blausner, Chief Deputy Clerk.

The Invocation was given by Robert Kippley, Shepherd of the Hills Lutheran Church.

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

APPROVAL OF AGENDA

Commissioner Bell added an item as New Business #2 – Consideration of a Resolution Declaring Fremont County as a local disaster area, and renumbering the original items #2 - #8 to be items #3 - #9 on the Agenda.

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

CONSENT AGENDA

1. Approval of Minutes / May 12, 2015
2. Approval of Bills May 26, 2015 / \$1,561,606.55
3. Adoption of Resolution #18, Series of 2015, CUP 15-001 Phillips Ranch Property Gravel Pit #2 (Major Modification to CUP 97-003 Pioneer Sand and Gravel)
4. Schedule Public Hearings: None

Commissioner Payne moved to approve the Consent Agenda. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried. Resolution #18 is attached.

ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials

- a. County Sales & Use Tax Report, Sunny Bryant, Assistant County Manager/Budget & Finance Officer

Sunny Bryant said total Sales Tax collected in March was \$929,755. The Auto Use Tax collected in April was \$86,169. The Construction Use Tax collected in April was \$39,819. The Lodging Tax collected in March was \$23,525.

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The Sheriff's Retail Sales Tax collected in March was \$231,959. The Sheriff's Auto Use Tax collected in April was \$57,466. The Sheriff's Construction Use Tax collected in April was \$26,546.

Commissioner Bell said the Balloon Classic held this past weekend was a huge success. The Holy Smoke Barbeque will take place this coming weekend.

Commissioner Payne said he was honored to attend the Memorial Day Service at the Veterans Home this past weekend.

Commissioner Norden noted there is a Special Meeting tomorrow at 1:30 p.m. regarding Medical Marijuana Renewal Licensing for three facilities.

2. Citizens Not Scheduled: None.

OLD BUSINESS

None.

NEW BUSINESS

1. Update on John C Fremont Library District. Representative: Tabby Selakovich

Tabby Selakovich presented the Director's report for 2014. There were 473 new patrons in 2014 bringing the total number of patrons up to 5638. They did receive a \$3,000 grant from the State for Early Literacy Programs. She gave an overview of the programs and services offered.

2. Consideration of a Resolution Declaring a Local Disaster Area

Steve Morrissey explained there are several wash out areas and rock slides on the Phantom Canyon Road. County Road 132, County Road 11, Oak Creek Grade all have sustained substantial damage. Several private driveways are also damaged. County Road 45 is underwater. County Road 77 has been repaired. There are 10 to 15 rock slides along Highway 50. He has contacted CDOT for an estimated cost of the damages.

Commissioner Norden stated that Evelyn Drive near Dawson Ranch was washed out as was Garden Park Road. He explained this Resolution will declare a disaster area for the un-incorporated areas of Fremont County and hopes it will allow for some re-imbusement for the needed repairs.

Commissioner Bell moved to approve Resolution #19, Declaring a Local Disaster Area in Fremont County due to widespread flooding. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried. Resolution #19 is attached.

3. In consideration to approve the Wildfire Protection Plan for the Upper Beaver Creek area on County Road 132. Representative: Steve Morrissey, Emergency Management Director

Steve Morrissey explained the 8 Mile Fire last year was in this area. This brought awareness to the citizens of the wildfire dangers in their neighborhood. Once the plan is in place it will help with funding for mitigation.

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There are already Wildfire Protection Plans in place for Dawson Ranch, Garden Park and the Tri-County Area. The Secure Rural Schools Fund is where the funding comes from for the costs of these plans.

Commissioner Payne moved to approve the Wildfire Protection Plan for the Upper Beaver Creek area on County Road 132. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

4. In consideration to approve the Wildfire Protection Plan for the Dakota Hideout area near County Road 123. Representative: Steve Morrissey, Emergency Management Director.

Commissioner Bell moved to approve the Wildfire Protection Plan for the Dakota Hideout area near County Road 123. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

5. In consideration of a CDBG-DR grant application request to Colorado Division of Homeland Security in the amount of \$2,901,677 for the 2013 Royal Gorge Wildfire Recovery. Representative: Sunny Bryant, Assistant County Manager / Budget & Finance Officer

Sunny Bryant discussed the grant application. The grant covers areas that were impacted by the wildfires or floods in 2013. County Road 3A was damaged from the heavy equipment used to fight the Royal Gorge Fire, and during the rebuilding process. The drainage project cost will be \$565,916. The asphalt project cost will be \$2,300,000 bringing the total project cost to \$2,900,000. The grant is for the entire cost and the work will be done by a contractor.

