

September 8, 2015

SEVENTEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on September 8, 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 Ethan McClaugherty, Evangelical Free 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 / August 25, 2015
2. Approval of Bills for September 8, 2015 / \$ 779,615.73
3. Schedule Public Hearings for October 13, 2015 at 10:00 a.m.
 - a. Request approval of a Special Review Use (SRU) Permit, Department file #SRU 15-002 Acord Truck Terminal, by Acord Land Company, LLC, to allow a maximum of 20 trucks to be parked overnight and weekends, and a maintenance shop and office to be located on site. The property is located in the Airport Industrial Park on Skyland Drive. The SRU permit property contains 3.85 acres and is zoned Industrial Park.
 - b. Request Amendment to the Fremont County Zoning Resolution:
 1. Adding Rafting to the allowed uses in the Business Zone District
 2. Changing the Cabin, Recreational to a Building Footprint not to exceed 550 sq. ft.
 3. Placing the AP-O Airport Overlay Zone District under its own zone section

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. Staff / Elected Officials:

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- a. County Clerk's Monthly Report, Katie Barr, County Clerk and Recorder

Clerk Barr reported for the month of August 2015, Motor Vehicle Fees and Sales Taxes collected was \$1,073,775.11, and Fremont County's portion was \$563,743.77 which was \$88,667.85 more than August 2014.

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

2. Citizens Not Scheduled

None.

OLD BUSINESS

None.

NEW BUSINESS

1. Consideration of a Resolution in Recognition and Appreciation of the vital Emergency Services provided by First Responders in Fremont County, Colorado

Chairman Norden read the Resolution which will be read at Citizen's Stadium on September 11, 2015.

Commissioner Bell moved to adopt Resolution #29. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

2. Request: CDP 14-002 The Outpost at Texas Creek Commercial Development Plan
Request approval of a six (6) month extension of the deadline for submittal of contingency items in conjunction with CDP 14-002 The Outpost at Texas Creek Retail Stores, Mini-Storage Facility, Personal Services, Feed Store, Restaurant, Bar/Lounge, Automobile Sales, Carwash and a Watchman's Quarters and any other allowed uses and all allowed Business uses, by Phillip & Teresa Poindexter, for their property which is located on the Southside of U.S. Highway 50, 0.17 miles east of Fremont County road #37, aka McCoy Gulch Road in the Texas Creek Area.
Representative: Theresa Poindexter

Director Koch reviewed the six month extension saying that the application was straightforward. The owners regretted being absent from the Commissioner meeting, but are currently out of town.

Commissioner Payne moved to approve a six month extension for the contingency items for CDP 14-002. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

3. In consideration of an agreement with John Cutler & Associates to provide County Audit Services for the year ended December 31, 2015, 2016, and 2017.
Representative: Sunny Bryant, Assistant County Manager / Budget & Finance Officer.

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Sunny Bryant explained the agreement would be for the next three years continuing with the same fees as before. A formal contract will still be presented and agreed upon each year. At this time, continuing with the same firm would be beneficial to the County since both parties are now familiar with the other's procedures and practices.

Commissioner Bell moved to accept the agreement with John Cutler & Associates. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

4. In consideration of a Resolution Adopting a Policy on Use of the Fremont County Administration Building and Garden Park Building Meeting Rooms
Representative: George Sugars, County Manager

Manager Sugars presented the use policy for the County Administration Building and the Garden Park Building meeting rooms. The meeting rooms will be available Monday through Thursday from 7:30a.m. to 5:00p.m. Government entities may use the rooms, as well as a non-profit corporation or association that is engaged in educational, civic or community service activities, or a quasi-governmental entity. The policy will be posted on the website www.fremontco.com.

Commissioner Payne moved to adopt Resolution #30. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

PUBLIC HEARINGS SCHEDULED FOR 10:00 A.M.

None.

Chairman Norden adjourned the meeting at 9:49 a.m.

