

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

December 15, 2020

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

Also Present: County Clerk and Recorder Sara L. Rosene
Acting County Manager Ed Moyer
County Attorney Chris Leahy
Assistant County Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

Commissioner Linke moved to approve the Meeting Minutes of the November 10, 2020, Board of County Commissioners meeting.

The motion passed unanimously.

The Board noted the motion for appointing Wendy Thompson to the Planning Commission was actually appointing Wendy Thompson to the Open Lands, Rivers and Trails Committee. The resolution on the Consent Agenda presented on November 17, 2020, correctly identified that Ms. Thompsons was appointed to the OLRT.

Commissioner Linke moved to approve the Meeting Minutes of the November 12, 2020, Special Meeting of the Grand County Board of Health as presented.

The motion passed unanimously.

Public Comment

Parnell Quinn stated that the number of people waiting in Safeway is much worse than having people eating in restaurants. He believes that stores and restaurants should remain open.

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on December 16, 2020, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the checks presented on December 15, 2020 for payment on December 16, 2020 for the Grand County Housing Authority.

The motion passed unanimously.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on December 16, 2020, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the vouchers presented on December 15, 2020, for payment on December 16, 2020, for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Cimino moved to approve wire payment and vouchers presented on December 15, 2020, for payment on December 16, 2020 for Grand County.

The motion passed unanimously.

Potential Pandemic and Fire costs effect to 2020 budget as of 12-15-2020 (starting week 40 of IMT)

REVENUES

Sales and Lodging taxes, Building and Short-Term Rental fees, and Highway Users taxes are all expected to be lower than originally budgeted for 2020. Sales taxes are projected to be 95% of the budgeted level and Lodging taxes are projected to be 80% of the annual budget. Building permits are projected to be 80% of the original budget amount. Short-Term Rental renewals are projected to be 100% of the budgeted level. Highway User Taxes are projected to be slightly lower than budgeted for 2020. Airport reimbursements for projects are projected to be increased from 95% to 100% of costs.

	Current expected	2020 Budget
Sales tax	\$ 6,868,500	\$ 7,230,000
Lodging tax	\$ 969,000	\$ 1,292,000
Building permits	\$ 749,360	\$ 936,700
Short-term rental fees	\$ 136,300	\$ 136,300
Clerk & Recorder	\$ 800,000	\$ 800,000
Airport project reimbursements	\$ 4,849,000	\$ 4,624,000
Highway Users tax	\$ 1,909,000	\$ 2,009,000
Cares Act Reimbursement	\$ 701,000	\$ -
Total	\$ 16,982,160	\$ 17,028,000

Revenues expected to be lower \$46k in 2020

COVID-19 EXPENDITURES in excess of budget

	Incurred 3/14 thru 12/15	Expected Costs thru 12/31
COVID-19 personnel	\$ 349,961	\$ 365,244
Grand Foundation Business Grant Program & PPE	\$ 230,000	\$ 230,000
Grand County Rural Health - Covid-19 tests	\$ 10,000	\$ 10,000
Other Operating expenses	\$ 130,486	\$ 148,782
Totals	\$ 720,447	\$ 754,026

EAST TROUBLESOME FIRE (ETF) EXPENDITURES

	Spent 10/14 thru 12/15
ETF non-budgeted OT (Sheriff, P Health, R&B)	\$ 131,419
ETF operating expenses paid	\$ 105,727
Total paid expenses - ETF	\$ 237,146

Other potential expenses ordered by EOC but not billed to Grand County yet (per OEM Director 12-14):

Grand County EOC ordering for staff, logistics and emergency protective actions	\$ 12,000.00
Grand County Sheriff ordering for evacuation and emergency protective actions	\$ 300,000.00
Northwest Council of Government GIS services for incident mapping and evacuation	\$ 6,000.00
Potential expenses (please see note below)	\$ 318,000

Total ETF costs paid and to be paid

\$ 555,146

Note: Grand County has budgeted \$150k for emergency response expenses for 2020. The "Other potential expenses..." above may be duplicates of actual expenses shown as paid, and/or may not ever be billed to Grand County. These costs are shown as potentially due by Grand County at some point in the future.

