

September 27th, 2011

EIGHTEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on September 27th, 2011, 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
Michael J. Stiehl	Commissioner	Present
Debbie Bell	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 Dave Gruder of the Evangelical Free Church.

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

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

ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials

Stacey Seifert, County Assessor, thanked the Board in recognizing the work that her office does. She praised her staff and all of the hard work they do in order to achieve these results on the state audit. Since taking office five years ago, her office has been audited every year. They have passed the audit every year with no recommendations for any changes. Three of those five years were mass re-appraisal cycles. Seifert generally likes to have her numbers come in at 100% of market value. In 2009 and 2011 she has used the allowed parameters of 95% to 105% of market value. Because we are in a declining market she has tried to get as close to 95% as often as possible. This will give some relief to the taxpayers of Fremont County. Commissioner Norden stated the auditors had reviewed sales verification and concluded that Fremont County is doing an excellent job and there are no recommendations or suggestions needed. The audit report is available in the Assessors Office and the Commissioners Office for the public to view.

Commissioner Norden noted that Ferraras Happy Apple Farm in Penrose had an article in this month's issue of "Country" magazine which is a national publication.

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Commissioner Bell reminded citizens Penrose Apple Days will be taking place this weekend. She said Florence Pioneer Days had been very successful the past weekend.

2. Citizens Not Scheduled: None.

OLD BUSINESS

None.

NEW BUSINESS

1. Presentation from Canon City Community Development Director Doug Dotson regarding the Canon City Downtown Strategic Plan and tax increment financing.

Doug Dotson, Canon City Community Development Director, gave a presentation to the Board on the Canon City Downtown Strategic Plan. He said this is an idea for discussion purposes and is not sure where the plan will lead. The plan includes Main Street and the surrounding neighborhoods. We need to be able to build upon the cultural heritage of Fremont County. The Downtown Merchants do have a 20 year Statement of Vision to become a tourist destination and it is available on the City website. The goal of this plan is to take advantage of the buildings and resources we already have. The objective is to increase economic activity downtown and attract private investment. One idea to strengthen downtown is to have a central gathering park for artists, farmers markets and events. The plan needs to incorporate electronic marketing with mobile phone applications, social networks, and GPS. Up to 250 parking spaces could be added to the downtown area. Signage is vital to create more traffic flow to the downtown corridor. The Downtown Partnership would be created and include the City, County, Investors, Schools, Realtors, Merchants and the Chamber of Commerce. Doug encouraged the public to comment on this plan and can view it on the city website. Commissioner Bell commended Doug and the merchants for all of their hard work on this plan.

2. Resolution approving boundaries for County Commissioner redistricting.

Commissioner Norden explained there had been a public hearing on the proposed maps at the August 23rd Board of County Commissioners Meeting and there was not any input from the public. He said Dave Kimmet of the GIS office had spent a lot of time on the new maps and the legal description of the Commissioner districts. Commissioner Bell moved to adopt Resolution #31 approving the new boundaries for the Fremont County Commissioner redistricting per the 2010 Census results. Commissioner Stiehl seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried. Resolution #31 is attachment "A".

3. Resolution Electing Local Control for Special Event Liquor Permits and setting fees for Special Event Liquor Permits.

County Clerk Barr presented the Board with the need for change in the Special Event Liquor License process. This would allow the Board of County Commissioners to issue the Special Event Permits without having to submit the applications to the state for approval. Barr said this will expedite the process that currently takes six to eight weeks. She said it should take anywhere from two to four weeks to complete the permits under the new process.

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Barr also requested the current fee of \$50 be increased to \$100 as the County will be taking on additional responsibilities. The Cities of Canon City and Florence have already implemented the \$100 fee which is the maximum the state will allow us to charge. Commissioner Stiehl noted that it was new legislation that allowed the County to be able to implement the local approval process. Commissioner Stiehl moved to approve Resolution #32 Electing Local Control by the Board of County Commissioners for Special Event Liquor Permits and setting the fee of \$100 for Special Event Liquor Permits for Fremont County. Commissioner Bell seconded the motion. Upon Vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried. Resolution #32 is attachment "B".

4. Consideration of Appointment of Ruth Farmer to fill a vacant seat on the John C. Fremont Library District Board of Trustees.

Commissioner Norden said the Library Board recommends who should fill the vacancy and it is up to the Board of Commissioners to make the formal appointment. Commissioner Stiehl moved to appoint Ruth Farmer to fill a vacant seat on the John C. Fremont Library District Board of Trustees. Commissioner Bell seconded the motion. Upon Vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

5. REQUEST: TUP 11-007 PENROSE CHAMBER OF COMMERCE APPLE DAY
Request approval of a Temporary Use Permit to allow the Apple Day festivities by the Penrose Chamber of Commerce. The events will be held in downtown Penrose (Broadway from Elm to Illinois and ½ block south on Grant) on Saturday, October 1, 2011, from 7:00 A.M. to 4:00 P.M.
Representative: William McGuire, Penrose Chamber of Commerce

William McGuire of the Penrose Chamber of Commerce thanked Bill Giordano for all of his help with the application. He gave the Commissioners a schedule of the events. Giordano said action needed by the Board is for the acceptance of the general liability insurance which is the same amount as in past years. The applicant has asked for a waiver of the surety for the cleanup and a waiver of the application fee. McGuire said that Boy Scout Troop 121 cleans up after the festivities and does a fantastic job every year. Commissioner Bell moved to approve TUP 11-007 for Penrose Chamber of Commerce Apple Day Festivities on October 1, 2011, accepting the general liability insurance, waiver of the surety for cleanup and waiver of the application fee. Commissioner Stiehl seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

6. Consideration of a Memorandum of Understanding with the Upper Arkansas Area Council of Governments.

Judy Lohnes of the Upper Arkansas Area Council of Governments (UAACOG) explained that Housing and Urban Development (HUD) has a notice of funding availability that they had applied for. They are the only rural application still standing in the state of Colorado as of last week. One of the grant requirements is to submit a Memorandum of Understanding with all of the Partner Agencies. If UAACOG is awarded the grant they will have 120 days to formalize the Memorandum of Understanding. This grant is a cooperation of three federal agencies; Economic Development Administration, Federal Transportation Administration, and HUD. UAACOG is applying for funds for three specific needs. This includes a Broadband Initiative in Fremont, Lake, Chaffee, and Custer Counties. The second need is for implementing the strategies of a Regional Economic Development Plan.

