

October 11th, 2011

NINETEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on October 11th, 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 Blausser Deputy Clerk.

The Morning Prayer was given by Larry Chell 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 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 Stiehl moved to approve the consent agenda. Commissioner Bell seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials

County Clerk Barr gave her report to the Board for September 2011. Barr said the total collected was \$793,542.41. The County got to keep about 50% of the total collected which was \$391,287.79. This is \$21,802.12 less than last year. Commissioner Stiehl moved to accept the County Clerks Report for the month of September 2011. Commissioner Bell seconded the motion. Upon Vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

County Manager Sugars gave a report to the Board for Sales and Use Tax through the month of September 2011. The Retail Sales Tax is up 1.89% from last year. The Auto Use Tax is up 3.82% from a year ago. The Construction Use Tax is down 41% from last year primarily because of some large projects that were going on in 2010. The Total Sales and Use Tax is down 1.08% compared to this time last year. However we are up approximately 1.72% from the projected budget amount.

Commissioner Bell thanked the Penrose Chamber of Commerce for their hard work on the Penrose Apple Day festivities. She announced that Eureka Days will be going on in Florence this weekend with numerous activities planned. There will be live music, entertainment and a Barbeque Contest. Bell encouraged the public to attend.

October 11th, 2011

Commissioner Norden said he had received word from Captain Pinover of the Sheriffs Department that they were the recipients of two 2002 Chevy 4x4 Blazers from the town of Blackhawk. The cost to Fremont County will only be about \$1,000 for lettering, and radios to equip them for operation. These vehicles will replace patrol cars currently used in rural areas of our county. Commissioner Norden said they had received notice from DORA that the State Electric and Plumbing Inspectors would not be renewing their leases in the Fremont County Administration Building. The lease was for \$5,880 per year. After discussion, the County Commissioners have decided to allow these inspectors to stay in the building rent free. This will allow citizens and the Building Department Staff better access to these inspectors.

2. Citizens Not Scheduled:

None.

OLD BUSINESS

None.

NEW BUSINESS

1. Consideration of the 2012 Holiday Schedule

Commissioner Norden explained this is not only about adopting a holiday schedule but also whether or not the County Administration Building will remain on a four day ten hour work week. Commissioner Bell moved for purpose of discussion to adopt both the four day ten hour schedule for the administration building and the five day eight hour schedule for the Airport, Department of Human Services, and the Sheriffs Department. Commissioner Stiehl seconded the motion. Commissioner Norden noted the Department of Transportation has been on the four day ten hour schedule year round for about four years. Commissioner Stiehl asked Mr. Sugars how many more holidays the employees will be getting back. Sugars replied there were 60 holiday hours for 2010 and 2011 and for 2012 there will be 90 holiday hours. In 2009 there were 88 holiday hours paid to employees. In 2012 the employees will now get Presidents Day, Veterans Day, and one floating holiday off. Commissioner Norden explained the primary reason for reducing the holiday schedule was due to the overtime cost of holiday pay for the Sheriffs Office. The Sheriffs Department now has a comp time system for employees who have to work on the holidays. As this will not add any additional wages to the Sheriffs budget the Board has agreed to add back some of the lost holiday hours. Commissioner Bell said this has been a very controversial issue for the past two years. She came into office believing the administration building should go back to a five day work week. So many of our offices now offer online services available 24 hours a day seven days a week including holidays and weekends for citizens to use. She said all three surveys were in favor of the longer hours with the four day work week. Bell said the employees have not had a pay raise in more than three years and this is one way to please both the employees and the public. Commissioner Norden said it concerns him when citizens dismiss the budgetary problems that Fremont County has had. The county is facing a \$244,000 drop in property tax collections for 2012. Norden is anxious to see what the utility savings will be from being closed on Fridays plus the energy saving steps we will have with the Ennovate contract. He had recently attended a town hall meeting in Coaldale and out of 60 people only four people wanted the five day work week back. County Clerk Barr thanked the Commissioners for honoring the wishes of the public and the employees. Commissioner Stiehl noted the decision by the Board today will not have a time limit and can be revisited in the future. Stiehl said they had run a survey in the motor vehicle department during September, October and November of 2009.