Expenditures expected to be higher \$1.3 million
Expected Effect to 2020 budget (\$1.4 million)

Projected Budget Deficits and Postponed or Eliminated Operations and Projects

Projected County wide effects to Fund Balance	\$ (1,400,000)
Add back Restricted Funds using restricted fund balance to cover deficits	
Lodging taxes	\$ 323,000
Open Lands, Rivers and Trails	\$ 83,423
Use TABOR emergency reserve for COVID-19 unbudgeted expenditures	\$ -
Less Restricted Funds using surplus to cover costs	
Airports - FFA increased project funding to 100%	\$ (285,000)
Total budget shortfall less restricted funds	\$ (1,278,577)
% Unrestricted fund balance of operating budget	26%
Postponed or Eliminated Operations and Projects	
Hiring freeze projected savings	\$ 500,000
Excess Hire Lag savings over budget	\$ 420,500
Pay plan consultant cancelled	\$ 40,000
Windy Gap pumping plan cancelled	\$ 35,000
Internship program cancelled	\$ 25,000
Total Budget Shortfall less restricted funds and these projects	\$ (258,077)
% Unrestricted fund balance of operating budget	31%

Unrestricted Fund Balance calculation	
2020 Operating Expenditure Budget	\$ 20,000,000
2019 Estimated Unrestricted Fund Balance	\$ 6,400,000
Total Budget Shortfall less restricted funds and above projects	\$ (258,077)
Projected Unrestricted Fund Balance	\$ 6,141,923
	31%

Department Contract / Comments Issues

Commissioner Cimino moved to approve the contracts with Motorola and authorize the Chair to sign and all necessary signatures be applied.

The motion passed unanimously.

Commissioner Linke moved to approve the federal assistance grant application for the northwest taxi lane development and hangar development area at the Granby Airport in the amount of \$720,000 from the FAA. The County match will be \$40,000 and the State match will be \$40,000.

The motion passed unanimously.

Commissioner Linke moved to approve the hangar lease for Hangar No. 19 at the Granby Airport to Hangar 19 LLC as presented.

The motion passed unanimously.

Commissioner Linke moved to approve the IGA between Grand County and the Town of Kremmling for the McElroy Field plowing agreement as presented.

The motion passed unanimously.

Commissioner Linke moved to approve the purchase of the chassis from Spradley Barr Ford, approve the remount from Front Range Group and approve the financial lease agreement from REV Financial Services and authorize the Chair to sign.

The motion passed unanimously.

Commissioner Linke moved accept the grant award from the Colorado Department of State for election reimbursement costs for the June 30, 2020 Primary Election and authorize the Chair to sign all applicable documents.

The motion passed unanimously.

Commissioner Cimino received documents from Travis Wright of the Grand County Historical Association regarding the formation of a certified local government for historical designations. This will be coming before the Board in the future.

Grand County Board of Health – COVID-19 Update

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

There has been a 30 percent drop in positivity rate and case counts over the last few weeks.

The public health order is set to expire this Friday. It will remove the level red restrictions.

There is a lot of work going on with the five-star program. There is a lot that needs to be done with regard to the administration of the program. The group has buy-in from Community Development, the Chambers and Katy Taft of Public Health. Public Health does not have the time to administer the program so they will be leaning on community partners in terms of developing the program, helping develop the applications to the state, and doing the inspections. The program has stricter COVID measures. It cannot be a sign-up program. Business will have to be subject to inspections.

Grand County COVID-19 Vaccine Distribution Kick-off presented by Ellen Parri Grand County Vaccine Coordinator:

We are working under the CDC, CDPHE and Governor Polis' goal.

“The focus of this plan is to save lives and end the crisis as soon as possible.