Clerk and Recorder

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RESOLUTION NO. 29, SERIES OF 2015

A RESOLUTION IN RECOGNITION AND APPRECIATION OF THE VITAL EMERGENCY SERVICES PROVIDED BY FIRST RESPONDERS IN FREMONT COUNTY, COLORADO

WHEREAS, Police, fire, medical, and other emergency services are a fundamental cornerstone of civil society; and

WHEREAS, First Responders, professional and volunteer alike, are the first line of defense for the public against threats that may put our communities and citizens at risk; and

WHEREAS, First Responders accept the challenges and responsibilities that go along with their chosen field; performing their duties without second thought or personal regard, to serve and protect others in their time of need; and

WHEREAS, First Responders across Fremont County stand ready, twenty-four hours a day, to come to the aid of all citizens; and

WHEREAS, First Responders have committed themselves to a life of serving and helping others with professionalism and calm assurance in times of greatest need; and

WHEREAS, First responders not only deal with emergencies but also volunteer many hours of service to schools, governmental and community organizations; and

WHEREAS, all citizens should take some time to reflect on the job that is done by emergency services first responders - the emergency medical services providers, the police and the firefighters that seldom take the awards and accolades home with them, but instead take the memories with them that members of the public rarely see because of those men and women who dedicate their lives to help others.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF FREMONT, that we join with the citizens of Fremont County on Friday, September 11, 2015, in saluting the work and efforts of the First Responders who answer the calls for emergency services and express our heartfelt gratitude for their dedicated service.

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: September 8, 2015

Edward H. Norden
Chairman

Attest: Hattie E. Bau
Clerk to the Board

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RESOLUTION NO. 30, SERIES OF 2015

**RESOLUTION ADOPTING A POLICY ON USE OF THE
FREMONT COUNTY ADMINISTRATION BUILDING AND
GARDEN PARK BUILDING MEETING ROOMS**

WHEREAS, C.R.S. §30-11-107 provides that the Board of County Commissioners of each county has power at any meeting to make such orders concerning the property belonging to the county as it deems expedient; and

WHEREAS, the Fremont County Administration Building and the Garden Park Building have various meeting rooms that are not used on a continuous basis for official county business; and

WHEREAS, the Board of Commissioners for Fremont County recognizes that there is limited availability of meeting rooms within the county for community groups and entities; and

WHEREAS, the use by the public of the meeting rooms within the County Administration Building and the Garden Park Building is a service that can be offered by Fremont County Government, subject to scheduling accommodations; and

WHEREAS, the Board of Commissioners is of the opinion that the use of the meeting rooms by groups and entities should not impose an increased financial burden upon the taxpayers, in the form of custodial services, building security and use of equipment; and

WHEREAS, to avoid an increased burden on taxpayers from cleaning or repair of the meeting rooms, it is necessary to impose a reasonable charge to cover any cleaning, repair, and custodial or maintenance costs that may arise from non-county use of such rooms; and

WHEREAS, the Board of Commissioners has determined that adoption of a policy setting forth the terms and conditions governing the use and security of the meeting rooms, and providing charges for cleaning of such rooms would provide interested groups and persons with objective standards and rules concerning the use of the rooms.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners for Fremont County that:

1. The Policy on Use of Fremont County Administration Building Meeting Rooms, attached hereto and incorporated herein by reference is hereby adopted as the official county policy concerning use of the meeting rooms in the Fremont County Administration Building and the Garden Park Building.

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2. Completion of the application form by non-county and non-county sponsored groups, shall be required before any use of meeting rooms in accordance with the policy may occur.

Commissioner Payne moved for adoption of this Resolution, with a second by Commissioner Bell. The roll call vote of the Board was as follows:

Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Edward H. Norden	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain

Date: September 8, 2015

ATTEST:

Edward H. Norden
Chairman

Hattie E. Bau
Clerk to the Board

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**POLICY ON USE OF FREMONT COUNTY
ADMINISTRATION BUILDING AND GARDEN PARK BUILDING
MEETING ROOMS**

The Fremont County Administration Building and the Garden Park Building is a place of business and is not a public forum for community activities within the meaning of the First Amendment of the U.S. Constitution. The primary and priority use of the buildings is for conducting official business of Fremont County. However, the Board of Commissioners recognizes that there is a need in the community for meeting rooms for non-county business. The Board of Commissioners hereby adopts this policy concerning use of the County Administration Building and the Garden Park Building by groups and entities.

