

NOVEMBER 24, 2009

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## TWENTY-SECOND MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on November 24, 2009, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Michael J. Stiehl called the meeting to order at 9:30 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	Absent

Also present Bill Giordano, Planning and Zoning Director; George Sugars, County Manager, and Tina Taylor, Deputy Clerk.

Pastor Benny Soto from the Mountainview Baptist 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 Norden** added under New Business #6, Consideration of Approval of the holiday calendar for Fremont County for 2010 and moved to approve the Agenda with that addition. Commissioner Lasha seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commissioner Stiehl, aye. The motion carried.

### CONSENT AGENDA

**Commissioner Lasha** said we have approval of the October 27<sup>th</sup> minutes but we do not have the November 10<sup>th</sup> and moved to approve the Consent Agenda with that correction. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

1. Approval of Minutes October 27, 2009
2. Approval of Bills, November 24, 2009 / \$463,823.60
3. LIQUOR LICENSES  
ALLIE-GATOR LANES LLC  
CAÑON CITY LANES  
3175 East Ridge Ln.  
Cañon City, CO 81212-2761  
Hotel & Restaurant Liquor License Renewal
4. Adoption of Resolution #50, Series of 2009, Site Development Plan File Number SDP 09-001 Echo Canyon River Expeditions Additions & Remodel.
5. Adoption of Resolution # 51, Series of 2009, Special Review Use Permit File Number SRU 09-001 Verizon Wireless Site CO4 Cañon City.
6. Adoption of Resolution #53, Series of 2009, 3rd Amendment to the Fremont County Subdivision Regulations.
7. SCHEDULE PUBLIC HEARINGS: NONE

### ADMINISTRATIVE/INFORMATIONAL

1. Administrative and Elected Officials

**Treasurer and Public Trustee Pat McFarland** stated that she has received an application for a Treasurers Deed on a tax certificate that was issued in 2005. The legal description on that tax certificate was non existent. This was discovered when I initiated the Treasurers Deed process. She is therefore requesting redemption of funds necessary to compensate the tax lien holder in the amount of \$3,198.60.

**Commissioner Norden** moved that they approve redemption of Tax Lien Certificate #2892 issued November 17, 2005 with the noted correction to include the compensation to the tax lien holder in the amount of \$3,198.60. Commissioner Lasha seconded the motion.

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

**Commissioner Stiehl** inquired how many properties went to tax lien sale last week. Public Trustee and Treasurer McFarland said 613 properties went to sale for total value of \$465,662.65. There were 75 registered buyers. 501 properties were sold for a total of \$441,713.04. At this point 112 went back to the county for an amount of \$23,949.61. The over bids or premium bids that were on the tax lien sales was \$6,471.00 which is about 1.465% of the bidding. Commissioner Lasha inquired if the 75 buyer was what they have had in the past. Ms. McFarland stated yes and that 4-H and CSU provided lunch. They were able to raise about \$208.00 for Pathfinder Park.

**Sheriff Jim Beicker** said some erroneous information is out about the county's holiday schedule. Valentines Day is not a paid holiday.

**Commissioner Lasha** stated that there has been a lot of activity at Pathfinder Park. The bleachers were put up by volunteers and also the electric is being put in today. Getting the infra structure done at the park has been very important. The volunteers that are stepping up to work on the park is very encouraging. Commissioner Norden said the have received nine (9) proposals for engineering services for the design on the water line. They will be reviewed and recommendations will be given to the Board.

## 2. Citizens Not Scheduled

**Kay and Mike Abbot** stated that they will be the new owners of Waterhole #1 liquor store in Canon City as of January 1, 2010 that is now going through a transfer of ownership. Kay's mother has been the owner since 1990.

**Scott Blair** stated that he is a county employee and is here with a question about the proposed budget. He had concerns about a rumor for a pay raise of \$10,356.00 going to the County Manager. The county employees have had furlough day, lost holidays and have now lost our retirement match money for the coming year. We have taken this in stride knowing that this is a tough economy. He wanted know if there was a freeze on pay raises as they have been told.

**Commissioner Stiehl** stated that the budget is not going to be approved today; it is just an update on where we are in the process. Commissioner Lasha stated that we have a contract with George Sugars that we hired last year. We had expectation and I think that he has fulfilled them. We have not had our meeting with George and we do not know what the negotiations are going to be in that contract. Mr. Blair thanked them for their time and stated that is why he is here today, is to try to put an end to rumors and this way we have it on public record. Commissioner Norden stated that he takes exception to rumors that are not fact. People can't rely on budget proposals to indicate what is eventually approved. We have asked the departments what they propose in vision for what is needed. Commissioner Norden commended Mr. Sugars on the job that he has done. The timing in getting where we are in this budget is due to a large part his efforts. I think that everybody needs to know some of the work that George has done in navigating the water of trying to solve some of these budget issues particularly with the Sheriff's Department. Commissioner Stiehl stated that he did not anticipate when they hired the county manager that his work load would decrease but it has increased. It has allowed him to concentrate on real project that really do affect the future out come of the county.