Which means prioritizing our most at-risk health care workers and individuals. Our state has been carefully planning this process, working closely with local public health agencies and engaging with providers and communities to prepare for the day when the vaccine would be approved for distribution and arrive in Colorado,” said Gov. Polis. “This vaccine is the gateway to a life without this crisis, but it will take time until everyone can access it because of the limited supply of vaccines so we must continue to do what we know works to slow the spread of the virus.”

Today's Discussion

- COVID-19 Vaccine Background and Development
- COVID-19 Vaccine Candidates
- Phases 1, 2 & 3

- Local Planning for Distribution
- The Distribution Plan
- COVID-19 Vaccine Storage (Pfizer and Moderna)
- Resources, Needs, and Questions
- Champions

Vaccine Candidates:

- Pfizer COVID-19 Vaccine: FDA APPROVED for Emergency Use Authorization (EUA).
- Moderna COVID-19 Vaccine: FDA Committee will meet on Thursday, 12/17/2020 and expected to also approve EUA of the Moderna COVID-19 Vaccine.
- Other candidates continue in trials and may look different at time of delivery.
- The # of vaccines administered to provide immunity –1 vs 2+
- Method of development
- Type of vaccine

COVID-19 Background & Development

- Vaccines work by training and preparing the body's natural defenses, the immune system, to recognize and fight off the virus & bacteria they target, via antibodies within our bodies.
- If the body is exposed to these disease-causing germs post-vaccination, the body immediately recognizes the foreign matter by way of antibodies to readily destroy the germ, preventing illness, disability and death.
- Vaccines now prevent more than 20 life-threatening diseases and work has been underway over the past 10 months to create a COVID-19 vaccine, designed to prevent the disease and allow our communities and citizens to return to a more normal state of well-being.

Emergency Use Authorization:

- The U.S. vaccine safety system ensures that all vaccines are as safe as possible.
- On December 11, 2020, the U.S. Food and Drug Administration issued an Emergency Use Authorization for use of the Pfizer-BioNTech, COVID-19 vaccine in people aged 16 years and older for the prevention of COVID-19.
- Because the supply of COVID-19 vaccine in the United States will be limited at first, CDC recommends that initial supplies of COVID-19 vaccine be allocated to healthcare personnel and long-term care facility residents and staff.
- The recommendations were made with the following goals in mind: Decrease death and serious disease as much as possible; Preserve functioning of society; and Reduce the extra burden COVID-19 is having on people already facing disparities.
- Governor Polis Goal is "Save lives and put an end to the pandemic crisis."

Phase 3 Efficiency Trial

- To evaluate each vaccine candidate with high standards for safety and efficacy in reducing COVID-19 disease, disability & death.
- Both vaccines included:
 - men & women
 - minority populations (Black, Tribal and Latino populations)
 - Populations with pre-existing conditions / co-morbidities
 - Diabetes
 - Autoimmune disease
 - Obesity
 - 65+
 - DID NOT INCLUDE: pregnant or breastfeeding women or children 0-16.

mRNA Vaccine (Pfizer and Moderna)

- mRNA provides instructions for the cell on how to make a piece of the "spike protein" that is unique to SARS-CoV-2.
- Since only part of the protein is made, it does not do any harm to the person vaccinated but it is antigenic.
- The mRNA then degrades and disappear. It cannot be replicated by our body.
- The mRNA never enters the nucleus of the cell where our DNA (genetic material) is kept

mRNA Vaccine Development IT IS SAFE

- You cannot get COVID -19 Disease from getting the mRNA developed vaccine.
- mRNA DOES NOT AFFECT a persons DNA (not gene therapy)
- mRNA vaccine does induce immunity the same way as other vaccines manufactured in the laboratory, but in a different way.
 - So long-term side effects are much less concerning.

