

# MINUTES – REGULAR MEETING GRAND COUNTY BOARD OF COUNTY COMMISSIONERS

June 16, 2015

**Present:** Commissioner James Newberry, Commissioner District 1  
Commissioner Merrit Linke, Commissioner District 2 - Chair  
Commissioner Kris Manguso, Commissioner District 3

**Also Present:** County Manager Lurline Underbrink Curran  
County Attorney Jack DiCola  
County Clerk and Recorder Sara Rosene  
Assistant County Attorney Bob Franek  
Finance Director Scott Berger  
Road and Bridge Supervisor Ken Haynes  
Veterans Service Officer Duane Dailey  
Housing Authority Director Jim Sheehan  
County Treasurer Christina Whitmer  
IT Director Martin Woros  
County Assessor Tom Weydert  
County Engineer Tim Gagnon  
Social Services Director Glen Chambers  
County Sheriff Brett Schroetlin

Those present recited the Pledge of Allegiance.

Commissioner Linke stated that as always, we are one Nation under God and we ask God for his help to help us learn from the past, to make good decisions today for the best Grand County future possible.

## Minutes

Commissioner Newberry moved to approve the minutes of the Special meeting of the Board of County Commissioners of June 1, 2015, as presented.

The motion passed unanimously.

## Housing Authority

The Board convened a Special meeting of the Grand County Housing Authority.

## Finance Director

Scott Berger, Finance Director, presented the Warrant Register and Expenditure List to be paid on June 17, 2015, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Newberry moved to approve and sign the warrants to be paid on June 17, 2015.

The motion passed unanimously.

Mr. Berger requested that the Commissioners direct the Treasurer to transfer money between funds as listed on the public notice.

Commissioner Manguso moved to approve transfers as presented.

Discussion: Part of the transfer is from the 911 Emergency Telephone Service Authority for six months of funding for dispatch. Another portion is from sales tax to be moved to capital improvements. That is part of taking sales tax to fund capital improvements.

The motion passed unanimously.

## Road and Bridge Update

Krik Thurow and Jeff loving of Battle Creek Ranch came to speak with the Board regarding the install of a cattle guard.

Road and Bridge Superintendent Ken Haynes stated that Messrs. Thurow and Loving are inquiring about the installation of a cattle guard on County Road 34. It is 1.5 miles south of the intersection of County Road 3 and County Road 34. It is just past the Brinker Creek Ranch.

Battle Creek Ranch owns both sides of the road all the way to Forest Boundary. The request is to create a watering opportunity for its 900+ cattle. They ranch consists of 900 acres.

Mr. Haynes stated that putting the cattle guard will allow cattle to be run in the area for a few weeks. Battle Creek Ranch is willing to pay 100 percent of the costs. The costs involved are the cattle guard, blocks, culvert, and installation. Mr. Haynes confirmed that the road will be open range. Mr. Haynes stated that the County will put up a fold down sign that can be opened when the cows are on the road.

Mr. Haynes recommends approve the cattle guard installation.

Commissioner Newberry stated that if the applicant is paying for the materials, the County should cover the cost of installation.

Commissioner Manguso moved to approve the application for installation of a cattle guard in Grand County. The applicant will pay for the cattle guard, concrete blocks, and culvert if necessary. The cost of installation will be waived. The installation will be done by Road and Bridge.

The motion passed unanimously.

Mr. Haynes stated that work on County Road 804 is moving along. The weather has been detrimental to the backfill. The water line has been finished. Work on the storm sewer should start today.

Mr. Haynes stated that with regard to fill, it is quite wet down below. It is making compaction and grading difficult. There is talk of putting in Morrow's contract to dig it out and backfill with pit run to get a good base under the asphalt.

Mr. Haynes stated that Morrow will need to put two feet of cover over the pipe and then will need to do four to five feet of pit run and the rest will be Class C.

Mr. Haynes stated that he does not want PDI to mobilize out and come back in. PDI will pass the line item off to Everist and let them take care of it. Mr. Haynes stated that there will not be an additional cost to the County. It will be a loss to PDI and its Construction Contract. There will need to be a Change Order if this comes to pass. Mr. Haynes stated that a final decision has not been made because the intent is to wait for the area to dry up.

Mr. Haynes stated that at the intersection of County Roads 804 and 834 at the top of Cramner and Meadow Ridge Drive, the contractor did put pit run in at that point so it would not be detrimental to the traffic flow.

Mr. Haynes stated that Mountain States Snowcat fulfilled its contract by having Corona Pass open for a snowcat. Mr. Haynes stated that the District Foreman from that area drove up the pass and got stuck. The Forest Service has now closed the gates.

Mr. Haynes reported that County Road 1 dropped one to two inches over the weekend. Mr. Haynes reported that County Road 3 is probably better than Highway 40.

Mr. Haynes stated that work on County Road 57 seems to be holding. The CFS was 1,180. In May of 2011 it was 1270; that was the high water.

Mr. Haynes reported that the magnesium chloride cars came in this morning.

Mr. Haynes reported that there is a lot of high water around the County and most of the culverts are doing well.

Commissioner Newberry stated that he would like to make another attempt at having CDOT to restripe the intersection at County Road 8 and Highway 40. There is an accel/decal lane going into the pole yard but there

is not an accel/decal lane coming out of County Road 8. Commissioner Newberry would like to ask the Town of Fraser to participate in the request.

The Board will go forward to make the request to CDOT as well as to Fraser.

#### Departmental Contracts, Comments, Issues

Juvenile Services Director Kelly Friesen presented a Contract Amendment to be signed. The contract has been reviewed by legal. This is a Contract Amendment to add Senate Bill 215 to the Senate Bill 94 contract so there will not be a gap in services.

Commissioner Newberry moved to authorize the Chair to sign the Contract Amendment between Grand County and the State of Colorado, Department of Juvenile Services, Division of Youth Corrections. This is to allocate funds that are already in an account as presented by the Senate Bill 94 Coordinator.

The motion passed unanimously.

Ms. Friesen stated that the Board of Commissioners need to make a recommendation to the Chief Judge as to who should be on the JSPC in January and the Chief Judge wants that July 1.

Commissioner Newberry moved to give a recommendation for the JSPC (Juvenile Services Planning Committee) for the appointment of James Newberry, Bill Housely, and Glen Chambers.

Discussion: Commissioner Manguso asked if the County ever asks other people to work in these positions. Ms. Friesen stated that she can provide more names but statutorily the committee must consist of people in specific positions. Mr. Friesen stated that the JSPC decided a long time ago to allow three people from each County. The only position that is unique is social services. It is specialized due to the interaction.

The motion passed unanimously.

Larry Banman and DiAnn Butler came before the Board on a few issues. Mr. Banman stated that he understands that the Board will be the authorized representative on the bank account. The bank needs a copy of driver license and social security card.

Commissioner Manguso moved to authorize the Board to be on the Bank of the West Fair Board account as authorized representatives.

The motion passed unanimously.

Mr. Banman stated that he has contracts for the fair from Lexi Larson, CPRA rodeo, and Randy Lewis. The contracts have been approved by the Fair Board.

Commissioner Manguso moved to authorize the Fair Board to enter into contracts with Lexi Larson, Randy Lewis, and CPRA.

The motion passed unanimously.

Mr. Banman stated that he understands that CSU has a one-page contract with the livestock judges.

Mr. Banman presented a contract with Get Smashed for the Demolition Derby. The contract was prepared by legal and signed by Will and Becca Jones.

Commissioner Manguso moved to approve the Services Contract between Will and Rebecca Jones doing business as Get Smashed and Grand County in the amount of \$4,000.

The motion passed unanimously.

DiAnn Butler presented an Amendment to the RRC Contract. It has been extended for the community profile to October 31, 2015.

Commissioner Newberry moved to authorize the Chair to sign the First Amendment to the Contract between Grand County and RRC Associations for no additional money.

The motion passed unanimously.

Information Services Director Martin Woros came before the Board to request release of capital for two printers. The cost for each printer is \$1,199 for a total cost of \$2,398.