GENERAL GUIDELINES:

1. All use of meeting rooms must be scheduled through the County Manager's Office. For large groups (number of attendees exceeds 30), 2 days' notice is required to schedule a meeting, to allow for furniture arrangement. (Telephone 276-7410; Room 106 County Administration Building).
2. The meeting rooms shall be available Monday through Thursday from 7:30 a.m. to 5:00 p.m., subject to scheduling arrangements and payment of appropriate fees and deposits when required. There shall be no use of the County Administration Building and the Garden Park Building meeting rooms on Friday, Saturday, Sunday or official county holidays. The Commissioners reserve the right to cancel pre-scheduled meetings at any time, if the use of the room becomes necessary to conduct County business.
3. Hours and days of use of the building shall not apply to groups meeting in connection with official Fremont County government business or sponsorship.
4. A group wishing to reserve a meeting room for other than official government business must be a non-profit corporation or association that is engaged in educational, civic or community service activities, or a quasi-governmental entity. Private social events, meetings of private business interests, and partisan political, sectarian or religious groups, fundraising activities, and any activities that disturb or disrupt county operations are not permitted to reserve meeting room.
5. All set-up and tear-down must occur within the hours reserved by the group to allow consecutive meetings to be scheduled.
6. No minor or group of minors may be left unattended by an adult at any time.
7. All attendees using meeting rooms must remain in the meeting room, or in the immediate vicinity of the meeting room. Roaming through the building away from the designated meeting area is prohibited.

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8. Governmental property may not be used for private gain. Therefore, the meeting rooms may not be used for any activity where attendees are charged admission or when the use includes sales of goods or services or solicitation for future sales of goods or services.
9. Use of Fremont County audio, visual, and computer equipment is prohibited, except for the projector and screen and wireless internet connection. All groups must bring any equipment necessary for their meeting.
10. All groups scheduling a meeting must designate a responsible party who can be contacted for discussion of scheduling conflicts, violations of policy, payment of fees and other relevant issues.
11. The Fremont County Administration Building and the Garden Park Building are no-smoking buildings. No smoking is permitted inside the buildings.
12. All groups, except for official Fremont County government business, must complete a written application form requesting use of a meeting room and pay any required fees and deposits prior to scheduling any meeting room. Application form is available from the County Manager's Office, Room 106, and on-line at www.fremontco.com.

FEES FOR USE OF ROOMS

1. All groups meeting in connection with official Fremont County government business shall be entitled to use the rooms free of charge at all times. (e.g. Fremont County Planning Commission, Fremont County Board of Zoning Adjustment, Use by county officials for county business, etc.).
2. Groups in which a Fremont County elected official or department head serves in an official capacity (as representative of the county) shall be entitled to use the rooms free of charge at all times.
3. Group meeting in connection with a nonprofit corporation or association, or a quasi-governmental entity, or attorneys scheduling depositions shall be entitled to use of the rooms free of charge between the hours of 7:30 a.m. to 5:00 p.m. Monday through Thursday except holidays. Meetings that extend past 5:00 p.m. shall be subject to a fee of \$40 per hour for each hour or partial hour of use.

CLEANING DEPOSIT AND SECURITY

1. If a group, other than official Fremont County government business, intends to have food or drink at any meeting, other than drinking water, a \$150.00 deposit for cleaning/damage will be required at the time of scheduling of the meeting.

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The deposit may be left with the county for future meetings, if desired. Checks will be cashed and receipts issued. This one-time payment will be refunded if no additional cleaning is required after the meeting. If additional cleaning is required, the actual costs of the cleaning necessitated by the food and drink at the meeting will be deducted from the deposit and the balance will be refunded. The refund of the deposit shall occur within one week after the conclusion of the meeting, unless the group has requested that the deposit be held to cover future meetings and the request is noted on the receipt.

2. The Commissioners may determine that additional security measures are required for the group on a case-by-case basis. This may include, but may not be limited to, uniformed security officer(s) inside and/or outside the building. Such security must be paid for by the group, and the contract(s) for such security must be submitted along with the application and deposit.

VIOLATIONS

1. Violations of the provisions of this policy may result in the revocation of future building use privileges for the violator(s). The Board of County Commissioners reserves the right to revoke such privileges in the event of the occurrence of violations. Notice and the opportunity to be heard by the Board will be afforded to any group, entity or person before such privileges are revoked. The Board may revoke the privileges for a limited period of time, or indefinitely, dependent upon the circumstances surrounding the violation.