- Pfizer and Moderna COVID-19 Vaccine have high efficacy rates
 - 94-95%
- The side effects are very similar to other vaccines that are widely used and administered now
- Independent scientists and experts are continually reviewing all data.

mRNA Vaccine –Pfizer & Moderna

- Dr. Anju Mehta, DHHA has developed a slide presentation with facts about the mRNA vaccine development and discussion of common concerns.
Grand Rounds, Dr. Anuj Mehta: COVID-19 Vaccinations: Reasons Not to be Scared
- The mRNA in all mRNA derived vaccine is destroyed by the body and cannot/will not be a permanent part of the body after the vaccine is administered.
- Pfizer COVID-19 vaccine: 43,661 enrolled in phase 3 trial
- Moderna COVID-19 vaccine: >30,000 enrolled in their phase 3 trial
- Both vaccines had side effects and adverse events that are consistent with other vaccines currently administered to the public.

Phased COVID-19 Vaccine Approach:

- Phase 1: High to Moderate-Risk Health Care Workers
- Phase IA: COVID-19 Vaccine will be administered to:
 - In patient hospital workers who have direct exposure to COVID-19.
 - Direct contact with COVID-19 patient for 15 minutes or more over a 24 hour period.
 - Long Term Care (LTC) Facility residents and staff
- Phase IB: Vaccine will be administered to:
 - Healthcare workers with less direct contact with COVID-19 patients.
 - Workers in home health/hospice and dental settings.
 - EMS, firefighters, law enforcement, correctional workers, dispatchers, funeral services and other first responders and COVID-19 response personnel.

Phased COVID-19 Vaccine Approach:

Phase 2: Higher-risk individuals and Essential Workers.

- 65+
- Persons of any age with
 - Obesity
 - Diabetes
 - Chronic lung disease
 - Significant heart disease
 - Chronic kidney disease
 - Cancer
 - Immunocompromised
- Persons who interact directly with the public at work:
- Persons who interact directly with the public at work:
 - School Staff
 - Grocery Store Staff
- Persons who live/work in high density population settings.
- Other healthcare workers not covered in Phase 1.
- Adults who received a placebo during a COVID-19 vaccine clinical trial.

Phased COVID-19 Vaccine Approach:

Phase 3: The General Public

- Anyone age 18-64 without high risk conditions
 - Timeline is subject to change based on supply chain
 - Prioritization subject to change based on data, science, and availability

Phase I Roles & Responsibilities:

- CDPHE:
 - Approve & enroll providers into the vaccine program
 - Coordinate, allocate and distribute vaccine to pre-positioned hubs.
 - Provide TA and guidance to LPHA's & Provider's
- LPHA's:
 - Lead vaccine response in jurisdiction (Grand County)
 - Administer vaccine
 - Identify providers to enroll in CDC COVID-19 Vaccine Program
 - Provide TA to providers.
- Providers (hospitals, pharmacies, medical clinics):
 - Complete CDC COVID Vaccine Program enrollment
 - Abide by CDC's ACIP (Advisory Committee on Immunization Practice)

- CDC's Pharmacy Partnership for LTC: Retail pharmacy chains to provide end-to-end management of the COVID-19 vaccination process.

Grand County COVID-19 Vaccine Distribution Plan:

- Safe
- Flexible
- Scalable
- Responsive
- Timely
- Efficient

Grand County COVID-19 Vaccine Distribution Plan:

- Closed POD's (Point of Distribution)
- Community-Based Open POD's
- ICS Structure
 - Job Action Sheets
 - Just In-Time Training Videos
- POD Planning and Resource Development
- Safety and Infection Control
- Equitable Access
- Vaccine Storage

COVID-19 Vaccine Storage

- Pfizer
 - Requires ultra-cold freezer storage -80°C –Not available in Grand County.
 - Pelletized Dry Ice for prolonged storage without storage unit
 - Pelletized Dry Ice is not available in Grand County and there is no current plan(s) for suppliers to bring pelletized dry ice to Grand County.
 - Transportation from HUB
 - Security
 - Moderna
 - Stable at typical frozen vaccine storage (-25°C)
 - Grand County Public Health has this storage
 - Safer storage than pelletized dry ice.