Commissioner Newberry moved to authorize the release from capital for the IT Department of \$2,398 as presented by IT Director.

The motion passed unanimously.

Social Services Director Glen Chambers and Collaborative Management Coordinator Deb Ruttenberg came before the Board to request the final signatures on the Memorandum of Understanding that she presented at an earlier meeting.

Commissioner Manguso moved to approve the Memorandum of Understanding and to allow the Chair to sign for the Collaborative Management Agreement as presented by Deb Ruttenberg.

Discussion: This authorizes the Board as the fiscal agent.

The motion passed unanimously.

Ms. Ruttenberg stated that the bill is House Bill 1451 but it is the Collaborative Management program. Over the past year, there has been a push to describe the program as the Collaborative Management Program instead of 1451.

Veteran Services Officer Duane Dailey presented a Veteran's Assistance grant that needs to be signed and returned to the state. The grant is for \$15,000 for the Grand County Veterans Service Office to be used for mental health counseling, homeless veterans assistance, housing assistance, rent and mortgage assistance, travel, job assistance, job placement, food and gas cards, repair of vehicles, utilities, etc. This grant has to be used for veterans. It can be used through other agencies such as the Council on Aging.

Commissioner Manguso moved to approve the Chair to sign the state of Colorado Department of Military and Veterans Affairs grant agreement in the amount of \$15,000 as presented.

Discussion: Mr. Dailey stated that the grant requests from other agencies will go through him.

The motion passed unanimously.

Sheriff Brett Schroetlin stated that he had a workshop with the Board on May 5 and talked about animal control expenses for the building. The asbestos removal will be \$5,200. The finalization of work is \$5,800. The work will be performed by High Country Construction. The asbestos removal will be performed by Aspen Industries. Sheriff Schroetlin stated that the funds will come out of the capital improvements plan.

Sheriff Schroetlin stated that work in the cat room will be \$2,775 and that will come out of the Sheriff's budget. Sheriff Schroetlin stated that the \$2,775 is already in his budget but the \$11,000 is not in his budget.

Commissioner Newberry moved to authorize the release of capital in the amount of \$11,000 for asbestos removal for the rest of the construction as presented.

Discussion: Commissioner Manguso noted in a meeting with the Finance Director that the County is spending down reserves. This is one of the items that the Board has discussed. Commissioner Newberry stated that the County has by design decided to spend down the reserves.

The motion passed unanimously.

Under Sheriff Wayne Schafer presented the Board with the Colorado Northwest Training Region Post Grant. The grant application requires a signature from the Chairman. This year, Grand County was approved for \$153,247.50. The granting area is Grand, Routt, and Moffat Counties. The grant takes effect July 1, 2015.

Commissioner Manguso moved to approve a POST grant as presented by the Undersheriff in the amount of \$153,247.50.

Discussion: Undersheriff Schafer stated that Grand County is the fiscal agent. Undersheriff Schafer stated that Grand County received more money this year because some counties did not participate.

The motion passed unanimously.

Undersheriff Schafer presented a contract for the carpet installation. The total cost will be \$9,993.

Commissioner Manguso moved to authorize the Chair to sign the contract between Grand County and North Metro Carpet Inc. in the amount of \$9,993.

The motion passed unanimously.

County Clerk and Recorder Sara Rosene presented:

Dale Heckerson, Manager of Ranch Operations, Inc dba C Lazy U Ranch is requesting renewal of his Tavern Liquor License.

All fees have been paid to the State and to Grand County. The Sheriff's letter reflects no adverse actions.

I would like to recommend approval of the renewal request for the Tavern Liquor License.

[End of memo]

Commissioner Manguso moved to approve the liquor license renewal application for Ranch Operations, Inc dba C Lazy U Ranch as presented.

The motion passed unanimously.

#### Board Business/Correspondence/Calendar

Commissioner Newberry stated that the County received a request for Conservation Trust Fund from the Middle Park 4H Council. The group will be doing some work at the fairgrounds.

Commissioner Newberry moved to release Conservation Trust Funds in the amount of \$1,000 to be split evenly between the three districts with the extra dollar coming out of District 3.

The motion passed unanimously.

#### General Public Comments/Issues by any member of the public wishing to address the Board

Grand County citizen Eden Recor stated that he would like to address some issues. There has been talk that the High Country Conservatives group is a secretive group that has the philosophy that it wants to put forward. Mr. Recor stated that the group is not for the hiring or firing of any County employees. The High Country Conservatives was formed about eight years ago in Grand Lake and they tried to put a conservative spin on things. The group evolved and moved to Granby and it has been open to everyone. The High Country Conservatives group is meant to be an open discussion group primarily founded on conservative beliefs and are not trying to form any policies.

Mr. Recor stated that last week when he looked under Board Business on the website, he found only the accounting items. Today there are a number of other items on the agenda link.

Mr. Recor stated that it appears that the Board has a number of organizational charts from different counties. It seems that each county government works just a bit different from others.

With regard to the Expense and Reimbursement Policy, Mr. Recor saw that a couple of sentences were added and Mr. Recor felt it was a great improvement that an employee must file for reimbursement within 60 days of the expense.

Mr. Recor believes the County is starting in the right direction. However, three weeks ago Mr. Recor was told there would be a workshop at 3:15 today on organization. Mr. Recor would like a workshop on the 30<sup>th</sup>. Mr.

Recor would like to have a discussion with the charts regarding all pros and cons of the different organizational charts.

Grand County citizen Peter Ralph read the following:

We are now making a formal request that the BOCC schedule time on their agenda for a discussion on the advisability of an accountability audit/internal controls review, and a presentation by the Audit Scope and Selection Committee.

The Scope and Selection Committee has been formed with the following goals:

- 1) To draw up an RFP for accountability audit/internal controls review for approval by the BOCC
- 2) To review proposals in response to this RFP without fear or favor
- 3) To select a proposal and an audit committee that we can confidently recommend to the BOCC
- 4) The members of the committee are Sandy Doudna, Mimi Kaplysh, Kirk Klancke, Harry Kottcamp, Liz McEntyre, Paul Ohri, and Peter Ralph.

We have no agenda other than the best interest of Grand County government and the citizens of Grand County. Thank you for your consideration.

Commissioner Newberry stated that he likes the idea. Commissioner Newberry stated he would like to have the committee review what has been done by the County to this point.

Mr. Ralph's background is in auditing and the group is aware of the audits that the County has commissioned in the past.

Paul Ohri stated that the group talked about openness. Part of the discussion, was the possible inclusion of the Finance Director and Assistant County Attorney. The types of audits the County has had recently were financial. The group does not want to duplicate that effort.

Mr. Ohri stated that that the group wants to assure that the committee is open minded. Mr. Ohri stated that he is not part of the High Country Conservatives group. Mr. Ohri stated that he is at the meeting to show that his name is not just on a piece of paper or an email. Mr. Ohri stated that he has a commitment to this because of his strong feelings for Grand County, Grand County government, and the citizens of Grand County.

Mr. Ohri stated that the group has no other agenda other than getting the best for Grand County government and Grand County citizens. Good government and informed citizenship cannot be separated.

Mr. Ohri stated that Mr. Ralph has done a very good job on this. Mr. Ohri stated that he is not familiar with accountability audits or feasibility audits.

Mr. Ohri stated that whichever way people come from relationships are strained and if they can do something to help that it will be important. Mr. Ohri stated that he has made a commitment to participate because this is important.

Commissioner Manguso stated that she appreciates the group for doing this. Commissioner Manguso stated that she is all for something like this. The group appears to be Republicans and Democrats.

Commissioner Manguso stated that something like this will go a long way towards helping our County heal. Commissioner Manguso stated that she is 100 percent in favor of allowing the group to do what it thinks is necessary to help the County with its goal.

The group hopes to get on the agenda on July 7 and will need 30 to 45 minutes.

Mr. Ralph stated that each of the committee members is happy to speak with each of the Board members to answer any questions or concerns.

