

August 11, 2015

FIFTEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on August 11, 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 and Matt Koch, Planning and Zoning Director.

The Invocation was given by Larry Kettle, Bridge to Life Assembly of God Church.

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

1. Approval of Minutes / July 28, 2015
2. Approval of Bills for August 11, 2015 / \$848,313.91
3. Approval of a Memorandum of Understanding for Participation in the Colorado Emergency Fire Fund
4. Approval of an Agreement for Cooperative Wildfire Protection
5. Schedule Public Hearings: None

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

ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials
 - a. County Clerk's Monthly Report, Katie Barr, County Clerk and Recorder

Clerk Barr reported the total fees and sales tax collected for Motor Vehicle in July was \$1,051,177.23. Fremont County's portion of that is \$562,861.89.

Commissioner Bell moved to approve the County Clerk's Monthly Report. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

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Commissioner Bell stated the Commissioners had been invited to meet with Senator Cory Gardner at the Royal Gorge Bridge that morning.

Commissioner Payne noted Congressman Doug Lamborn will be in Canon City on Wednesday, August 12th.

Commissioner Payne reported that Elm Ave between 9th St. and County Rd 143 will be closed August 17th-20th for paving.

Commissioner Norden also reported that Phase 2 of the project south of Florence is scheduled to begin September 8th and to expect detours.

2. Citizens Not Scheduled: None.

OLD BUSINESS

None.

NEW BUSINESS

1. In consideration of Resolution granting a land lease to Superior Systems, LLC, Mat Clark Manager, for Hanger #8 at the Fremont County Airport and terminating the June 1, 1998 land lease of Aero Machines in Motion, Inc. and Mike Allard for Hangar #8 at the Fremont County Airport.
Representative: Mat Clark

Commissioner Bell moved to approve Resolution #25 authorizing a new lease for Hangar #8 on airport property for Superior Systems, LLC. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

2. In consideration of accepting the 2015 Fremont County Master Plan
Representative: Matt Koch, Planning & Zoning Director

Commissioner Payne moved to accept the 2015 Fremont County Master Plan. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

3. In recognition of Child Support Services Month in Colorado
Representative: Steve Clifton, Department of Human Services Director

Kristi Kleven, Supervisor, Child Support Enforcement, read the Proclamation from the State of Colorado declaring August 2015, Child Support Services Month. She explained that Fremont County has a caseload of 2,644 cases at this time. Year-to-date as of June, the department has aided in collection of \$2,305,858.68.

PUBLIC HEARINGS SCHEDULED FOR 10:00 A.M.

1. Request: ZC 15-001 Scheer – Business to Agricultural Estates
Request approval of a Zone Change (ZC #1 application as per the Fremont County Zoning Resolution) from the Business Zone District to the Agricultural Estates Zone District, Department file #ZC 15-001 Scheer Zone Change, by Jaime Kelly and Craig Scheer, for the property which is located on the east side of Copper Gulch Road (aka Fremont County Road 27a), 0.3 miles south of Color Sweet Drive, in the Colorado Acres. The proposal is to allow for a future residence to be built on the property. Residences are not permitted in the Business Zone District.
Representative: Jamie Kelly

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Chairman Norden opened the Public Hearing at 10:00 a.m.

Jamie Kelly explained that Mr. Scheer had purchased the property, and he would like to build a personal residence there which will require a zone change.

Director Koch said the Planning Commission recommended approval unanimously for the 2.5 acres with one contingency in regard to a percolation test and report.

Chairman Norden closed the Public Hearing at 10:06 a.m.

