

FOURTEENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on July 25th, 2017, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Debbie Bell called the meeting to order at 9:30 a.m.

Debbie Bell	Commissioner	Present
Tim Payne	Commissioner	Present
Dwayne McFall	Commissioner	Present
Katie Barr	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present
Sunny Bryant	County Manager	Present
Matt Koch	Planning & Zoning Director	Present

Karen Hunter of The Universal Life Church gave the Invocation.

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

1. Approval of Minutes / July 11, 2017
2. Approval of Bills for \$1,422,744.36
3. Schedule Public Hearings: None

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

ADMINISTRATIVE/INFORMATIONAL

1. Staff / Elected Officials:
 - a. County Manager Report, Sunny Bryant, County Manager
 - On 7/12 County Manager Bryant attended the Southern Colorado Economic Development District meeting. Their focus is comprehensive economic development strategy and ensuring they are working towards meeting those goals.
 - On 7/13 she participated in the Association of Colorado County Administrators monthly conference call. They discussed various issues throughout the state and topics for their upcoming winter conference. She also attended the area manager’s luncheon, and participated in the Public Health Director interviews.
 - On 7/14 County Manager Bryant attended the Back the Blue Bash, hosted by the Families in Blue, at the Abbey.

- On 7/18 she and the Commissioners attended a meeting with various agencies to discuss protocol concerning fires in the County. This meeting was very informative and explained the processes and who plays what role.
- On 7/20 County Manager Bryant and Commissioner McFall attended a meeting with a company hired by CDOT to discuss the plan for the Bustang Outrider Service, a plan to have a more universal bus service throughout Colorado. Later that day, she and Commissioners Bell and McFall attended the ground breaking for the Journey Home Project, a project to provide housing for homeless individuals.

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

County Manager Bryant reported that through the month of May, the Retail Sales Tax collected was \$417,810. This is \$22,368 more than last year. Year to date we are up \$83,117. The Auto Use Tax collected through June is \$96,973. This is \$5775 less than last year. Year to date we are up \$26,912. The Construction Use Tax collected through June was \$16,384. This is \$6,791 less than last year. Year to date we are down \$12,976. The Lodging Tax collected through May was \$6,213 which is \$1,146 less than last year. Year to date we are up \$875. The Sheriff Retail Sales Tax collected through May was \$278,540 which is \$14,912 more than last year. Year to date we are up \$55,413. The Sheriff Auto Use Tax collected through June was \$64,649 and is \$3,850 less than last year. Year to date we are up \$18,001. The Sheriff Construction Use Tax collected through June was \$10,923 which is \$4,527 less than last year. Year to date we are down \$10,183.

Commissioner Bell mentioned that the County Fair starts this coming Friday. The Ranch Rodeo will be Saturday evening at 6:00 p.m. at Pathfinder Park.

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

Karen Hunter spoke about the importance of recycling. She mentioned that there isn't a place in Fremont County to recycle glass and it's really expensive to take it to the nearest drop off. She also suggested that our local restaurants look into biodegradable to-go boxes instead of Styrofoam.

Tina Heffner spoke on behalf of the Penrose Park and Recreation. They are at the beginning phase of the Penrose Park Masterplan which will cost a lot of money to achieve. She asked that the Commissioners put aside money for them so they can complete phase one.

Commissioner Payne asked that Ms. Heffner put her request in writing.

Susan Luck spoke on behalf of the Penrose Park and Recreation, asking that the County put up a sign, giving directions from Hwy 115 to where the Park is located. She has had trouble getting the County Department of Transportation to help her with this. She also expressed that she feels there is division between the County and Penrose, for some reason.

Commissioner Bell agreed to look into the sign request. She also expressed to Ms. Luck that as far as she is concerned, there is no division between the County and Penrose.

OLD BUSINESS

None.

NEW BUSINESS

II) New Business for Consideration:

1. Memorandum of Understanding to join the Southern Shooting Partnership

Commissioner McFall explained that this partnership would open up more opportunities for safe, recreational shooting in Fremont County.

Commissioner McFall moved to approve the Memorandum of Understanding to join the Southern Shooting Partnership. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

PUBLIC HEARINGS SCHEDULED FOR 10 A.M.

1. OPC 14-006 Mile High Green Cross, LLC dba Mile High Green Cross, LLC (Optional Premises Cultivation – Commercial Greenhouse) 2017 Modification

Request for modification of an Optional Premises Cultivation license for an indoor grow operation, Department file #OPC 14-006 Mile High Green Cross, LLC (Optional Premises Cultivation-Commercial, Greenhouse), by Mile High Green Cross, LLC, (dba Mile High Green Cross, LLC), for property which is owned by ADW LLC. The address of the property is 685 State Highway 115 – Unit A (indoor grow), in the Beaver Park/Penrose Area, which is located on the west side of State Highway 115, approximately 500 south of 6th Street, in the Beaver Park/Penrose Area. The property is zoned Business and contains 4.65 acres more or less. A modification is being requested to add the existing greenhouse on the property.

Representative: Adam Ziegler

Adam Ziegler explained that their request is to add the existing greenhouse to their license. He knows in the past his business partner asked for the existing greenhouse plus a new greenhouse, but that's not the case now. They just want to utilize the existing one.

Matt Koch reported that the application is complete. They have no violations or issues to report. They did have one unfounded odor complaint this last year. The building in question is legal and permitted through Planning & Zoning. If approved, he will need a letter from the engineer concerning the odor mitigation system. He will also need a letter from the Penrose Water District. Mr. Koch also recommended that the vent be located on the South side of the building, away from Coyote Coffee Den. If the Board approves this he also recommends a 1 year probation period.

Deputy Jenkins reported that he had one odor complaint on May 31st, but it was unconfirmed. When speaking with the State they informed Deputy Jenkins that there had been no complaints and no citations for this OPC.

Richard Hilderbrand says he can smell the odor from Coyote Coffee Den. He is opposed to this modification.

Sally Nicholson says that Penrose is overgrown with marijuana and she is opposed to the modification.

Tina Heffner says at a prior meeting it was determined that this existing building would be torn down. She is opposed to this modification.

Jay Gleiforst says enough is enough. He is opposed to this modification.

Caroline Menzer says she moved back here from Oklahoma and her beautiful little town just wasn't the same anymore. She moved to C St at first, then moved to R St to get away from all the marijuana. She is opposed to this modification.

Roberta Newton said that enough is enough. She is opposed to the modification.

Stephanie Luck asked that the BOCC not actively diminish the quality of life of the people in Penrose. She is opposed to this modification.

Nicholas Tolkach said that the wind is very rapid in Penrose and carries the odor. He also says that Apple Valley's lights are on during the night when they aren't supposed to be. He opposes this modification.

Timme Pearson says the applicant doesn't seem to be able to keep their word about things. She also says enough is enough and opposes the modification.

Dennis Doiel is the property owner where the OPC is located. He says he has put thousands of dollars into landscaping, fencing, and odor mitigation. He wanted to show everyone that he wants to comply with the laws and regulations, and wants to be a good neighbor. He is in favor of this modification.

Susan Luck said that the smell lingers in the early morning hours every day. She is the Postmaster in Penrose which is next to where this OPC is located, so she smells it every morning when she goes to work. She is opposed to this modification.

Commissioner Bell moved to table this item until the next meeting on 8/8/17, in order to gather formal findings. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner McFall, aye. The motion carried.

Chairman Bell adjourned the meeting at 10:46 a.m.