Commissioner Newberry asked that the group not do individual contacts with the Board. If there are to be discussions, it would be with all the Board members to assure that everyone is on the same page.

Commissioner Linke agrees that the conversations should not be individual.

Commissioner Manguso recommended that Mr. Ralph schedule time with the County Manager's Secretary to schedule their time on the Board's agenda.

Commissioner Linke asked if the group would like a workshop or an agenda item. The difference being that a workshop is basically informal discussion back and forth where no official decisions are being made and no minutes are taken. Both of the meetings are public livestream.

County Manager Underbrink Curran stated that she put the agenda item as July 7 at 2:15 p.m. to 3:15 p.m. and the agenda item will be listed as a discussion. There will possibly be a small presentation on accountability, audit, and internal control.

### Board Business

Commissioner Linke stated that he asked that the discussion on Home Rule and an organizational chart be put on the agenda under Board Business. Commissioner Linke stated that he brought for the Home Rule discussion.

Commissioner Linke stated that there are only two other counties in Colorado that are Home Rule; Weld and Pitkin Counties. Commissioner Linke spoke individually with the commissioners with both counties in general discussions about why they chose this, how they do it, and what all is involved, etc. Commissioner Linke is still in the process of collecting information on this.

Commissioner Linke did request from Pitkin County that they send a person with background information on it to speak with Grand County.

Commissioner Linke noted that the Board of Commissioners has never had a discussion of whether the Board wants to change the organizational chart.

There is much more research that needs to happen on Home Rule. There are a lot of state statutes to wade through on what a County can or cannot do.

Commissioner Manguso asked if the Board is going to have a discussion on the organizational chart.

Mr. Recor stated that he would like his name removed from the discussion on Home Rule.

Commissioner Linke stated that he believes that the organizational charts and Home Rule discussions need to be considered together.

Commissioner Newberry stated that as an official position, he is not interested in looking at Home Rule. Commissioner Newberry stated that he does not disagree with the theory of Home Rule. Commissioner Newberry does not see any reason to go forward with Home Rule and he does not think that is what Grand County has looked for in the past. It would be an interesting conversation.

Commissioner Newberry stated that he sees no reason to move forward with an organizational chart. Commissioner Newberry has heard from one person interested in the organizational chart. If the discussion on the organizational chart were to take place, it would be with a new County Manager and new positions.

Commissioner Newberry stated that he is not interested in moving forward with any discussion on an organizational chart.

Commissioner Manguso stated that she is open to looking at things and believes that discussions do not hurt. Commissioner Manguso is always in favor of discussion.

County Manager Underbrink Curran stated that the Board selected five people to be interviewed for the County Attorney position. One person declined to be interviewed.

The Board asked Steve Peters, who was the citizen selection committee, to sit in on the interviews. The interviews will be on Thursday, June 18 starting at 9:30 a.m.

Commissioner Linke asked if the Board could release the names of the people applying for the position.

Commissioner Newberry asked if the applicants are ok with releasing his/her name. Commissioner Newberry noted that sometimes people apply for a position and prefer that people not know he/she is interviewing.

County Manager Underbrink Curran noted that there were really good applications.

Commissioner Newberry stated that the Human Resource Director will be in the interviews. Mr. Peters will not be a voting member of the committee. Mr. Peters will be a resource for the Board for the legal side of things.

County Manager Underbrink Curran stated that Mr. Peters is a licensed attorney in the State of Colorado.

Assistant County Manager Ed Moyer stated that he provided the Board with the revised Expense and Reimbursement policy. Mr. Moyer stated that he received an email with proposed changes to policy from Michael Jenkins, auditor with McMahon and Associates. Those proposed changes are red-lined for the Board for its consideration. Mr. Moyer stated that of note was that expenses must be submitted and reimbursed within 60 days of when the expense was incurred in compliance of IRS guidelines.

Mr. Moyer stated that there was a recommendation that this policy be consistently applied to both elected and appointed officials, as well as, all county employees.

Commissioner Linke stated that the policy states that county employees shall obtain department head approval prior to incurring meal expenses.

County Attorney DiCola asked how that would be documented.

Mr. Moyer stated that a department head knows that their employee is traveling and it has already been approved.

County Attorney DiCola stated that this section needs to be clarified.

This item will be continued to next week.

Commissioner Manguso moved to approve the two fee waiver requests. One request is for the Kremmling Chamber to waive the fee for using the dance hall as a back-up location for the events in the park in case of inclement weather for Kremmling Days. The second is for the Roping Club to use the arena on June 27, 2015

The motion passed unanimously.

Commissioner Newberry stated that he would like to acknowledge the Sunset Ridge Paving Committee. Don Sawyer was speaking for the committee and he was thanking the County for its assistance in getting information as far as taking that to the residents. At this time, the group is not going to move forward with the project.

Commissioner Newberry moved to authorize the Board to sign the letter to Kathy Etlar memorializing and thanking her for the 19 years of service to Grand County.

The motion passed unanimously.

Commissioner Newberry moved to authorize the Board to sign the letter to Kremmling Chamber of Commerce notifying them that Grand County has approved the use of fairgrounds property for a liquor license for the Middle Park Fair and Rodeo during 2015.

The motion passed unanimously.

Commissioner Linke stated that the Board received a request that each Board provide his/her driver license number for a County bank account as well as each Board member provide his/her social security number. Commissioner Linke does not feel it is necessary to provide an individual's social security number.

County Treasurer Whitmer stated that there is a specific ruling that the banks must abide by that protects individuals from providing his/her social security number for a government account.

### Calendars

June 17      Monthly legislative breakfast at Carvers in Winter Park

Grand Enterprise at 6:30 p.m. in Granby  
Meeting with Bill Hamilton at 11 a.m. at Road and Bridge  
June 18 County Attorney interviews at 9:30 a.m.  
June 20 Mud Shuffle at fairgrounds in Kremmling  
June 22 1177 meeting at the Extension office in Kremmling at 10:00 a.m.  
July 11 Fly-in at the Granby Airport at 7:00 a.m.  
July 14 Meeting with the Tabernash Meadows Water and Sanitation District regarding vision, policy, and procedures

#### Manager and Attorney Items

County Manager Underbrink Curran requested a motion to allow execution of a Second Amendment to the Big Valley Construction contract in the amount of \$1,200. Ms. Underbrink Curran spoke with the courts last week.

The courts would like to extend the back on the walkway along the rows of the seats in the jury box. The courts will pay half of the \$1,200.

Commissioner Manguso moved to approve the Second Amendment between Big Valley Construction and Grand County as presented by the manager.

The motion passed unanimously.

County Manager Underbrink Curran requested a motion to execute a Construction Contract between Grand County and Lunsford Signs Inc., in an amount not to exceed in \$3,451. This is for the signage for the RICD which is required under the grant. Staff will turn it in under the grant for the County to be paid. Staff got bids as was required and Lunsford, while not the low bidder, provided all information required. The low bidder did not provide all the information required.

Commissioner Linke stated that it appears that the low bidder did not follow the rules.

Commissioner Manguso moved to approve the Construction Contract between Grand County and Lunsford Signs in an amount not to exceed \$3,451.

The motion passed unanimously.

County Manager Underbrink Curran requested a motion to allow the Chairman to sign the First Amendment to the TetraTech contract for the monitoring of the RICD. The engineer that designed the project required the County to contract with TetraTech when it was at a certain design so TetraTech could set survey points so the County would be ready for the reporting that is required.

There is no additional cost to Grand County for this amendment.

Commissioner Manguso moved to approve the First Amendment between TetraTech and Grand County in the amount not to exceed \$2,063 which is being reimbursed by River Restoration.

The motion passed unanimously.

County Manager Underbrink Curran requested a motion to allow the Chairman to execute a Service Contract between Grand County and Colorado West Mental Health for mental health services that Colorado West Mental Health provides to the jail and the Sheriff. The Contract has been approved by the Sheriff. The contract goes from January 2015 to the 31<sup>st</sup> day of December 2015. It is in the amount of \$19,800 which is the same amount budgeted.