Commissioner Payne moved to approve the grant application request to Colorado Division of Homeland Security in the amount of \$2,901,677. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

6. In consideration of authorization of the County Manager's signature on a Memorandum of Understanding (MOU) between the City of Canon City and Fremont County concerning a parcel of land owned by Fremont County adjacent to the Macon Plaza. Representative: George Sugars, County Manager.

County Manager Sugars explained this is for one of the two water taps at the Garden Park. One of the water taps is used to water the grass. The City of Canon City is requesting that the County abandon that water tap. The Agreement calls for the City to maintain the grass.

Commissioner Payne moved to authorize the County Manager's signature on the Memorandum of Understanding between the City of Canon City and Fremont County. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

7. In consideration of approval of the Eastern Fremont County Trails, Open Space & River Corridor Master Plan as presented by Canon City Area Recreation and Park District and supported by Fremont County Resolution #34, series of 2013 in applying for a GOCO grant to update the Master Plan.

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Commissioner Payne was part of the working group involved in this process. This is an updated Master Plan as the last one was completed in 1997. The plan needs to be in place in order to obtain GOCO grants to improve the trails that cover about 100 miles in Fremont County.

Commissioner Bell moved to approve the Eastern Fremont County Trails Open Space & River Corridor Master Plan. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

8. In consideration of a Resolution granting an exemption from the Subdivision Regulations for Lot 2, Nichols Subdivision, Fremont County, Colorado.
Representative: Matt Koch, Planning Director

Matt Koch said the owner, Chris Vodopich, is requesting an exemption from the Subdivision Regulations. He wants to split his lot into two lots using the Minor Subdivision Regulations rather than the Major Subdivision Regulations. The property is located at the corner of Sherman and Willow.

Commissioner Payne moved to approve Resolution #20 granting an exemption from the Subdivision Regulations for Lot 2, Nichols Subdivision. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried. Resolution #20 is attached.

9. In consideration of a Resolution granting an exemption from the Subdivision Regulations for Lot 4, Evango Subdivision, Fremont County, Colorado.
Representative: Matt Koch, Planning Director

Matt Koch explained the owner, Chris Jenkins, wants to divide this lot into two lots. The lot is located at the corner of Ash and Grand. He will still have to comply with the Minor Subdivision Regulations.

Commissioner Bell moved to approve Resolution #21 granting an exemption from the Subdivision Regulations for Lot 4, Evango Subdivision. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried. Resolution #21 is attached.

PUBLIC HEARINGS SCHEDULED FOR 10:00 A.M.

None.

Chairman Norden adjourned the meeting at 10:20 A.M.

Clerk and Recorder

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Commissioner Bell moved the adoption of the following Resolution:

RESOLUTION NO. 18
Series of 2015

RESOLUTION FOR CONDITIONAL USE PERMIT
FILE NUMBER CUP 15-001 PHILLIPS RANCH PROPERTY GRAVEL PIT #2 (MAJOR
MODIFICATION TO CUP 97-003 PIONEER SAND AND GRAVEL)

BE IT RESOLVED by the Fremont County Board of County Commissioners (hereafter "Board")

THAT WHEREAS, **Pioneer Sand Company, Inc.**, (hereafter "Applicant") has made application for issuance of a Conditional Use Permit pursuant to Section 8.14 of the Zoning Resolution of Fremont County which will add one-hundred and thirty-five (135) acres to the existing Conditional Use Permit (CUP 97-003 Pioneer Sand and Gravel) area, which contains forty (40) acres. Said application has been designated as file **#CUP 15-001 Phillips Ranch Property Gravel Pit #2** and

WHEREAS, pursuant to the Fremont County Zoning Resolution previously adopted; the Planning Commission of Fremont County reviewed the application at its **April 7, 2015** regular meeting and the Planning Commission recommended **APPROVAL**; and

WHEREAS, a notice containing the specific request, proposed use, date, time, location of the public hearing, telephone number of the Department of Planning and Zoning (hereafter "Department") and a site plan and vicinity map were mailed fourteen (14) days prior to the public hearing, by certified mail, return receipt to the Department, to all property owners within five-hundred (500) feet of the boundaries of the subject parcel; and to appropriate agencies, in accordance with regulations; and