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The third part is for a creation of a Regional Energy Office to be housed at the UAACOG office. Judy hopes this will lead to a reinstatement of their weatherization program that has been suspended for 10 to 15 years. Commissioner Bell moved to authorize the Chairman's signature and participation on the Memorandum of Understanding with the Upper Arkansas Area Council of Governments. Commissioner Stiehl seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

7. Request made by Lee Alter to the Board of County Commissioners to waive the \$750. Fee for a possible appeal to the Board of Zoning Adjustment.

Lee Alter requested the Board of County Commissioners waive the \$750 fee for his appeal to the Board of Zoning Adjustment (BOZA). He referenced the Zoning Resolution section 7.5 regarding the appeal process. He explained the circumstances that led to the dismissal of his complaint. Commissioner Norden told Mr. Alter the only thing the Board of County Commissioners is considering today is the request for the waiver of the \$750 fee. Commissioner Norden explained the method of appeal and asked Mr. Alter what reason he has for the waiver request. Commissioner Stiehl said the BOZA appeal process is available to all citizens and asked Mr. Alter why the fee should be waived for him. Commissioner Bell explained the fee is used to pay the BOZA members and cover costs the County incurs. She reminded him he would be reimbursed the fee if he wins the appeal. Mr. Alter said the two reasons for the waiver request are that there is no significant cost to the County to make the decision and said he does not have the \$750 to pay. Commissioner Stiehl noted the fees charged by the County are fair and does not believe the taxpayers should have to pay for another citizen's appeal process. Commissioner Stiehl moved to deny the request for the waiver of the \$750 fee for the appeal to the Board of Zoning Adjustment. Commissioner Bell seconded the motion. Upon Vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

8. Consideration of the attachment A to the Professional Services Agreement with Armstrong Consultants for the Master Plan Update Scope of Services – Fremont County Airport.

County Manager Sugars said in July the Board of County Commissioners signed an agreement with Armstrong Consultants to provide professional services. This is attachment A to that agreement to update the Master Plan at the Fremont County Airport. Commissioner Bell asked if there is a county match for the \$155,000 fee. Richard Baker, Airport Manager, said 90% of the money will come from the FAA the other 10% will be split between the State Aeronautics Division and the County. The match can be in kind services or monetary. Commissioner Bell moved to approve attachment A to the Professional Services Agreement with Armstrong Consultants for the Master Plan Update Scope of Services for the Fremont County Airport. Commissioner Stiehl seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

PUBLIC HEARINGS SCHEDULED FOR 10:00 A.M.

None.

Chairman Norden adjourned the meeting at 11:05 A.M.

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Attachment "A"

RESOLUTION NO. 31, SERIES OF 2011

A RESOLUTION ESTABLISHING THE BOUNDARIES OF
FREMONT COUNTY COMMISSIONER DISTRICTS
PURSUANT TO §30-10-306, C.R.S.

WHEREAS, Colorado statutes, at §30-10-306, C.R.S., provide that each county shall be divided into three compact districts by the Board of County Commissioners, with each district being as nearly equal in population as possible based on the most recent federal census of the United States minus the number of persons serving a sentence of detention or confinement in any correctional facility in the county as indicated in the statistical report of the department of corrections for the most recent fiscal year; and

WHEREAS, one Commissioner shall be elected from each of such districts by the voters of the whole county; and

WHEREAS, the federal census of the United States was conducted and completed in 2010; and

WHEREAS, Colorado law requires the Board of Commissioners to consider the population statistics and revise or alter the current commissioner districts to equalize the population in each district, as nearly as possible and to complete such task no later than September 30, 2011; and

WHEREAS, the Board of Commissioners has been advised regarding the federal census population statistics and has been presented with a proposal for revising each of the three commissioner districts, the descriptions for which are marked as Exhibit A, attached hereto and incorporated herein by reference and the mapping for which is marked as Exhibit B, attached hereto and incorporated herein by reference; and

WHEREAS, the Board of Commissioners held a public hearing on August 23, 2011, at 10:00 a.m., following notice to the public in the *Canon City Daily Record* and the *Florence Citizen*, to receive comments regarding the proposal for revising the commissioner district boundaries; and

WHEREAS, more than 30 days have passed since the date of the public hearing.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR FREMONT COUNTY, that the proposed boundaries for the three county commissioner districts as described on Exhibit A, attached hereto, and as drawn on Exhibit B, attached hereto, shall be and hereby are revised and established in accordance with the attached descriptions and map. The boundaries of such districts shall remain as established herein until further formal action by the Board of Commissioners, as provided by Colorado law.

RECEPTION#: 889677,
09/28/2011 at 11:23:36 AM, 1 OF 7,

KATIE E. BARR, CLERK AND RECORDER
FREMONT COUNTY, CO

September 27, 2011

Commissioner Bell moved for adoption of this Resolution, with a second by
Commissioner Stiehl. 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
Michael J. Stiehl	<u>Aye</u>	Nay	Absent	Abstain

Date: Sept. 27, 2011

ATTEST:

Ed H. Norden
Chairman

Katie E. Bann
Clerk to the Board

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Proposed Fremont County Board of County Commissioners Districts

Proposed boundaries based upon equitable population distribution
via the 2010 United States Census Population for Fremont County

District One:

- Beginning at the centerline of County Road 277 (aka Oak Creek Grade) on the Fremont-Custer County border; then northeasterly along the centerline of Oak Creek Grade (which encompasses both County Road 277 and County Road 143) to its point of intersection with the centerline of County Road 80; then northeasterly along the centerline of County Road 80 to its point of intersection with the centerline of County Road 77 (in places known as Chandler Road); then northerly along centerline of County Road 77 to its point of intersection with a utility line crossing the road (roughly at the point of intersection with the section line between Sections 10 & 11, Township 19 South, Range 70 West of the 6th Principal Meridian, approximately 2095 feet north of the common intersection of Sections 10, 11, 14, & 15); then southeasterly along said utility line to its point of intersection with the eastern boundary of Section 11; then northerly along said eastern boundary of said Section 11 to its point of intersection with the centerline of Colorado State Highway 115; then southeasterly along the centerline of said Highway 115 to its point of intersection with the centerline of Mackenzie Avenue; then northerly along the centerline of Mackenzie Avenue to its point of intersection with the centerline of the Arkansas River; then northwesterly along the centerline of the Arkansas River to its point of intersection with the centerline of South Reynolds Avenue; then northerly along the centerline of South Reynolds Avenue to its point of intersection with the centerline of East Main Street; then easterly along the centerline of East Main Street to its point of intersection with the centerline of Berry Parkway if projected southerly; then northerly along the southerly projected centerline of Berry Parkway to its point of intersection with the centerline of United States Highway 50; then easterly along the centerline of said Highway 50 to its intersection with the centerline of Fourmile Creek; then northerly along the centerline of Fourmile Creek to its point of intersection with the southern line of a private parcel of property addressed as 700 Van Loo Road, Cañon City Colorado 81212; then westerly on said line for approximately 610 feet to its point of intersection with the western line of a private parcel of property addressed as 660 Van Loo Road; then southerly on said line for approximately 485 feet to its point of intersection with the north line of a roadway easement; then northwesterly along the north line of said easement for approximately 1000 feet to its point of intersection with the centerline of Van Loo Road; then westerly along the centerline of Van Loo Road to its point of intersection with the centerline of Dozier Avenue; then northerly along the centerline of Dozier Avenue to its point of merger with Central Avenue; then westerly along the centerline of Central Avenue to its point of intersection with the centerline of Phelps Avenue; then southerly and westerly along the centerline of Phelps Avenue to its point of intersection with the centerline of 15th Street; then southerly along the centerline of 15th Street to its point of intersection with the centerline of College Avenue; then southwestly along the centerline of College Avenue to its point of intersection with the centerline of Hazel Avenue; then westerly along the centerline of Hazel Avenue to its point of intersection with the centerline of 7th Street; then southerly along the centerline of 7th Street to its point of intersection with the centerline of Pike Avenue; then southwestly along the centerline of Pike Avenue to its point of intersection with the centerline of 6th Street; then northerly along the centerline of 6th Street to its point of intersection with the centerline of Hazel Avenue; then westerly along the centerline of Hazel Avenue to its terminus and point of intersection with the western boundary of the Southwest 1/4 of the Southeast 1/4 of Section 29, Township 18 South, Range 70 West of the 6th Principal Meridian; then southerly along the western boundary of said Southwest 1/4 of the Southeast 1/4 of Section 29 to the southern boundary of said Section 29; then westerly along the southern boundary of said Section 29 to the centerline of United States Highway 50; then southerly along the centerline of said Highway 50

EXHIBIT A

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to Soda Point; then in a southerly direction to the centerline of Colburn Lane at its intersection with Riverside Drive; then southerly along the centerline of Colburn Lane to its point of intersection with the southern boundary of Section 32; then westerly along the southern boundary of said Section 32 to the southwest corner of said Section 32; then southerly along the section line between Sections 5 & 6, Township 19 South, Range 70 West of the 6th Principal Meridian to its intersection with the south line of the DeWeese-Dye Ditch; then southwesterly along said south line of the DeWeese-Dye Ditch to its headgate on Grape Creek; then southerly along the centerline of Grape Creek to its point of intersection with the Fremont-Custer County Boundary; then easterly along said county boundary to the point of beginning. **CONTAINING 12,974 PERSONS ACCORDING TO THE 2010 UNITED STATES CENSUS.**

District Two:

- Beginning at the centerline of County Road 277 (aka Oak Creek Grade) on the Fremont-Custer County border; then northeasterly along the centerline of Oak Creek Grade (which encompasses both County Road 277 and County Road 143) to its point of intersection with the centerline of County Road 80; then northeasterly along the centerline of County Road 80 to its intersection with the centerline of County Road 77 (in places known as Chandler Road); then northerly along centerline of County Road 77 to its point of intersection with a utility line crossing the road (roughly at the point of intersection with the section line between Sections 10 & 11, Township 19 South, Range 70 West of the 6th Principal Meridian, approximately 2095 feet north of the common intersection of Sections 10, 11, 14, & 15); then southeasterly along said utility line to its point of intersection with the eastern boundary of Section 11; then northerly along said eastern boundary of said Section 11 to its point of intersection with the centerline of Colorado State Highway 115; then southeasterly along the centerline of said Highway 115 to its point of intersection with the centerline of Mackenzie Avenue; then northerly along the centerline of Mackenzie Avenue to its point of intersection with the centerline of the Arkansas River; then northwesterly along the centerline of the Arkansas River to its point of intersection with the centerline of South Reynolds Avenue; then northerly along the centerline of South Reynolds Avenue to its point of intersection with the centerline of East Main Street; then easterly along the centerline of East Main Street to its point of intersection with the centerline of Berry Parkway if projected southerly; then northerly along the southerly projected centerline of Berry Parkway to its point of intersection with the centerline of United States Highway 50; then easterly along the centerline of said Highway 50 to its intersection with the centerline of Fourmile Creek; then northerly along the centerline of Fourmile Creek to its point of intersection with a utility line near Red Canyon Road and the southwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 18 South, Range 70 West of the 6th Principal Meridian; then southeasterly along said utility line to its point of intersection with the western boundary of Section 11; then northerly along the western boundary of said Section 11 to the northwest corner of said Section 11; then easterly along the northern boundary of said Section 11 to the northeast corner of the Northwest 1/4 of said Section 11; then southerly along the eastern boundary of said Northwest 1/4 to its point of intersection with said utility line; then southeasterly along said utility line to its point of intersection with the centerline of County Road 67 (Phantom Canyon Road); then northerly along the centerline of County Road 67 to where it enters Teller County from Fremont County alongside Eightmile Creek; then easterly along the Fremont-Teller County boundary to the terminus; then southerly along the Fremont-El Paso/Pueblo County boundaries to the terminus; then westerly along the Fremont-Pueblo/Custer County boundaries to the point of beginning. **CONTAINING 12,976 PERSONS ACCORDING TO THE 2010 UNITED STATES CENSUS.**

District Three:

- Beginning at the centerline of Grape Creek where it enters Fremont County from Custer County; then westerly along the southern Fremont-Custer County boundary to the terminus; then northerly along the western Fremont-Saguache/Chaffee County boundaries to the terminus;