October 11th, 2011

It showed 80% of the people were in favor of the four day work week with extended hours. He said the public is better served with extended hours and the only way to afford this is by having a four day work week. Upon Vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

2. Resolution adopting an amended policy regarding the sick leave bank Fremont County Personnel Policies and Procedures Manual

County Manager Sugars explained the sick leave bank is for continuous leave to be used once regular sick leave has been exhausted. Employees have to contribute to the sick leave bank to be eligible for the sick leave bank. Commissioner Bell thanked Mr. Sugars for clarifying the policy. Commissioner Norden said the amendment is intended to maintain the integrity of the sick leave bank. Commissioner Stiehl moved to approve Resolution #33 adopting the amended policy for the sick leave bank in the Fremont County Personnel Policies and Procedures Manual. Commissioner Bell seconded the motion noting this amendment will be effective January 1, 2012. Upon Vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried. Resolution #33 is attached.

3. Resolution adopting a policy regarding use, maintenance and operations of the Fremont County War Memorial Park

Commissioner Norden said they had discussed some of the management issues at the War Memorial Park. While there had been a huge amount of voluntary hours and donations there was not a policy in place for decisions about improvements and how donations are to be spent. This simple agreement states that the Airport Manager is responsible for the maintenance and upkeep of the park. It designates certain decision making to the Veterans Service Officer. The Board of County Commissioners would have to approve any money to be expended. Commissioner Stiehl moved to approve Resolution #34 adopting a policy regarding use, maintenance and operations for the Fremont County War Memorial Park. Commissioner Bell seconded the motion. Commissioner Bell noted that Betty Hanawalt our Veteran Services Officer recently helped to have more of the bricks engrave that will be dedicated around Veterans Day in November. Upon Vote: Commissioner Stiehl, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried. Resolution #34 is attached.

4. Request: MS 10-002 Lone Eagle Minor Subdivision Extension of Contingency Deadline

Request approval of a six month extension of the deadline for submittal of contingency items in conjunction with MS 10-002 Lone Eagle Minor Subdivision. Said MS was approved on September 28, 2010. Representative: Matt Koch, Cornerstone Land Surveying

Planning and Zoning Director Giordano said Matt Koch could not attend the meeting today but did submit a letter regarding this request. This would be the second extension of time. The applicant has run into problems with the mortgage company. The mortgage company would not provide the ratification consent and release letter until a buyer was found. They now have a buyer and hope another extension will not be needed. Giordano said there are no objections from his department for this extension. Commissioner Bell moved to approve the six month extension deadline of contingency items for MS 10-002 Lone Eagle Minor Subdivision. Commissioner Stiehl seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

October 11th, 2011

5. Request: Transfer and Name Change of SRU 99-009 The Florence Rose Guesthouse

Request approval of transfer and name change of Special Review Use Permit, Department file #SRU 99-009, from Stephen J. Moreau to Robert M. and Barbara A. Ricigliano. The existing SRU is for the purpose of allowing the operation of a five bedroom bed and breakfast. The name of the SRU will become the Florence Rose Guesthouse Bed and Breakfast. The property is located at the southwest corner of the intersection of Colorado Highway #115 and Lobach Street in the West Florence Area. Representative: Robert and Barbara Ricigliano

Robert Ricigliano requested the transfer and name change of SRU 99-009. He said they will operate seven days a week as did the previous owners. Robert and his wife bought the property in September after moving here from New Jersey. Bill Giordano said the applicant meets the requirements for the transfer. They are also applying for a name change from the Victorian Farm House Bed and Breakfast to the Florence Rose Guesthouse Bed and Breakfast. The Planning & Zoning Department has no objections to the request. Commissioner Bell moved to approve the transfer and name change of SRU 99-009 Florence Rose Guesthouse. Commissioner Stiehl seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

6. Request: Refund of Issuance of Address Fees

Request refund of \$150 (\$75.00 each) for the issuance of two address fees by Louis Luepke. Representative: Louis Luepke

