

MEETING MINUTES  
GRAND COUNTY BOARD OF COUNTY COMMISSIONERS  
GRAND COUNTY DEPARTMENT OF SOCIAL SERVICES  
GRAND COUNTY BOARD OF HEALTH  
GRAND COUNTY HOUSING AUTHORITY

February 22, 2022

Present: Commissioner Richard D. Cimino, Commissioner District 1  
Commissioner Merrit S. Linke, Commissioner District 2  
Commissioner Kristen Manguso, Commissioner District 3

Also Present: County Clerk and Recorder Sara L. Rosene  
County Manager Ed Moyer  
Assistant County Manager Micah Benson  
Interim County Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

Commissioner Linke moved to approve the Minutes of the Regular Board of Commissioners meeting of January 25, 2022.

The motion passed unanimously.

Commissioner Linke moved to approve the Minutes of the Regular Board of Commissioners meeting of February 1, 2022.

The motion passed unanimously.

Commissioner Linke moved to approve the Minutes of the Regular Board of Commissioners meeting of February 8, 2022.

The motion passed unanimously.

General Public Comments

Mariette McGrath expressed gratitude for living in America.

Finance

Cathy Henderson presented the County Fixed Assets for 2022.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on February 23, 2022, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the checks presented on February 22, 2022, for payment on February 23, 2022, for the Grand County Housing Authority.

The motion passed unanimously.

Commissioner Cimino moved to approve the vouchers presented on February 22, 2022, for payment on February 23, 2022, for the Grand County Department of Human Services.

The motion passed unanimously.

Commissioner Cimino moved to approve wire payment, vouchers, and interfund transfers presented on February 22, 2022, for payment on February 23, 2022, for Grand County.

The motion passed unanimously.

Departmental Contracts, Comments, Issues

Commissioner Cimino moved to approve the Memorandum of Understanding for the Aviation Weather Camera Installation at the Granby-Grand County Airport, Emily Warner Field as presented.

The motion passed unanimously.

Commissioner Linke moved to approve the Letter of Agreement between Grand County Board of Commissioners and Kent Turner for Hangar No. 4 at the Granby – Grand County Airport for a period of time January 1, 2022 through December 31, 2022 as presented.

The motion passed unanimously.

Commissioner Cimino moved to approve the IGA between Grand County and Town of Fraser for certain election services for the April 5, 2022 Municipal Election as presented.

The motion passed unanimously.

Chief Deputy Coroner Tawnya Bailey requesting an additional fulltime employee for the Coroner's Office. The Board has no objection to allowing an additional employee and understands this will require a supplemental for 2022.

Commissioner Linke moved to approve the Intergovernmental Agreement between Grand County and AGNC Northwest Enterprise Zone.

The motion passed unanimously.

Megan Ledin of Grand Foundation stated that she may be coming to the Board for funds for the eleven housing units in Grand Lake.

Commissioner Cimino moved to approve Resolution No. 2021-11-23, "A RESOLUTION APPROVING THE FINAL PLAT, PETERS SUBDIVISION EXEMPTION, LOCATED OF PORTION OF THE SE ¼ OF THE NE ¼, NE ¼ OF THE SE ¼ & NW ¼ OF THE SE 1/4 SECTION 30, TOWNSHIP 2 NORTH, RANGE 81 WEST OF THE 6<sup>TH</sup> P.M. GRAND COUNTY, COLORADO" and authorize the Board to sign all applicable documents.

The motion passed unanimously.

### Grand County Board of Health

Chair Manguso announced the Board is sitting as the Grand County Board of Health.

Public Health Director Abbie Baker reported.

#### Grand County

25 cases in last 7 days. That puts Grand County in the yellow case rate of 159.1 per 100,000

54 cases in last 14 days

Averaging 3.5 cases per day

28 percent of the cases in the last seven days are pediatric cases

22.2 percent in the last 14 days have been pediatric cases

22.6 percent of the total population have reported positive cases

One hospitalization today

No additional deaths related to COVID

Five active outbreaks

#### In the Foothills RETAC Region

ICU beds – 12 percent available which is 27 beds

Acute care beds – 7 percent = 66 beds available

64.5 percent of the county residents is up-to-date on vaccinations

73.8 percent of the county residents received at least one dose

8.2 percent of the county residents have natural immunity in the last 90 days

71.2 percent to 81.2 percent is the community immunity

Statewide 385 hospitalizations for flu H3N2 A

2.2 per 100,000 for flu

120 per 100,000 for COVID

The positivity rate for flu is 2.54 percent

Chair Manguso announced the Board is sitting as the Grand County Board of Commissioners.