Messaging to the Community

- Factual
- Unbiased
- Truthful
- Transparent
- Aligning with CDC / State of Colorado / CDPHE goals and objectives.
- Identifying Community Champions
- Collaborating with and among all Grand County Medical Providers
- Utilize the expertise of PIO's

Community Champions

- Trusted Messenger Concept:
 - [Are] "identified faith leaders, community organizers, and others to partner with to deliver the message that African Americans and Latinx community members must get the vaccine because as you know, there is a huge gap in the burden of disease and death for those populations and paradoxically, the ones who need it the most are least likely to accept the vaccine."

Grand County Board of Health is The Champion that will help bring an end to this Pandemic & Public Health Crisis through the informed promotion of the COVID-19 Vaccine to our communities.

Coroner Brenda Bock presented the following:

I would like to clarify the discrepancies on the County website vs the State website on COVID deaths.

Grand County has had three COVID deaths total. Two died "With COVID" and one died "of COVID".

The State says that Grand County has 5 COVID deaths. In researching the numbers, I found the state is counting two deaths that died of Gunshot wounds as COVID deaths. When I questioned the numbers, the response I got was "if they died in the 30 days of their positive test they are

counted as a death among a COVID case”. Although the decedents did test positive for COVID, that is NOT what they died from.

The two cases were autopsied, and the cause of death was listed as “Blunt Force Injuries due to a gunshot wound”. No where did the Pathologist say COVID was the cause of death.

I believe that this is false and very misleading. If we want the public to trust and believe the information being released, we need to make sure it is accurate.

I realize in the scope of things that Grand County’s numbers are small. Although these numbers are small this “error” creates a 40% increase in our death total. That is not an insignificant amount. How many cases like this does it take to inflate the numbers? My job as Grand County Coroner is to make sure the information that reported is correct.

At this time, Grand County dashboard does not have this listed on their site. I am working with the State to try to get these numbers removed.

The current health order expires at mid-night on Friday, December 18 and that puts the County back into orange. The capacity goes back to 25 percent on Saturday.

The Board of Health is working toward the five-star program. With the five-star program, the restaurants can go into 50 percent.

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

Manager and Attorney Items

Commissioner Cimino would like the Board to prepare a letter of support for the five-star program.

Acting County Manager Ed Moyer presented his weekly update.

Mr. Moyer reported that the service line break by the Nurse’s Office will not be covered by insurance.

Board Business

Commissioner Cimino moved to approve the Memorandum of Understanding for Himebaugh Creek Property acquisition and authorize the Chair to sign.

The motion passed unanimously.

Commissioner Cimino moved to reappointment to the Tourism Board for three-year terms:

Kristen Spronze representing the Fraser District
Deborah Fitch representing the Three Lake District
Ken Fosha representing the Mainstem District

The motion passed unanimously.

Commissioner Cimino moved to appoint to the Emergency Telephone Service Board, the following:

Brett Schroetlin
Todd Holzwarth
Michael Brack
Robert Good
Hiram Rivera Jr.

The motion passed unanimously.

Commissioner Cimino moved to approve schedule for 2021 holiday schedule and meeting schedule for Grand County.

The motion passed unanimously.