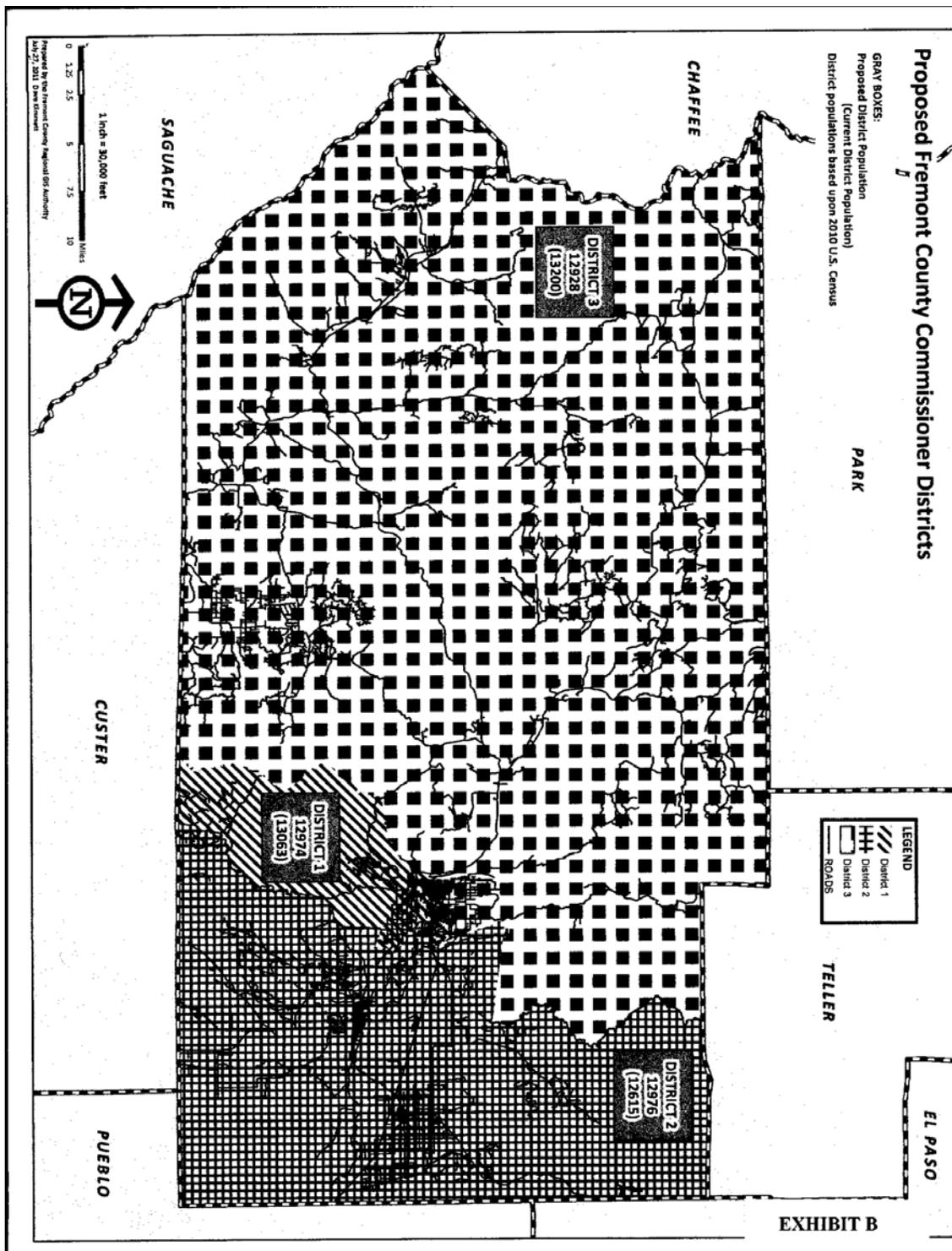
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then easterly along the northern Fremont-Park/Teller County boundaries to the centerline of County Road 67 (Phantom Canyon Road) where it enters Fremont County from Teller County alongside Eightmile Creek; then southerly along the centerline of County Road 67 to its point of intersection with a utility line crossing the road in the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 18 South, Range 69 West of the 6th Principal Meridian; then northwesterly along said utility line to the eastern boundary of the Northwest 1/4 of Section 11, Township 18 South, Range 70 West of the 6th Principal Meridian; then northerly on the eastern boundary of said Northwest 1/4 to the northeast corner of the Northwest 1/4 of said Section 11; then westerly on the northern boundary of said Section 11 to the northwest corner of said Section 11; then southerly on the western boundary of said Section 11 to its point of intersection with said utility line; then northwesterly along said utility line to its point of intersection with the centerline of Fourmile Creek near Red Canyon Road and the southwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 18 South, Range 70 West of the 6th Principal Meridian; then southerly along the centerline of Fourmile Creek to its point of intersection with the southern line of a private parcel of property addressed as 700 Van Loo Road, Cañon City Colorado 81212; then westerly on said line for approximately 610 feet to its point of intersection with the western line of a private parcel of property addressed as 660 Van Loo Road; then southerly on said line for approximately 485 feet to its point of intersection with the north line of a roadway easement; then northwesterly along the north line of said easement for approximately 1000 feet to its point of intersection with the centerline of Van Loo Road; then westerly along the centerline of Van Loo Road to its point of intersection with the centerline of Dozier Avenue; then northerly along the centerline of Dozier Avenue to its point of merger with Central Avenue; then westerly along the centerline of Central Avenue to its point of intersection with the centerline of Phelps Avenue; then southerly and westerly along the centerline of Phelps Avenue to its point of intersection with the centerline of 15th Street; then southerly along the centerline of 15th Street to its point of intersection with the centerline of College Avenue; then southwesterly along the centerline of College Avenue to its point of intersection with the centerline of Hazel Avenue; then westerly along the centerline of Hazel Avenue to its point of intersection with the centerline of 7th Street; then southerly along the centerline of 7th Street to its point of intersection with the centerline of Pike Avenue; then southwesterly along the centerline of Pike Avenue to its point of intersection with the centerline of 6th Street; then northerly along the centerline of 6th Street to its point of intersection with the centerline of Hazel Avenue; then westerly along the centerline of Hazel Avenue to its terminus and point of intersection with the western boundary of the Southwest 1/4 of the Southeast 1/4 of Section 29, Township 18 South, Range 70 West of the 6th Principal Meridian; then southerly along the western boundary of said Southwest 1/4 of the Southeast 1/4 of Section 29 to the southern boundary of said Section 29; then westerly along the southern boundary of said Section 29 to the centerline of United States Highway 50; then southerly along the centerline of said Highway 50 to Soda Point; then in a southerly direction to the centerline of Colburn Lane at its intersection with Riverside Drive; then southerly along the centerline of Colburn Lane to its point of intersection with the southern boundary of Section 32; then westerly along the southern boundary of said Section 32 to the southwest corner of said Section 32; then southerly along the section line between Sections 5 & 6, Township 19 South, Range 70 West of the 6th Principal Meridian to its intersection with the south line of the DeWeese-Dye Ditch; then southwesterly along said south line of the DeWeese-Dye Ditch to its headgate on Grape Creek; then southerly along the centerline of Grape Creek to the point of beginning. **CONTAINING 12,928 PERSONS ACCORDING TO THE 2010 UNITED STATES CENSUS.**

