

THIRD MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on January 26, 2021 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Chairman Dwayne McFall called the meeting to order at 9:30 a.m.

Dwayne McFall	Commissioner	Present
Debbie Bell	Commissioner	Present
Kevin Grantham	Commissioner	Present
Justin Grantham	Clerk & Recorder	Present
Brenda Jackson	County Attorney	Present
Sunny Bryant	County Manager	Present
Sean Garrett	Planning & Zoning Director	Present

INVOCATION

Alicia Swearingen from Royal Gorge Vineyard gave the invocation.

PLEDGE OF ALLEGIANCE

Those present cited the Pledge of Allegiance to the flag of the United States of America.

APPROVAL OF AGENDA

Commissioner McFall moved to approve the Agenda. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Grantham, aye. The motion carried by unanimous consent.

CONSENT AGENDA

1. Approval of Minutes / January 12, 2021
- ~~2. Approval of Minutes / January 21, 2021 Special Meeting~~
3. Approval of Bills for \$1,519,017.62
4. Approval of the 2020 HUTF verification and signature sheet submittal
5. Ratification of Chairman's signature on the 2021 Eleventh Judicial District Victim Assistance and Law Enforcement Board Contract
6. Ratification of Chairman's signature on Guaranteed Maximum Price Amendment Construction GMP with H.W. Houston Construction, LLC., for the Fremont County Courthouse Second Floor Courtroom Remodel
7. Approval of Hay Crop and Grazing Lease Agreement with Jesse Talbert for Pathfinder Park
8. Approval of the 2021 Organizational Charts for Fremont County
9. Schedule Public Hearings: None.

Commissioner Bell moved to approve the Consent Agenda with the removal of item number 2. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

ADMINISTRATIVE/INFORMATIONAL

1. Staff / Elected Officials:

a. County Manager Report, Sunny Bryant, County Manager

County Manager Bryant gave the County Manager Report regarding the construction of the second-floor courtroom in the Judicial Center. She said that the project is scheduled to be finished in the middle of April and is funded by an Underfunded Courthouse Grant and a Department of Local Affairs Energy and Mineral Impact Grant. Per County Manager Bryant, the match for the project is paid out of the Sales and Use Tax Fund. She added that the 65% design of the Pathfinder Park Community Center is coming together. County Manager Bryant said that this estimated \$3.4 million project is funded by a Department of Local Affairs Energy and Mineral Impact Grant, by funds from the Fremont County 4-H Foundation, and the balance is paid out of County Conservation Trust Funds and Sales and Use Tax Funds. She said it is scheduled to be completed in October 2021.

Commissioner Bell explained that Colorado Counties Incorporated is a consortium of counties in Colorado that works with legislatures to both mitigate upcoming bills that would work unfavorably for counties and to initiate county legislation to draw attention to concerns. Commissioner Bell invited individuals in the community with state-legislative concerns to notify the Board of County Commissioners so, in turn, the Board may communicate these concerns with Colorado Counties Incorporated.

b. COVID-19 Update, Kayla Marler, Fremont County Public Health and Environment (FCPHE) Director

FCPHE Director Marler gave a Covid-19 update as of 8:00am January 26, 2021. She listed Fremont County and local Department of Corrections Covid-19-related figures as follows: 2,169 total positive cases, 97 active cases, 0 new cases (within the last 14 days), 114 total hospitalizations, 19 active hospitalizations, and 35 total deaths. Director Marler added that with Mako's assistance Fremont County has tested 11,727 individuals. She said that through the Covid Vaccine Clinic the Fremont County Department of Public Health and Environment has provided 1,437 vaccines to Fremont County citizens, including second doses.

Commissioner McFall thanked Kayla for advocating for Fremont County to the state and recognized the positive feedback received from the public regarding the vaccinations done by Fremont County's Public Health Department.

Commissioner Bell said that she appreciates the collaboration between the Public Health Department and others in the community.