WHEREAS, a notice containing the specific request, proposed use, date, time, location of the public hearing, and telephone number of the Department where additional information may be obtained, was posted on the property fourteen (14) days prior to the public hearing; and

WHEREAS, a notice of the public hearing was published by the Department, in a newspaper of general circulation in Fremont County, fourteen (14) days prior to the public hearing, and which contained the specific request, time and place of the public hearing, and an explanation of the proposed use and its location; and

WHEREAS, the Board held a public hearing concerning said application on **May 12, 2015**, at which time comments and evidence were considered, including all materials contained as part of the application and which were in the County's file concerning the application; and

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WHEREAS, it appears that the issuance of a Conditional Use Permit is appropriate;

NOW THEREFORE, BE IT RESOLVED by the Board that:

1. The Board did make the following findings with respect to the application for a Conditional Use Permit as follows:
 - a) The procedural requirements of Section 8.14 of the Fremont County Zoning Resolution have been met.
 - b) The location of the proposed use is compatible and harmonious with the surrounding neighborhood.
 - c) The proposed use will not have detrimental effect on property values.
 - d) The proposed site and use will not impair public health, welfare, prosperity and safety by creating undesirable sanitary conditions, overburdening of utilities or adverse environmental influences.
 - e) The site will be served by streets and roads of sufficient capacity to carry the traffic generated by the proposed use, and the proposed use will not result in undue traffic congestion or traffic hazards.
 - f) The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls and fences, parking and loading facilities, landscaping and such other provisions required by this resolution.
 - g) The proposed use, if it complies with all conditions on which this approval is made contingent, will not adversely affect other property in the vicinity or the general health, safety and welfare of the inhabitants of the county, and will not cause significant air, water, noise or other pollution.
2. A Conditional Use Permit shall be issued contingent on the acceptance and observance by the Applicant of the following specified conditions:
 - A. The term of the Conditional Use Permit shall be for life of the use in conjunction with the existing Pioneer Sand and Gravel Mine.
 - B. The Department shall review the permit annually to determine compliance with the conditions of the permit and forward it to the Board for their review as required by regulations. It shall be the responsibility of the permit holder to provide the Department with copies of other permits, licenses, or other documentation showing compliance with the requirements of any other governmental agency (*to include items such as changes to the documents, updates, renewals, revisions, annual reports*). Further it shall be the responsibility of the permit holder to provide the Department with copies of any

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documents that would affect the use of the subject property, such as but not limited to updated or renewed leases for use of or access to the subject property. Copies of these documents shall be submitted to the Department prior to the anniversary date of the approval of the use permit each year. If the Department has to notify the permit holder that the anniversary date has passed and/or request said documentation, then a penalty fee shall be charged to the permit holder. If the required documentation and penalty fee are not submitted to the Department within twenty (20) days following notification to the permit holder, then violation procedures may be commenced, which could result in termination, revocation, rescission or suspension of the use permit.

- C. The Applicant/owner 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.
- D. The Applicant/owner shall comply with all laws and regulations of the County of Fremont, its agencies or departments, the State of Colorado, its agencies or departments and the United States of America, its agencies or departments, as now in force and effect or as the same may be hereafter amended.
- E. Applicant/owner shall obtain, prior to operation, and keep in effect, throughout operation, all other permits, licenses or the like, including renewals, required by any other governmental agency and as otherwise may be required by Fremont County and shall provide copies of such to the Department. Revocation, suspension or expiration of any such other permits shall revoke, suspend or terminate the permit authorized hereunder, as the case may be.
- F. 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 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.
- G. If a Conditional Use Permit is to be transferred it shall comply with all applicable Federal, State and County regulations regarding such transfer.
- H. All loads of material transported from the site shall comply with applicable Colorado Revised Statutes.

