

October 25, 2016

**TWENTIETH MEETING**

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on October 25, 2016, 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: County Manager Sunny Bryant and Planning and Zoning Director Matt Koch

Todd Luce from Grandview Christian Church gave the invocation.

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 adding “A Resolution Imposing a Stage 1 Fire Ban” as New Business item #1 while moving all other items to follow. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

**CONSENT AGENDA**

1. Approval of Minutes / October 11, 2016
2. Approval of Bills for \$1,031,682.68
3. Amendment #2 to the Fremont County Employee Benefit Plan
4. Schedule Public Hearing: None

**Commissioner Payne** moved to approve the Consent Agenda. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

**ADMINISTRATIVE/INFORMATIONAL**

1. Staff / Elected Officials:
  - a. County Manager Report, Sunny Bryant, County Manager

**Manager Bryant** gave an update on the progress of the budget meetings. The budget hearing will be November 22 at 10:00 a.m. She talked about grant funding for potential renovations to the second floor of the Judicial Building. The project would take place in 2018. The free flu clinic on October 22 was a success. 277 vaccines were administered that day.

- b. Sales & Use Tax Report, Sunny Bryant, County Manager

**Manager Bryant** reported through the month of August, Retail Sales Tax Collections were \$433,221; Sheriff-Retail Sales Tax Collections were \$288,814; and Lodging Tax

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was \$5,729. Through the month of September, Auto Use Tax Collections were \$88,618; Sheriff-Auto Use Tax Collections were \$59,079; Construction Use Tax Collections were \$24,805; and Sheriff-Construction Use Tax Collections were \$16,537.

**Clerk Barr** reported that In-Person Voting started Monday, October 24. As of the start of the meeting, over 2000 absentee ballots had been returned by voters. She issued a reminder of the 100-foot limit for electioneering around the building.

**Commissioner Norden** requested letters of interest for serving on the Fremont County Fairboard. The deadline for submittal is November 10 by noon.

2. Citizens who wish to address the Commissioners on a matter not scheduled on the agenda

**George Storey** inquired about the status of the Junkins Fire. Commissioner Norden reported the fire is 50% contained.

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

1. A Resolution Imposing a Stage 1 Fire Ban

**Sheriff Beicker** said he feels the fire ban is a prudent action given the two-week forecast and the dry conditions.

**Commissioner Bell** moved to approve Resolution #31, a resolution removing the suspension of the fire ban and imposing a Stage 1 fire ban. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

2. Consideration of a Proclamation Declaring the month of October as Domestic Violence Prevention Month  
Representative: Tara Kane

**Tara Kane** read the proclamation on behalf of Family Crisis Services.

**Commissioner Payne** moved to adopt the Proclamation Declaring the month of October as Domestic Violence Prevention Month. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

3. Request approval of a Transfer of Ownership for Special Review Use permit, Department file SRU 15-001 Play Dirty from owner Jackie Tripp to co-owners William Scrimshaw and David Pruyne. The property is located on the southeast side of US Highway 50, 1.67 miles west of the intersection of U.S. Highway 50 and Colorado State Highway 69, in the Texas Creek Area.  
Representatives: William Scrimshaw & David Pruyne

**David Pruyne** is requesting the SRU be transferred. Future goals include expansion, but no changes will be made immediately. The new owners are aware of all conditions of the permit.

**Director Koch** reported the department reviewed the application and found no issues with the transfer.

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**Commissioner Bell** moved to approve the transfer of ownership for SRU 15-001 Play Dirty from Jackie Tripp to co-owners William Scrimshaw and David Pruyne. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

4. Consideration of Resolution No. 32 Adoption of Amended Fremont County Medical Marijuana Business Licensing Regulations within Unincorporated Fremont County and Termination of 24-month Moratorium on Fremont County Medical Marijuana Business Licenses

**Attorney Jackson** said the changes are based on actual observances over the time of the moratorium to provide clarification, including odor mitigation and desirable sites. The desirable sites work best in rural areas and at least 1,000 feet away from residences. A standard ratio for odor mitigation has been set as 7:1.

**Liz Romanski** said she is a patient who uses marijuana. She would like to help the industry.

**Dana Soux** as General Manager of Fremont County Cannabis would like to see the moratorium lifted.

**Clarice Roney** is disappointed in the regulations. She would like to see more restrictions.

**Rhonda Schirado**, of Rocky Mountain Cannabis, said ordinances are necessary. Most of the industry would like to follow the rules but have the freedom to make choices.

**George Storey** said he is against THC in any form.

**Commissioner Payne** moved to approve Resolution #32, Adoption of Amended Fremont County Medical Marijuana Business Licensing Regulations within Unincorporated Fremont County and Termination of 24-month Moratorium on Fremont County Medical Marijuana Business Licenses. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

#### **PUBLIC HEARINGS SCHEDULED FOR 10 A.M.**

1. Request approval of a Major Modification of Conditional Use Permit, Department file CUP 10-002 J & J Stone Pit #1 for removal of sandstone, by KrauthCo Inc., for property which is presently owned by KrauthCo, a Colorado Corporation and Fourmile, Inc. The property is located approximately 0.7 miles east of Red Canyon Road/Garden Park Road, one (1) mile north of the intersection of Fields Avenue and Red Canyon Road, in the North Cañon Area. The property contains 115 acres. The property is located in the Agricultural Forestry Zone District.  
Representative: Dr. Angela Bellantoni/Environmental Alternatives

**Chairman Norden** opened the Public Hearing at 10:23 a.m.

**Dr. Angela Bellantoni** explained the proposed boundary will expand the area from 35 acres to 115 acres including buffer areas.

**Director Koch** said the commission recommends approval. All recommended contingencies have been met, and recommended conditions will remain the same.

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**Mike Krauth** explained the expansion is protection for the company. They have designated a portion of their land bordering the expansion to be used as a public parking area for access to BLM trails in the area.

**Chairman Norden** closed the Public Hearing at 10:40 a.m.

**Commissioner Bell** moved to approve resolution #33 Major Modification of CUP 10-002 J & J Stone Pit #1 including recommended conditions and granting waiver requests. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

**NEW BUSINESS cont.**

5. Consideration of Change Orders #8 and #9 to the Fremont County Justice Center Kitchen and Laundry Remodel and Authorization for Chairman's signature

**County Manager** explained the change orders were for the shower area for \$10,338.02 and a temp head for the kitchen dishwasher for \$1,289.07.

**Commissioner Payne** moved to approve Change Orders #8 for \$10,338.02 and #9 for \$1,289.07 to the Fremont County Justice Center Kitchen and Laundry Remodel and authorizing the Chairman's signature. Commissioner Bell seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

6. Consideration to Fill a Vacancy on the Heritage Commission for a Term Ending January 1, 2019

**Commissioner Payne** moved to appoint the Lisa Studts to fill the term ending January 3, 2019. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

**Chairman Norden** adjourned the meeting at 10:40 a.m.

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Clerk and Recorder