Commissioner Bell moved to approve ZC #15-001 with the contingency to be deferred until the building permit stage with justification #4 and with findings of being in conformance with the Master Plan, having no adverse neighborhood effects, and being in harmony and compatibility with the surrounding area. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

2. Request: CDP 15-001 Royal Gorge Dinosaur Center
Request approval of a Commercial Development Plan (CDP), Department file #CDP 15-001 Royal Gorge Dinosaur Center to allow Retail Sales, Exhibits, and Climbing Attractions by David & Zach Reynolds. The property is located on the north side of U.S. Highway 50, 1,000 feet east of the intersection of U.S. Highway 50 and Fremont County Road 3A. The proposed CDP property will contain 36.29 acres and is zoned Business and Agricultural Rural.
Representative: Zach Reynolds, Reynolds Construction

Chairman Norden opened the Public Hearing at 10:07 a.m.

Zach Reynolds presented a plan to open a new dinosaur museum and activity center on Eight Mile Hill. The center will include ropes courses and an outdoor dinosaur walkabout and plans to be open year round. A site drainage engineering plan and a water usage and storage plan were also discussed.

Director Koch said that all of the requirements were met except for the contingencies recommended by the Planning Commission. Director Koch reviewed the waiver requests by the applicant.

Chairman Norden closed the Public Hearing at 10:34 a.m.

Commissioner Payne moved to approve CDP #15-001 for Royal Gorge Dinosaur Center with all recommended contingencies and waivers and with the Planning and Zoning Department to determine if the lighting plan is acceptable. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

Chairman Norden adjourned the meeting at 10:34 a.m.

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

RESOLUTION NO. 25, SERIES OF 2015

**A RESOLUTION AUTHORIZING A NEW LEASE FOR HANGAR #8 ON AIRPORT
 PROPERTY FOR SUPERIOR SYSTEMS, LLC
 AND TERMINATING THE LEASE AGREEMENT FOR HANGAR #8
 WITH MIKE ALLARD AND AERO MACHINES IN MOTION, INC.,
 AND AUTHORIZING THE CHAIRMAN TO SIGN THE LEASE AGREEMENT**

WHEREAS, Fremont County is authorized to provide, establish, and maintain the Fremont County Airport; and

WHEREAS, the Board of Commissioners has authority to lease portions of the Fremont County Airport property to those desiring to conduct aeronautical operations and activities; and

WHEREAS, SuperiorSystemsLLC, through its manager Mat Clark has entered into a contract to purchase Hangar 8 and has requested a Fremont County Airport Land Lease for the land underlying the hangar, with the five-foot building perimeter property, plus a 30' X 30' parcel adjacent to the Northwest corner of Hangar 8, extending to the North; and

WHEREAS, Hangar 8 is presently owned by Mike Allard and/or Aero Machines in Motion, Inc., who also is the present tenant of the land underlying the Hangar under an Airport Land Lease that is valid through April 30, 2023; and

WHEREAS, it is the intention of Mike Allard/Aero Machines in Motion, Inc., to terminate the Airport Land Lease with Fremont County as of the date of closing of the Hangar sale to SuperiorSystemsLLC, contemplated to be on August 18, 2015; and

WHEREAS, the Fremont County Board of Commissioners has considered the request of SuperiorSystemsLLC, and finds that the use is appropriate for the Airport and the desired location will be available for lease after the County receives notice of termination of the Allard/Aero Lease.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that Commissioner Edward H. Norden, Chairman of the Board of Commissioners for Fremont County is hereby given authority to execute a Land Lease Agreement with SuperiorSystemsLLC, provided the following requirements are met:

1. The standard 25-year Fremont County Airport Land Lease form shall be used with a rental rate of \$0.12 per square foot of leased land, including the 5 foot perimeter strip surrounding the Hangar;
2. The property shall be generally described in a manner consistent with other Airport Lease Agreements;
3. Mike Allard/Aero Machines in Motion, Inc., submits to the County a Notice of Termination or Abandonment of the Airport Land Lease for Hangar 8 that commenced on May 1, 1998 and expires April 30, 2023.

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Commissioner Bell moved the adoption of the foregoing Resolution with a second by Commissioner Payne.

Debbie Bell:	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Edward H. Norden:	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Timothy R. Payne:	<u>AYE</u>	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: August 11, 2015

Attest: Katie E. Bam
Clerk

Ed H. Norden
Chairman