

JULY 27th, 2010

## MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on July 27<sup>th</sup>, 2010, 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.

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

Also present Bill Giordano, Planning and Zoning Director & George Sugars, County Manager.

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

### APPROVAL OF AGENDA

**Commissioner Lasha** moved to approve the agenda Commissioner Norden seconded the motion.

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

### CONSENT AGENDA

**Commissioner Lasha** moved to approve the consent agenda. Commissioner Norden seconded the motion.

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

### ADMINISTRATIVE/INFORMATIONAL

#### 1. Administrative and Elected Officials

**The County Clerk** gave her report for the month of June, 2010. Fees remitted to the Treasurer in June of 2009 were \$424,316.90. The fees remitted for June of this year were \$405,843.43 which is \$18, 473.47 less than last year. Overall fees collected for June of last year were \$778,513.36. This year we collected \$907,531.65 which is \$129,018.29 more than last year. Commissioner Lasha moved to accept the Clerk's report for the month of June. Commissioner Norden seconded the motion. Upon Vote: Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

**Sheriff Beicker** gave a report on the fire ban. After speaking with several entities and evaluating the area, the sheriff feels that it's appropriate to take the ban from a type 2 to a type 1 fire ban. All equipment and supplies have been re-stocked and are ready to go in the even we had another fire. Sheriff Beicker explained that the fire ban affects just that fire district. Each fire district (i.e. Canon City Fire Protection District, Florence Fire Protection District etc.) has its own criteria for setting fire bans.

**The County Treasurer** gave her semi-annual report. To date this year, the Sheriff is \$-128,612.90. The weed fund is also in the negative but that money will most likely be re-cooped this fall. The Treasurer also gave her public trustee's quarterly report. She stated that foreclosures are at 77, the same as it has been. The total income for this quarter is \$23,850.70. Foreclosures are still going up, in fact, they did ten just the week before this meeting. Commissioner Lasha moved to approve the Treasurer's reports. Commissioner Norden seconded that motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

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**Commissioner Norden** reported that software problems had not been resolved with the new video equipment being installed in the board room, and as a result, today's meeting was not being televised on the local cable government access channel.

## 2. Citizens Not Scheduled

**Dave Reynolds** of Reynolds Construction introduced himself and indicated he would be the first of several speakers representing an ad hoc group that had been meeting in recent months to discuss issues faced by contractors, builders, and realtors during the current downturn in the economy. Reynolds said the support for change in regulations is broad based. He said county regulations are unfriendly and highly restrictive to business. Reynolds said business needs to see friendlier attitudes from county staff, to deal with regulations that are not expensive and time consuming, and to make it easier to get up and running. Reynolds suggested a county moratorium on site development regulations for one year and urged that plan review by the Planning and Zoning Department be run concurrently with Building Department reviews.

**Edie McLish** Executive Director of the Fremont Economic Development Corporation said several businesses have chosen not to locate in Fremont County because of the site development requirements of 8.3 in the zoning resolution. She said it almost cost 65 to 70 jobs loss if Estes Industries had moved to Colorado Springs.

**Bryan Leck** spoke for the Home Builders Association and said there was a two year process for the Cranberry Park subdivision. He said to home builders the issues are competitive development costs, permit fees, and that time is money. He urged that a regional building department be given consideration and that use taxes not be paid up front when building permit applications are made.

**Dan Riggs** asked for a re-evaluation of the 8.3 regulations saying it cost him a great deal of time of money dealing with opening an assisted living facility in 2007.

**John Fontecchio** also spoke for home builders saying there is a perception of a daunting and expensive process to build in Fremont County and that the return on investments is difficult here. He said other jurisdictions' enforcement of building codes, plumbing codes, and electrical codes are expensive and even if Fremont County is not responsible the county is 'guilty by association'.

**Bill Balhiser**, Chairman of the Fremont Economic Development Corporation, said he was speaking as a local banker. He said delays cause problems in financing for businesses and can put them in danger of failing. He said bankers would like to see someone at a lower level make decisions without having to go to the Board of Commissioners for assistance.

**Dennis Weid** related his experiences of wanting the county to change antiquated zoning regulations for a rafting business on eight mile hill. He said he chose to sell the business out of county instead of going through a zone change application.

**Mike Butts** said he didn't know how many businesses may have been lost from companies that look at the 8.3 requirements on the county's web site. He said he was speaking for 150 real estate agents who want to see the process expedited to help business get up and running. He said of eight bordering counties to Fremont only El Paso County has stricter regulations.

**Lois Kaplan** also spoke on behalf of realtors saying that development costs should not be applied to small businesses.

**Realtor Steve Cool** said he's generated hundreds of projects over the years that run into a brick wall and that he tells businesses inquiring about Fremont County that they would have an easier time getting started elsewhere.

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**Gary Cornella** said he's built homes in Pueblo, Custer, Chaffee, and Fremont Counties and that Fremont needs to be better at welcoming home building than the other counties.

**Zach Reynolds** spoke and said he understands there has to be some regulations but urged the commissioners to look at over burdensome requirements and to make things easier for businesses to get started or expand.

### **NEW BUSINESS**

**Schmidt Construction** out of Denver won the bid for asphalt work around the County. Their bid was \$52.40 per delivered ton. Fremont Paving came in at \$5 more per delivered ton, which County Manager George Sugars said comes to about a \$20,000.00 difference when considering all the different projects. Commissioner Lasha moved to accept the bid. Commissioner Norden seconded that motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

**Avalanche Excavating** won the bid for the Washington Square Sidewalk Project. The cost for this project will be \$28,568.60. The sidewalks in the subdivision were never finished by the contractor, but the money remained in the escrow account at Sunflower Bank (fka First National Bank) and will cover the cost of the project. Commissioner Norden moved to accept the bid. Commissioner Lasha seconded that motion. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye. The motion carried.

**County Manager George Sugars** reported to the board that two applications had been prepared to the Energy and Mineral Impact Assistance Program. One grant is being made through the Fremont County Department of Transportation in the total amount of \$696,518. The money would be used for overlay of 1.75 miles of County Road #143 (Oak Creek Grade) and for gravel and dust suppressant on ten miles of County Road #'s 2/21/26/9A in the Tallahassee area. The other grant application is seeking \$90,000 to help hire a consultant to aid the Fremont County Planning Commission in its work on updating the Fremont County Master Plan. Commissioner Lasha moved to approve the grant applications to the Department of Local Affairs and to prioritize the planning consultant application as the #1 grant priority and the road improvements as the #2 priority. Motion was seconded by Commissioner Norden. Upon vote: All ayes. Motion approved.

**Tony Ferrara** of Happy Apple Farm requested a temporary use permit #TUP 10-005 to allow operation of a pick-your-own harvest, hay ride, and country store selling apple wood smoked brisket and other crop-related items. The event will take place at Happy Apple Farm at 1190 1<sup>st</sup> St. in Penrose between August 14<sup>th</sup> and October 31<sup>st</sup> from 9:00am and 4:00pm. Commissioner Lasha moved to approve the Happy Apple Fall Harvest temporary use permit. Commissioner Norden seconded that motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

**Denise Gonzales** of Fremont Paving and Redi-Mix made a request for transfer of conditional use permit #CUP 96-5 from R.E. Monks Construction Company to Fremont Paving. Commissioner Lasha moved to approve the transfer of conditional use permit #CUP 96-5. Commissioner Norden seconded that motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

### **OLD BUSINESS**

NONE

Commissioner Norden adjourned the meeting at 11:35 A.M.

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