### Manager and Attorney Items

County Manager Ed Moyer stated that he is meeting with the Winter Park Town Manager on the Winter Park Resort Master Plan.

### Board Business / Correspondence / Calendar

The Board requested support of House Bill 22-1117. The change to the use of the Lodging Tax would require a local vote in order to change the use locally.

The Tourism Board members present agreed to take the request back to the Tourism Board to discuss.

Commissioner Cimino moved to continue the Blight Hearing to March 1, 2022 at 9:45 am

The motion passed unanimously.

The Board agreed it will fund up to \$10,000 for the review of pre-trial services.

### Calendar

Feb 22 Connectivity Channel meeting at 6:00 pm  
Feb 23 Monthly Legislator Breakfast (tentative), via Zoom, 8 to 10 am  
Feb 23 BOCC to Attend U.S. Forest Service Meeting at Grand Fire RE: Summer Event Planning, starting at 10 am  
Feb 23 Leaving a Lasting Legacy Workshop at CSU Extension in Kremmling, noon to 4 pm  
Feb 24-25 Colorado Counties, Inc. (CCI) Steering Committee Meetings, via Zoom, starting at 9 am  
Feb 24 Counties & Commissioners Acting Together (CCAT) Monthly All-Member Meeting via Zoom, 3:30 to 5 pm  
Feb 28 Colorado Basin Roundtable Next Steps Meeting via Zoom, noon to 4 pm  
March 2 GC BOCC Bi-Annual Update to the Town of Fraser, Fraser Town Hall, 6 to 7 pm  
March 2 GC Rural Health Network Board Meeting via Zoom, 6:30 to 8 pm  
March 3 Colorado Association of Ski Towns (CAST) Annual Legislative Meeting and Dinner in Denver, 11:30 am to 6 pm  
March 3 Check-In with Colorado Commissioner of Agriculture Kate Greenberg via Zoom, 4 to 5 pm  
March 4 CCI Legislative Briefing via Zoom, all day  
March 4 Transit Advisory Committee Meeting at Winter Park Town Hall, 4 to 5 pm

### Amended Final Plat, Lots 85-87, Block 6, Columbine Lake

PROJECT NAME: Amended Final Plat, Lot 85A and Lot 87A, Block 6, Columbine Lake  
APPLICANT Applicant1: BONNETT, CHRISTINE & CHRISTOPHER  
Applicant 2: SILVERTHORN, MARK HAROLD & MARY SUZANNE  
LOCATION Lots 85-87 Block 6, Columbine Lake 34, 54 & 72 GCR 4981/Marigold Lane  
ZONING Residential District (R)  
APPLICABLE REGULATIONS Grand County Zoning Regulations, Grand County Subdivision Regulations, Grand County Master Plan

### ATTACHMENTS

- A. Development Application
- B. Project Narrative
- C. Vicinity and Detail Map
- D. Title Commitments Lots 85-87
- E. Warranty Deeds Rec. Nos.: 2020005578, 2021009337, and 2021009421
- F. Proposed Amended Final Plat
- G. Original Columbine Lake Final Plat, Reception no. 110970
- H. Planning Commission Resolution No. 2022-1-2
- I. Proof of Property Taxes Paid

STAFF PLANNER Taylor Schlueter, Planner I  
REQUEST Approval of an Amended Final Plat splitting Lot 86 into halves, with each respective half being combined with the whole of adjacent Lots 85 and 87.

### BACKGROUND

#### a. Proposal

The Applicants, CHRISTINE & CHRISTOPHER BONNET and MARK HAROLD & MARY SUZANNE SILVERTHORN, own Lot 85 and Lot 87, respectively, of Block 6, Columbine Lake Subdivision via Warranty Deeds recorded at Reception Nos. 2020005578 and 2021009421, respectively. They jointly purchased lot 86, which lies in between their respective lots, in August 2021, via a Warranty Deed recorded at Reception No. 2021009337.