## NEW BUSINESS

### REAPPOINTMENT OF FREMONT COUNTY FAIR BOARD MEMBERS AND NEW MEMBER BEVERALY GANN

**Commissioner Norden** read a letter from the Fremont County Fair Board November 10<sup>th</sup> meeting Tom Miller chose not to apply for retention. The Fair Board would like to recommend Beverly Gann to replace Tom Miller". That would bring to the number seventeen (17) members with approximately the same number of members expiring each year.

**Commissioner Norden** moved to reappoint to the Fremont County Fair Board Barry Acton, Delores Comstock, Don Gray, Bertha Marriott and Sam Shade and newly appoint Beverly Gann for three (3) year terms. Commissioner Lasha seconded the motion and that Tom Miller for his many years of service to Fair Board and Horse Council. Upon vote: Commissioner Norden, aye; Commission Lasha, aye; Commissioner Stiehl, aye. The motion carried.

**AUTHORIZATION FOR THE EXPENDITURE OF UP TO \$8,550 TO THE FREMONT SANITATION DISTRICT FOR THE COST OF A SEWER TAP CONNECTION (BASED ON 1-INCH WATER METER) ON THE COUNTY'S PROPERTY AT PATHERFINDER REGIONAL PARK**

**Commissioner Stiehl** said the reason why it is stated "up to \$8,550.00" is because they are still some negotiations they are working on with Fremont Sanitation District. This resolution is to spend up to \$8,550.00 for a sewer tap connection and to be included into the sewer district for Florence to move forward with their solicitation of bids to connect the water line. Commissioner Norden noted that this is not in resolution form. The County Attorney has drafted for the Board a letter to Fremont Sanitation asking for their consideration of the amount to be charged for the sewer tap. If expenditure is needed this would be the authorization. These ties into Item #3 which will parallel each other as we sign the necessary documentation at Fremont Sanitation. County Attorney Jackson stated the resolution authorizes the county to apply or petition the Fremont Sanitation District for inclusion into district because they cannot provide sewer service unless we are in the district. Along with the request for inclusion in the same resolution is authorization to request a waiver of the fee which is as much as \$8,550.00 for a 1-inch water meter. The authorization to expand the \$8,550.00 is not in resolution form.

**Commissioner Norden** moved to authorize if needed for the expenditure up to \$8,550.00 for the sewer tap at Pathfinder Park. Commissioner Lasha seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commissioner Stiehl, aye. The motion carried.

**CONSIDERATION TO APPROVE THE INCLUSION OF THE COUNTY'S PROPERTY AT PATHFINDER REGIONAL PARK INTO THE BOUNDARIES OF THE FREMONT SANITATION DISTRICT.**

**Commissioner Norden** move to approve **Resolution #54, Series 2009** to request inclusion into the Fremont Sanitation District of the County owner property at Pathfinder Regional Park and to authorize the Chairman or Chairman pro-tem to sign the necessary documents as well the paying of the \$125.00 inclusion fee. Commissioner Lasha seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commissioner Stiehl, aye. The motion carried.

**A RESOLUTION BY THE FREMONT COUNTY BOARD TO COUNTY COMMISSIONERS IMPOSING A ONE-YEAR SUSPENSION OF PARTICIPATION IN THE COLORADO COUNTY OFFICIAL AND EMPLOYEE RETIREMENT ASSOC. BEGINNING JANUARY 3, 2010**

**County Manager Sugars** stated the resolution is to suspend the CORA 401A plan for one (1) year. It can be suspended up to two (2) years but you desire to put that back in budget year 2011 if the budget and our revenues are well. This suspends the four percent (4%) county contribution for the county employee's retirement. By law when the county's participation is suspended then the employee's contribution is also suspended. The funds that are in the fund will continue to be invested. Commissioner Lasha said that a representative from CORA has been talking with the employees of what the process is. Commissioner Stiehl stated that this is a difficult situation. Over the past six months (6) we have been successful in cutting cost through furloughs, vacations, layoffs and unfilled vacancies. This has increased the work load for everyone remaining. Furlough days further increases their work load because they still have the same amount of work to do when they come back. We estimate it is going to save us \$310,000.00. It does affect every employee even elected officials and contract employees equally.

**Commissioner Lasha** moved to approve **Resolution #55, Series 2009** Fremont County Board of Commissioners imposing a one (1) year suspension of participation for the

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CORA 401A plan for 2010. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye.

**Commissioner Stiehl** closed the regular session and opened the Public Hearing.

### **PUBLIC HEARING**

#### **CONSIDER AND DESIGNATE THE UTILIZATION OF THE 2010-2011 CSBG (COMMUNITY SERVICE BLOCK GRANT). THE GRANT WILL BE USED TO ASSIST LOW INCOME RESIDENTS OF THE COUNTY**

**Judy Wilkerson** stated the purpose of the hearing is to consider and designate the equalization of the 2010-2011 CSBG. The grant will be used to assist low income residents of Fremont County with emergency services. We are anticipating the same amount of money that we had last year of about \$38,000.00. Our board has not met yet but the only change we anticipate is to up the amount from \$300.00 to \$500.00 per family. We will continue the once in a life time contribution that is in place now. Services that are funded are housing, medical, dental, utilities, food, fuel, car repairs. The services are paid directly to the vendor. Families apply at UACOG. The money comes from a federal fund DOLA.