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- I. The applicant/owner shall provide the Department with a copy of the updated lease, prior to expiration which is December 1, 2024.
- J. Days and hours of operation will be limited to Monday through Friday, from 7 am to 6 pm and 8 am to 5 pm on Saturday, except in the case of materials needed in emergency situations.
- K. The applicant/owner shall notify the County within five (5) working days of any emergency operation starting.
- L. An acceptable weed control plan will be provided, further the applicant shall implement and maintain the plan.
- M. The applicant/owner shall comply with the recommendations from Colorado Parks and Wildlife as noted in Jim Aragon, Area Wildlife Manager's letter submitted with the application.
- N. The applicant/owner shall comply with the agreement established with Fremont County Department of Transportation email (dated 3/11/15) and the Operator's letter (dated 4/10/15). *Copy of each attached to this document.*
- O. Compliance with the letter from the Operator to the City of Florence which was approved at the April 20, 2015 Florence City Council meeting (meeting minutes included).
- P. Provide a copy of the following approved permits, licenses or the like, prior to mining of the additional CUP property. *(If not required provide documentation from the listed entity that the following item(s) is not required prior to the use of the expansion area.*
 - 1. Approved copy of the Colorado Department of Public Health and Environment, (CDPHE) Air Quality Control Division, Fugitive Dust Permit and APEN permit(s). Submitted and approved by CDPHE.
 - 2. Approved copy of the Colorado Department of Public Health and Environment, Water Quality Control Division, Storm Water Management Plan and Discharge Permit. In review.
 - 3. A copy of the approved Colorado Department of Natural Resources, Division of Reclamation, Mining and Safety, Reclamation Permit. Request for a change from a 110 permit (less than 10 acres) to a 112 permit (acreage not limited) was submitted to the Division on 3-25-15.
 - 4. A copy of MSHA number. Issued (05-04786).
- Q. 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

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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.

- R. 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.
- S. A Conditional Use Permit shall not be modified in any way without Department approval for Minor Modifications or approval of Major Modifications by the Board in accordance with Section 8.14 of the Fremont County Zoning Resolution (*complete reapplication*).

Commissioner Bell seconded the adoption of the foregoing Resolution and upon a vote of the Board as follows:

Commissioner Payne: Aye / Nay / Abstain / Absent
 Commissioner Norden: Aye / Nay / Abstain / Absent
 Commissioner Bell: Aye / Nay / Abstain / Absent

The Resolution was declared to be duly adopted.

DATE: May 12, 2015


 CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

ATTEST: 
 FREMONT COUNTY CLERK AND RECORDER

May 26, 2015

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

**RESOLUTION NO. 19, SERIES OF 2015****DISASTER DECLARATION****RESOLUTION DECLARING LOCAL DISASTER DUE TO WIDESPREAD FLOODING**

WHEREAS, the Fremont County Emergency Manager and/or Public Health Directory has advised the Board of County Commissioners of Fremont County ("the Board") of a disaster (as that term is defined in Part 7 of Article 33.5 of Title 24, C.R.S.) currently present in the unincorporated area of Fremont County, to wit, the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from unusually heavy rainfall and widespread flooding; and

WHEREAS, the cost and magnitude of responding to and recovering from the widespread flooding which has caused severe damage to numerous county roads and other public and private property is far in excess of the county's available resources; and

WHEREAS, as of May 26, 2015, Fremont County has received total 2015 precipitation of 14.5 inches, 10.7 inches of which has fallen in April and May of 2015, as compared to the total average annual rainfall of 12.7 inches; and

WHEREAS, the Emergency Manager concurs with the Board's decision to declare a local disaster; and

WHEREAS, it would be appropriate and in the interest of the public health and safety, and would further protect property, for the Board to implement said recommendation; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709 and the emergency management and operations plans and resolutions of Fremont County, Colorado the Board is authorized to declare a local disaster.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR FREMONT COUNTY THAT:

1. The Board of County Commissioners for Fremont County hereby declares that there is a local disaster emergency in the unincorporated area of Fremont County, to wit, the occurrence to date and continued imminent threat of widespread or severe damage, injury or loss of life or property resulting from heavy rainfall causing widespread flooding, requiring emergency action to avert danger or damage.

2. The effect of this declaration of disaster emergency shall be to activate the response and recovery aspects of any and all applicable local and inter-jurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans.

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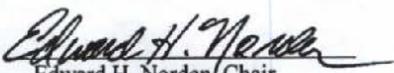
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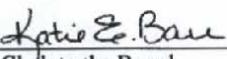
BE IT FURTHER RESOLVED that the principal executive officers of all other cities and towns in Fremont County affected by said disaster are urged to proclaim similar declarations and to cooperate with Fremont County as necessary to cope with this incident.

BE IT FURTHER RESOLVED that this resolution shall be effective as of May 26, 2015, and shall remain in effect as long as necessary to provide aid and services in accordance with the Fremont County disaster emergency plan to those in need of such assistance. True copies will be filed promptly with the Colorado Division of Emergency Management and the Fremont County Clerk and Recorder, and shall be promptly distributed to the appropriate representatives of the news media.

SIGNED this 26th day of May, 2015.