The Applicants' desire in this project is simply to preserve open space that currently exists on the undeveloped Lot 86. At this time no development of accessory structures are planned.

The Applicant is not requesting a vacation of the 5-foot utility easement that runs along each side of the interior property lines of Lot 86. This non-exclusive easement was then conveyed to the Columbine Lake Water District (Rec. No. 176297) and Three Lakes Water and Sanitation District (Rec. No. 176299) in 1980.

When the lot combination is completed, Lots 85A and 87A will total 0.31 and 0.34 acres (13,503 and 14,810 square feet), respectively. The minimum lot size for properties zoned Residential, served by both public water and sewer, is 0.161 acres, or 7,000 square feet.

b. History

Columbine Lake Subdivision was created May 2, 1969 recorded at Reception No. 110970. It consists of approximately 543 lots within 207 acres. It is a covenant controlled community with a very active Home Owners Association (HOA).

The utility easement to remain is a non-exclusive easement not included on the original 1969 plat. It was conveyed to the Three Lakes Water and Sanitation District via an Easement Deed (Rec. # 176297) in 1980.

Grand County cannot process the vacation of an easement that is not dedicated to the public. It is Staff's determination that both the Columbine Lake Homeowners' Association (AKA Columbine Lake Country Club) and the Three Lakes Water and Sanitation District have a legal interest in the utility easement and therefore both of these entities will need to take all necessary formal actions to vacate this easement. Any vacation of an interior lot line easement shall be via Quit Claim Deed which shall be recorded prior to recording of any approved Plat. Again, the Applicants have not expressed a desire to vacate this easement, as no development is planned on the vacated lot lines.

STAFF ANALYSIS

The lots are located in the Columbine Lake Subdivision. Recently, Staff has been made aware that the Owners Association has been desirous of having owners who own multiple lots combine them through this process. Columbine Lake Subdivision is located within Grand County Urban Growth Area 2 and is served by both public water and sewer, making it a location where Staff would desire that lots be used for more dwellings to create density. However, without maximum lot areas or other defined restrictions within our regulations, the County is limited in preventing lot combinations and will continue to support allowing property owners to use their land as they desire. ✓The applicant shall provide a Letter of Support from the Columbine Lake Homeowners' Association (AKA Columbine Lake Country Club).

PLANNING COMMISSION

On January 12, 2022, the Planning Commission recommended approval of this Amended Final Plat with seven (7) conditions as outlined in Resolution 2022-1-2.

STAFF RECOMMENDATION

Staff recommends the approval of the Amended Final Plat, Amended Lots 85A & 87A, Block 6, Columbine Lake with the following conditions to be met:

1. The Title of the Amended Final Plat shall be corrected to read as shown in this certificate §4.3 (2) (a).
2. The applicant shall provide a Letter of Support from the Columbine Lake Homeowners' Association (AKA Columbine Lake Country Club) prior to recording.
3. The plat shall provide the reception number of the utility easement.
4. An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat [§3.2 (2) (s)].
5. Such additional information as may be required by the Grand County Board of County Commissioners [§3.2 (2) (t)].
6. A quit claim deed shall be filed concurrently and following the Final Plat Mylar to correct the Legal Description from the three properties to the two subject properties within the Real Estate Records of Grand County.
7. An updated title commitment for each of the three lots shall be provided prior to recording of the Final Plat.
8. Current property taxes due for Lot 85 shall be paid in full prior and show a \$0.00 balance to recording of the Final Plat.

All legal documents required in conjunction with the final approval of this request are subject to the review and acceptance of the County Attorney.

Commissioner Cimino moved to approve Amended Final Plat, Lot 85A and Lot 87A, Block 6, Columbine Lake with the additional requirement to add the utility easement to the plat.

The motion passed unanimously.