Commissioner Manguso moved to approve the Service Contract between Grand County Health and Human Services and Colorado West Regional Mental Health in the amount of \$19,800.

The motion passed unanimously.

County Manager Underbrink Curran stated she had a meeting with Learning by Doing group last week. The group selected the project that is partially on Devils Thumb Ranch with a 50 percent match for the project by Mr., Fanch. Grand County Water and Sanitation owns a piece of property directly next to this and Mr. Hutchins will be asking his board if it will allow public access on its piece of property for fishing. If that is the case, it

may be included in all the work that will be done. Grand County #1 would require a lease by Grand County on that property for public access. It would be a great benefit as it would be a public/private partnership. In addition, there would be public access where there is none on that portion of the Fraser River. It was very generous of Grand County #1 to consider this and staff will have an official opinion when the district has its Board meeting next week.

Learning by Doing is moving ahead and trying to do projects that showcase what it was designed for and the good work that it can do. Ms. Underbrink Curran stated that there is great attendance at that meeting with lots of diverse members who are all attending and participating.

The Learning by Doing group had a presentation by ILVK at the last meeting. Learning by Doing and ILVK will try to coordinate some of the work that the groups are doing in the future so there is not a duplication of work or messing up of a project.

Staff met with CDPHE (Colorado Department of Public Health and Environment) on both landfills. CDPHE is very pleased with what the County has done and how the work is being done. Staff will be sending in the final reports. The reports have been approved verbally but have not been executed.

Ms. Underbrink Curran stated that CDPHE is willing to work with the County to see how the cover will work. It will take the County four to five years to understand how the cover works and how to maintain it. CDPHE is fine with that. CDPHE was pleased that it was not moving on the bottom end.

Commissioner Manguso stated that if this is scheduled again, she would like to attend.

County Manager Underbrink Curran stated that Kirk Stovall has history with Grand County and how it is handling the landfill. Mr. Stovall understands it and has been working on it. Mr. Stovall reported that he will have two new people coming onto his staff.

County Manager Underbrink Curran noted that Road and Bridge is doing a great job at both landfills.

County Manager Underbrink Curran stated that when meeting with CDPHE, staff informed CDPHE that Grand County is open to listening to new ideas on dealing with the slide. It may not be the cylinder pile wall.

Staff was informed that CDPHE is always open to other ideas if a better solution comes up. CDPHE will need to see some pretty detailed engineering but it is not averse to seeing new ideas.

Commissioner Newberry is not concerned with the people that the County has worked with in the past at CDPHE but instead wants to make sure that the new ones coming in have an idea that there are other possibilities.

County Manager Underbrink Curran stated that the Granby Reservoir is pretty full.

County Manager Underbrink Curran stated that Williams Fork is spilling and it will spill at 700 to 800. They have more coming in than going out. The water down river will stay high for a while.

Assistant County Manager Moyer stated that with regard to food inspection, he and Brene are still talking to the State about a third party consultant and looking at other counties that provide that service.

Mr. Moyer stated that he has had some requests for refunds on building permits. He has not had this type of request in the past and has no policy on it.

Commissioner Manguso stated that she is in favor of allowing refunds for permits that will not be used.

Assistant County Manager Moyer would like to come up with a straight percentage which would be applicable to all permits.

County Manager Underbrink Curran stated that there is a vacant office in Fraser Valley Shop upstairs where there are offices. Search and Rescue would like to take over that office space and Chief Jennings has no problem with it. If the Board has no objection, Ms. Underbrink Curran would like to allow Search and Rescue to use the space. The Board is fine with allowing Search and Rescue to use the office space as requested.

County Manager Underbrink Curran stated that the County is still looking for a cook for the senior meals in Granby on Monday, Tuesday, and Thursday from 7:00 a.m. to 3:00 p.m. on a temporarily basis.

Commissioner Newberry received a call on Young Life Special Use Permit violation. Commissioner Newberry passed that information on to the County Manager.

Assistant County Manager Moyer stated that Community Development contacted Young Life and Young Life is aware of the situation. One of the buses was lost and ended up on County Road 50 instead of 50S.

Commissioner Manguso received a call from someone on County Road 60. Commissioner Manguso stated that there will be a Special Use Permit coming before the Board and Commissioner Manguso did not discuss the matter with the caller. The caller did ask that the Board tour her property in relation to the Special Use Permit.

County Attorney DiCola stated that there is no problem going out and looking at a site. The Board cannot receive evidence.

County Attorney DiCola stated that the Board can tour the site as part of the hearing.

Commissioner Newberry stated that there was something in the paper about zoning and junk violations. Commissioner Newberry asked if would be helpful to put together an informational piece.

Assistant County Manager Moyer spoke with staff regarding that article and the issues that were addressed in the paper. Those were issues were from some time ago and they were not current issues. Mr. Moyer will be reaching out to the individual to inquire further about these matters.

Commissioner Newberry stated that based on the description, he believes that it is by the Bluebird. There was storage there. It is interesting that there is something in the paper that says shame on Grand County for not enforcing County rules but the County has not even heard from anybody on this.

Assistant County Manager Moyer stated that it sounded like it was something from the past and for some reason just resurfaced.

County Manager Underbrink Curran stated that the Board might think about scheduling a workshop with Community Development while streaming live and have Community Development give the Board an overview about zoning and how junk violations are handled.

Commissioner Linke agrees that having a discussion in a workshop is a good idea.

Commissioner Newberry thinks it would be an interesting conversation because there is a sitting Commissioner who had to do junk violations and deal with these.

Commissioner Manguso stated that on a positive note, there was an old building with an underground gas tanks that has been removed.

#### Manager and Attorney Items

County Attorney DiCola stated that he settled the Kohlwey case based on the authority the Board gave him. Mr. DiCola is waiting for word back on a proposal made to Charlie LaBrake's attorney.

Steven Jordan asked for a W2 from the County. The draft release says that Mr. Jordan is responsible for the taxes on everything.

Mr. DiCola talked with Everist, dba Morrow and Sons, and they are fine with the County's contract and will send it back.

Mr. DiCola stated that he is finishing the YMCA brief. Grand County has filed a joint brief with Larimer County. Oral arguments should be in the late fall.

Mr. DiCola spent a lot of time this morning talking with the County's health insurance broker and the broker's attorney, who is a specialist in this area. Mr. DiCola will meet with Brett and Wayne to get the numbers.

#### Economic Development Update

Jeremy Kennell with the Winter Park and Fraser Chamber is present to provide an update on the Grand Profile. With Mr. Kennell is Catherine Ross.

Progress on the Grand Profile continues and we are in the process of closing out the program. Highlights include;

GrandProfile.org launched on Monday, June 15

- GrandProfile.org, an interactive website of the Grand Profile data, includes data sets in the categories of Sale Tax, Real Estate, Environment, Social, Employment, and Education
- All data is accessible in both graphical (charts, graphs) and tabular (spreadsheet) format including current and historical data that may be customize by the user and is available for download
- Grand Facts is now up to date on the website with “Dashboards” that display like information. These dashboards have been built to display the up-to-date Grand Facts information on the website and will be utilized to speed the production of the email newsletter. An interactive component (the ability to change the dates of the Grand Facts dashboards) will be added shortly allowing comparative looks at like information over time into the past
- Additional graphs, including town level data, will be added over the next 45 days
- All data has been virtualized into an online database to allow for streamlined updating, reporting and ongoing maintenance with all of the information being stored in on location for future use.
- A press release announcing the launch of GrandProfile.org will be distributed shortly (and has been included for your review)

Project Close out

- Work on the Lodging Profile with Destimetrics to create a cost for a county wide, ongoing, lodging profile mechanism. This information will be shared with the steering committee for discussion in the coming months
- The Winter Guest Survey continues with a target for completion by the end of July
- Summaries and Reports of Grand Profile information will be posted on GrandProfile.org as they are available. Some of this summary information is dependent on the completion of the Winter Guest Survey and statistical alignment
- A Final Presentation of the Grand Profile will be part of the September 2nd Economic Summit. Coordination continues with the Grand County Office of Economic Development

The Board was provided with a press release.