December 16 Colorado Rural Workforce Consortium at 1:00 p.m. – Commissioner Linke
December 17 Sun Valley Subdivision zoom call at 2:00 p.m. – All three commissioners

December 17 Grand County Basin Implementation Plan at noon – Commissioner Linke
December 18 Zoom call at 2:00 p.m. on climate resiliency – Commissioner Linke

Consent Agenda

Resolution No. 2020HA-12-9, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY BOARD, APPROVING THE MILL AVENUE APARTMENTS’ AND GRAND COUNTY HOUSING AUTHORITY’S SPECIAL LIMITED PARTNERSHIP AND AUTHORIZING SIGNATURE OF DOCUMENTS RELATED THERETO”

Resolution No. 2020-12-10, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A SERVICES CONTRACT BETWEEN BLACKWELL OIL COMPANY, INC. AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE PROVISION AND DELIVERY OF FUEL”

Resolution No. 2020-12-11, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A CONSTRUCTION CONTRACT BY AND BETWEEN ACORD ASPHALT, INC. AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE 2020 ROAD REHABILITATION PROJECTS, AND AUTHORIZING STAFF TO EXECUTE THE CONTRACT BY STAMP OUTSIDE THE MEETING OF THE BOARD”

Resolution No. 2020-12-12, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO APPROVE A CONTRACT BETWEEN INNOVATION ECONOMY PARTNERS, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO”

Resolution No. 2020-12-13, “A RESOLUTION APPROVING A CONTRIBUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO THE GRAND FOUNDATION’S EMERGENCY SMALL BUSINESS ASSISTANCE GRANT FUND”

Resolution No. 2020-12-14, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE APPOINTMENT OF PAULA ISAKSON AS A MEMBER OF THE GRAND COUNTY TOURISM BOARD”

Resolution No. 2020-12-15, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE APPOINTMENT OF CHRIS OLIVIER AS A MEMBER OF THE GRAND COUNTY TOURISM BOARD”

Resolution No. 2020HA-12-16, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY BOARD, TO DONATE A 1998 DODGE VAN OWNED BY THE GRAND COUNTY HOUSING AUTHORITY”

Resolution No. 2020-12-17, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A RECOMMENDATION TO AWARD OPEN LANDS, RIVERS AND TRAILS GRANT FUNDS TO THE TOWN OF HOT SULPHUR SPRINGS FOR THE HIMEBAUGH CREEK PROPERTY ACQUISITION”

Resolution No. 2020-12-18, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A RECOMMENDATION TO AWARD OPEN LANDS, RIVERS AND TRAILS GRANT FUNDS TO HEADWATERS TRAILS ALLIANCE FOR HAZARD TREE AND FOREST MITIGATION”

Resolution No. 2020-12-19, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A RECOMMENDATION TO AWARD OPEN LANDS, RIVERS AND TRAILS GRANT FUNDS TO HEADWATERS TRAILS ALLIANCE FOR THE PHASES TRAIL SYSTEM REDEVELOPMENT PROJECT”

Resolution No. 2020-12-20, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A RECOMMENDATION TO AWARD OPEN LANDS, RIVERS AND TRAILS GRANT FUNDS TO HEADWATERS TRAILS ALLIANCE FOR THE RENDEZVOUS TRAIL IMPROVEMENT PROJECT"

Resolution No. 2020-12-21, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A RECOMMENDATION TO AWARD OPEN LANDS, RIVERS AND TRAILS GRANT FUNDS TO HEADWATERS TRAILS ALLIANCE FOR THE COUNTYWIDE ADOPT-A-TRAIL PROGRAM"

Resolution No. 2020-12-22, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A RECOMMENDATION TO AWARD OPEN LANDS, RIVERS AND TRAILS GRANT FUNDS TO HEADWATERS TRAILS ALLIANCE FOR WINTER TRAIL GROOMING FOR THE 2020-2021 WINTER SEASON"

Commissioner Cimino moved to approve the Consent Agenda.

The motion passed unanimously.

Hickam Subdivision Exemption Sketch Plan

PROJECT NAME: Hickam Subdivision Exemption-Sketch Plan
APPLICANT: David M. and Sara K. Hickam
LOCATION: Northwest ¼ of the Northeast ¼ of the Northeast ¼, part of Section 27, Township 1 South, Range 75 West of the 6th P.M. Grand County, Colorado totaling 10 acres 204 GCR 448.

