

AUGUST 11, 2009

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FIFTEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on August 11, 2009, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Michael J. Stiehl called the meeting to order at 9:30 A.M.

Michael J. Stiehl	Commissioner	Present
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, and Tina Taylor, Deputy Clerk.

Pastor Benny Soto from the Mountainview Baptist 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 Lasha moved to approve the Agenda. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

CONSENT AGENDA

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

1. Approval of Minutes July 28, 2009
2. Approval of Bills, August 11, 2009 /\$785,927.78
3. LIQUOR LICENSE
Jee Enterprises Inc.
Gateway Liquor
3005 E Hwy 50
Canon City, CO
Retail Liquor Store License Renewal - Malt, vinous and spirituous

ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials

Fremont County Clerk and Recorder Norma Hatfield stated that this is the report for the fees collected in the Clerk's Office for the month of July. Total collected was \$812,340.27 and last year we collected \$774,804.46. We have a deficit of \$64,562.06. Commissioner Stiehl inquired if the additional fees on auto registration that started in July were a part of the \$812,340.27. Clerk and Recorder Hatfield said yes. We collected more this year but the additional amount that we collected went to the State. We are still down for what the County was able to keep \$64,562.06 for the month of July.

Commissioner Norden moved to accept the County Clerk's Report. Commissioner Lasha seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commissioner Stiehl, aye. The motion carried.

Commissioner Lasha said that there have been activities everywhere in the County over the summer. It is nice to be able to stay in Fremont County and enjoy the community's activities without having to travel. He commended everyone who are putting the events together and the sponsorships so they can happen.

Commissioner Norden stated the Fremont County Commissioners sitting as the Board of Equalization (BOE) completed the task as that board on August 5th. The hearings began back in the middle of July. 2009 being a reassessment year and the numbers that were

tallied was that we had a 124 schedule numbers that were protested to the BOE. The 124 parcel numbers resulted in seventy (70) to eighty (80) actual hearing that they conducted. They adjusted values of fifty eight (58) schedule numbers and denied sixty six (66). Commissioner Norden commended County Assessor Stacey Seifert for the effort she put forth. There were some citizen complaints about the fact that they could not find out information from the Assessor's Office as to what comparable properties were being used in preparation for the hearing. The work that County Assessor Seifert does to prepare for the BOE hearings is typically done the night before. Commissioner Norden also commended some of the property owners who also did extensive research to make their arguments to the Board for adjusted values.

County Manager Sugars updated the Commissioners on the work that is being done. A list of the County buildings for the energy efficiency measures is being prepared and will be getting the list to the consultant. They are continuing to review the 2009 revenues and expenditures and how some of the debts are going to be dealt with. Also a second sump pump has been installed for the drainage problems on the northeast side of the building and a backflow prevention device is on order.

2. Citizens Not Scheduled

Gail Palmgren inquired if Cotter needs a Conditional Use Permit to bring in the material from Mt. Taylor. **Commissioner Stiehl** stated no. The County does not have any say in the licensing of Cotter. That is all done through the State Health Department. There would have to be a new license issued by the State. That will require a series of public hearings. The research project that we have commissioned according to House Bill 1358 will allow up to \$60,000.00 for us to review their application for social and economic impact. Ms. Palmgren inquired about 1041 Powers. Commissioner Stiehl stated it refers to House Bill 1041 in 1974 that gave counties the ability to identify areas of statewide interest. Most counties have adopted the 1041 regulation which gives them more say in what goes on.

