

NOVEMBER 25, 2008

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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 25, 2008, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Larry Lasha called the meeting to order at 9:30 A.M.

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

Also present Finance Director, Dana Angel; Bill Giordano, Planning and Zoning Director and Tina Taylor, Deputy Clerk.

Pastor Robert Pibley from Shadow Hills Lutheran Church gave the Morning Prayer.

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

### APPROVAL OF AGENDA

**Deputy Clerk Taylor** stated the minutes from November 12, 2008 were still under review.

**Commissioner Norden** moved approval of the Agenda striking the November 12<sup>th</sup> minutes from the Consent Agenda. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Lasha, aye. The motion carried.

### CONSENT AGENDA

**Commissioner Stiehl** moved to approve the Consent Agenda striking the November 12<sup>th</sup> minutes. Commissioner Norden seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Lasha, aye. The motion carried.

1. Approval of Minutes November 12, 2008 - Deleted
2. Approval of Bills, November 25, 2008 / \$481,776.36
3. LIQUOR LICENSES  
Dunn Raymond Morris Dunn Carol Lynn  
Hilltop Supermarket  
1409 S. 9th  
Canon City, CO 81212-4801  
3.2 Percent Beer Retail License Renewal

Shadow Hills Golf Club  
1232 Fremont County Road 143  
Canon City, CO 81212  
Malt, Vinous and Spirituous Liquor License Renewal

### ADMINISTRATIVE / INFORMATIONAL

1. Staff / Elected Officials

**Commissioner Norden** stated the IT Department has installed an overhead projector giving more updated technology in the Commissioners Meeting room.

Commissioner Norden stated the County Administration Building will be closed Thursday and Friday of this week.

2. Citizens not scheduled – None.

### OLD BUSINESS

**REQUEST: SRU 07-002 ALLTEL COMMUNICATIONS INC. WIRELESS TOWER (Colon - Emerson Trust Property)**

Approval was granted on June 9, 2008 for a Special Review Use Permit, Department file #SRU 07-002 Alltel Communications Inc. Wireless Tower, to allow for the installation of a one-hundred (100) foot tall galvanized steel monopole tower with antennas and lightning rod, a prefabricated concrete equipment shelter and a six (6) foot tall security fence, by Alltel Communications Inc., for property owned by the Jean Colon - Ann M. Emerson Trust. The property is located approximately 600 feet south of US Highway 50 and approximately ½ mile east of McKenzie Avenue in the Fourmile Area. Resolution 42, Series of 2008, was signed on June 24, 2008. Subsequently, it was discovered that Condition C which was approved at the Public Hearing, had been inadvertently left out of the Resolution. Resolution 42, which has not yet been recorded, therefore it has been corrected and needs to be resigned.

REPRESENTATIVE: Department of Planning & Zoning

**Planning and Zoning Director Bill Giordano** stated for some reason Condition C did not get included in the resolution but was in the Commissioners approval packet and was part of the record the Commissioners approved at the previous meeting. Condition B we have changed the language in that condition. The language for charging if the annual reports, etc. were not submitted for the one year review was excluded out of the original resolution. In discussing with Clerk and Recorder Norma Hatfield she stated that a correction resolution was not needed but to sign a new resolution with Conditions B and C because this has not been recorded.

**Commissioner Norden** moved to approve SRU 07-002, Resolution 42, Series 2008 correcting to add Conditions B and C which was the intent of the Board when it was originally adopted back in June, 2008 to include the language that is before us today. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Lasha, aye. The motion carried.

**REQUEST: 26TH AMENDMENT TO THE ZONING RESOLUTION**

Approval was granted on October 14, 2008 for various amendments to the Fremont County Zoning Resolution including the creation of an Airport Zone District and a number of clerical, and reorganization items. Resolution No. 58, Series of 2008, was recorded on October 29, 2008. Subsequently, it was discovered that Section 5.10 of Exhibit A, concerning the Drainage Plan and Report requirements, was incomplete as recorded. Exhibit A has been corrected and a new Resolution Number needs to be assigned, and the Resolution needs to be signed.

REPRESENTATIVE: Department of Planning & Zoning

**Planning and Zoning Director Bill Giordano** stated the 26<sup>th</sup> Amendment to the Zoning Resolution was approved. County Engineer Don Moore had given 3 drainage recommendations that were not incorporated. They were all brought to the Planning Commission and were approved as part of the 26<sup>th</sup> Amendment. This was an oversight that they were not included in the resolution. We do have to sign a new resolution and it is a correction of the resolution that exists.