APPLICABLE

REGULATIONS: Zoning Regulations, Subdivision Exemption Regulations, Master Plan
ZONING: R-Residential District

ATTACHMENTS:

- a) Application and Narrative Letter
- b) Sketch Plan (Plat)
- c) Title Commitment
- d) State well Permits 48312-A and 89486

STAFF PLANNER: Alexander Taft, LEED Green Associate

REQUEST: The Applicant is proposing a Subdivision Exemption to subdivide a 10.425 acre parcel into 2 parcels.

I. BACKGROUND

a. PROPOSAL

David and Sara Hickam, the Applicant, are proposing a subdivision of an approximately 10 acre Metes and Bounds parcel by process of Subdivision Exemption to create two (2) separate lots. The two lot proposal would consist of Lot 1 being 7.812 acres and Lot 2, with the existing house, being 2.613 acres. The subject parcel is located inside Urban Growth Area No. 2 as defined by the Grand County Master Plan. Proposed water will be well and sanitation from Three Lakes Water and Sanitation. The Grand County Subdivision Exemption Regulations outline the process of how to divide land on a small scale under circumstances in which the need to comply with Grand County Subdivision Regulations would cause undue hardships and the impact of the proposed division would not require it for the Subdivision Regulations. Subdivision exemptions apply to the division of land into a maximum of three (3) single family residence lots with one (1) single-family residential unit per lot. This has historically been interpreted to also restrict uses to single family residential.

b. HISTORY

This approximately ten acre parcel is a remnant parcel divided from one of several federally granted homesteads which are throughout the region. The Applicant approached Staff in October 2019 about the possibility of subdividing the property. Following this discussion, staff reached out to the State of Colorado Division of Water Resources (DWR). After a pre-application meeting, Staff sent a referral to DWR which was returned to our office at the end of October 2019. The response suggested there were two available wells on the existing parcel and if the County approved a Subdivision Exemption, well permits would be granted or clarified on each parcel.

II. STAFF ANALYSIS

November 10, 2020 Board of County Commissioners meeting response. Staff in their review of this application determined that under the Subdivision Exemption Regulations provide the process and requirements which has the goal of "promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Grand County, Colorado." (§1.3 "Purpose" Subdivision Exemption Regulations) The

purpose of the Outright Exemption regulations is to regulate the division of a parcel with NO or MINIMAL land impacts. It is Staff's opinion that purpose as written in the Outright Exemption Regulations would exclude the development of additional parcels of land for residential development from using that body unless the subject parcel or parcels are already developed. The second deciding factor in following the process of Subdivision Exemption Regulations is that they have sections which make reference to "Improvements required." In this proposal there are minimal additional improvements such as extension of power and sewer but this section gives Grand County the protection and authority to ensure those improvements are installed in an adequate fashion.

It is Staff's interpretation that the Subdivision Exemption regulations are only limited to Metes and Bounds Parcels, such as the one subject to this proposal, while "infill" parcels in an existing subdivision have to be divided through the process as identified in the Subdivision Regulations. This proposed division of land, as provided for under the Subdivision Exemption Regulations, meets the requirements of controlling density as outlined in the Grand County Master Plan. The subject parcel is located in Urban Growth Area #2 (Grand Lake). The neighboring parcels are primarily residential uses of varying densities. The parcels to the north, south, and east are larger residential uses buffering from the Soda Springs Condominiums to the east. West of the property is Lakeridge Mountain Valley Subdivision, which is approximately 25 half acre lots. This Subdivision Exemption request is intended to maintain the current character of the area. It uses the 10 acre parcel to the highest possible density and benefit. The parcel is surrounded on three sides by similar parcels some of which have also been approved for division under the Subdivision Exemption Regulations. There is currently a constructed well through State Well Permit Number 48312-A for the existing residence. The permit states that it is "domestic" but for the use of a single family residence, with additional outdoor watering. There is a second well permit through State Well Permit Number 89486 which states a well which is available for a single household only use is also attached to this lot. Proof of these well permits are the most significant factor in being able to complete the proposed Subdivision Exemption since the "Domestic" under Permit Number 48312-A could not be converted to additional.