NEW BUSINESS

CONSIDERATION OF A RESOLUTION ESTABLISHING SPEED LIMITS ON HIGH PARK ROAD BETWEEN HIGHWAY 9 AND COUNTY ROAD 5

County Manager Sugars stated that High Park Road is County maintained. Currently we have a 35 mph speed limit going northbound between State Hwy 9 and CR 5 and we have 30 mph posted speed limit going southbound. For consistency we are going to post the speed limit going in both directions at 35 mph. The second resolution will establish a 45mph speed limit on High Park Road between CR 5 and the Teller County line. Commissioner Norden stated that a short time after he took office he started receiving phone calls complaining about speeding tickets. A previous speed analysis was done in 2005. No action was taken then because there was opposition. We have received more complaints from citizens who felt that this particular location was a speed trap and that it was difficult to hold down to 30 mph through a cattle crossing. We are trying to be reasonable in setting a speed limit and be reasonable in dealing with the cattle crossing. About a month ago we installed some rumble strips on either approach to the cattle crossing signs so that would legitimately get motorist attention to slow down where the cattle actually cross. We thought that would do a better job with motorist than just posting a 30 mph sign that is typically ignored. The Fremont Cattleman's Association, State Patrol and the Sheriff's Department were invited here today so that everybody could be on the record if they had concerns. No one from either group appeared.

Commissioner Norden moved to approve **Resolution #33, Series 2009** establishing speed limits on High Park Road between Highway 9 and CR 5 posting 35 mph in both directions. Commissioner Lasha seconded the motion. Upon vote: Commissioner Norden, aye; Commission Lasha, aye; Commissioner Stiehl, aye. The motion carried.

CONSIDERATION OF A RESOLUTION ESTABLISHING SPEED LIMITS ON HIGH PARK ROAD BETWEEN COUNTY ROAD 5 AND THE TELLER COUNTY LINE

Commissioner Lasha moved to approve **Resolution #34, Series 2009** on High Park Road between CR5 and the Teller County Line for a speed limit of 45 mph in both directions. Commissioner Norden seconded the motion. Commissioner Stiehl commented that the problem has been about one half dozen cattle are lost a year by speeding traffic in that area. The rumble strips that have been put in and improved signage hopefully will slow the traffic down in the cattle areas. There are also grants for fencing which will improve the situation also. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

RATIFY APPROVAL OF SIGNED APPLICATION OF ENERGY AND MINERAL IMPACT GRANT FOR PATHFINDER PARK

County Manager Sugars stated as we continue to develop Pathfinder Park we need potable water for the outdoor arena and extended facilities we might have out there in the future. There is a possibility that we can extend the Florence City water out there. This is just an application to be able to provide the engineering that it will take to get a set of plans together to be able to bid it out. We are applying for a grant from the Energy and Mineral Assistance Program. The grant is a total amount of \$43,000.00. The actual grant itself is \$32,250.00. We have some funds set aside in the Conservation Trust Fund for \$10,750.00. Commissioner Stiehl stated the deadline for the application was July 31st for the August 1st deadline for tier one. Commissioner Norden stated the purpose of the action today is to note that the Chairman has already signed the Commissioners Letter of Support and the application that went in by the July 31st deadline. This is a formality to ratify that action by the Chairman.

Commissioner Norden moved to ratify the Chairman's signature. Commissioner Lasha seconded the motion. Commissioner Stiehl stated the \$10,750.00 matching funds from the Conservation Trust Fund is not tax payer funds but lottery funds that are distributed to us and placed in a restricted account that can only be used for recreation and open space purposes. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commissioner Stiehl, aye. The motion carried.

REQUEST: REVOCATION OF SRU 98-3 KEELE KENNEL

Request approval to revoke the Special Review Use (SRU) Permit for file # SRU 98-3 KEELE KENNEL. In a June 14, 2009 letter, Mrs. Keele indicated that she no longer raises dogs. Subsequently, on June 24, 2009, the Department sent Mrs. Keele a certified letter informing her that the SRU Permit will be revoked since she has decided not to renew the kennel license. To date we have not had any objections from Mrs. Keele. The property is located on Highway 50 in the Swissvale Area.

REPRESENTATIVE: Fremont County Department of Planning & Zoning

Planning and Zoning Director Bill Giordano stated he has provided a resolution requesting to revoke SRU-98-3 for the Keele Kennel. The department did speak with Mrs. Keele personally. She advised us that she is no long in the kennel business. The department has done inspections of the property. There are no kennels on the property any longer. She was aware of the hearing by certified mail that this meeting would be taking place and is not here to protest. We need to have the resolution signed and approved revoking this permit.

Commissioner Lasha moved to approve Resolution #35, Series 2009 for revoking the Special Review Use 98-3 Keele Kennel. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

Commissioner Stiehl adjourned the meeting at 10:00 A.M.

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