Fremont County Board of County Commissioners

By: 
Edward H. Norden (Chair)

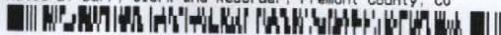
Attest: 
Katie E. Bane
Clerk to the Board

***Fax to Colorado Office of Emergency Management when complete:
720-852-6750***

A copy is to be filed with the Fremont County Clerk, and the Fremont County Office of Emergency Management.

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



RESOLUTION NO. 20, SERIES OF 2015

RESOLUTION GRANTING AN EXEMPTION FROM THE SUBDIVISION REGULATIONS FOR LOT 2, NICHOLS SUBDIVISION, FREMONT COUNTY, COLORADO

WHEREAS, the Fremont County Board of County Commissioners has received a request from Chris Vodopich, for an exemption from the county subdivision requirements regarding one parcel of property to enable the further subdivision of a previously subdivided lot without requiring full compliance with the requirements for a major subdivision; and

WHEREAS, pursuant to §30-28-101 (10)(d), C.R.S., the Board possesses the authority to grant a subdivision exemption if it determines that the division of land is not within the purposes of the subdivision requirements and the exemption is not intended to evade the subdivision requirements; and

WHEREAS, the Board has considered the request and all attendant circumstances and has taken into consideration that the division of the platted lot will require full compliance with the requirements of a minor subdivision; and

WHEREAS, the Board is persuaded that the request for the subdivision exemption is meritorious and that a grant of the request would not evade or defeat the purpose of the subdivision statutes and regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Fremont County hereby grants the request for an exemption from the requirements of county subdivision regulations with respect to the property in Fremont County, Colorado described as LOT 2, NICHOLS SUBDIVISION.

BE IT FURTHER RESOLVED that the Board specifically finds that the equities of the circumstances warrant the grant of an exemption in this case and further finds that the intent of the subdivision regulations will be met through the minor subdivision process for the division of the existing Lot 2, Nichols Subdivision. Any future division of the property shall fully comply in all respects to all applicable subdivision laws and regulations.

Commissioner Payne moved adoption of the foregoing Resolution, seconded by Commissioner Bell 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 26, 2015

BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY

ATTEST:

By: E.H. Norden
Chairman

By: Jody Blausen
Clerk to the Board

May 26, 2015

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

RESOLUTION NO. 21, SERIES OF 2015

RESOLUTION GRANTING AN EXEMPTION FROM THE SUBDIVISION REGULATIONS FOR LOT 4, EVANGO SUBDIVISION, FREMONT COUNTY, COLORADO

WHEREAS, the Fremont County Board of County Commissioners has received a request from Chris Jenkins, for an exemption from the county subdivision requirements regarding one parcel of property to enable the further subdivision of a previously subdivided lot without requiring full compliance with the requirements for a major subdivision; and

WHEREAS, pursuant to §30-28-101 (10)(d), C.R.S., the Board possesses the authority to grant a subdivision exemption if it determines that the division of land is not within the purposes of the subdivision requirements and the exemption is not intended to evade the subdivision requirements; and

WHEREAS, the Board has considered the request and all attendant circumstances and has taken into consideration that the division of the platted lot will require full compliance with the requirements of a minor subdivision; and

WHEREAS, the Board is persuaded that the request for the subdivision exemption is meritorious and that a grant of the request would not evade or defeat the purpose of the subdivision statutes and regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Fremont County hereby grants the request for an exemption from the requirements of county subdivision regulations with respect to the property in Fremont County, Colorado described as LOT 4, EVANGO SUBDIVISION.

BE IT FURTHER RESOLVED that the Board specifically finds that the equities of the circumstances warrant the grant of an exemption in this case and further finds that the intent of the subdivision regulations will be met through the minor subdivision process for the division of the existing Lot 4, Evango Subdivision. Any future division of the property shall fully comply in all respects to all applicable subdivision laws and regulations.

Commissioner Bell moved adoption of the foregoing Resolution, seconded by Commissioner Payne and approved by roll call vote as follows:

Debbie Bell	<input checked="" type="radio"/> Aye	Nay	Absent	Abstain
Edward H. Norden	<input checked="" type="radio"/> Aye	Nay	Absent	Abstain
Timothy R. Payne	<input checked="" type="radio"/> Aye	Nay	Absent	Abstain

Date: May 26, 2015

BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY

ATTEST:

By: [Signature]
Chairman

By: [Signature]
Clerk to the Board