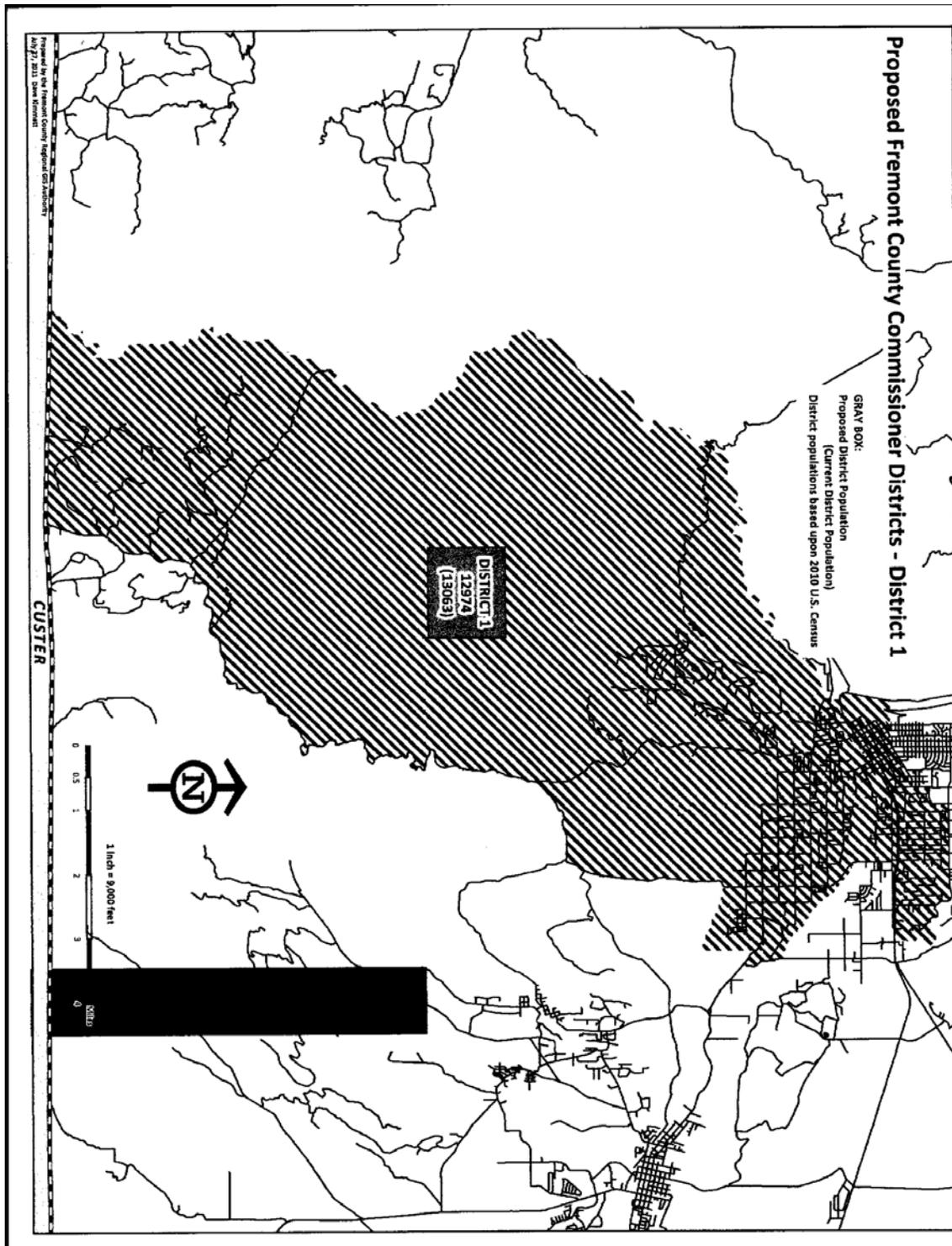
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then easterly along the northern Fremont-Park/Teller County boundaries to the centerline of County Road 67 (Phantom Canyon Road) where it enters Fremont County from Teller County alongside Eightmile Creek; then southerly along the centerline of County Road 67 to its point of intersection with a utility line crossing the road in the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 18 South, Range 69 West of the 6th Principal Meridian; then northwesterly along said utility line to the eastern boundary of the Northwest 1/4 of Section 11, Township 18 South, Range 70 West of the 6th Principal Meridian; then northerly on the eastern boundary of said Northwest 1/4 to the northeast corner of the Northwest 1/4 of said Section 11; then westerly on the northern boundary of said Section 11 to the northwest corner of said Section 11; then southerly on the western boundary of said Section 11 to its point of intersection with said utility line; then northwesterly along said utility line to its point of intersection with the centerline of Fourmile Creek near Red Canyon Road and the southwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 18 South, Range 70 West of the 6th Principal Meridian; then southerly along the centerline of Fourmile Creek to its point of intersection with the southern line of a private parcel of property addressed as 700 Van Loo Road, Cañon City Colorado 81212; then westerly on said line for approximately 610 feet to its point of intersection with the western line of a private parcel of property addressed as 660 Van Loo Road; then southerly on said line for approximately 485 feet to its point of intersection with the north line of a roadway easement; then northwesterly along the north line of said easement for approximately 1000 feet to its point of intersection with the centerline of Van Loo Road; then westerly along the centerline of Van Loo Road to its point of intersection with the centerline of Dozier Avenue; then northerly along the centerline of Dozier Avenue to its point of merger with Central Avenue; then westerly along the centerline of Central Avenue to its point of intersection with the centerline of Phelps Avenue; then southerly and westerly along the centerline of Phelps Avenue to its point of intersection with the centerline of 15th Street; then southerly along the centerline of 15th Street to its point of intersection with the centerline of College Avenue; then southwesterly along the centerline of College Avenue to its point of intersection with the centerline of Hazel Avenue; then westerly along the centerline of Hazel Avenue to its point of intersection with the centerline of 7th Street; then southerly along the centerline of 7th Street to its point of intersection with the centerline of Pike Avenue; then southwesterly along the centerline of Pike Avenue to its point of intersection with the centerline of 6th Street; then northerly along the centerline of 6th Street to its point of intersection with the centerline of Hazel Avenue; then westerly along the centerline of Hazel Avenue to its terminus and point of intersection with the western boundary of the Southwest 1/4 of the Southeast 1/4 of Section 29, Township 18 South, Range 70 West of the 6th Principal Meridian; then southerly along the western boundary of said Southwest 1/4 of the Southeast 1/4 of Section 29 to the southern boundary of said Section 29; then westerly along the southern boundary of said Section 29 to the centerline of United States Highway 50; then southerly along the centerline of said Highway 50 to Soda Point; then in a southerly direction to the centerline of Colburn Lane at its intersection with Riverside Drive; then southerly along the centerline of Colburn Lane to its point of intersection with the southern boundary of Section 32; then westerly along the southern boundary of said Section 32 to the southwest corner of said Section 32; then southerly along the section line between Sections 5 & 6, Township 19 South, Range 70 West of the 6th Principal Meridian to its intersection with the south line of the DeWeese-Dye Ditch; then southwesterly along said south line of the DeWeese-Dye Ditch to its headgate on Grape Creek; then southerly along the centerline of Grape Creek to the point of beginning. **CONTAINING 12,928 PERSONS ACCORDING TO THE 2010 UNITED STATES CENSUS.**