Grand County, Colorado – For the past year, a collaborative effort among Grand County government, business and community leaders has worked to collect and interpret a wide array of data in an attempt to create a comprehensive community profile. The collaboration sought to identify and highlight the drivers of economic development in Grand County with the hope of aligning economic development efforts on both a local and regional front.

The year’s work of data collection and analysis has culminated in the Grand Profile website ([www.GrandProfile.org](http://www.GrandProfile.org)) going live this week. Community members, business owners, developers and leaders will all have access to real time data in both graph and tabular form.

“This is an exciting milestone in the life of the Grand Profile,” said \_\_\_\_\_. “By Making this information easily accessible to decision makers, stakeholders and the general public, we can all be better informed when mapping out the economic future of our county.”

This week the first data sets will go live on the Grand Profile website. Information such as sales, tax data, real estate trends, snowpack numbers and stream flows will be available to the public with more data coming online in the weeks to come.

“We’re hopeful that folks in Grand County will want to learn more about their community and perhaps invest more deeply in the economic and planning decisions that are on the horizon,” \_\_\_\_\_ added.

The Grand Profile is intended to provide both !“30,000-foot” view of the economic landscape in Grand County and more particular information on a community-by-community basis. As more

data and information is collected, the overall picture will be more complete.

For more information about the Grand Profile, please visit <http://www.GrandProfile.org>.

Catherine Ross stated that Scott Ledin is on the Economic Advisory Committee and the group is in the process of doing an economic strategic plan and economic development plan. The two towns have contracted with RRC to do this work with the towns. There is a committee of representatives from Fraser and from Winter Park towns, unincorporated Grand County, Recreation District, and the ski resort/Chamber Board.

The group will take the data and use it to make a plan.

The strategic plan will set some major goals for the valley and then some action steps. The goal is to have the plan done in September in time for budget.

Assistant County Manager Moyer stated that the contract with the Chamber is up in January. Mr. Moyer asked what that will look like in the future understanding that the Fraser/Winter Park area has an economic strategic plan coming in. Mr. Moyer wondered if it possible to have a partnership in paying for that data to be updated.

Ms. Ross stated that was the common goal. That is some of the strategy that will be in the plan; working with existing partners and partnerships that are already established.

Commissioner Manguso thanked the group for all the worked it has done on this project.

Patrick Brower presented the Board with the progress of the Grand Enterprise Initiative. Mr. Brower stated that he works in conjunction with the work DiAnn Butler has been doing.

Mr. Brower stated that he is up to 188 clients and Mr. Brower guarantees that within two months there will be 200 clients. In the last, four weeks Mr. Brower has added 12 new clients. In the month prior to that, Mr. Brower added 8 clients. This is 20 clients in two months. This is the highest rate of interest that Mr. Brower has seen since the project started.

There have been some very positive developments. By next week, there will be a new Learning Center opening in Granby. That is six full-time jobs and it is meeting a need that has been identified many times. The client was an ideal client. Mr. Brower worked with the client to put together a business plan, cash flow projections, and changed the idea on how it was going to be funded. The client went to a non-profit structure which works better with childcare and learning center structures. The client received a \$25,000 grant from the Sprout Fund. It is coincidental that they call themselves “Little Sprouts.”

Mr. Brower just worked with a restaurant between Granby and Grand Lake. The restaurant opening accounts for another six jobs.

Mr. Brower is working with a lot of food related businesses. The coffee shop in Grand Lake should be open in about three weeks. Mr. Brower has been working with a wine and whiskey tasting bar in Winter Park, a food apparel and upscale clothing, and yoga lifestyle stock shop in Winter Park. Most of his work in Fraser has been with existing businesses trying to figure out what is going on with rental property. There has been huge turmoil in light of what is going on with Murdocks.

In Kremmling, he is looking at a retail business. Mr. Brower stated that there is interest in a graphic arts business in Hot Sulphur Springs.

People are very happy to have this service available and thanks to the Commissioners it is paying off. DiAnn Butler and Larry Banman work well with the team. Mr. Brower is working with the chambers across the County.

Commissioner Newberry thanked everyone for working as a team.

Mr. Brower stated that there is a positive feel in the County. Currently there are three acquisitions in Granby. Granby has a lot of activity going on as far as acquisitions.

Mr. Brower stated that getting employees continues to be a problem. Jean Claude of Stillwater Grille expressed a need for quite some time for a dishwasher.

Mr. Brower stated that at the end of last year, there were 17 new businesses. Of the 17 new businesses, two have not succeeded. Since then, there have been five more new business.

The real measure of Mr. Brower's effectiveness should be how many people he works with and has meaningful discussions about ideas.

There are some serial entrepreneurs in this County.

Ms. Butler stated that she is working on the next level entrepreneur course. It is a very intensive 36-hour course. There are seven businesses in Grand County that will be elevated by the course. Ms. Butler expects between seven to twelve per year that will take the time to go through the training of 36 hours and put a road map together and a business plan.

There were 150 participants at the Walt Disney keynote. There were 85 at the workshop. It stimulated a lot of business.

Ms. Butler stated that she would like to create a customer service training center in Grand County. It sounds like Capodagli will do spring and fall workshops.

Mr. Capodagli is willing to present in Grand County from September 28 through 30. The cost will be \$8,500 and he will work with 100 people. Ms. Butler stated that the Downtown Colorado Inc. Board agreed to promote the event.

The cost will be \$13,750 plus a location.

The Board likes the idea of providing the seminar. Commissioner Newberry suggested that Ms. Butler provide the pricing information to the Board.

There were 30 students involved in the Youth Engagement program.

The Water Documentary will be done in September. It is a 90-minute film.

Commissioner Newberry stated that when the Board first got the concept of economic development with County government, he was skeptical. The Board talked about it and believed that it would be the role of the County to do this. Commissioner Newberry stated that Ms. Butler was hired for the job and was given little to no direction.

Commissioner Newberry is impressed with what she is doing. Commissioner Newberry added that Ms. Butler has done an exceptional job.

Ms. Butler stated that she has worked as an entrepreneur. This is a rewarding job for her.

#### Public Hearing – Colorado River Water Conservation District Special Use Permit

Commissioner Newberry stated that he is on the Colorado River Water Conservation District Board. He will receive not economic value from this permit if approved.

The public hearing scheduled to begin at 1:30 p.m. was called to order by Chairman Linke at 1:30 p.m. County Attorney DiCola set the record.

The following is all or part of staff's Certificate of Recommendation to the Board as it was provided by staff for inclusion in the minutes of the meeting held on June 16, 2015.

- A. Application dated April 22, 2015
- B. Public Notice –Middle Park Times, May 21, 2015
- C. Proof of Publication – Middle Park Times, May 21, 2015
- D. Vicinity Map
- E. List of property owners within the 500' notification buffer, as established by the Grand County GIS System
- F. Certified Mailings to all property owners within 500' as established by the Grand County GIS System
- G. Public Review Sheets (no signatures)

- H. Site map depicting Amendment Locations
- I. Photo's of Recreation Areas
- J. Grand County Board of County Commissioners Resolution No. 2010-9-26
- K. Certificate of Recommendation dated June 16, 2015

**PROJECT NAME:** Amendment to the Colorado River Water Conservation District's Special Use Permit  
**APPLICANT:** Colorado River Water Conservation District  
**LOCATION:** Wolford Mountain Reservoir, approximately six miles north of Kremmling, via U.S. Highway 40  
**ZONING:** F – Forestry / Open District  
**APPLICABLE REGULATIONS:** Grand County Zoning Regulations / Grand County Master Plan  
**EXHIBITS:** Resolution 2010-9-26, Vicinity Map, Site Plan, Site Photos  
**STAFF CONTACT:** Brett Hanlon  
**REQUEST:** The Applicant is requesting amendments to the current Colorado River Water Conservation District's Special Use Permit. These changes are proposed to more accurately reflect the site specific uses conducted on the site.

