

JUNE 8, 2010

1

ELEVENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on June 8, 2010, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Edward H. Norden called the meeting to order at 9:30 A.M.

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

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

Pastor Joshua Fordice of the Bridge of Life Church gave the Morning Prayer.

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

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

Commissioner Norden noted that the proposed language for Item #5 Proposed 2nd Amendment to the Fremont County Zoning Resolution are on the Fremont County website, www.fremontco.com under Planning and Zoning.

1. Approval of Minutes May 25, 2010
2. Approval of Bills June 8, 2010 / \$828,334.05
3. Adoption of Resolution #28, Series of 2010, Conditional Use Permit Number CUP 10-001 Northfield Coal Loadout
4. **SCHEULING OF PUBLIC HEARINGS FOR JULY 13, 2010:**
 1. **REQUEST: SRU 10-002 Van Diest Supply Company Distribution Center**
Request approval of a **Special Review Use Permit, Department file #SRU 10-002 Van Diest Supply Company Distribution Center, (distribution center)** for the operation of a crop protection products (*herbicides, drift and deposition management products, adjuvants and utility products*) distribution center, by Peterson Construction for Van Diest Supply Company. The property is located *on the west side of Colorado State Highway 67, approximately 0.9 miles south of the intersection of U.S. Highway 50 and Colorado State Highway 67, north of Florence, Colorado and west of the Fremont County Airport. The property is described as Lot 39, Airport Industrial Park, Filing No. 1, located in the Industrial Park Zone District and contains 7.78 acres.*
 2. **REQUEST: SRU 10-001 AT & T WIRELESS FACILITY MEDIAN POINT (TOWER)**
Request approval of a **Special Review Use Permit, Department file #SRU 10-001 AT & T Wireless Facility Median Point (Tower), by AT & T Wireless, to allow for the installation and operation of antennas on a one-hundred and fifty (150) foot monopole, which**

will contain six (6) dual broadband antennas, six (6) amplifiers, 12 coax, an equipment shelter, an ice bridge, a GPS antenna, a base station antenna (component of the E911 emergency system) and a utility meter mounted to a steel H frame and a microwave dish antenna. Access to the site will be via a twelve (12) foot easement from State Highway 115. *The property is generally located on the westerly side of Colorado State Highway 115 approximately 5.5 miles northeasterly of Fremont County Road F 45, along Colorado State Highway 115 or 2.9 miles southwesterly, from the Fremont/El Paso County line, along Colorado State Highway 115.* The tower and associated items will be located within a fifty (50) foot by fifty (50) foot two-thousand-five-hundred (2,500) square foot lease area inside a 353.969 acre parcel which is owned by Colorado State Board of Land Commissioners. The property which will house the tower is vacant and is zoned Agricultural Forestry.

3. **REQUEST: SRU 10-003 INNOVATIVE STRUCTURES**

Request approval of a **Special Review Use Permit, Department file #SRU 10-003 Innovative Structures, by Devon Eicher**, to construct garages, sheds, gazebos, decks and agricultural buildings (light manufacturing), in the Business Zone District. The property contains a pole barn, a metal shop, an office and a number of displays that are for sale. This property also was granted an SRU for an AT & T antenna tower. The property is located *at the northwest corner of the intersection of U.S. Highway 50 and N Street in the Beaver Park Area.* The property is zoned Business and contains 4.59 acres.

4. **REQUEST: SRU 10-004 RIVER MOUNTAIN RECREATION**

Request approval of a **Special Review Use Permit, Department file #SRU 10-004 River Mountain Recreation, by River Mountain Recreation, LLC**, to allow seasonal camping on the property for the employees of the existing rafting business (Seasonal Employee Housing), which is a special review use in the zone district. The property contains a rafting office, a bathroom, a pond, 2 covered dressing areas, a pergola and a portable guest toilet. The property is located *on the west side of County Road 3A, 0.25 miles south of U.S. Highway 50 in the Eight Mile Hill Area.* The property is zoned Rural Highway Business and contains approximately 20 acres.

5. **PROPOSED 2nd AMENDMENT TO THE FREMONT COUNTY ZONING RESOLUTION**

Request approval of a proposed amendment which would add the following regulations to the Zoning Resolution:

1. Commercial Wind Energy System
2. Small Wind Energy System
3. Contractor's Yard or Building
4. Temporary Towers

ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials

Commissioner Norden stated that he and Commissioner Stiehl spent two and one-half days at the Colorado Counties Summer Conference. The most beneficial topic was the discussion on medical marijuana and the passage of how House Bill 1284 impacts what we have already done in our temporary regulation, how we may contemplate going forth and what the cities and counties across the state are already contemplating.