Louis Luepke said the information he received from the building department was that he had to have a recorded deed in his name to get the addresses. He thought the addresses were done in haste as he did not get the recorded deed. Mr. Luepke had problems with the mortgage company while trying to buy this property and had turned in the application for addresses per their request. He did not complete the purchase of the property. Commissioner Bell asked if the entire change of address process had been gone through by the Planning Department. Bill Giordano answered yes they did follow procedure. Bill said the address does go with the land you do not have to have ownership. Mr. Luepke said he had taken the plot plan to the building department and was told he needed a recorded deed to get the addresses. Commissioner Norden asked Robert Sapp of the Planning and Zoning Department if he followed normal procedure with this address application. Mr. Sapp said he did and the process was completed in two days. Commissioner Norden said the issue is if the Department acted in good faith on this application. Commissioner Stiehl moved to deny the request for the refund of \$150 in fees for two address applications to Louis Luepke. Commissioner Bell seconded the motion. Upon Vote: Commissioner Stiehl, 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 10:18 A.M.

October 11th, 2011

RESOLUTION NO. 33, SERIES OF 2011

RESOLUTION ADOPTING AN AMENDED POLICY REGARDING SICK LEAVE BANK
FREMONT COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, pursuant to §30-2-104, the Board of County Commissioners is authorized to adopt a classification and compensation plan for all county employees paid in whole or in part by the county; and

WHEREAS, the Board of County Commissioners, with consent of all elected officials, has adopted the March 1, 2010 Fremont County Personnel Policies and Procedure Manual; and

WHEREAS, the Board of County Commissioners has determined that the language of Policy 7.13 regarding the Sick Leave Bank requires revision to enable County Employees to better understand the purpose, intent and requirements for use of Sick Leave Bank hours;

WHEREAS, a copy of the amended Sick Leave Bank Policy, number 7.13, is attached to this Resolution.

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

1. Amended Policy 7.13 regarding Sick Leave Bank, for the Fremont County Personnel Policies and Procedures Manual, (March 1, 2010) is hereby approved and adopted.
2. The Amended Policy 7.13 shall be effective beginning January 1, 2012. Until such effective date, the current, existing policy 7.13 shall remain in full force and effect.
3. The County Manager, in his Human Resources capacity, shall provide a copy of the Amended Policy 7.13 to all employees at the time of Sick Leave Bank annual enrollment during the first two weeks of December. Such policy may be attached to the enrollment form distributed to all eligible employees.

Commissioner Stiehl moved adoption of the foregoing Resolution, seconded by Commissioner Bell and approved by roll call vote as follows:

Debbie Bell	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent
Edward H. Norden	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent
Michael J. Stiehl	<input checked="" type="radio"/> Aye	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent

Date: 10-11-11

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: Edward H. Norden
Chairman

By: Katie E. Barr
Clerk to the Board

October 11th, 2011RESOLUTION NO. 34, SERIES OF 2011

**RESOLUTION ADOPTING A POLICY REGARDING
USE, MAINTENANCE AND OPERATIONS OF THE
FREMONT COUNTY WAR MEMORIAL PARK**

WHEREAS, the Fremont County Board of County Commissioners established the Fremont County War Memorial Park, located on Fremont County Airport property and owned by Fremont County Government; and

WHEREAS, the use, operations and maintenance of the War Memorial Park have not been clearly established to provide guidance and instruction to potential patrons and users of the War Memorial Park; and

WHEREAS, the Board of County Commissioners has determined that the use, maintenance and operations of the War Memorial Park by members of the public and groups should be governed by a consistent and uniform set of rules and guidelines established by policy, and approved by the Board of County Commissioners, as the governing body for Fremont County with authority to oversee use of all county property; and

WHEREAS, the Board of County Commissioners has further determined that issues regarding revenues, expenditures, and improvements for the War Memorial Park should be resolved by policy approved by the Board of County Commissioners, as the governing body with responsibility for the finances of the County; and

WHEREAS, the proposed Policy Regarding Use, Maintenance and Operations of the Fremont County War Memorial Park (copy attached) has been reviewed and approved by all appropriate departments and adequately addresses the issues regarding the War Memorial Park.