**Commissioner Stiehl** moved to approve **Resolution 65, Series 2008** readopting the 26<sup>th</sup> Amendment to the Zoning Resolution including the omitted drainage plan requirements. Commissioner Norden seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Lasha, aye. The motion carried.

**NEW BUSINESS**

**2008 AUDIT PROPOSAL – PAUL HOLSCHER**

**Finance Director, Dana Angel** stated Mr. Holscher is a member of the firm Johnson, Holscher & Company. They have been our auditor for the past five (5) years and they have submitted a three (3) proposal. The Board prefers to advertise for proposals for audit services in the summer of 2009. I contacted Holscher and asked if he would perform

services for 2008 which will be done in 2009 for a cost of \$21,500.00. Mr. Holscher agreed.

**Commissioner Stiehl** moved to approve the 2008 audit proposal from Johnson, Holscher & Company to perform the 2008 audit in 2009 at a cost of \$21,500. Commissioner Norden seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Lasha, aye. The motion carried.

**UAACOG AGREEMENT – 2009 RECYCLING PROGRAM**

**Commissioner Lasha** stated this agreement is to participate in the program. There is a price to the County for 2009 to be \$21,886.00. This is a reduction of \$8,253.00 from the sale of material in 2008. Finance Director Angle said this is a sixty percent (60%) reduction in per-capita fees. **Commissioner Stiehl** stated our recycling program although we are struggling with sale of plastics which we have lost the market for, we still have been able to sell glass and paper and generate enough income to defray our cost of recycling significantly. Normally a \$32,000.00 per year costs to the County based on a per capita charge that we have agreed to pay to the UAACOG for the recycling program. The County has saved \$8,253.00 which drops our cost to \$21,886.00 and that money is paid for by our tipping fee that we charge at the landfill so the fee that we pay is paid for by the people using the dump.

**Commissioner Lasha** made a motion to approve the County's cost of \$21,886.00 to participate in the regional recycling program for 2009. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Lasha, aye; Commissioner Stiehl, aye; Commissioner Norden, aye. The motion carried.

**RATIFY A BUDGET AMENDMENT TO AUTHORIZE THE DISTRICT ATTORNEY TO SPEND \$25,000.00 FROM FUND BALANCE RESERVE**

**Commissioner Lasha** stated this is a request from the District Attorney's office to spend \$25,000.00 from the Fund Balance Reserve for litigation. This is the 11<sup>th</sup> Judicial District and it is a request that we received that has to be approved by the other cooperating counties of Park, Chaffee and Custer. Today we would like to ratify the decision that was made to allow the fund balance to be reduced by \$25,000.00.

**Commissioner Stiehl** moved to approve the fund balance transfer. Commissioner Norden seconded the motion and stated that in clarification to the litigation it is in connection with personnel action in Park County. Upon vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Lasha, aye. The motion carried.

**FREMONT COUNTY FAIRBOARD – RETENTION OF CURRENT MEMBERS MARIE ADAMS, KATHY KUNSELMAN AND PATSEY MICHAUD. MICHELLE MARRIOTT TO FILL VACANCY OF PHIL QUATTLEBAUM. NEW APPOINTMENTS OF ROBYN BRANAM AND BOB MASSE TO A THREE YEAR TERMS, DEBBIE CHESS TO A 2 YEAR TERM AND SAM SHADE TO A ONE YEAR TERM.**

**Commissioner Norden** moved to appoint Marie Adams, Kathy Knuselman and Patsey Michaud and to also newly appoint Michelle Marriott, Robyn Branam and Bob Masse. Michelle Marriott fulfilling the remaining term of Phil Quattlebaum with Robyn Branam and Bob Masse to three year terms, also to appoint Debbie Chess to a 2 year term and Sam Shade to a one year term. Commissioner Norden would like to commend the service of Phil Quattlebaum. The other Fair Board members regret his letter of resignation after so many years of heading up of the Penrose 4-H Club and basically taking care of the leather program at the County Fair for many years. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Lasha, aye. The motion carried.

**REQUEST: EXTENSION OF PP 05-003 MESAS ON SUNRISE RIDGE**

Request approval of a second one-year extension of Preliminary Plan approval for an eighty-nine (89) lot preliminary plan, Department file #PP 05-003 Mesas on Sunrise Ridge, to allow for completion of Final Plat submittal requirements, by La Mesita del Sol, LLC, 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.