## **DISCUSSION**

The Colorado River Water Conservation District's Enterprise (Applicant) currently holds a Special Use Permit for the Wolford Mountain Reservoir Recreation Site (See Exhibit A). This SUP was renewed in September of 2010 and it is set to expire on November 1, 2020. The current and anticipated activities at the site are no longer consistent with the uses outlined in the existing SUP. The Applicant is requesting that the uses permitted and the conditions of the permit be amended to more accurately reflect the current operations and future plans of the Wolford Mountain Reservoir Recreation site.

### **The following changes are being proposed to Section 2 "Uses Permitted" of the Special Use Permit:**

1. The Applicant is proposing to increase the number of permitted individual campsites from 75 to 85.
  - a. The recreation area currently has 49 individual campsites and plans to add an additional 36 campsites. The Applicant is proposing to add 1 campsite at the existing area by splitting an existing site into two, 10 primitive sites at the end of the Day Use Area, and 25 west of the existing area (see exhibit A).
2. The Applicant no longer allows Boat-in Primitive Campsites so they are proposing this be removed from the SUP's permitted uses.
3. The Applicant proposes to change the permitted uses in the SUP from nine (9) Boat Launches to one (1) Boat Ramp with a 100-foot courtesy dock and a free parking area for people with special needs.
  - a. The Applicant has one boat access point and does not have plans for more.
4. The applicant proposes to amend the permitted uses to include 60 Boat Slips. The existing SUP does not address boat slips.
  - a. 50 boat slips currently exist, the Applicant has plans to add 10 more
5. The Applicant proposes to remove the permitted use of 24 individual picnic sites.
  - a. Picnic sites are included with each individual campsite; there are no separate picnic sites.
6. The Applicant proposes to remove the permitted use of One Group Picnic Site.
  - a. The Group Picnic Site is more accurately described as Group Campsites, which are already permitted in the SUP.
7. The Applicant is proposing to add Fuel Dock to the permitted uses.
  - a. A fuel dock would be added and used primarily for rental and River District boats. The fuel dock would also be used for public fuel sales. The fuel dock is certified under the Colorado Clean Marina Program.
8. The Applicant is proposing to include Dry Boat Storage for 40 Boats as a permitted use.
  - a. The Applicant would like the ability to store or park up to 40 boats in a newly expanded marina parking lot during both the active and off-season. This request is in response to customers' desires to keep boats on the property between visits without occupying slip space.
9. The Applicant would like to add Boat Rentals to the permitted uses. The approved Boat Rentals would include pontoons, canoes, paddle boats, paddle boards, kayaks, runabouts and fishing boats.
10. The Applicant would like to add Marina Store to the permitted uses. The Marina Store would sell merchandise including ice, soda, camping supplies, fuel, tackle and firewood.
  - a. The building currently used by the concessionaire for boat rental and administration would be used for the Marina Store.

11. The Applicant would like to add Three (3) Day Use Picnic Sites / Group Campsites with Playground and Fishing Pier to the permitted uses.
12. The Applicant would like to add Fish Cleaning Station to the permitted uses.
  - a. The fish cleaning station currently exists, but is not addressed by the existing SUP.

Section 2 “Uses Permitted” is proposed to be amended to read as follows:

2. Uses Permitted

- a. Overnight Camping
  - i. Eighty-five (85) Individual Drive-in Campsites (electric)
  - ii. Eight (8) Group Campsites
  - iii. Allowed camping implements include campers, travel trailers, tents and motor homes.
- b. Boating / Marina
  - i. One (1) Boat Ramp with 100 foot courtesy dock with parking area for people with special needs.
  - ii. Sixty (60) Boat Slips
  - iii. One (1) Fuel Dock
  - iv. Forty (40) Dry Boat Storage Spaces
  - v. Boat Rentals include pontoons, canoes, paddle boats, paddle boards, kayaks, runabouts and fishing boats.
  - vi. Marina Store—merchandise includes ice, soda, camping supplies, fuel, tackle and firewood.
- c. Picnicking and Day Use
  - i. Three (3) Day Use Picnic Sites with Playground and Fishing Pier. May also be used as a Group Camp Site.
  - ii. Fish Cleaning Station

**The following changes are being proposed to Section 5 “Conditions of the Permit” of the Special Use Permit:**

1. The Applicant is proposing that the existing Duration of Stay limit of 14 days be extended to 30 days. The Applicant is also proposing that Colorado River Water Conservation District employees and contractors be exempt from this Duration of Stay limit.
  - a. The Applicant wishes to remove this limit because there is a desire for some campers to stay longer than 14 days.

Section 5 “Conditions of the Permit” is proposed to be amended to read as follows:

5. Conditions of the Permit

1. Duration of Stay: Duration of stay allowed at camp area is thirty (30) days. Employees and contractors of the Colorado River Water Conservation District are exempt from this Duration of Stay limit.

**COMPLIANCE WITH GRAND COUNTY ZONING REGULATIONS**

The permitted area is located in the Forestry and Open Zone District. Camping is a use permitted in this zone district, under **Section 11.8 (1) of the Grand County Zoning Regulations**.

**The following provisions are required for the applicable special uses as allowed within these regulations:**

**(1) Camping areas are subject to the following additional provisions:**

- (a) Such areas may be occupied only by persons using mobile homes, travel trailers, truck campers and tents for overnight or short duration camping  
**✓This requirement is addressed by the existing SUP**
- (b) Each mobile home space shall be at least three thousand (3,000) square feet in area; each space for travel trailers, truck campers and tents shall be at least one thousand five hundred (1500) square feet in area;  
**✓This requirement has been met.**
- (c) Each space shall be at least thirty feet (30') in width;  
**✓This requirement has been met.**

- (d) Each camping area shall provide a central water supply and shall have one (1) sewerage system;  
✓**This requirement is addressed by the existing SUP.**
- (e) The source, quality, quantity, distribution system, volume and method of storage of water and the method of collection and treatment of sewage and waste water shall be approved by the Colorado State Department of Public Health;  
✓**This requirement is addressed by the existing SUP.**
- (f) No dependent mobile home, travel trailer, truck camper or tent shall be located more than two hundred feet (200') from a service building.  
✓**This requirement was waived by the existing SUP.**
- (g) Provisions shall be made for adequate all weather walkways to each space.  
✓**This requirement is addressed by the existing SUP.**
- (h) Camping Purpose: The purpose of this is to provide for the non-commercial use of an individual self contained recreational vehicle or other camping shelter (such as a tent) on property consisting of 35 acres or more.  
**Not Applicable**

### **COMPLIANCE WITH GRAND COUNTY MASTER PLAN**

Staff has reviewed the proposed amendment to the Colorado River Water Conservation District SUP for consistency with the Grand County Master Plan. The applicable elements of the Grand County Master Plan include:

#### **Plan Element 4 – Community and Public Facilities**

Plan Element 4.4.1 – Ensure sufficient and appropriately located lands are available to meet the various recreation needs of residents and visitors.

Plan Element 4.4.2 – Evaluate and amend Zoning Regulations as necessary to ensure that sufficient and appropriately located lands are provided to meet the various recreation needs of residents and visitor in the future.

#### **Plan Element 6 – Economic Base**

Plan Element 6.1.1 – Expand the economic and tax base of the county through economic development opportunities by supporting the growth of existing and new business and appropriate industry.

Plan Element 6.2.1 – Encourage and support high quality year-round recreation and tourist activities, facilities and services to make efforts to retain Grand County's unique rural, western and scenic character that is so appealing to tourists.

Plan Element 6.3.1 – Encourage and support natural resource based industry and renewable energy such that it complements and/or enhances the County's rural character and natural setting and sustains quality of life for County residents.

The proposed amendment to the SUP is consistent with Grand County Master Plan and the proposal would advance the plan elements outlined above.