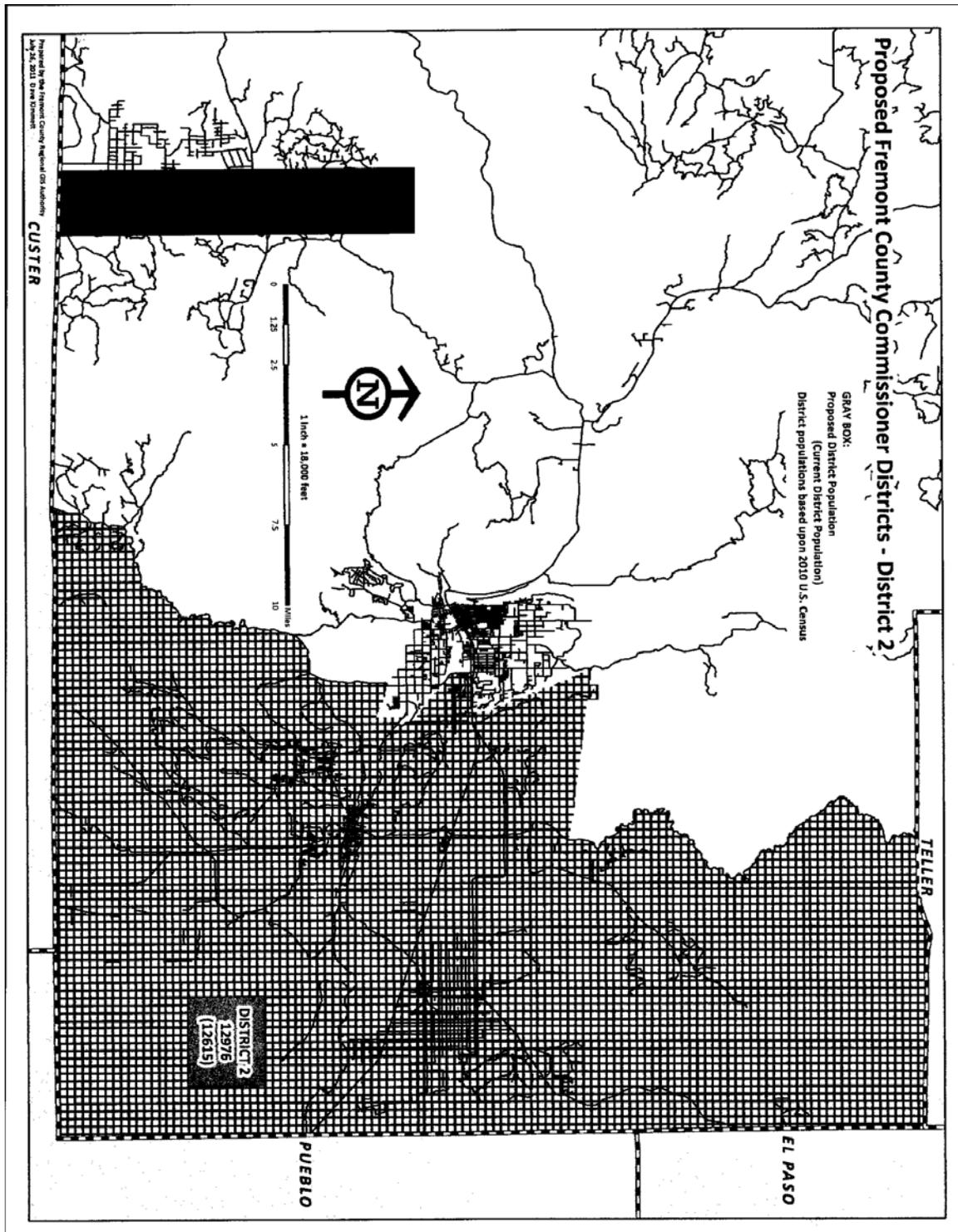
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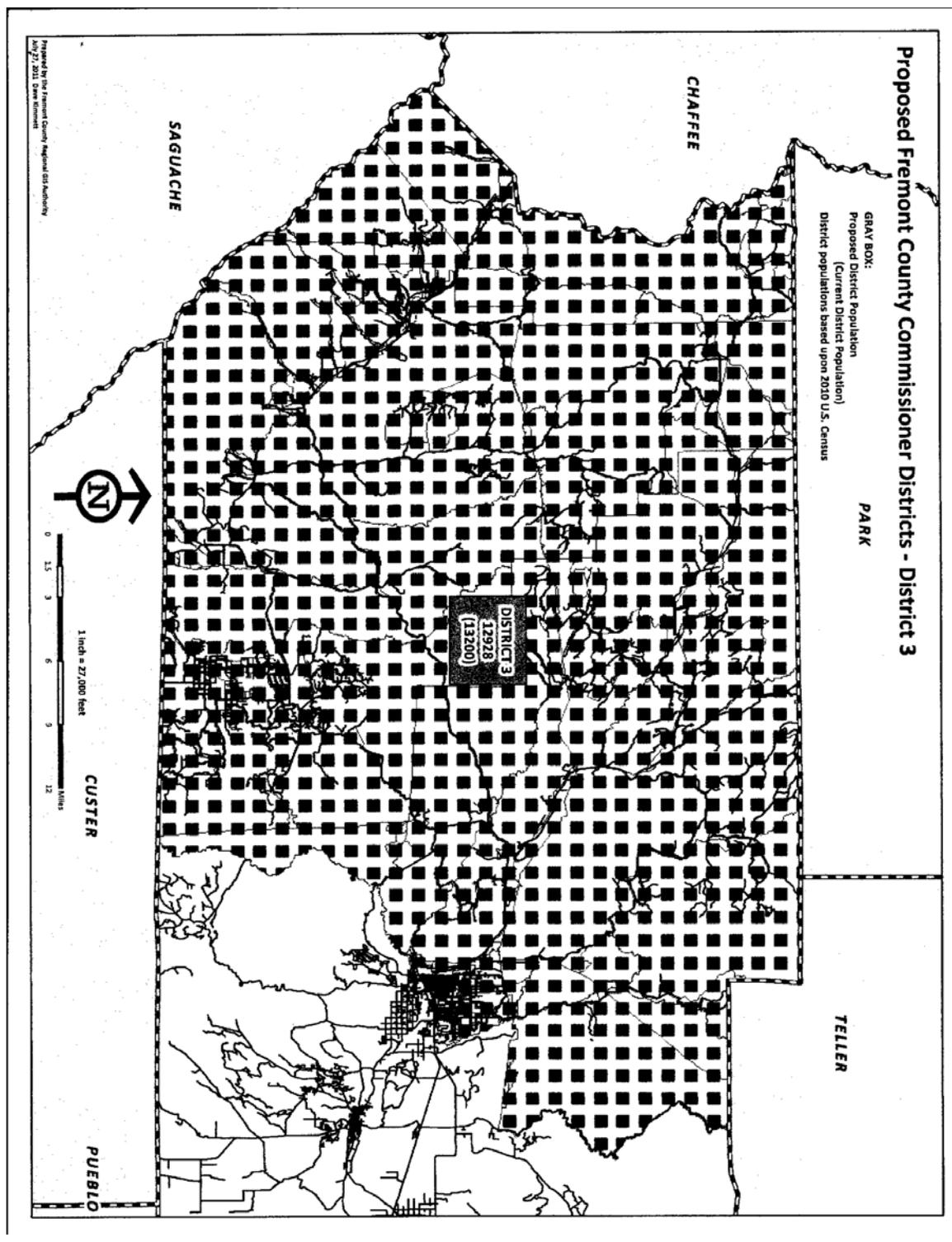
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