Public Health Director Marler recognized the volunteer group that has assisted the Public Health Department with their recent efforts.

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

OLD BUSINESS

None.

NEW BUSINESS

1. A Request for approval for a minor subdivision, department file #MS 20-006
Bradley Minor Subdivision

Matt Koch, Representative requested approval for the Bradley Minor Subdivision. Koch said that the property consists of two lots and is located at the intersection of 3rd Street and E Street in Penrose. Koch explained that Lot 1 is vacant while a house is currently being built on Lot 2.

Sean Garrett, Planning & Zoning Director said that the department found all minimal requirements per the Fremont County regulations satisfied by the application. He adds that the applicant wishes to defer the drainage plan until development, which Director Garret recommends, and that there are no contingencies or waivers.

Commissioner Grantham moved to approve a request for approval for a minor subdivision, department file #MS 20-006 Bradley Minor Subdivision. Commissioner Bell seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

2. A Request for approval for transfer of Ownership for Special Review Use 02-006 KLB Kennel from Ken and Linda Brown to Andrew and Lisa Diaz

Andrew Diaz said that he is requesting transfer of ownership for a family-owned boarding kennel.

Sean Garrett, Planning & Zoning Director said that the applicant is aware and in agreeance of all conditions set forth with the regional approval and that they have transferred their license with the state. He added that Fremont County has not received any complaints or violations on the property and the kennel has passed all yearly inspections.

Commissioner Bell thanked KLB Kennel for their compliance and absence of violations on the property.

Commissioner Bell moved to approve transfer of Ownership for Special Review Use 02-006 KLB Kennel from Ken and Linda Brown to Andrew and Lisa Diaz. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

3. Resolution No. 8 and letter of support with a \$3,000 funding commitment to participate in the Colorado Department of Higher Education's Colorado Opportunity Scholarship Initiative

Commissioner McFall explained that the state annually provides funds for scholarships and matching scholarships, allowing qualifying individuals to gain financial assistance for college.

Commissioner Bell explained the how the County's participation in the Colorado Department of Higher Education's Colorado Opportunity Scholarship Initiative helps students who otherwise wouldn't be able to afford college attend.

Commissioner Grantham moved to approve Resolution No.8 and letter of support with a \$3,000 funding commitment to participate in the Colorado Department of Higher Education's Colorado Opportunity Scholarship Initiative. Commissioner Bell seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

4. Appoint Orlin Camerlo as a new council member to the Fremont County Tourism Council for a three-year term ending December 31, 2023

Commissioner McFall said that Orlin Camerlo, who owns and operates Howard Creek Farms in Howard, Colorado, submitted a letter of interest for serving on the Fremont County Tourism Council.

Commissioner Bell described Howard Creek Farms as a venue for events such as weddings. She said that they are responsible for some of Fremont County's "silent" economic development.

Commissioner Bell moved to appoint Orlin Camerlo as a new council member to the Fremont County Tourism Council for a three-year term ending December 31, 2023.

Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

5. Abatement hearing for Neal & Nita Robertson for 2017, 2018, and 2019

County Attorney Jackson explains that the item is an appeal of a denial of an abatement by the County Assessor involving two adjacent parcels; one vacant, one residential. She said that the abatement was requesting that the vacant parcel be reclassified as residential because “it was used in conjunction with the residential parcel, or at least that was the contingent.” Per County Attorney Jackson, according to the County Assessor the appropriate documentation showing combined use has not been submitted for tax years 2017, 2018, and 2019, therefore County Assessor Seifert has recommended denial of the abatement.

Duff Phelps from Brad Baugh, Duff Phelps, LLC said that per a Colorado Supreme Court amended statute from February 2020, “contiguous vacant land [may] be used in conjunction with a residence and receive a residential assessment rate.” He claimed that the property met all the necessary criteria.

Stacy Seifert, County Assessor explained that for a parcel to be classified as residential it must meet the following criteria: “It has to be held in the same ownership, it has to be actually physically contiguous, and it does have to be used in conjunction to the residential parcel.” She said her department has never been notified of residential use on the property.