### **STAFF COMMENTS**

The Colorado River Water Conservation District SUP is in need of an amendment because many of the permitted uses are inconsistent with current operations or plans for future operations. The proposed amendments will result in a more accurate SUP, they are consistent with the Grand County Zoning Regulations and they will advance multiple elements of the Grand County Master Plan.

### **STAFF RECOMMENDATION**

Staff recommends approval of the Colorado River Water Conservation District Special Use Permit Amendment with no further conditions to be met prior to recording.

[End of Staff's Certificate]

Toby Dellamano, engineer of the River District, Kem Davidson who works for the River District, and Jeff Miller who is a concessionaire appeared before the Board.

The applicant has additional requests. In the staff recommendation, there is a reference to free parking. Mr. Dellamano stated that everyone that enters the recreation area pays a use fee. The applicant asked that the word “free” be removed.

Mr. Dellamano stated that they would like to adjust the 30 days for renting a site that is not occupied.

Mr. Miller stated that some people in the group area put his/her camper at a spot. The people pay up front and a storage fee while not occupying the space. The request allows people to reserve a spot for every weekend, as an example.

Mr. Dellamano stated that the applicant understands that the County does not want a trailer park.

Commissioner Newberry asked if the over 30-day allowance causes problems with any current regulations as far as County.

Mr. DiCola stated that the only concern would be the competition.

Ms. Underbrink Curran stated that there are often anomalies to any Special Use Permit.

Chairman Linke asked for and received no public comment.

Commissioner Manguso stated that she believes this is a good thing. She is happy to see this used more.

Mr. Dellamano wants to add:

The deration of occupancy will not preclude longer-term rental of the sites provided continuous occupancy is limited to no more than 30 days.

Commissioner Newberry moved to approve the Special Use Permit for the Colorado River Water Conservation District concerning Wolford Mountain with staff conditions with the change to Section 5 “Duration of Stay Limit” The change will be, “The duration of occupancy limit does not preclude longer term rental of sites provided continuous occupancy is limited to no more than 30 days.” Section 2 of the Special Use Permit, Item No. 3 will be changed to remove the word “free.”

The motion passed unanimously.

Commissioner Newberry moved to close the public hearing.

The motion passed unanimously.

#### Witching Stick Subdivision Exemption – Lots 2 & 3 Amended Final Plat

The following is all or part of staff’s Certificate of Recommendation to the Board as it was provided by staff for inclusion in the minutes of the meeting held on June 16, 2015.

**PROJECT NAME:** Amended Final Plat for Lot #3 of the Witching Stick Subdivision Exemption  
**APPLICANT:** Tobias A. Dellamano, Stacie A. Dellamano, Scott A. Wilson and Kathryn A. Witzeman  
**LOCATION:** Lot 2 & 3 Witching Stick Subdivision Exemption, 1797 Elk Meadows Way (CR 5194-C), Section 9, Township 1, Range 76  
**APPLICABLE REGULATIONS:** Zoning Regulations and Subdivision Exemption Regulations  
**EXHIBITS:** Amended Final Plat  
**STAFF PLANNER:** Brett Hanlon  
**REQUEST:** The Applicants are requesting an Amended Final Plat to remove the building envelopes on lots 2 and 3 of the Witching Stick Subdivision Exemption.

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## **I. DISCUSSION**

The owners of Lot 2 (Scott Wilson and Kathryn Witzeman) and Lot 3 (Tobias and Stacie Dellamano) are requesting an Amended Final Plat to remove the building envelopes from their lots. With the building envelopes in place, each site has a 150’ x 150’ allowable building area. If removed, the Applicants would be able to build on the entire site minus the 50’ setbacks. The building envelopes in the Witching Stick Subdivision Exemption

were established in the year 2000 when the area had hundreds of trees. The building envelopes most likely sought to locate new construction in wooded areas in order to preserve views. However, as the bark beetle has killed many trees in the area, the building envelopes no longer serve the purpose of locating buildings in forested areas.

In February of 2015, the Dellamanos applied for an Amended Final Plat to remove their building envelope. They stated that constructing their home in a different location would be advantageous for foundation and leach field design. A condition of approval for their Amended Final Plat was to contact the other property owners of the Witching Stick Subdivision Exemption and receive letters of support. These letters would ensure that the neighbors were aware of the amendment in the Subdivision Exemption and it would let them know that the County was open to amending their building envelopes, if they so desired.

Once notified of Lot 3's Amended Final Plat proposal, and the potential opportunity to have their building envelope removed, the owners of Lot 2 (Scott Wilson and Kathryn Witzeman) expressed their desire to be added to the Amended Final Plat for Lot 3 of the Witching Stick Subdivision Exemption. At the May 13, 2015 Planning Commission meeting, the Planning Commission approved the addition of Lot 2 to the already approved Lot 3 Amended Final Plat.

## II. REGULATIONS

### A. ZONING

(1) The zoning of both of the lot is F – Forestry and Open District

- (a) This zone allows the construction of single family dwellings, which is consistent with the intended use proposed by the Applicants.
- (b) This zone requires 30' minimum front yard setbacks, 10' minimum side yard setbacks and 20' minimum rear yard setbacks. The 50' setbacks along the perimeters of Lot 2 and Lot 3 of the Witching Stick Subdivision Exemption meets all setback requirements.
- (c) The lots are located inside a Growth Boundary as defined in the Grand County Master Plan. Therefore, the minimum lot size for the lots is two acres. Lot 2 is 11.75 acres and Lot 3 is 11.13 acres, so both of the lots meet the minimum lot size requirement.

### B. SUBDIVISION EXEMPTION REGULATIONS – 3.3 Final Plat

The final plat shall contain or be accompanied by the following information:

- (a) Title (which shall include the phrase "Subdivision Exemption"), bar scale, North arrow and date.  
**✓This requirement has been met.**
- (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 applicant is recorded.  
**✓This requirement has been met.**
- (c) Primary control points, or descriptions, and ties to such control points, to which dimensions, angles, bearings, and similar data on the plat shall be referred.  
**✓This requirement has been met.**
- (d) Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots 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  
**✓This requirement has been met**
- (e) Names and right-of-way width of each street or other right-of-way.  
**✓This requirement has been met**
- (f) Location, dimensions and purpose of any easement, including reference by book and page to any pre-existing recorded easements.  
**✓This requirement has been met**
- (g) Number to identify each lot or site and acreage of each site to nearest 1/100th of an acre, and a statement that all lots shall be used for single-family residences only.  
**✓This requirement has been met.**
- (h) Purpose for which sites, other than residential lots, are dedicated or reserved.  
**✓This requirement has been met.**
- (i) Location and description of monuments  
**✓This requirement has been met.**

(j) Statement by owner platting the property and, if required by the Grand County Board of County Commissioners, dedicating the streets, rights-of-way, easements and any sites for public uses, to be in substantially the following form (dedication language may be omitted if not required by the Board of County Commissioners)

✓**This requirement has been met.**

(k) Certification by a surveyor insuring the accuracy of the survey and plat and certifying that he has complied with the requirements of Colorado Revised Statutes, 1973, Title 38, Article 51, and the requirements of these Regulations in the preparation of the final plat, to be in substantially the following form

✓**This requirement has been met.**

(l) Certificate of approval by the Board of County Commissioners as follows: (If public dedications are included, the certificate shall be in the form required by the Board of County Commissioners for approval of subdivision plats.)

✓**This requirement has been met.**

(m) Certification by the applicant's attorney, the professional engineering, designing or planning firm, if any, and a statement by the owner insuring compliance with the design standards and all other requirements of the Grand County Subdivision Exemption Regulations, and the statement of requirements issued by the Board of County Commissioners.

✓**This requirement has been met.**

(n) A two and one-half by three inch (2 2" x 3") vertical box in the lower right hand corner shall be provided for use by the County Clerk and Recorder.

✓**This requirement has been met.**

(o) A vicinity map.

✓**This requirement has been met.**

(p) Documented proof of legal access.

✓**This requirement has been met.**

(q) Documented proof of the availability of sewer and water supply

✓**This requirement has been met.**

(r) Such additional information as may be required by the Grand County Board of County commissioners.