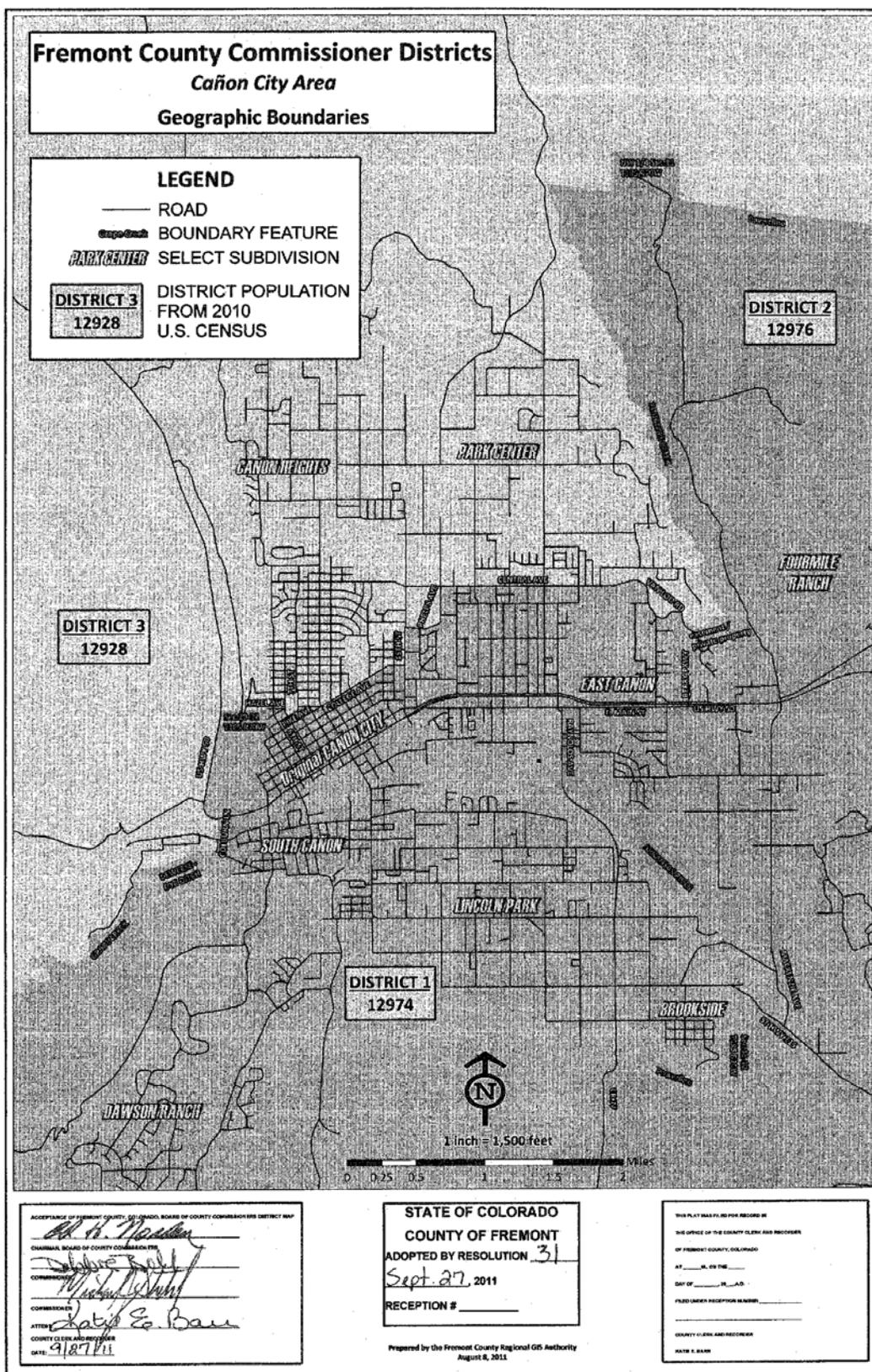
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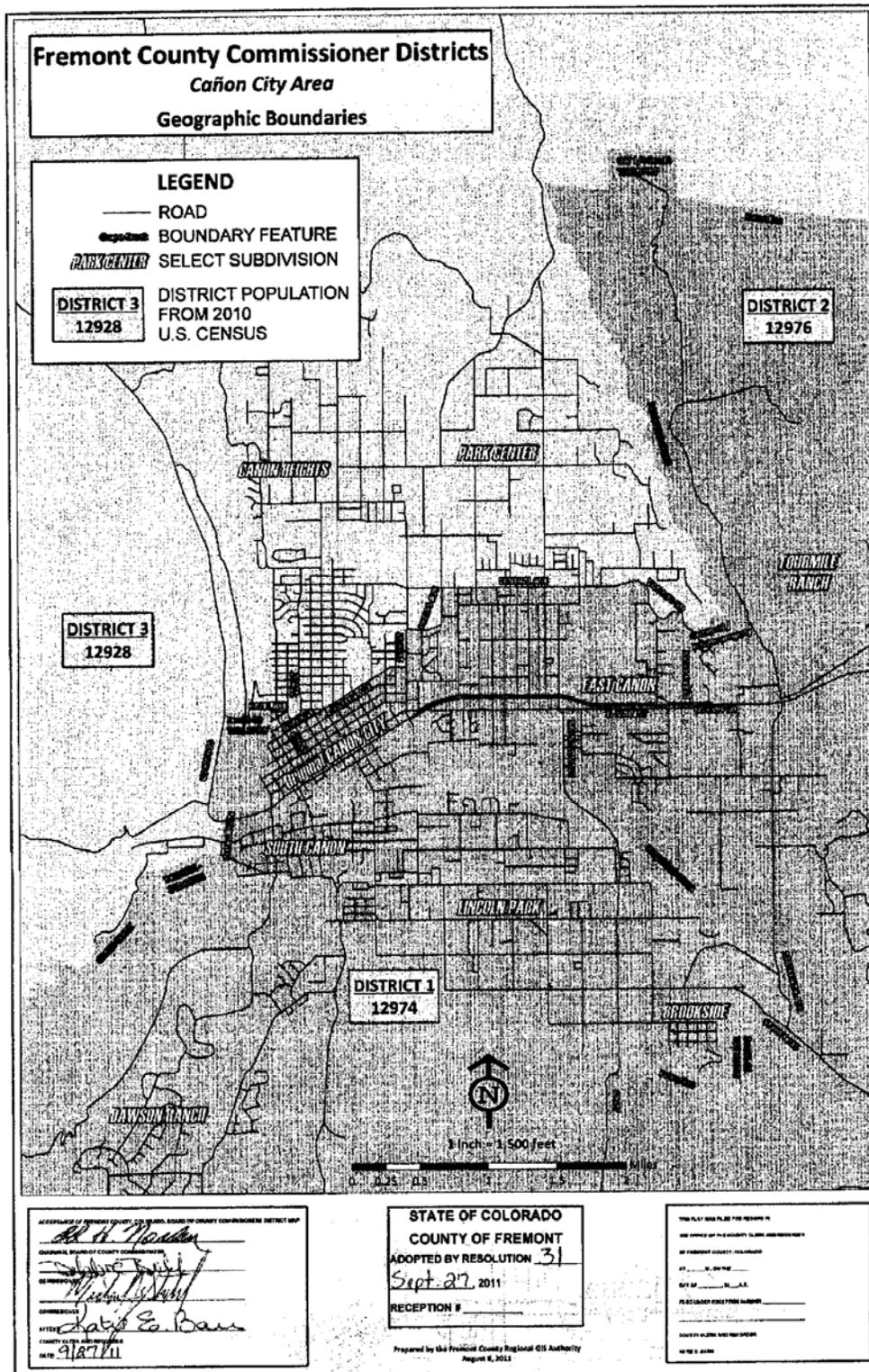


