

OCTOBER 27, 2009

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TWENTIETH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on October 27, 2009, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Michael J. Stiehl called the meeting to order at 9:33 A.M.

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

Also present George Sugars, County Manager.

Commissioner Stiehl asked those attending to join in a moment of silent prayer for those in the military who are stationed overseas.

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

APPROVAL OF AGENDA

Commissioner Lasha moved to approve the Agenda as presented. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

CONSENT AGENDA

Commissioner Lasha moved to approve the Consent Agenda. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried

1. Approval of Minutes October 13, 2009
2. Approval of Bills, \$413,386.75, October 27, 2009
3. LIQUOR LICENSES
4. **SCHEDULE PUBLIC HEARINGS NOVEMBER 10 AND NOVEMBER 24, 2009 AT 10:00 A.M.**

1. Proposed 2010 Fremont County Budget

ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials

Fremont County Treasurer and Public Trustee Pat McFarland gave her Public Trustee's Quarter Report for the period of July 1, 2009. She said the foreclosure picture for the rest of 2009 is not looking good. She reported that there were 96 foreclosures during the third quarter of 2009 and that this office is now processing the 307th foreclosure which is over the 299 foreclosures for last year. This is statewide. We are in the average with the big counties. The releases a down from last quarter which means less people are not paying off mortgages or refinancing. She attended a seminar last week and all the counties are reporting economic downturns.

Releases of Deed of Trust: Full Releases: 587
Partial Releases: 6
Total 593

Foreclosures commenced: 96

Total Public Trustee Fees Collected: \$34,652.22

Less total expenses of the operation of the Public Trustee Office:
Including Recording Fees Paid to the Clerk and Recorder,
Foreclosure, Software System, Internet research fees
And general office expenses (paper, etc) \$12,285.08

Third Quarter Income	\$22,367.14
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Beginning Balance of	\$45,758.22
Third Quarter Income:	\$22,367.14
Ending Balance of September 30, 2009	\$68,125.36

Commissioner Stiehl accepted the Treasurer’s Report.

County Veteran’s Service Betty Hanawalt reported about a new program for the Mobile Vets Service Van that visits Cañon City at 3239 Independence Road from 9:00 A.M. until 3:00 P.M. every other Thursday beginning on November 5th. She said the mobile van is offering services to combat veterans and their families dealing with combat related sexual harassment or trauma issues in their military careers. She stated Reservists and National Guard soldiers also qualify for the program.

She reported that the Veterans Administration has identified three more illnesses associated with Agent Orange from Vietnam that qualify for veteran benefits.

Ms Hanawalt also reported that her office will again enroll names of soldiers for engraving of bricks on the memorial wall at the Fremont County Airport Veterans Memorial. The cost will be \$50.00 per brick. Twenty-five (25) bricks are signed up now with a minimum order of fifty (50) bricks to order the engraving.

Fremont County Weed Department Director J.R. Phillips gave the seasonal report on the spring-summer weed control efforts. Director Phillips said the weed budget is doing well and will end up 2009 ahead of expenses because of invoiced weed spraying projects. He reported his office has completed reviews on several weed management plans for mining applications, developed weed control plans for forty-seven private properties, and has worked with C-DOT on highway rights of way weed control. He said Fremont County also assisted with some weed control efforts in Chaffee and Pueblo Counties.

Director Phillips said his seasonal assistant, Jana Gregg, who is now a recognized weed supervisor by the Colorado Department of Agriculture will be vacating her position this week with plans to return to work with the county in the summer of 2010.

Director Phillips said the Fremont County Weed Advisory Board, which administers the county’s Weed Management Plan, is seeking new members to serve on its ten member board. The board meets six times a year on the third Wednesday of the month for lunch. Interested persons should submit a letter of interest to the Board of County Commissioners. For more information persons can call Phillips at 276-7317 or Paul Telck at 275-4842.

Commissioner Stiehl commented that the law requires us to have weed control. The evasive species are typically foreign based such as the Russian Olive and Russian Thistle and they have no competition in our ecosystem. They will eat up grazing land, national forest and view sheds. It is very important that we have this under control.