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

**Mr. Allan Miller** stated that it has been a year since the first extension was past. In their opinion it is not a good time to start a new subdivision but they are proceeding with the engineering exhibits and satisfying all the requirements in the approval. They anticipate submitting to the Planning Department for final approval approximately in late April.

**Planning and Zoning Director Bill Giordano** stated that the extension reverts back to November 9, 2008 as the expiration date but Mr. Miller did have a letter to the department requesting the extension prior to this date. The only concern that he has is that this goes back to 2006. Director Giordano recommended if the Commissioners grant the extension to ask Mr. Miller to update the Traffic Impact Analysis to assure that the requirements that were requested under the preliminary plan in 2006 still apply and that there are not any major changes that need to be further addressed. Mr. Miller agreed. **Commissioner Norden** inquired since this is still in the preliminary plan they would still have submit to a final plat. Director Giordano said yes. **Commissioner Stiehl** inquired what the deadline for the submittal that we are extending. Director Giordano stated until have November 9, 2009 to get it submitted again for another extension or expiration.

**Commissioner Norden** moved to approve a one year extension to November 9, 2009 for the PP 05-003 to allow until that date the completion of the final plat submittal with an update on the Traffic Impact Analysis for Mesas on Sunrise Ridge. Commissioner Stiehl seconded the motion. Upon vote: Commissioner Norden, aye; Commissioner Stiehl, aye; Commissioner Lasha, aye. The motion carried.

**REQUEST: EXTENSION OF BLA 08-001 CAÑON CITY RODEO ASSOCIATION**

Request approval of an extension until November 4, 2009 to allow for completion of submittal deficiencies, by Cañon City Rodeo Association Inc., for their property, which is located at the southeast corner of Elm Avenue and County Road 143, aka Oak Creek Grade Road, in the South Cañon Area.

REPRESENTATIVE: Jerry Paulino

**Jerry Paulino** stated that all of the paper work is done for the Boundary Line Adjustment (BLA). They are waiting for the Rodeo Association to approve it. Basically they just ran out of time.

**Planning Zoning Director Bill Giordano** stated they have no objections to the request. Commissioner Stiehl moved to approve the extension of BLA 08-001 Cañon City Rodeo Association. Commissioner Norden seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Lasha, aye. The motion carried.

**REQUEST: MS 08-003 WISEMEN SUBDIVISION**

Request approval of a two (2) lot minor subdivision, Department file #MS 08-003 Wisemen Subdivision, by Wisemen Homes, A Colorado Limited Liability Company, for property which is located at the southwest corner of the intersection of 4th and H (unimproved in this area) Streets in the Beaver Park Area. Proposed lot 1 will consist of 4.90 acres and is vacant. Proposed lot 2 consists of 4.56 acres and houses a single-family dwelling and a shed. The front-yard setback for the single-family dwelling and the front-yard and side-yard setback for the shed are non-compliant with the setback requirements of the Agricultural Rural Zone District (50' front-yard setback required -25.6' exists for the house and 50' front-yard and 25' side-yard setback required-5.4' front-yard and 22.9' side-yard exist for shed). The property is currently being used for residential and agricultural uses. The property consists of approximately 9.46 acres.

REPRESENTATIVE: George Hall, Crown Point Land Services

**George Hall** stated this is a minor subdivision at the corner of Fourth and H Street in Penrose. He noted that H Street is not constructed. H Street is unimproved and goes down to a drainage ditch. Contingencies #1, #4, #5 and #6 have been submitted for review. He can print the mylar, have it ready for signing, and back to the County by the middle of next week. The updated title commitment will be picked up today at 1:00 P.M. Mr. Hall stated that Item #3 is deferred. **Commissioner Stiehl** inquired if he was talking about the quit claim deed. Mr. Hall stated said it was for the quit claim deed for the detention

facility. There was a discussion during the Planning Commission meeting about waiving the deed and make it a requirement for the Building Permit because there is no way to determine where and what size of the house that would be placed on the property which would affect the drainage plan itself. Mr. Hall stated that he understands that this has been done on similar projects in the past. After discussion with Director Giordano they have placed the language on the final plat as he requested.