Commissioner Stiehl asked if there were any public comments. There was none.

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

### **NEW BUSINESS - CONTINUED**

#### **ADOPTION OF RESOLUTION #52, SERIES OF 2009, ZONECHANGE FILE NUMBER ZC 09-001 THOMPSON ZONE CHANGE**

A contingency of approval of File Number ZC 09-001 Thompson Zone Change was to provide documentation verifying the current property owner which has not been completed to date. Without the owner of record, which is noted in the Resolution, Resolution #52 cannot be prepared for signature until that documentation has been provided.

**Planning and Zoning Director Giordano** stated this is more of a procedural issue. Our normal process is that we bring these forward for approval of the resolution however in this case because we do not know the owners we could prepare the resolution for your signatures.

**Commissioner Lasha** moved to table until January 26, 2010 or sooner. Commissioner Norden seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Norden, aye; Commissioner Stiehl, aye. The motion carried.

#### **CONSIDERATION OF THE HOLIDAY CALENDAR FOR 2010**

**County Manager Sugars** stated the holidays are New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. There is a calendar for 8 hours days and 10 hour days. He put in a float holiday for the 8 hour a day people to get sixty (60) hours of holiday pay. All employees will have sixty (60) hours of holiday pay for 2010.

**Commissioner Norden** moved to adopt the two (2) holiday calendars. One for the eight (8) hour work schedule and one for the ten (10) hour work schedule for 2010. Commissioner Lasha seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Lasha, aye; Commissioner Stiehl, aye. The motion carried.

**Commissioner Stiehl** closed the regular session and opened the Public Hearing.

### **PUBLIC HEAR**

#### **2010 FREMONT COUNTY BUDGET**

**County Manager Sugars** stated they have been working on the budge since late summer. The expenditure budget is \$34,270,081.00. The largest fund is the General Fund with

\$10,630,867.00 or 31%. Human Services Fund is \$8,040,620.00 or 23%. The Sheriff's Fund is \$4,841,775.00 or 14%. The Road and Bridge is 10% or \$2,307,598.00 of the total amount. The General Fund comprises of twenty (20) departments and that will be the largest amount of expenditures. There are six (6) other departments that are outside the General Fund. They are Road and Bridge, Human Services, Sheriff's Fund, Department of Health, Weed Fund, and the Airport Fund. Mr. Sugars listed what the purposes are of the General Fund. It does have a wide variety of categories not only on general government but also public safety, health and welfare and economic development, intergovernmental branch and transfers of other funds. There is a variety of revenues sources that we can bring in from the Treasurers Office and the Clerks office from property tax, sales tax, ownership tax and licenses and fees. Mr. Sugars also reviewed the Estimated Beginning Balance as of January 1, 2010 of \$3,994,385.00, 2010 Estimated Total Revenue of \$33,022,203.00, 2010 Total Available of \$37,016,588.00, 2010 Expenditures of \$34,270,081.00 and the Estimated Ending Balance as of December 31, 2010 of \$2,746,507.00 in reserves. We do have some restricted funds that the dollars can only be spent in that fund. **Commissioner Stiehl** stated that the departments have decreased their spending so we are actually coming in under budget. The numbers that have increased are monies that come in as grants into the PILT Fund and the Conservation Trust Fund which is from lottery money. **Commissioner Lasha** inquired about the General Fund reserves stating that we have tried very hard to get it up to \$1,000,000.00. If there is any money left over would go to the Reserve. **Finance Director Angel** stated yes. **Commissioner Norden** stated that they all anticipate the estimated number for the 2009 carry over into 2010 may be a little better news than what the budget even estimates because through the due diligence of the department heads and elected officials they have done a good job through 2009 to try to keep spending in check and to do their own individual part to make their own budgets work. We have yet to have a meeting on restructuring of some certificates of participation which will enable us to address some long standing needs for capital expenditures. **Director Angel** stated the county is looking at a possible energy (utilities) savings project and it will be considered a capital expenditure. Right now it is in our plans but it is no where within our budget. Commissioner Stiehl stated it is scheduled for 2011. We are looking at through the Governors Energy Office a couple million dollars worth of improvements to be funded by the saving on utilities that we would realize.

Commissioner Stiehl opened the floor for public comments. There was none.

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

**Commissioner Lasha** stated that is not just Fremont County going through difficult times right now, the whole country is. The Colorado counties that we partner with and municipal CML have had similar discussion about the hardships that are going on with their departments and funding. He compliments the elected officials department and our employees for the hard work that has gone into preparing our 2010 budget. It has not been a pleasant times doing the things that we had to do. He thanks everyone for their hard work, their participation and understanding.

**Commissioner Stiehl** adjourned the meeting at 10:26 A.M.

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County Clerk