

September 25, 2007

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NINETEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on September 25, 2007 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman, Edward H. Norden called the meeting to order at 9:30 A.M.

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

Also present Finance Director, Dana Angel; Marshall Butler, Assistant Planning and Zoning Director and Kris Lang, Deputy Clerk.

Chuck Smith of the River Walk 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 made a motion to accept the Agenda. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

CONSENT AGENDA

Commissioner Stiehl moved to approve the Consent Agenda.

1. Approval of Minutes, September 11, 2007
2. Approval of Bills, September 25, 2008 / \$522,604.02
3. SCHEDULE PUBLIC HEARINGS / NONE
4. LIQUOR LICENSES
Gateway Liquor
2901 North 5th Street
Cañon City, CO. 81212
Retail Liquor Store License Renewal – Malt, Vinous & Spirituous

Kwik Stop No. 1
916 Highway 115
Penrose, CO. 81240
3.2 Percent Beer Retail License Renewal

Bradford's Handi-Mart
1400 E. Highway 50
Penrose, CO. 81240
3.2 Percent Beer Retail License Renewal

Bernies Place
1419 S. 9th Street
Cañon City, CO. 81212
Tavern Liquor License Renewal-Malt, Vinous & Spirituous

5. Adoption of **Resolution #43**, Series of 2007, Zone Change File Number ZC 07-001 Lippis Rezone.
6. Adoption of **Resolution #44**, Series of 2007, Rescind Special Review Use Permit, File Number SRU 01-002 River Runners Bungee Operation.

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Commissioner Lasha seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried.

ADMINISTRATIVE/INFORMATIONAL

1. Staff/Elected Officials

Commissioner Stiehl announced that Fremont County and Cañon City are sponsoring quarterly plastic recycling drives. The next scheduled plastic recycling is Saturday, October 20th from 9am to 1pm at the Cañon City Public Works Facility. He advised mixed plastics numbers one through seven will be accepted in specifically labeled recycling bins.

Finance Director, Dana Angel advised a Grant to help built salt-sand sheds for the road and bridge department was authorized by the Colorado Department of Local Affairs. He reported bids for the concrete portion of the salt-sand sheds are being accepted until 10 AM on October 4, 2007 and the final bid determination will be made at the October 9, 2007 BOCC meeting. Mr. Angel stated the department was in receipt of two (2) structural salt-sand shed bid proposals and they will be reviewed at the October 9, 2007 BOCC meeting.

Commissioner Lasha reported a successful turn-out for Pioneer Days in Florence last weekend and announced Penrose Apple Days is scheduled for Saturday, October 6, 2007.

Commissioner Norden advised that Fremont County Nurse, Clarice Little reported the County has confirmed eleven (11) cases of West Nile Virus this summer. Of the eleven (11) diagnosis: six (6) are fever cases; one (1) resulted in meningitis and four (4) resulted in encephalitis. He advised the State Health Department reported four-hundred and forty (440) cases state-wide. Commissioner Norden advised public precautions.

2. Citizens Not Scheduled / None

OLD BUSINESS:

RESOLUTION #44 RESCINDING SRU 01-002 RIVER RUNNERS BUNGEE OPERATION SPECIAL USE PERMIT

Assistant Planning and Zoning Director, Marshall Butler advised the rescinding of the SRU 01-002 River Runners Bungee Operation was approved at the September 11, 2007 Board of County Commissioners meeting and required a **Resolution** Number.

Commissioner Stiehl made a motion to approve **Resolution #44**, Rescinding Special Review Use 01-002 River Runners Bungee Operation. The motion was seconded by Commissioner Lasha. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried with the Adoption of **Resolution #44**.

NEW BUSINESS:

RESOLUTION #45 REQUEST: CUP 01-005 HOLNAM GRAVEL PIT CHANGE OF OPERATOR

Joel Bolduc, Environmental Manager, Holcim (US) Portland Plant stated they were requesting approval of a Change of Operator for Conditional Use Permit, Department file #CUP 01-005 Holnam Gravel Pit. The existing CUP is for the operation of the open-pit sand and gravel mine, including crushing, screening, hauling and a conveyor transport system. The current operator is Transit Mix Concrete Co. and the new operator will be Holcim (US) Portland Plant. The applicant is also requesting a Change of Name for the CUP from Holnam Gravel Pit to Holcim Gravel Pit. The property is located *approximately 1/2 mile west of the Holcim Cement Plant on the north side of Colorado State Highway 120, in the Portland area.*

Commissioner Lasha acknowledged and complimented Holcim on their efforts and accomplishments in creating the nature trail and park west of the Holcim Cement Plant.

Commissioner Stiehl made a motion to approve **Resolution #45** CUP 01-005 Changing the Operator from Transit Mix to Holcim US Portland Plant and Changing the Name from Holnam Gravel Pit to Holcim Gravel Pit. The motion was seconded by Commissioner Lasha. Upon vote: Commissioner Stiehl, aye; Commissioner Lasha, aye; Commissioner Norden, aye. The motion carried with the **Adoption of Resolution #45**.

RESOLUTION #46 LIQUOR LICENSE PROCESSING AND INSPECTION FEES

Deputy Clerk, Kris Lang advised the Clerk and Records Office is requesting that the local licensing authority consider an increase of the county liquor license processing fees. Pursuant to §§12-47-103, C.R.S., The Board of County Commissioners is designated as the Local Licensing Authority for the sale of alcoholic and fermented malt beverages in the unincorporated areas of Fremont County. The State of Colorado Liquor Enforcement Division pursuant to §§12-47-501, revised the fee schedule effective July 2007. Ms. Lang reported the increase will maintain the County on a current comparison fee level with Cañon City and the City of Florence. She reported a new liquor license would increase from \$400 to \$500; transfer of ownership and change of location would increase from \$150 to \$500 and commented the processing and inspection time of a transfer of ownership or change of location is the same as a new liquor license; change of corporation name would be \$100, change of manger registration would be \$75.

Fremont County Attorney, Brenda Jackson stated the increase of the Liquor License Processing and Inspection Fees would become effective on November 1, 2007.

Commissioner Lasha made a motion to approve **Resolution #46** Establishing Fees for Liquor Licensing Processing and Inspection effective November 1, 2007. The motion was seconded by Commissioner Stiehl. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried with the Adoption of **Resolution #46**.

FIRST READING OF ORDINANCE NUMBER 2, SERIES OF 2007, AN ORDINANCE FOR THE REGULATION OF TRAFFIC BY FREMONT COUNTY, COLORADO; ADOPTING BY REFERENCE THE 2003 EDITION OF THE "MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES;"

Fremont County Attorney, Brenda Jackson advised this Ordinance updates the schedule of traffic fines to be consistent with State Statute Section 42-4-1701. The Ordinance allows the county to keep revenues for violations in the county that are the same as state traffic code violations, but incurs new, higher surcharges on certain violations. Ms. Jackson stated the Ordinance will be published in full, referencing the Model Traffic Code, in the Cañon City Daily Record and the Florence Citizen on or before September 27, 2007 and that the Second Reading and Consideration of Adoption will be at the Regular Meeting of the Fremont County Board of Commissioners scheduled for October 9, 2007. Ms. Jackson read Ordinance No. 2, Series of 2007 in its entirety.

Commander Dickens of the Fremont County Sheriff's Department was in attendance.

Commissioner Lasha made a motion to accept and approve the First Reading of Ordinance Number 2, Series of 2007, Adopting by Reference the 2003 Edition of the Model Traffic Code for Colorado Municipalities. The motion was seconded by Commissioner Stiehl. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

Commissioner Norden adjourned the Meeting at 10:05 A.M.