

**FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
June 7, 2022 AT 3:00 P.M.**

MEMBERS PRESENT

Mark Masar (Chairman)
John Hamrick (Vice Chair)
Larry Brown
Gardner Fey
Travis Payne
Dale McCullough

STAFF PRESENT

Mica Simpleman, Director
Joanne Kohl, Office Manager

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**

May 3, 2022 Planning Commission Meeting

5. **UNFINISHED BUSINESS**
6. **NEW BUSINESS**

A. CUP 22-001 FREMONT PAVING & REDI-MIX

Fremont paving and Redi Mix, Inc. would like to submit a Land Use Application for the expansion of the Penrose pit from 791 acres to 1047.5 acres. For the purpose of mining activity, dust suppression and Aggregate washing.

Fremont County's Master Plan states "the need for mined materials increases as the population rises". It also notes that "ingenuity in mine reclamation can benefit neighborhoods by providing wildlife habitat, recreation areas, construction sites, and agricultural lands". Fremont Paving and Redi Mix, Inc. strives to provide material that continues to help Fremont County grow and thrive. Aggregate is a much-needed resource for such growth. We also strive to have a low impact on our surroundings so that we remain good neighbors in our part of the county. When we are finished with the site, we will reclaim it to be of further benefit to not only the landowners, but the community

Representative: Jodi Schreiber

1. **CALL TO ORDER**

Chairman Mark Masar called the meeting to order at 3:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

Pledge of Allegiance was recited.

3. **APPROVAL OF THE JUNE 7, 2022 AGENDA**

Chairman Masar asked if there were any changes, additions or corrections to the June 7, 2022 Fremont County Planning Commission Agenda.

MOTION

Mr. Fey motioned to accept the June 7, 2022 Fremont County Planning Commission Meeting agenda.

SECOND

Mr. Brown second the motion.

Chairman Masar called for a roll call vote, and the motion passed unanimously. (6 of 6)

4. **APPROVAL OF THE MAY 3, 2022 PLANNING COMMISSION MEETING MINUTES**

Chairman Masar asked if there were any changes, additions or corrections to the May 3, 2022 Fremont County Planning Commission Meeting Minutes.

Chairman Maser stated he has one change on item 4 on the second page, it says Vice Chair Masar and it should say Chairman and Masar is spelled Maser, needs to be changed to Masar.

MOTION

Mr. McCullough motioned for approval of the May 3, 2022 minutes, with the above stated changes.

SECOND

Mr. Hamrick second the motion.

Chairman Masar called for a roll call vote and the motion passed unanimously. (6 of 6)

5. **UNFINISHED BUSINESS**

6. **NEW BUSINESS**

A. CUP 22-001 FREMONT PAVING & REDI-MIX

Chairman Masar calls Mrs. Jodi Schreiber to speak.

Mrs. Schreiber states that Fremont Paving and Redi-Mix is asking today for an expansion of the site. They have been operating it now for many years and are looking to expand it further to the west on the other side of the creek. Everything to the east towards 115 is our current mining permit and they are looking to do an expansion to the west side. They will maintain all of their current practices. They will continue phasing all the way through the permit from west to east until they hit highway 115 and then they will jump across the creek and start that direction until they finish up mining. With this additional acreage, this project could probably last another 20 or 30 years.

Chairman Masar asks for a staff report from Director Mica Simpleman.

Director Simpleman states as they have explained, they would like to go from the 791 acres to 1021.4 acres. It's located north of the Arkansas River and County Road 119.

Comments received back from Fremont County Department of Transportation stating they reviewed the above application and the requirements are as recorded under resolution 63 series of 1996. The projects manager states the storm water drain plan and report that there is no sedimentation funds on the site or phase map therefore a storm water drain plan and report is not required. No storm water detention is required by the county regulations because no permanent structures are being added. At this time they would recommend approval for the application.

He states planning and zoning would also recommend approval for this application with the following waivers of landscaping, reclamation will occur upon completion of all mining activities and will follow the reclamation plan that is attached and has been approved by the Colorado Department of reclamation mining and safety. A waiver of lighting states operations will occur during the daytime hours with portable lighting only used on occasional emergency basis.

Mr. Fey asks if they have a wash plant out there.

Mrs. Schreiber replies, yes

Mr. Fey asks if they have a pit that they cycle through.

Mrs. Schreiber replies yes, there are 2 ponds that they usually recycle the water through.

Mr. Fey asks that one point in the application it said there was a lease with a GUA.

Mrs. Schreiber replies that it is called AGUA, Arkansas Groundwater Users Association. That is for a wash plant. What they have is called a substitute water supply plan for them to use the water in that wash plant, you have to purchase water from someone like AGUA that has it available to then do their wash operation. So they can purchase 5, 10 or 20 acre feet of water every year and then they include that in their substitute water supply plan.

Mr. Fey states that there was also in one of the deeds at 20 shares of Canon City hydraulic ditch.

Mrs. Schreiber states that's something they probably do have but they don't use that for this particular instance, they normally go out and purchase water for operations like this.

Mr. Payne asks for the Fire Protection via the pump in the river, is that required to be augmented as well.

Mrs. Schreiber replies she is not sure, they obviously have a meter right there so everything that would come through would be metered and then after the emergency is over they would have to settle back up with the state and figure out how they would need to purchase additional water, include that in the substitute water supply plan. She can definitely find out.

Mr. Payne states that being in mining you have to have a storm water plan under the state for everything. All the expanded operations, does that fall under your storm water plan.

Mrs. Schreiber replies yes. She states essentially most sites are pretty conducive to having all the storm water that just flows back into the pit because you are essentially creating kind of a bowl. A lot of times they will try to have earthen burms on the outside that are like straw bottles on the outside to try to keep the water in. As long as they keep it in the site, and then it has to percolate through the ground in a 72 hour period, then you don't have to augment for that water.

Mr. Fey asks if it is all gravel out there do they do any crushing.

Mrs. Schreiber replies yes they are doing some crushing.

Vice Chair Hamrick asks do they have a mining permit from the State of Colorado and are they in compliance or do they have any open concerns or action items from the state on their last inspection.

Mrs. Schreiber states yes they do have a permit with the state and that they do come out and do a pre-approval inspection. Mr. Kazir was out there earlier this year and nothing was cited at the time.

Vice Chair Hamrick asks on their storm water report are they required to report semi-annually or annually on that.

Mrs. Schreiber replies they report quarterly on the EPA website.

Chairman Masar asks when they pump out the wet pits, where does it get pumped to.

Mrs. Schreiber states they have washing ponds and their pump recirculates it and washes the material and recirculates that water so they don't have to use so much and makes it much more efficient. They use water out of the river and then it will settle through at the bottom.

Chairman Masar opens the floor for a motion.

MOTION

Mr. Fey motioned to approve CUP 22-001 Fremont Paving & Redi-Mix with a waiver of the landscape and lighting requirements.

SECOND

Mr. Brown second the motion.

Chairman Masar called for a roll call vote and the motion to approve CUP 22-001 Fremont Paving & Redi-Mix passed unanimously (6 of 6)

7. **ADJOURNMENT**

Chairman Masar adjourned the meeting at 3:17 p.m.



CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION 7/5/2022
DATE