Amended Final Plat, Lo 2-56 The Fairways at Pole Creek, Phase 2

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|--------------|--|
| PROJECT NAME | Amended Final Plat, Lot 2-56, Fairways at Pole Creek Subdivision |
| APPLICANT    | Donald M. Neff   |
| LOCATION     | Lot 2-56, Fairways at Pole Creek Subdivision 180 GCR 5113        |

ZONING

Forestry & Open District

APPLICABLE

REGULATIONS

Grand County Zoning Regulations, Grand County Subdivision Regulations,  
Grand County Master Plan

ATTACHMENTS

- A. Development Application
- B. Project Narrative
- C. Vicinity and Detail Map
- D. Title Commitment
- E. Warranty Deed, Rec. No.: 2020007187
- F. Proposed Plat
- G. Fairways at Pole Creek Subdivision - Plat, Reception No. 97011057
- H. Statement of Taxes Due – 2022
- I. Letter of Support from Fairways at Pole Creek HOA
- J. Planning Commission Resolution No. 2022-2-1

STAFF PLANNER

Taylor Schlueter, Planner I

REQUEST

Approval of an Amended Final Plat adjusting the location of an existing building envelope.

I. DISCUSSION

a. Background:

Donald Neff, the “Applicant”, has been the owner of Lot 2-56 of Fairways at Pole Creek Subdivision since 2020, via a Warranty Deed recorded at Reception No. 2020007187 (Attachment A).

The property is located within Grand County Rural Growth Area 2 and is zoned Forestry & Open. The property is bordered by a single family residential use to the west, vacant lots to the south and north, and Pole Creek Golf Course to the east.

The Applicant is proposing an Amended Final Plat that would alter the location of the originally platted building envelope by moving its location approximately 100 feet west, away from the golf course fairway, in order to decrease likelihood of errantly hit golf balls hitting the home they plan to build. This change will also increase the distance between adjacent building envelopes. Currently, platted building envelopes directly adjacent to the Applicant’s property line up more or less in a line. The Applicant’s proposal seeks to stagger his envelope, increasing the distance between his building envelope and each neighbor’s.

The Applicant has provided a letter of support from the Fairways at Pole Creek Home Owners Association.

b. History:

Fairways at Pole Creek was originally platted in 1997 at Reception No. 97011057. Each lot platted was assigned a specific building envelope location, in order to preserve scenic view corridors as well as maintain an increased distance between homes/lots.

C. STAFF COMMENTS AND ANALYSIS

With neighbor and HOA support, increased view corridors for all parties, and increased safety of any future structures located on the subject lot, Staff feels that this proposal to allow the adjustment of the location of a building envelope is reasonable and justified.

D. PLANNING COMMISSION

On February 9, 2022, the Planning Commission recommended approval of this Amended Final Plat, with the eight (8) conditions as outlined in Resolution 2022-2-1.

E. STAFF RECOMMENDATION

Staff recommends the approval of the Amended Final Plat Lot 2-56A Fairways at Pole Creek Subdivision with the following conditions to be met prior to the recording of the Final Plat.

1. The title of the Amended Final Plat shall be amended (see 4.3 (2) (a) above).
2. The legal description shall be added (see 4.3 (2) (b) above).
3. Add the dedication statement (see 4.3 (2) (k) above).
4. Add the surveyor’s certificate (see 4.3 (2) (l) above).
5. Add certificate lines for Surveyor, Board of County Commissioners, and the Planning Commission(see 4.3 (2) (m-0) of the Grand County Subdivision Regulations)
6. The following subsection requirements of Section 4.3 (2) of the Grand County Subdivision Regulations shall be added to the Final Plat before the time of recording: (b) Legal description of property, together with a complete reference to the book and page of records of the County Clerk and Recorder where the conveyance to the subdivider is recorded. (c) Primary control points, or description and ties to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.(d) Tract boundary lines, rights-of-

way lines of streets, easements and other rightsof-way, and property lines of residential lot and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves with long chord bearings and distances.

7. Proof that all taxes have been paid shall be submitted (see 4.3 (2) (x) above).

8. An electronic copy of the Final Plat shall be submitted (see 4.3 (2)(y) above).

9. Quit Claim Deeds to describe the amended the legal description of the lots.

10. All recording fees shall be paid by the Applicant.

Commissioner Cimino moved to approve Amended Final Plat, Lot 2-56, Fairways at Pole Creek Subdivision with staff conditions and the condition that the final plat be produced that reflects what is being requested. The motion passed unanimously.

Patty Kemper received the County Coin of Excellence for her excellent work in Community Development.

There being no further business to come before the Board, the meeting was adjourned at 4:01 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 8<sup>th</sup> day of March 2022.

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Kristen Manguso, Chair

Attest:

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Sara L. Rosene, Clerk and Recorder