

JUNE 22, 2010

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**MEETING**

The Board of Commissioners of the County of Fremont, State of Colorado, met in Special Meeting on June 22, 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	Present

Also present George Sugars, County Manager, and Katie Barr, Deputy Clerk.

Pastor Terry Douglas led the morning prayer.

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

**APPROVAL OF AGENDA**

**Commissioner Stiehl** added item 11 to the second page of the agenda, "Consideration of a Fire Ban Resolution." Commissioner Stiehl would also like to make a correction to the minutes, page three of the consent agenda. It states that Commissioner Stiehl announced that the county fair will be sponsoring an 18V garden tractor pull, it should read ATV (all terrain vehicle) garden tractor pull. Commissioner Stiehl moved to approve the agenda. Commissioner Lasha seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

**APPROVAL OF CONSENT AGENDA**

**Commissioner Lasha** moved to approve the consent agenda. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

**STAFF & ELECTED OFFICIALS**

**County Treasurer Pat McFarland** requested that the Commissioners reinstate a lost tax lien certificate. The tax lien holder has been redeemed out but lost their certificate. In order for the Treasurer to pay them their money, the Board must reinstate the certificate by approving resolution #29. Commissioner Stiehl moved to approve the issuance of a duplicate tax lien certificate # 7416 to Kathy Robinson. Commissioner Lasha seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

**County Clerk & Recorder Norma Hatfield** reported the fees taken in for the month of May were \$748,329.11 which is \$116,024.08 more than a year ago. Total county fees were \$53,879.02 which is \$5,828.67 less than a year ago. There was an increase in sales and use tax. We brought in \$45,836.73 which was an increase of \$2,625.49 from last year. Overall we took in a lot more than we did a year ago, but the County didn't receive all that money, it went to other entities. We are still at an \$116,024.08 increase in business, but the County is short \$5,828.67 in what they received. Commissioner Lasha moved to approve the Clerk's report for the month of May. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried. Commissioner Stiehl added a side note to the Clerk's report that we are experiencing long lines in the Motor Vehicle Department and commended the Motor Vehicle employees. He recognizes that they work very hard, even through their lunch hours at times. It appears that since the fee increase and late fees went into effect more people want to come into the office to talk to a clerk to ask why this has happened and are looking for answers. Commissioner Lasha commended Commissioner Norden for his representation concerning the fire on eight mile hill.

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**Commissioner Norden** stated that there were many agencies that arrived at the scene of the fire, not just agencies but neighbors with 8-horse trailers to help evacuees both homes and businesses. The neighborly response was very commendable. Agencies such as Deer Mountain, Tallahassee, Florence Fire Protection District, Canon City Fire Protection District, and our Fremont County Department of Transportation were all there in the efforts to fight the fire, staging along Highway 50 to keep the fire from jumping the highway. The hardship it puts on the businesses and the tourism industry was one of the critical discussions. The decisions are being made as to what businesses will be able to re-open and which will have to remain under evacuation.

There's a new federal team that took over command of the fire. They are referred to as a type two fire crew. Commissioner Norden thanked Bob Bush for his work getting the GIS maps to the appropriate entities as they were needed to hand over command to the federal fire team. Thanks to the County Attorney for taking a late night phone call as well as our Airport Director for his long night out at the airport.

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

**District Attorney Thom LeDoux** requested a question be placed on the November 2010 ballot concerning term limits. The language in the original resolution draft that was submitted to the Board has been changed. After researching the matter, Mr. LeDoux learned that the Counties have a system in place to charge entities for questions placed on the ballot. It was Mr. LeDoux's request that Fremont County pay for this question being put on this November's ballot. It is believed that he has approval from Custer and Park Counties. Chaffee County did not sign the resolution, but Mr. LeDoux is hopeful that they will change their mind. If Chaffee County does not reconsider and sign the resolution, there will be no need for a question on the ballot since it requires the approval of all Counties involved. Commissioner Norden stated that the resolution was not put on the agenda for consideration at this time, but we will have it on the agenda for the July 13<sup>th</sup> meeting. Mr. LeDoux requested a show of support from the Board of Commissioners since he hopes to go before the Board in Chaffee County prior to our July 13<sup>th</sup> meeting. Commissioner Stiehl moved to approve the drafting of a resolution supporting the term limit initiative question being put on this November's ballot, with the comment that citizens should make the decision by vote. Commissioner Lasha seconded that motion and commented that he agreed to put the question out and let the citizens decide. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

Mr. LeDoux's second issue was concerning the gaming application and request gaming grant funds. Commissioner Norden stated that typically the application is forwarded to D.O.L.A. then the department of local affairs would review it to fine tune the application. It's understood that D.O.L.A. now requires for non-profits and District Attorney's that a County Commissioner sit with them in making the application presentation at the grant hearings. Commissioner Norden stated he would sit with the D.A. at those hearings.

**M. Kay Ellison** director of the museum of Colorado Prisons was appointed to the Fremont County Heritage Commission. Dan Grenard was appointed to that position a couple of months ago, but after a couple of meetings he reconsidered and decided not to take that commitment at this point. Commissioner Norden moved to appoint M. Kay Ellison to the Fremont County Heritage Commission. Commissioner Stiehl seconded that motion. Upon vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Lasha, aye. The motion carried.