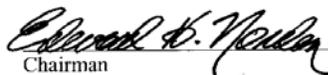
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR FREMONT COUNTY, that the Policy Regarding Use, Maintenance and Operations of the Fremont County War Memorial Park is hereby adopted, effective immediately and shall continue in full force and effect until further action by the Board of County Commissioners.

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

Debbie Bell	<input checked="" type="radio"/> Aye	Nay	Absent	Abstain
Edward H. Norden	<input checked="" type="radio"/> Aye	Nay	Absent	Abstain
Michael J. Stiehl	<input checked="" type="radio"/> Aye	Nay	Absent	Abstain

Date: 10-11-11

ATTEST:


Chairman


Clerk to the Board

October 11th, 2011

**POLICY REGARDING USE, MAINTENANCE AND OPERATIONS OF THE
FREMONT COUNTY WAR MEMORIAL PARK**

The Fremont County War Memorial Park was established to honor and recognize the United States military forces and the dedicated military service of citizens of Fremont County and of the United States. This Policy shall govern the use, operation and maintenance of the Fremont County War Memorial Park (WMP), located on Fremont County Airport property and owned by Fremont County Government. Issues regarding the WMP that are not addressed in this policy shall be within the exclusive authority of the Fremont County Board of County Commissioners.

1. Governing Body and Advisory Committee

The Board of County Commissioners (Board) for Fremont County is the governing body for the WMP. The Board shall establish, by resolution, a War Memorial Park Advisory Committee (Committee), comprised of 3 to 7 members who are appointed by the Board. The Committee shall be advisory to the Board. Upon request of the Board, the Committee shall also advise the County Manager, Airport Manager and Veteran's Service Officer regarding development and maintenance of the WMP.

The Committee shall be consulted on prior to implementing any new WMP improvement or development. Improvement and development shall not include routine maintenance and upkeep.

2. Funding of the WMP

No funds, public or private, shall be expended for development or improvement of the WMP without either 1) the express approval by the Board, or 2) in full compliance with the Fremont County Procurement Policy. All financial donations or contributions for the WMP, including those received for fixtures, landscaping, memorials, equipment and other WMP real or personal property, received from any source shall be delivered to the Fremont County Finance Office. Upon delivery, the funds shall be receipted, designated and held for WMP use only.

3. Memorial Brick Wall

All sales and orders for bricks in the Memorial Brick Wall shall be referred to, and handled by, the Fremont County Veteran's Service Officer. The price for each brick shall be set by the Board and may be adjusted, as needed, through Board action. Payment for brick orders shall be made in advance and no order for engraving shall be placed until payment of good and sufficient funds has been collected through the Veteran's Service Office. The Veteran's Service Office is authorized to set a minimum number of orders to be placed prior to engaging the engraving service.

October 11th, 2011

Any person may place an order for a brick to be engraved with the name of a veteran. The veteran may be active duty, reserve duty, National Guard, or other U.S. military service. Residency in Fremont County is not required. The memorial is dedicated to all veterans, regardless of residence or type of service.

4. Use of the WMP for Events and Ceremonies

The County encourages public use of the WMP for special events, ceremonies, memorial services, and similar uses. All ceremonies, special events, memorial services and other uses shall be coordinated and scheduled through the Veteran's Service Office. The Veteran's Service Officer shall coordinate any requests for events with the Airport Manager.

The Veteran's Service Office shall house and maintain the audio sound equipment for use for WMP events, and shall manage the on-site use of the equipment.

5. Maintenance of the WMP

All routine maintenance and upkeep of the WMP shall be the responsibility of the Fremont County Airport Manager, who shall reflect anticipated annual expenses in the budget, subject to approval and appropriation by the Board. This shall include maintenance and replacement of flags, maintenance of military displays and equipment as required by the lease agreements for such equipment.

The Airport Manager shall maintain the files for the military equipment lease agreements that pertain to equipment on display at the WMP. The Airport Manager shall be responsible for gathering and submitting all necessary county documentation to the appropriate agencies to enable the County to remain in compliance with the requirements of the lease agreements.

6. Improvements and Modifications of the WMP

No improvements, modifications, additions or changes may be made to the WMP without the express approval of the advisory committee and the Board.

Date of Adoption: 10-11-11

Resolution Number 34, Series of 2011.