Commissioner Stiehl stated that we do this for profit. We don’t take a lot of county dollars for spraying in other counties. Most of the funding comes from grants that J.R. works on through the winter for the upcoming summer.

Clerk and Recorder Hatfield reported that starting November 9th the motor vehicle registration department will begin accepting VISA, Mastercard and American Express credit cards for DMV payments. She said there will be a 2.7% vendor fee surcharge on credit card payments

Mrs. Hatfield also said that so far things are running smoothly for the November 3rd mail ballot election.

Commissioner Lasha reported that he hopes to schedule Jeff Ollinger with the Upper Arkansas Council of Governments to make a presentation on the topic of ‘Water Smarts’ and the well and septic owners guide to ground water in the Arkansas valley to the Board of Commissioners. He said Ollinger wants to make the presentation to commissioners in all of the counties of the Upper Arkansas Area Council of Governments.

Commissioner Norden reported that the county's Public Health Office was expecting a big turnout for the first H1N1 flu clinic this afternoon at the First Christian Church in Cañon City.

Commissioner Norden reminded citizens of the October 29th deadline to submit letters of interest for vacancies on the Fremont County Planning Commission and the County Zoning Board of Adjustments. Commissioner Norden said there is a November 16th deadline for groups interest in submitting applications for funding assistance from the Fremont County Tourism Council to promote local community events in 2010.

2. Citizens Not Scheduled - none

OLD BUSINESS – NONE

Commissioner Stiehl closed the regular session and opened the Public Hearing at 10:01 A.M.

CONSIDERATION OF ADOPTION OF AMENDMENTS TO THE FREMONT COUNTY FLOOD DAMAGE PREVENTION REGULATIONS

County Attorney Brenda Jackson said the amendment reflect only minor language changes. She said one language change deals with changing the "building inspector" to "building official". She said another change is in the appeal process. It has been moved from the Planning Commission to the Building Code Board of Appeals. The third address references to base flood elevation (BFE) changing language from one foot to zero feet at the boundaries of a piece of property.

Commissioner Stiehl stated the BEF now allows building to take place in flood hazard areas as long as the building receives an engineers stamp and is elevated out of the flood hazard area. We require a County Flood Damage Prevention certificate issued for those buildings that are proposed to be built in the flood hazard area. In the past we have allowed the structure to be elevated out of the base flood elevation and have allowed it to impact the adjacent properties with as much as one foot of additional flow across their properties. This change will not allow one structure even though it is elevated out of the flood elevation to impact adjacent properties.

Commissioner Stiehl closed the Public Hearing and returned to regular session.

Commissioner Lasha moved to approved **Resolution #48, Series 2009** adopting the amendments to the Fremont County Flood Damage Prevention Regulations. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commission Norden, aye; Commissioner Stiehl, aye. The motion carried.

NEW BUSINESS

REQUEST: EXTENSION OF PP 05-003 MESA ON SUNRISE RIDGE

Request approval of a **third one-year extension** of Preliminary Plan approval for an eighty-nine (89) lot preliminary plan, Department file #PP05-003 Mesas on Sunrise Ridge, **to allow for completion of final Plat submittal requirements**, by La Mesita del sol, LC, for their property, which is *located at the northeast corner of the intersection of Dozier Avenue and Van Loo Road and on the north side of Van Loo Road, in the North Cañon Area*. The original approval date for the Preliminary Plan application was May 9, 2006. If this extension is granted as requested, it will run through November 9, 2010.

REPRESENTATIVE: Allan Miller, Manager La Mesita Del Sol, LLC

Manager Allan Miller appeared to request a third one-year extension of the Preliminary Plan approval for an eight-nine (89) lot preliminary plan to allow for completion of final plat submittal requirements for the property on the northeast corner of Dozier and Van Loo Road in the North Cañon area. Mr. Miller said the development has slowed due in part because of the economy and that financing is probably not available right now to proceed. Miller said most of the preliminary plat requirements have been met.