✓**This requirement has been met.**

(s) A 14" x 18" black-line mylar with approved addresses and road numbers required.

✓**This requirement was fulfilled when the Witching Stick Subdivision Exemption was created.**

(t) 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. The drawing shall be based or transformed to a known coordinate system, not an assumed local coordinate system. If GPS Lat/Long is not used for this reference, the Geographic Coordinate Data Base should be used to obtain relative

✓**This requirement was fulfilled when the Witching Stick Subdivision Exemption was created.**

(u) Statement of taxes due showing current taxes paid.

✓**Statements from both property owners showing that current taxes have been paid will need to be submitted prior to recording this Amended Final Plat.**

(v) Current title commitment.

**A current Title Commitment is to be submitted for Lot 2 of the Witching Stick Subdivision Exemption.**

### **III. STAFF RECOMMENDATION**

Staff recommends the approval of the Amended Final Plat of Lot 2 and Lot 3 of the Witching Stick Subdivision Exemption with the following conditions to be met prior to the recording of the plat.

1. Revise the title of the Amended Final Plat. (See (a) above).
  2. Revise the Dedication Statement on the Amended Final Plat. (see (j) above).
  3. Add a plat note to the Amended Final Plat that reads: "THE PURPOSE OF THE AMENDED FINAL PLAT IS TO REPLACE THE BUILDING ENVELOPES FOR LOT 2 & LOT 3 AS ESTABLISHED BY THE WITCHING STICK SUBDIVISION EXEMPTION FINAL PLAT RECORDED AT RECEPTION NO. 2000-011471 WITH A 50' SETBACK FROM ALL LOT LINES AS DEPICTED ON THIS AMENDED FINAL PLAT. ALL BUILDINGS AND STRUCTURES ARE REQUIRED TO BE LOCATED WITHIN THE NEW SETBACK LINES AS ESTABLISHED BY THIS PLAT."
  4. Statements from both property owners showing that current taxes have been paid will need to be submitted.
  5. A 24' x 36' Amended Final Plat printed on mylar will need to be submitted.
- [End of Staff's Certificate]

Commissioner Newberry moved to approve the Witching Stick Subdivisions Exemption Lots 2 and 3, Amended Final Plat with staff's conditions.

The motion passed unanimously.

Grand County Planner Brett Hanlon presented:

Resolution No. 2015-4-58, "A RESOLUTION GRANTING A ONE (1) YEAR EXTENSION TO THE RECORDING REQUIREMENTS OF THE FINAL PLAT FOR THE NELSON OUTRIGHT EXEMPTION"

**Resolution No. 2015-5-52 Final Acceptance Aspen Ridge – I need to get this from Brett**

Commissioner Manguso moved to approve Resolution Nos. 2015-4-58 and 2015-5-52 as presented.

The motion passed unanimously.

County Attorney DiCola presented the following Resolutions for Board approval:

Resolution No. 2015-6-16, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CORE SERVICES PROGRAM SERVICE CONTRACT BY AND BETWEEN ASPEN WIND COUNSELING, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2015-6-17, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CORE SERVICES PROGRAM SERVICE CONTRACT BY AND BETWEEN LUNA COUNSELING LLP AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2015-6-18, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CORE SERVICES PROGRAM SERVICE CONTRACT BY AND BETWEEN RIVER VIEW COUNSELING, PLLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2015-6-19, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CORE SERVICES PROGRAM SERVICE CONTRACT BY AND BETWEEN DR. LISA VONDERHAAR AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2015-6-20, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CORE SERVICES PROGRAM SERVICE CONTRACT BY AND BETWEEN NORTHWEST COLORADO BOARD OF COOPERATIVE EDUCATIONAL SERVICES AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2015-6-21, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CORE SERVICES PROGRAM SERVICE CONTRACT BY AND BETWEEN CLARISSE MCGOWAN AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2015-6-22, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CORE SERVICES PROGRAM SERVICE CONTRACT BY AND BETWEEN JAMIE VIEFHAUS AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2015-6-23, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CORE SERVICES PROGRAM SERVICE CONTRACT BY AND BETWEEN ANNETTE DUGWYLER AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO”

Resolution No. 2015-6-24, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN AMENDMENT FOR TASK ORDERS #1 BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO CONCERNING THE LOCAL CHILD FATALITY REVIEW TEAM”

Resolution No. 2015-6-25, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN ATTACHMENT C TO PROFESSIONAL SERVICES AGREEMENT BETWEEN ARMSTRONG CONSULTANTS, INC. AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO CONCERNING THE GRANBY-GRAND COUNTY AIRPORT”

Resolution No. 2015-6-26, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A POLITICAL SUBDIVISIONS & SPECIAL DISTRICTS COLLECTIONS AGREEMENT BETWEEN THE STATE OF COLORADO DEPARTMENT OF PERSONNEL AND ADMINISTRATION AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR COLLECTION SERVICES FOR GRAND COUNTY EMS

Resolution No. 2015-6-28, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING AND ADOPTING A PUBLIC RECORDS POLICY”

Resolution No. 2015-6-29, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE ISSUANCE OF A MALT, VINOUS AND SPIRITUOUS LIQUOR SPECIAL EVENT PERMIT TO KREMMLING AREA CHAMBER OF COMMERCE FOR USE AT ASPEN CANYON RANCH DURING A THREE DAY EVENT, JUNE 12-14, 2015”

Resolution No. 2015-6-30, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A FIRST AMENDMENT TO THE CONSTRUCTION CONTRACT BY AND BETWEEN BIG VALLEY CONSTRUCTION, LLC. AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO CONCERNING THE REMODEL OF THE GRAND COUNTY COMBINED COURT ROOMS”

Resolution No. 2015-6-31, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CORE SERVICES PROGRAM SERVICE CONTRACT BY AND BETWEEN CREATE CONNECTIVITY COUNSELING PLLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO”

Commissioner Manguso moved to approve the Resolutions as presented by the County Attorney.

The motion passed unanimously.

#### Bank of the West – Credit Card Presentation

County Manager Underbrink Curran stated that the credit cards are broken up on a number of bills. The County does not have a lot of time to make the payments.

Commissioner Newberry stated that the Board would like to assure that it has control over the spending of the cards. The Board would like some automation with regard to the cards.

The Board is interested in seeing limitation on specific cards and limitations on departments.

Bank of the West representatives assured the County can have a system administrator that controls how each of the cards can be used.

Bank of the West can meet all the needs that the County has requested.

Commissioner Newberry stated that this is the second presentation the County has seen. Commissioner Newberry believes that the County will put the request for credit cards on a RFP to solicit banks.

Bank of the West is happy to work with a RFP.

Executive Session

Commissioner Newberry moved to convene an Executive Session at 3:20 p.m. citing Section 24-6-402, CRS, which states that local public bodies may utilize executive sessions for considering any of the following matters (specifically): (4)(b) Conferences with an attorney for the local public body for the purposes of receiving legal advice on a specific legal question. The topic of the meeting is a Sheriff's investigation.

The motion passed unanimously.

Commissioner Newberry moved to reconvene the regular meeting at 4:12 p.m.

The motion passed unanimously.

I, Merrit Linke, hereby attest that the portion of the executive session during which no minutes were taken was confined to a topic authorized for discussion in an executive session.

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I, Anthony J. DiCola, hereby attest that the portion of the executive session during which the Recorder was directed to take no minutes constituted a privileged attorney-client communication.

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Commissioner Newberry stated that after discussion, Commissioner Newberry believes that the Sheriff should move forward with the investigation concerning the issue in executive session.

Any questions on this matter need to be taken up with the Sheriff.

The Board gave Colleen Reynolds directions to document what she heard in executive session and work with legal to draft a letter. The result of the documentation needs to go into personnel files.

There being no further business to come before the Board, the Regular meeting was adjourned at 4:15 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this \_\_\_\_\_ day of July 2015.

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Merrit Linke, Chair

Attest:

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Sara L. Rosene, Grand County Clerk and Recorder