Commissioner Norden said Fremont County and Douglas County put on the agenda some water issues that deal with county authority to require water for development. There were ongoing discussions with commissioners and building department staff as to requirements

JUNE 8, 2010

3

for water wells before building permits are issued or permission to use cisterns. The state water engineer attended and water attorney Jerry Daul. We also had a discussion about managing storm water around houses. It is illegal to capture water in Colorado but Clear Creek County has come up with some unique ways to make sure the water does not drain off but is infiltrate and filtrate for conservation measures.

We also had discussion about the potential impacts of Proposition #101, #60 and #61 on the ballot this November. A couple of footnotes that were laid out to us as to the potential impact not only on state and local government but also on citizens and business in the private sector because the accumulative impact of all three initiatives \$4.2 million would be removed out of state and local government from the combined effect of all three initiatives. It would have an impact on both the public and private sector employment and that there would probably be a \$500 to \$600 million loss in Federal Medicaid Reimbursement.

Commissioner Stiehl announced that the County Fair will be sponsoring an 18V Garden Tractor Pull on the last Saturday at the Rodeo Grounds from 9:00 A.M. to 12:00 P.M.

Commissioner Norden said June 19th at the War Memorial Park at the Fremont County Airport our Veteran Service Officer Betty Hanawalt has organized a special ceremony to dedicate the last 72 additional bricks that have been engraved.

2. Citizens Not Scheduled - None

Michael Sheahan, President/CEO of Front Range Aggregates, stated there were concerns to our industry and related industries about the process of the Master Plan. Also present today are members of the construction materials and mining industry in Fremont County all of which has assets in the community. They support the Master Plan in general. We have appreciation for people who are doing work on the Master Plan and we know it is an arduous task. However we have become aware of some issues with problems within the staff and how the process is actually going. The process as posted appears not to have been inspected by a kindred group or the citizenry. We feel that we are being left out of the process. We are here today to provide information about our industry and what it means to Fremont County. Mr. Shehan stated that Fremont County has an abundance of mineral that are vital and are central for everything from building materials to our natural defense. We ask that the County Commissioners review the behavior of the Planning Commission. We ask that the process is administered fairly and if a member is not up to the task we ask that you would take action and replace him with a member of the community that would adhere to the process that is posted on the website and be interested in what would be best for the community. Therefore we strongly recommend that the County Commissioners assume the oversight and approval of authority of the Planning Commission and the Master Plan Process. We believe that the Master Plan should reflect the interest in a better community and it should develop the assets of the county that are most beneficial to the majority of the citizens. The Master Plan should be reviewed, shaped and approved by elected officials who are accountable to the voters.

NEW BUSINESS

SHERYL PAGE / LIAISON OFFICER FOR THE COLORADO WILDLAND FIRE AND INCIDENT MANAGEMENT ACADEMY. 17TH ANNUAL SUMMER ACADEMY IN CAÑON CITY

Lynn Barclay, The Liaison Officer Trainee with the Academy, introduced the incident commander, safety officer, head liaison office, and public information officer.

There are 500 people attending from 28 states. The academy will be offering 29 classes and is the 17th annual academy. The academy was originally for wildfire training but after Katrina it also trains other disasters such as tornadoes, hurricanes, etc. It is estimated to bring in an estimated \$400,000 impact to the community. The main headquarters is at the Cañon City High School and the public is welcome to come out.

SPECIAL EVENT PERMIT – CANON CITY RODEO ASSOCIATION, FREE STYLE BIKE

Boyd Canterbury stated they moved the event from June 26th to July 17th and had to reapply to the Colorado Licensing Bureau. The premise has been posted for the date change. The serving hours are from 10 A.M. to 2:00 A.M.

Commissioner Lasha moved to approve the application for a Special Event Permit for the change of the date. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

SPECIAL EVENT PERMIT – FREMONT FAIRS & SHOWS ASSOCIATION – PATHFINDER PARK

Virginia Patton stated that they are having their fund-raiser event this year for Pathfinder Park and request approval for July 10th. The serving hours will be from 11:00 A.M. to 9:00 P.M. The arena area has been posted. The serving area is fenced area of the park with one entrance and one exit.

Commissioner Stiehl moved to approve the application for the Special Event Permit for Fremont Fairs & Shows for Pathfinder Park on July 10th. Commissioner Lasha seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye.

SPECIAL EVENT PERMIT – FREMONT FAIRS AND SHOWS ASSOCIATION – RANCH RODEO

Kathleen Shoemaker stated the date of the event is July 24th at the Cañon City Rodeo Ground. The serving hours are from 6 P.M. to 11 P.M. There are two serving locations one at the shoots and one over at the grand stand. Posting at the Rodeo Grounds has been done.

Commissioner Lasha moved to approve the Special Event of the Ranch Rodeo on July 24th. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Lasha, aye, Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

Commissioner Norden adjourned the meeting at 10:05 A.M.

Clerk and Recorder