Duff Phelps from Brad Baugh, Duff Phelps, LLC said that he respects County Assessor Seifert’s statement as being her personal opinion rather than that which the law reflects. He also mentioned the allowance of passive use, which does not require active use on the property.

Commissioner Bell pointed out that Stacy Seifert is publicly elected as County Assessor and is a licensed appraiser in the State of Colorado and that the opinion given to the Board of County Commissioners is a professional opinion.

Commissioner Bell moved to uphold the denial of the abatement for Neal and Nita Robertson for 2017, 2018, and 2019. Commissioner Grantham seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Grantham, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

6. Abatement hearing for Barbara Gail Price for 2019

Stacy Seifert, County Assessor said that she recommends approval of this abatement. County Assessor Seifert said that she spoke with Ms. Price regarding her property and that Price will continue to update her Agriculture information with the county.

Commissioner Grantham moved to approve the abatement for Barbara Gail Price for 2019. Commissioner Bell seconded the motion. Upon Vote: Commissioner Grantham, aye; Commissioner Bell, aye; Commissioner McFall, aye. The motion carried by unanimous consent.

PUBLIC HEARINGS

None

Commissioner McFall adjourned the meeting at 10:03 a.m.




Clerk to the Board of County Commissioners

RESOLUTION NO. 8, SERIES OF 2021

**A RESOLUTION OF PARTNERSHIP TO APPLY FOR AND DISTRIBUTE
MATCHING FUNDS FROM THE COLORADO OPPORTUNITY
SCHOLARSHIPS PROGRAM TO BENEFIT RESIDENTS OF FREMONT
COUNTY**

WHEREAS, the State of Colorado, through the Colorado Opportunity Scholarship (COSI) has provided an opportunity for local counties to apply for scholarship support for students post-secondary education; and

WHEREAS, COSI has required that matching scholarship funds awarded to any county be deposited with and administered by a local representative non-profit community foundation; and

WHEREAS, COSI has required that matching scholarship funds will only be awarded to a county in which the student participants are engaged in a rigorous student success support program; and

WHEREAS, the provision of additional scholarship support, to offset the cost of attending postsecondary education and a vigorous student success support are critical to the continued economic competitiveness of Fremont County; and

WHEREAS, the Fremont Community Foundation serves as the non-profit fiscal agent to collect and disburse all monies secured locally in Fremont County for COSI scholarships; and

WHEREAS, a local committee of educators serves in an advisory capacity to the Fremont Community Foundation for the purpose of reviewing and awarding scholarships to qualifying students attending Cañon City High School, Florence High School, and Cotopaxi High School;

WHEREAS, the Fremont County Board of Commissioners agrees to support fiscal year 2021-2022 COSI funding in the amount of \$3,000; and

WHEREAS, any community fundraising and donations for COSI Scholarship matching dollars will be also be deposited with the Fremont Community Foundation;

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fremont County that \$3,000 is contributed by Fremont County in initial matching funds and to be deposited with the Fremont Community Foundation COSI Scholarship Fund.

BE IT FURTHER RESOLVED that the Fremont Community Foundation will be responsible for the monitoring, distribution, and oversight of COSI scholarship awards. The scholarships to be awarded are for the post-secondary education of Fremont County high school graduates utilizing those county funds and any other community funds donated for the purpose of COSI scholarships.

Commissioner Grantham moved adoption of the foregoing Resolution, seconded by
Commissioner Bell and approved by roll call vote as follows:

Debbie Bell	<u>Aye</u>	Nay	Abstain	Absent
Kevin Grantham	<u>Aye</u>	Nay	Abstain	Absent
Dwayne McFall	<u>Aye</u>	Nay	Abstain	Absent

Date: January 26th, 2021

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: Dwayne McFall
Chairman

By: [Signature]
Clerk to the Board