**Planning and Zoning Director Bill Giordano** stated the Planning Commission on the November 5, 2008 meeting recommended unanimous approval. There were thirteen (13) Contingency Items. Contingencies #6, #7, #8 and #13 were complete and the Planning Commission actually took them out of their review. The Commission did recommend accepting the setbacks as non-conforming. In place of that they have required putting a statement on the plat that if the buildings are ever removed then they must comply with the setback of the existing zone district. A detailed utility plan is not required because it is only two lots they did not feel that there would not be any critical type of plan. The plan basically would be the service lines that would go into the property. Item #3 regarding the quit claim deed, Item #11 and Item #12. What Mr. Hall has requested is what the Board approved for the Stratton Subdivision. It is such a large parcel we do not have a problem with deferring it. What Mr. Hall has done is put a statement on the plat that states that they will put the detention swells in at the time of Building Permit. If that is acceptable again in this case then we will not need the other item but we will leave them on the plat, they will just become non-applicable. We are asking Mr. Hall to do a deed restriction to also notify any prospective property owners that this property will be required to put in the swells prior to issuance of the Building Permit. **Commissioner Stiehl** inquired about Item #10. Director Giordano stated that will have to be deferred. That will need to be changed and be required at the time of Building Permit. **Commissioner Lasha** stated that there are 13 Conditions but Conditions #3, #10, #11 and #12 are deferred to the Building Permit process. Director Giordano stated yes. Commissioner Lasha stated Conditions #6, #7, #8 and #13 which been completed. Director Giordano stated it would be removing #6, #7, #8; #9 have been taken care of if waiver is granted; #10 is a deferral; #11, #12 and #13 will be removed and leave #3.

**Commissioner Stiehl** moved to approve the request for MS 08-003 Wiseman Subdivision, retaining only Contingencies #1 through #5 but deferring #3 and #10 to the time of the Building Permit and granting both waivers requests. Commissioner Norden seconded the motion. Upon vote: Commissioner Stiehl, aye; Commissioner Norden, aye; Commissioner Lasha, aye. The motion carried.

**Recommended Contingencies:**

The approval recommendation is made contingent upon, at a minimum, the following items being provided to the Department, by the applicant, within six (6) months (*no extensions except through regulatory process*) after approval of the application by the Board of County Commissioners:

1. Final plat and copies (*copies to be provided after recordation of the plat*) as required by the Fremont County Subdivision Regulations (FCSR).
2. An updated title insurance commitment or policy shall be required prior to the recording of the subdivision plat, if said recording date is more than sixty (60) days from the effective date of the title insurance commitment or policy. An updated title commitment may result in additional requirements.
3. An executed quitclaim deed with a deed restriction addressing the maintenance of any drainage facilities, drainage easements, rights-of-way, etc., if required.

**DEFERRED TO TIME OF BUILDING PERMIT**

4. A quit-claim deed to the County for a twenty-five (25) foot right-of-way from the centerline of 4<sup>th</sup> & H Streets along the entire property frontage.
5. Information to enable the Department to compute addresses.

6. At the beginning of the Dedication Statement on the plat the "I" used shall be changed to "We". **The Planning Commission recommended deleting this item as it has been completed. REMOVED**
7. The label on the plat drawing "Wisemen Subdivision Improvements" shall be removed. **The Planning Commission recommended deleting this item as it has been completed. REMOVED**
8. The references to the "No build zone" shall be changed to the "No Build Area." **The Planning Commission recommended deleting this item as it has been completed. REMOVED**
9. A detailed utility plan showing the proposed location of all utility and irrigation improvement locations and signatures of providers. **REMOVED**
10. A letter from a Colorado Professional Engineer, who designed the drainage improvements will be required stating the specified drainage improvements were constructed to minimum County standards and the Engineer's design, prior to recording of the final plat and/or release of escrow funds from an improvement and escrow agreement as may be applicable.  
**DEFERRED TO TIME OF BUILDING PERMIT**
11. If all required drainage improvements are not completed prior to recording of the final plat, an improvement and escrow agreement shall be provided.  
**REMOVED**
12. Approval of cost estimates submitted for all proposed drainage improvements to be included in an improvement and escrow agreement shall be by the County Engineer.  
**REMOVED**
13. Documentation as to compliance with Fremont County Code Enforcement as to removal of tires located on the property. **The Planning Commission recommended deleting this item as the tires have been removed. REMOVED**

The Planning Commission **recommended accepting the setbacks as non-conforming**, and requiring the following note on the final plat: "Replacement, for any reason, of any non-compliant structures on the subject property shall be in compliance with all zoning requirements at the time of replacement."

