

August 28, 2012

SIXTEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on August 28th, 2012, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Debbie Bell called the meeting to order at 9:30 A.M.

Debbie Bell	Commissioner	Present
Michael J. Stiehl	Commissioner	Present
Edward H. Norden	Commissioner	Present
Katie Barr	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present

Also present: George Sugars, County Manager; Bill Giordano, Planning and Zoning Director and Jody Blauser Deputy Clerk.

The Morning Prayer was given by Pastor Larry Schell of Christian Family Fellowship Church.

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. Commissioner Norden seconded the motion. Upon Vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Bell, aye. The motion carried.

CONSENT AGENDA

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

ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials

Commissioner Bell announced the County Offices will be closed on Monday September 3rd in observance of Labor Day.

Commissioner Norden asked County Clerk Barr about the upcoming election deadlines. Barr said early voting begins the week of October 22nd from 7:30 a.m. to 5:00 p.m. Monday thru Thursday in the Clerk's Office and the week of October 29th as well. November 6th is the General Election.

2. Citizens Not Scheduled: None.

OLD BUSINESS

None.

NEW BUSINESS

1. Presentation of the 2011 Audit Report
Representative: Paul Holscher, Auditor (Holscher, Mayberry & CO)

Paul Holscher discussed the 2011 Audit Report. The financial statements are presented in accordance with Governmental Accounting Standards Board (GASB) Statement #34. The fund balances are broken down into non spendable, restricted, assigned, and unrestricted fund balances. The GASB requires that funds not considered to be Special Revenue Funds be consolidated into the General Fund. These include the Sheriff's Department, PILT Fund, Capital Expenditures and the Public Health Department Fund. These funds are consolidated with the general fund for external financial reporting purposes but do not have to be consolidated internally.

Commissioner Norden moved to accept the Audit Report for 2011. Commissioner Stiehl seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Bell, aye. The motion carried.

2. Canon City Rodeo Association
1595 S. 9th Street
Canon City, CO 81212
Application for a Special Events Permit – Malt, Vinous and Spirituous Liquor
Bull riding Competition – Sept. 22, 2012 from 9:00 a.m. to midnight
Representative: Boyd Canterbury, President of Canon City Rodeo Association

Boyd Canterbury explained the event will be a bull riding competition on September 22nd. This is a fundraiser for Jeff Stockton who was injured and the proceeds will help with medical expenses.

Commissioner Stiehl moved to approve the application for special events malt, vinous and spirituous liquor permit for the Canon City Rodeo Association on September 22, 2012 from 9:00 a.m. to midnight. Commissioner Norden seconded the motion. Upon Vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Bell, aye. The motion carried.

3. Consideration of Emergency Management Grant with the State of Colorado
Representative: Steve Morrisey, Emergency Management Director

Steve Morrisey explained this is an Emergency Management Performance Grant (EMPG) that supports counties in maintaining emergency management personnel. This will supply about 50% of the budget for his department. In past years this grant has helped with the development of the emergency operations center.

Commissioner Stiehl moved to accept the grant and authorize the chair to sign the contract. Commissioner Norden seconded the motion. Upon Vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Bell, aye. The motion carried.

4. Consideration of appointment of Peggy Gair to the Fremont County Tourism Council to fill the seat vacated by the retirement of Dorothy Day, for term ending January 1, 2015.

Commissioner Bell said the vacancy had been declared open due to the retirement of Dorothy Day. The deadline to apply was August 13th and only one letter was received. This letter of interest was from Peggy Gair.

Commissioner Norden moved to appoint Peggy Gair to the unexpired term vacated by Dorothy Day on the Fremont County Tourism Council the term will end January 1, 2015. Commissioner Stiehl seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Bell, aye. The motion carried.

5. Request: SRU 10-006 Sporting Times Ranch & Red Horse B&B Extension of Contingency Deadline
Request approval of a second twelve month extension of the deadline for submittal of contingency items in conjunction with Special Review Use #SRU 10-006 Sporting Times Ranch & Red Horse B&B. Said Special Review Use was approved on January 11, 2011, contingent upon specified items being provided to the Department of Planning and Zoning within six months after approval of the application by the BOCC. A twelve month extension was granted on June 28, 2011, expiring on July 11, 2012. The property is located on the west side of Garden Park Road, 4.5 miles north of the intersection of Field Avenue and Red Canyon Road (aka Garden Park Road). Representative: Department of Planning & Zoning.

Planning & Zoning Director Bill Giordano said this would be the second one year extension if granted. The request is due to health issues the owner is having. The Planning and Zoning Department is in favor of granting the extension.

Commissioner Norden moved to extend the contingency deadline for SRU 10-006 Sporting Times Ranch & Red Horse B&B until July 11, 2013. Commissioner Stiehl seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Bell, aye. The motion carried.

6. Request approval of a Vacation of Public Right of Way and alley, Department file #VPR 12-001 Fremont County Road #9A (from intersection of County Road #2 to terminus) by Fremont County, for property owned by Noah & Diane Taylor. The right-of-way to be vacated is that portion of County Road #9A from the intersection of County Road #2 and County Road #9A to the terminus of County Road #9A, a distance of approximately 0.5 miles. The vacated portion of the road will remain a privately maintained road/driveway, and there is only one owner; therefore a boundary line adjustment will not be required. The subject property and all adjacent properties are zoned Agricultural Forestry. Representative: Department of Planning & Zoning.

Bill Giordano explained the archways are located in the county right-of-way. The property owners were given the option to tear it down or have the county vacate the road. They requested the county vacate the road. The vacation is for approximately half a mile of road. It only affects one property owned by the Taylors. Posting was done and notifications were sent as well. The Planning Commission did recommend unanimous approval without any conditions or contingencies.

Commissioner Stiehl moved to approve VPR 12-001 for Fremont County Road 9A as Resolution #33. Commissioner Norden seconded the motion. Upon Vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Bell, aye. The motion carried.

7. Request approval of a Vacation of Public Right of Way and alley, Department file #VPR 12-002 Fremont County Road #F5 (from intersection of County Road #2 to terminus) by Fremont County, for access to property owned by State of Colorado and Stirrup Ranch LLC.

The right-of-way to be vacated is County Road #F5 from the intersection of County Road #2 and County Road #F5, to the terminus of County Road #F5, a distance of approximately 1.19 miles. The vacated portion of the road will remain a privately maintained road/driveway; therefore a boundary line adjustment is not required. The subject property and all adjacent properties are zoned Agricultural Forestry. Representative: Department of Planning & Zoning.

Bill Giordano explained the archway is located in the easement. The current owner is the State of Colorado. They were given the option to tear down the archway or have the county vacate the road. They opted for the county to vacate the county road. It is approximately 1.2 miles of road. The Planning Commission voted 3-2 in favor of the request.

County Attorney Jackson said by vacating this road it becomes a state road which is still publicly owned. Access to state lands have always been controlled by the state land board who can restrict access.

Commissioner Norden moved to approve Resolution #34 VPR 12-002 Fremont County Road F5. Commissioner Stiehl seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Bell, aye. The motion carried.

PUBLIC HEARINGS SCHEDULED FOR 10:00 A.M.

None.

Chairman Bell adjourned the meeting at 10:02 A.M.

Clerk and Recorder