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RECEPTION#: 889677, 09/28/2011 at 11:23:36 AM, 11 OF 12,
KATIE E. BARR, FREMONT COUNTY, CO CLERK AND RECORDER



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Attachment "B"

RESOLUTION NO. 32 Series of 2011

**A RESOLUTION ELECTING LOCAL CONTROL
AND SETTING FEES FOR SPECIAL EVENT LIQUOR PERMITS**

WHEREAS, that 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; and

WHEREAS, responsibility for processing applications and inspection of licensed premises in the unincorporated areas of Fremont County rests primarily with Fremont County; and

WHEREAS, pursuant to §12-48-107(5), C.R.S., a local licensing authority may elect not to notify the state licensing authority to obtain the state licensing authority's approval or disapproval of an application for a special event permit; and

WHEREAS, the Board of Commissioners, acting as the local licensing authority, has determined that electing to receive, process and approve or disapprove special events permits at the local level, without state involvement, will be in the best interests of the citizens of Fremont County and special event permit applicants in that it will expedite the application process for such permits and will allow greater local control for such permits and events.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that in accordance with the provisions of §12-48-107(5), C.R.S., the Board of Commissioners for Fremont County hereby elects not to notify the state licensing authority to obtain the state licensing authority's approval or disapproval of an application for a special event permit in the unincorporated area of Fremont County.

BE IT FURTHER RESOLVED, that in accordance with §12-48-107(5)(b), C.R.S.:

1. The local licensing authority shall promptly act upon each application and either approve or disapprove each application for a special event permit;
2. The local licensing authority shall report to the liquor enforcement division for the State of Colorado, within ten days after issuance of each special event liquor permit, the name of the organization to which a permit was issued, the address of the permitted location, and the permitted dates of alcohol beverage service;
3. The local licensing authority shall consider compliance with §12-48-105(3), C.R.S. before approving any application for a special event liquor permit;
4. The Clerk for the local licensing authority shall establish a procedure, including submittal deadlines, for receiving and processing applications for special event liquor permit applications;

RECEPTION#: 889678,
09/28/2011 at 11:32:04 AM, 1 OF 2.

KATIE E. BARR, CLERK AND RECORDER
FREMONT COUNTY, CO

September 27, 2011

5. The fee for a special event liquor permit application, which shall include investigation and issuance of the permit, shall be \$100.00.

BE IT FURTHER RESOLVED, that all Colorado state statutory provisions regarding qualifications of organizations eligible for a special event liquor permit, grounds for issuance of a permit, restrictions related to permits, grounds for denial of a permit, applications for a permit, exemptions and enforcement of state liquor laws, shall continue to be applied and followed by the local licensing authority and its agents, employees and representatives acting on its behalf.

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

Debbie Bell	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Edward H. Norden	<u>AYE</u>	NAY	ABSTAIN	ABSENT
Michael J. Stiehl	<u>AYE</u>	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: Sept. 27, 2011

Ed H. Norden
Chairman

Attest: Hattie E. Barr
Clerk