Commissioner Lasha commented on Mr. Miller's letter of request that he would hope that we would see improvement of conditions in 2010. Regarding the list of contingencies set out in the preliminary plat approval on May 9, 2006, Commissioner Lasha said he wanted to address three of the items. He said one involves the roadway impact analysis by the county engineer, the second being a drainage review, and the third a review of the sanitary sewer plan by the Fremont Sanitation District. Commissioner Lasha said he sees no need for any further review of the preliminary plat by either the Cañon City Fire Protection District or the City of Cañon City.

Commissioner Lasha offered a motion to approve another one year extension for PP-05-003 Mesa on Sunrise Ridge by LaMesita del Sol, LLC to run through November 9, 2010. The motion adopts all 24 Recommended Contingencies of May 6, 2006, from the Planning and Zoning Department. As part of Contingency #3, Commissioner Lasha adds language in the Department's updated Recommendations Item #3 for Fremont Sanitation District review. Under Contingency #9, Commissioner Lasha adds the language of Department Recommendation #1 (roadway impact analysis review) to be identified as Contingency #9-a with Department Recommendation #2 (drainage map review) to be identified as Contingency Item #9-b. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

PRESENTATION OF THE PROPOSED 2010 FREMONT COUNTY BUDGET

Commissioner Stiehl asked **County Manager George Sugars** for introductory comments regarding the budget. Mr. Sugars said the county is presenting proposed balanced budget for 2010. He said the board has tried to be conservative in revenue projections recognizing the budget reductions we have gone through this year including some employee furloughs and services cut. He said the county has tried to minimize the impact to our county employees in proposing a very conservative budget.

Finance Director Dana Angel said his office plans to have the budget posted by early next week on the county's website.

Commissioner Stiehl said that in the Tabor time out question two years ago we pledged to set aside money in the Road & Bridge fund and despite struggling with our revenue projections again we are setting aside \$250,000 for road projects in 2010. Commissioner Stiehl said "It's an important commitment we've been able to keep. We're trying to reduce the impact on our employees. Our actions in 2009 have hit our employees hard, so we're trying to reduce the impact on employees in next year's budget."

Commissioner Norden said trying to estimate revenues is difficult, particularly for sales taxes. He said for 2010 we predict about the same level of sales tax revenue because things just seem too volatile right now to predict any improvement. Commissioner Norden said in a meeting last week with the Sheriff they tried to put together a budget that does not cut too deeply. He said "The Commissioners have looked at trying to restore some funds on line items in the Sheriff's budget to address the common sense issues of public safety. Because it gets to the point where you can't do away with too many things to where you jeopardize the safety of staff and citizens. If the voters look favorably on the ballot issue the Sheriff would be able to restore some services that have been cut."

Mr. Sugars said the Board is still looking at some options in 2010 to other budget cutting measures including how many paid holidays for employees along with looking at the rate of retirement fund matching for employees that will be discussed in relation to balancing the budget.

Commissioner Lasha said the Board did discuss an action that the Board is announcing today that the Board is in a position to give on of the furlough days this year back to employees, that being Thursday, December 10th. Commissioner Lasha said "It's not a lot but it approaches the holidays...it's a move in the right direction that allows employees to do some planning."

Commissioner Stiehl said "I'm confident that with predicting another one percent decline in sales tax revenue next year we're going to hit this pretty close."

Commissioner Norden added that as the Board looks at a number of county funds for 2010 we see negative numbers indicating decreases which means we will rely on reserves in a number of funds to get us through 2010. He said it's also been difficult to estimate Highway Users Tax revenues for the Road & Bridge Department because on one count

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HUTF monies dropped when gas prices went up but now the state predicts more revenue with passage of the FASTER motor vehicle registrations, but we are cautioned in a budgetary letter from the Dept. of Revenue not to use it for budget purposes. He said those lower fuel prices did help our Road & Bridge do a lot better in 2009 with holding their expenditures.

Chairman Stiehl adjourned the meeting at 10:30 A.M.

Clerk and Recorder