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**Sharon McKinsey** asked for the county to sponsor UAACOG's application to the Colorado Division of Housing for funding and the continuance of the Single Family Owner Occupied (SFOO) Housing Rehabilitation Program. The amount requested is \$173,750. Commissioner Stiehl moved to approve Resolution #30, authorizing the Chairman of the Fremont Board of County Commissioners to execute the grant application to the Colorado Department of Local Affairs for the COG housing rehab program. Commissioner Lasha seconded that motion. Upon Vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

**County Assessor Stacey Seifert** requested authorization to approve abatements and refunds not exceeding \$10,000. In recent years it took up to 6 months for property owners to get their money back because it had to go through three different entities for approval. The Assessor would like to have the authority to authorize those payments to the Treasurer so the property owners will get their money within a matter of days. Should the Board find in the future that the limit is not appropriate; the Board has the right to create a new resolution and roll it back to its original limit. Commissioner Lasha moved to approve Resolution #31 authorizing the Assessor to approve abatements and refunds not exceeding \$10,000. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

**County Manager George Sugars** spoke briefly about the Limited Gaming Impact Fund Application, which Fremont County would submit on behalf of the Fremont County Department of Transportation. The total request is for \$453,240. The County contribution would be \$393,300 which goes to labor, materials, and equipment usage. \$2,750 would be cash contribution. Our portion would be an in-kind amount to match the gaming dollars. Department of Transportation Director Tony Adamic stated that this would pay for a continuation of a 2" asphalt overlay on Red Canyon Rd. which would cover about four miles. This request would cover the materials cost of this project. Commissioner Lasha moved to authorize the chairman to approve the Limited Gaming Impact Fund Application in the amount of \$453,240. Commissioner Stiehl seconded that motion. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

**Commissioner Norden** needed ratification of signatures for the current Gaming Impact Assistance Fund Project GAME # 09-636. This was approved by the Department of Local Affairs and the Gaming Board for the 2009 cycle. Commissioner Stiehl moved to ratify the Chairman's signatures on the Gaming Impact Assistance Fund Project 09-636 for road improvements. Commissioner Lasha seconded that motion. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried. Tony Adamic shared that MacKensie Ave. will be closed for a three day period to be chip sealed from Home Depot to Hwy 115.

**Richard Baker** Fremont County Airport Manager said they have a grant from the FAA. The recommendation from Armstrong Consultants for the electrical portion of this grant is Electrical Excellence out of Colorado Springs and Maxwell Asphalt out of Denver to do the asphalt portion of the project. The asphalt portion will be scheduled sometime in September, and the electrical portion he hopes to get started in the next 30 days. The bid for the electrical is \$37,903.20 and the bid for the asphalt is \$97,072 which includes the striping. Commissioner Stiehl moved to approve award AIP#3-08-0009-11/12 for the above amounts. Commissioner Lasha seconded that motion. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried. Mr. Baker commented on the fire. They carried out over 7,000 gallons of retardant with two air tankers that were operating out of the airport, along with a CH47 Helicopter that carries a 1300 gallon bucket for the hot spots. There is another helicopter and two other aircrafts operating out of there. They are right at 1200 gallons of jet fuel that they've pumped. Mr. Baker also wanted to publically thank Tony Adamic for going above and beyond the call on weekends when Mr. Baker has been in need or broken down.

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**James Pickart** requested a temporary use permit for Crossroads Event Center to have a car sale July 13<sup>th</sup> – July 17<sup>th</sup>.

In reference to the fire, Mr. Pickart offered the use of Crossroads to board any horses in need.

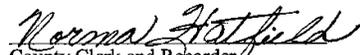
A new liability insurance statement was provided to the Board. This event will take place in the parking lot. Only one dealer has taken him up on his invitation. Commissioner Stiehl encouraged Mr. Pickart to keep inviting other dealers to be involved each year. Bill Giordano stated that we waived the fee for clean up last year and he'd be willing to do that again this year. Commissioner Lasha moved to approve the temporary use permit 10-004 for the car sale at the Crossroads Event Center July 13<sup>th</sup> – July 17<sup>th</sup>. Commissioner Stiehl seconded that motion. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

**Gary Mazey** was not present to represent the Glen-Vista Property Owners Association, but the request was for approval of a refund of the \$150 late fee that was charged because the annual report had not been turned in by the designated date due to the association losing all of its Board Members. Commissioner Lasha moved to approve half of the fee to be refunded back to the Glen-Vista Property Owners Association. Commissioner Stiehl seconded that motion. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

**Resolution #32** – Sheriff Beicker requested an emergency fire ban. He put in to effect a level 2 fire ban for Fremont County effective 11:00 a.m. June 22<sup>nd</sup> 2010.

The latest update on the fire is that there have been 1500 acres burned and several structures lost. BLM shut down rafting through the Gorge but they can still raft to Park Dale and takeout there. There are power-outages clear into the Copper Gulch area. Up to 90 homes could be without power for up to 3 days. The sheriff thanked the Department of Transportation as well for their efforts in fighting the fire. Commissioner Stiehl moved to approve Resolution #32 imposing a fire ban in accordance with our ordinances of 2006 and 2007. Commissioner Lasha seconded that motion. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

**Commissioner Norden** adjourned the meeting at 10:50 a.m.

  
County Clerk and Recorder