**Waiver Request - GRANTED**

The Planning Commission **recommended granting** a waiver of a detailed utility plan showing the proposed location of all utility and irrigation improvement locations and signatures of providers.

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

**2009 PROPOSED FREMONT COUNTY BUDGET HEARING**

**Finance Director Dana Angel** stated notice of the Proposed Budget was made both in the Cañon City Daily Record on November 1, 2008 and the Florence Citizen on October 30, 2008. Notice of the budget was available for inspection and the hearing was set for today. Director Angel stated this is a preliminary budget in draft form and is still subject to changes prior to adoption on December 9, 2008 and at that time I will outline any changes that are made.

Item A. Sales and use tax collections for 2009 are \$4,933.800, the same as estimated collections for 2008. We are projecting our 2009 sales tax to be the same as our estimated collection for 2008. We are not showing any increase because of the economic situation.

Normally we have a three to five percent increase and it helps us get through out budget each year. This is approximately a \$341,905.00 decrease or 6.5% from the original approved budget for 2008. Basically it is a real hardship that we are dealing with this year. It is two years of the \$342,000.00 is a loss of \$684,000.00 in sales tax revenues.

Item B. Property taxes for 2009 will provide \$5,370,078.00, this compares to \$5,283,714.00 in 2008. This is an increase of \$86,364.00 or 1.6%. The total County mill levy for operations will remain at 12.294 mills, the same as 2008 and 2007. Director Angel noted that we are not Tabor limited but we are frozen with the mill levy. If we were not frozen and were still under Tabor it would have allowed a 7.18% increase in property tax revenue by growth and inflation. Our mill levy can not increase without voter approval.

Item C. Property taxes and sales tax revenues are projected to provide 34.7% of total preliminary revenues for 2009.

Item D. Fremont County 2009 expenditures are project to be \$28,758,748.00, a \$633,407.00 decrease from 2008 estimated spending, or 2.16%. Revenues are projected to be \$23,158,657.00, a 4.83% decrease from 2008 estimated revenues of \$24,333,758.00 before property taxes of \$5,370,078.00. All revenues, including property taxes after estimated refunds, abatements and other credits, are projected, for 2009, to be \$27,918,542.00 compared to \$29,058,222.00 as estimated for 2008 or (3.9%) change.

Item E. The Federal PILT Fund which is a fund that created and maintained in the County Fund. The PILT Fund is the Federal payment each year in lieu of taxes that the Federal Government and is distributed to counties within the nation that contain federally owned land. Fremont County like many other Colorado counties will benefit this year in 2008 and 2009 as result of recent Congressional action to begin full funding of PILT in 2008. This causes a make up payment for us to receive in 2008 and full funding for 2009. The PILT Funds are to be transferred to other funds and be treated as revenue so we can meet expenditures. The Federal PILT Funds are projected to be transferred in 2009 as follows: \$825,000.00 to General Fund; \$100,000.00 to Public Building Maintenance; \$200,000.00 to Capital Expense Fund; \$75,000.00 to Sales and Use Tax Capital Improvement Fund; \$59,581.00 to Dept. of Human Service Fund. The Public Building Maintenance is a fund that has been in existence since the Administration Building was originally built. A bond redemption fund was created and also the Public Building Maintenance Fund where a portion of the mill levies was put every year to maintain buildings owned by the County. Over the years we did not have sufficient mill levy to support the fund. The fund did not go broke we had \$8,000.00. The Board felt this year that we need to do some major maintenance like DHS building roof and the elevator in this building, so in 2009 we are sending from the PILT fund \$100,000.00 to the Public Bldg. Maintenance Fund. We are estimated to spend \$75,000.00. The remaining transfers are \$200,000.00 to Capital Expense Fund, \$75,000.00 to the Sales and Use Tax Capital Improvement Fund and \$59,581.00 to DHS fund in order to balance because it was short from the mill levy. By the time we make all the transfers it is anticipated we will have approximately \$162,000.00 in the PILT fund.

The Board has created "Adopt A County Road" program where we have appropriated \$2,500.00 to work in conjunction with other groups to clean up our county roads. This is from our surcharges at the land fill and transfer stations within Fremont County.

