

May 23, 2017

TENTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on May 23, 2017, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner 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

Ryan McBride 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 / May 9, 2017
2. Approval of Bills for \$1,933,576.15
3. Assignment and Assumption of Lease For Hanger Number 1, T-Hangers #5 & 10, Fremont County Airport
4. Ratification of the Chairman's Signature on an Intergovernmental Agreement with Custer County for weed control dated May 15, 2017
5. Ratification of the Chairman's Signature on an Intergovernmental Agreement with City of Florence for weed control dated May 15, 2017
6. 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

County Manager Bryant stated that she'd been to a cost allocation meeting with Eric Parish. Last Tuesday the 16th was a very successful County Health Fair. Along with the Commissioners, Planning and Zoning, and the Building Department, she got to take a tour of the new Royal Gorge Cabins. Ms. Bryant and Commissioner McFall attended the Weed Board meeting. She also attended the Public Health Assessment and Penrose Chamber meeting as well as the Colorado Department of Human Services meeting.

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

County Manager Bryant reported that for the month of March, the retail sales tax collected was \$376,856. That is \$27,176 more than 2016 and year to date it's up \$60,436. Auto use taxes collected for the month of April was \$91,501 which is \$5,330 more than 2016 and year to date is up \$27,390. Construction use taxes collected for April was \$20,807 which is \$7,718 more than 2016 and year to date is down \$3,818. Lodging taxes collected for March was \$15,660 which is \$6,763 more than 2016 and year to date is up \$8,090. The Sheriff's retail sales tax collection for March was \$251,237 and is \$18,118 more than 2016, year to date it's up \$40,291. Sheriff auto use tax collected for April is \$61,002 which is \$3,553 more than 2016 and year to date is up \$18,320. Sheriff Construction use tax collected for April was \$13,993 which is \$5,267 more than 2016 and year to date is down \$4,077.

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

Tina Heffner wanted the community to know about the stick-horse gymkhana that the Penrose Park and Rec will be hosting. There will be a chili cook-off, community potluck picnic, ice cream social, and lessons for the kids on how to take care of your horses. It will be at 2:00 Saturday the 27th at Penrose Park.

OLD BUSINESS

None.

NEW BUSINESS

1. Consideration of a Proclamation declaring Family Safety Week in Fremont County, May 29 through June 4, 2017.
Representative: Nancy Bartkowiak, St. Thomas More Hospital

Nancy Bartkowiak announced that safety week will be at Rudd Park. Anyone attending is asked to park at the High School. Opening Ceremonies will be at 10:00 a.m. on the 29th. Nancy then read the proclamation.

Commissioner Payne moved to approve the proclamation declaring May 29th – June 4th, Family Safety Week in Fremont County. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried.

2. Consideration of the Adoption of the Community Wildfire Protection Plan for Indian Springs
Representative: Steve Morrisey, Emergency Management

Steve Morrisey explained that this is a wildfire protection plan for Indian Springs. Its purpose is to prepare everyone for wildfire mitigation including the Indian Springs Landowners Association and Deer Mountain Fire. By having this in place it will open doors for grants to help with the fire mitigation plans.

Commissioner McFall moved to approve the Community Wildfire Protection Plan for Indian Springs. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

3. Consideration to accept a proposal from Armstrong Consulting for Engineering and Planning Services at the Fremont County Airport for a five-year term with an agreement to follow
Representative: Dick Baker, Airport Manager

Dick Baker stated that there were initially two bids, but the other company never submitted their bid. Jake Hoban, the Airport Engineer Project Manager from Armstrong Consulting was also in attendance. The Fremont County Airport has worked with Armstrong Consulting before in the past

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and has always been happy with their service. Mr. Baker & the Airport Board recommended approval for Armstrong Consulting.

Commissioner Payne moved to accept the proposal from Armstrong Consulting for engineering and planning services, a 5 year term with agreement, at the Fremont County Airport. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried.

4. OPC 14-007 C^3 Colorado Springs, LLC

Request for renewal of an Optional Premises Cultivation license for an indoor grow operation, Department file #OPC 14-007 C^3 Colorado Springs, LLC (Optional Premises Cultivation-Commercial, Greenhouse), by C^3 Colorado Springs, LLC (Jared Doi), for property which is owned by ADW, LLC. The address of the property is 685 Highway 115 #B, in the Beaver Park/Penrose Area, which is located on the west side of State Highway 115, five hundred (500) feet south of 6th Street, in the Penrose Area. The property is zoned Business and contains 4.65 acres more or less.

Representative: Jared Doi

Jared Doi stated that he hadn't received any complaints and hadn't had any violations other than one issue with an inventory transition and incorrect verbiage he used in a letter to the State. That has since been corrected.

Matt Koch reported that his office didn't have any issues. He recommended approval.

Deputy Jenkins reported there was an informal complaint received about odor and lights. Upon inspection he couldn't find anything to back up that complaint and no citation was issued. There were the two violation letters from the State about the inventory issue, but those have since been fixed.