**Commissioner Lasha** opened the hearing for public comment.

**Dennis Jones**, a resident of Fremont County, commented on Sheriff's Budget regarding the estimated income for Jail Housing being too high. Mr. Jones questioned the Conservation Trust Fund for Pathfinder Park of \$250,000.00. **Commissioner Norden** stated that those are dollars both current Conservation Trust dollars and reserves that have been building up. The infra structures at the park for the arena, water and electricity because we only see the cost rising. **Commissioner Stiehl** stated the State has cracked down on expenditures from Conservation Trusts funds because it is meant for open space and recreation. All the money that is used for the park we have matching grants so we leverage that heavily and have been very successful with not only that but other contributions from Road and Bridge. We never include any of our anticipated grant moneys in the budget because we don't know if we have it until we see it. Mr. Jones expressed concern about the County Administrator position. He realizes that it will free the Commissioners up for some of the important jobs they do as representatives but is

concerned about the expense and the availability of the department heads or residences to see the Commissioners.

**Commissioner Stiehl** stated that what Director Angel did not mention in his summary is that we have already cut \$1.1 million from last year's budget and we are still working on it. Also there are important functions that the Board has as County Commissioners as administrative and the most important is the legislative. Legislation gives us regulations that move our county into the future. The legislative part of our job is the most important part and we have not been able to get that done because of the administrative dealings that need also to be done.

**Commissioner Norden** stated Mr. Jones brought up the \$980,000.00 in jail housing costs that he also was concerned about it. If the Sheriff is able to reach that mark he would be able to set up some reserves because we separated the Sheriff's Fund from the General Fund. That estimate was based on an average inmate population in the new 96 bed jail addition of about 65 inmates a day for 350 days out of the year. The sheriff admitted while he anticipated for inmate backlogs for waiting space in the Department of Corrections is what really affected inmate numbers and the fact that the Department of Corrections in not only Fremont County but every county across the State of Colorado suddenly made arrangements to find bed space for those back logged state inmates. There is a certain amount of irony in the recessionary times we have because while we are depending upon the immigration detainees from ICE the economy is now forcing some of those immigrants back to Mexico because our economy is in a downturn. Given the politics of the day the one revenue where there has been a spike in the Sheriff's budget is in concealed carried weapons permits.

Commissioner Norden said Director Angel noted that \$75,000.00 from PLT money would be put into the Sales and Use Tax Capital Improvement Fund. The Capital Improvement Fund is part of what the voters approved in 1981 in which one fourth of all sales tax revenues into the Capital Improvement Fund and those dollars were used to build the original Sheriff's Department and Jail in 1987; to fund the Human Services Building; to fund the construction of the new Judicial Building and the jail addition through payments of Certificates of Participation. This is the first time in twenty (20) years that the tax was approved designating other funds from another source to be directed from PILT to be going into the Sales and Use Tax Capital Improvement Fund. This was indicative of what Director Angel said in Item A that the down turn in the economy in the sales tax collections has impacted not only our General Fund but some of the capital improvement cash flow as well. We have the ability to reverse some of our sales tax trends by looking at what we can do as individuals in our spending habits as to where we spend out dollars. The dollars that we spend out of town tend to support governments in other towns. The smallest percentage of what dollars are kept at home not only improves the bottom line for our local business but improves the bottom line for municipal and county government as well.

**Commissioner Lasha** went out of Public Hearing into regular session.

**Commissioner Lasha** stated that the budget is a dynamic document that can change every year. As an example in preparing our fuel budget for last year we were anticipating a \$4.50 per gallon cost of our fuel then all of a sudden it is \$1.87 in Florence this morning. Those are good things on the plus side but can go the other way also. If we get a bad winter storm that can happen to us or other acts of nature that we have to respond to and it goes back to providing safety for our citizens which becomes a challenge where we get the money sometimes. Commissioner Lasha said that he looks at the other counties around us, we have had struggles and there has not been a real strong message since he has been in office about the budget and extra money because it is not there. We are criticized sometimes when some of the local areas are doing well and it seems like we are not. It is not satisfying for him but all of a sudden we are still struggling along not doing anything crazy, we are very conservative on the budget and while other people are trying to balance out their budget this year. I think Fremont County has been very steady. We are very conservative in what we do and go into the year with the very best we can, to manage the budget.

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**Commissioner Stiehl** said the property tax increase is project to be \$86,000.00 this year. This will not increase the property tax on your property if you have not improved it the past year. The increase will be due to new construction.

**Commissioner Norden** stated the budget will be on Agenda for final adoption on December 9, 2008.

**Commissioner Lasha** adjourned the meeting at 10:55 P.M.

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County Clerk