Commissioner Payne moved to approve the renewal for OPC 14-007 C^3 Colorado Springs, LLC. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried.

5. Ratification of Chairman's Signature on Change Order #29 for the Fremont County Justice Center Kitchen and Laundry Remodel

County Manager Bryant stated that this is the last change order for this project and in fact it's a credit. The credit is in the amount of \$14,685.63.

Commissioner McFall moved to approve change order #29. 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. Request: CUP 17-001 Yevoli Cobblestone Pit – 10 Year Renewal

Request approval of a Conditional Use Permit, Department file #CUP 17-001 Yevoli Cobblestone Pit by Yevoli Cobblestone Inc., for the property which is located approximately 4 miles southeast of the intersection of State Highway 67 and County Road 19, aka Siloam Road, then approximately 1600 feet southwest of the intersection of County Road 19 and County Road 835C, aka Green Valley Ranch Road. Then approximately one hundred (100) feet to the corner of the property. The property is located southeast of the city of Florence, Colorado. The proposed number of trucks hauling from the site is a maximum of 10 per day during daylight hours. The proposed hours of mining, crushing, stockpiling, etc. are from 7 a.m. to 3 p.m., Monday through Friday.

Representative: Mark Yevoli

Mark Yevoli was not present.

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Matt Koch stated that the application was turned in and is complete. He had no issues with this application and recommends approval.

Commissioner Payne moved to approve Resolution #20, the renewal of CUP 17-001 Yevoli Cobblestone Pit, for the life of use. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried.

2. Request: SRU 17-001 Loco Mountain Outfitters

Request approval of a Special Review Use, Department file #SRU 17-001 Loco Mountain Outfitters by Flynn High Ranch Enterprises Partnership, for the property which is located approximately 1 mile south of U.S. Highway 50, east of Fremont County Road 37, a.k.a. McCoy gulch Road, southwest of Texas Creek. Loco Mountain Outfitters has operated from this location for many years and was just recently found to be non-compliant with having no SRU approval. The applicant has submitted this application to bring the site into compliance with the current Fremont County Regulations. Loco Mountain outfitters has a normal capacity of 6 hunters and 3 guides. The existing ranch house is used as the base camp for the guided hunting trips.

The Fremont County Department of Public Health and Environment and the Fremont County Building Department have reviewed the application and have defined the use as a bed and breakfast and thus satisfied the requirements for the use.

Representative: Jim Flynn

Jim Flynn explained that they are outfitters for guided hunts. Their property is used to take 6 hunters at a time along with 3 guides. He also stated that most of the hunters that come to his property are from out of state.

Matt Koch stated that they did turn in a complete application. After review, there were no problems with the application and recommends approval.

Commissioner McFall moved to approve Resolution #21, SRU-17-001 Loco Mountain Outfitters. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

3. Request: SRU 17-002 Deer Mountain Fire Protection (Fire Station No.3)

Request approval of a Special Review Use, Department file #SRU 17-002 Deer Mountain Fire Protection District (Fire Station No.30). The site is located south of the intersection of Bird Point Drive where Bird Point Drive connects back into Bird Point Drive, in the Indian Springs Subdivision. The site is 1.0 acres and was approved for fire use through a Subdivision Waiver by the Board of County Commissioners. There is an existing garage that will remain and a proposed garage that will be heated for fire equipment.

Representative: Karen McKee

Karen McKee explained that Deer Mountain Fire Protection would like to build a bigger garage that is heated and can house a larger fire truck and keep equipment where it won't freeze. The current building will remain where it is, but is not heated.

Matt Koch stated they did turn in a complete application and has no problem recommending approval.

Commissioner Payne moved to approve Resolution #22, SRU 17-002 Deer Mountain Fire Protection (Fire Station No.3) and waiver of half the application fee. Commissioner McFall seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner McFall, aye; Commissioner Bell, aye. The motion carried.

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4. Request: ZC 17-001 – Journey Quest Zone Change Request

Request approval of a Zone Change from Agricultural Forestry to Rural Highway Business, Department file #ZC 17-001 Journey Quest by Mark Anderson, for the property which is located at the northwest corner of the intersection of U.S. Highway 50, and Fremont County Road 27, in the Texas Creek area. Journey Quest is a non-profit rafting and outdoor wilderness ministry. JQ has operated from across the street in a small building behind the restaurant, Barry's Den, for many years and wants to move to the vacant property across the street as proposed. The site consists of 6.29 acres, along the Arkansas River.

Representative: Mark Anderson

Mark Anderson explained that they run a non-profit rafting and outdoor wilderness ministry. They have been doing this for some time now using a small building behind Barry's Den in Texas Creek. The owners of Barry's Den have the property up for sale and over the years they have out grown that little building. They are now hoping to acquire the property directly across the road from where they are currently and build a larger place.

Matt Koch stated that they did turn in a complete application and has no problem recommending approval.

Commissioner McFall moved to approve Resolution #23, ZC 17-001 Journey Quest Zone Change. Commissioner Payne seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

Commissioner Bell adjourned the meeting at 10:32

COUNTY CLERK & RECORDER