III. PLANNING COMMISSION RECOMMENDATION

Staff presented the application to Planning Commission for review during the Special Meeting on September 23, 2020. The Commissioners brought up concerns about water and the availability of wells. It was communicated it was unclear in the Staff recommendation how water would be obtained for both lots. Staff clarified that the property would be served by wells and public sewer. Staff also made clear that there are two well permits available on this lot currently. The Commissioners asked which well would go to each lot, the Applicant responded that they had worked with the State to designate the "domestic" well with its outdoor uses to the larger new lot. The Commissioners asked about how access would be obtained for both lots. The Applicant confirmed they had easements which date back to the 1960's for the driveway which is used for the existing residence. Access to Lot 1 to the north and west is through a recent easement granted in conjunction with the Dethmers Subdivision Exemption, which is the northern neighbor of this property.

Planning Commission unanimously recommended the approval of the Hickam Subdivision Exemption Sketch Plan with the following conditions to be met prior to Final Plat approval:

1. There is an existing driveway from County Road 448 will be used to access Proposed Lot 1 and an existing private road easement which is intended to serve Lot 2. Confirmations of access shall be included with the Final Plat [§2.2 (2)].
2. The proposed Plat will be referred for comment by utility companies including: MPEI, Xcel, CenturyLink, and Comcast [§2.2 (12)].
3. Addresses for lots shall be determined before approval of the Final Plat [§2.3 (5)].
4. A plat note shall be added stating areas around structures must create defensible spaces as per Fire District standards to protect against wildfire hazards [§2.6].
5. Electric utilities shall be placed underground typical of all new subdivisions created in Grand County. A plat note shall be added to the Final Plat to this effect [§2.7(3)].
6. The Applicant shall be responsible to pay any impact fees associated with this application including but not limited to: School Impact and Fire Impact Fees [§2.10 1-6], prior to the recording of the Final Plat.
7. The Final Plat shall also include, land surveyor, engineer, and/or designer of the proposed division, if any (who shall be licensed by the Colorado State Board of Examiners for Engineers and Land surveyors)[§3.2 (2) (c)].
8. The Applicant shall enter into a Water Quality Agreement with the County [§3.3 (3) (g)].
9. The title and legal description shall be reviewed by the County Attorney.
10. Statement of taxes due showing current taxes paid. This shall be provided prior to recording of the Final Plat.
11. The applicant shall meet all Final Plat requirements.

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 the Hickam Subdivision Exemption Sketch Plan with conditions.

The motion passed unanimously.

Fire Recovery Team Update

Acting County Manager Ed Moyer stated that staff has presented the debris letter.

Emergency Manager Joel Cochran stated that the debris letter was written at a high level. It conceptually approaches the problem of debris from a health and safety standpoint. The letter speaks to 25 tons of debris coming from homes. The 25 tons of debris may not include concrete.

The Road and Bridge Department has identified approximately 13,000 hazard trees in the County right-of-way or immediately adjacent to the right-of-way and are of such height and diameter that if they were to fall they would be a hazard.

The County has identified approximately \$22 million in proposed costs for debris removal.

Commissioner Cimino moved to approve the debris letter as presented by Joel Cochran.

The motion passed unanimously.

Megan Ledin of the Grand Foundation stated that the Grand County Wildfire Emergency Fund has raised just over \$2.6 million. They have award \$307,000 out of that money. Immediate needs have been the greatest amount collected.

Request for assistance can be found on the Grand Foundation web page.

DiAnn Butler stated that the Economic Recovery Team is working on a business survey for businesses affected by the fires. She is also working on a Business Assistance Grant that will go through Grand Foundation for Grand Lake businesses affected by the fire.

Deb Ruttenberg of the Human Needs Team stated that they pulling qualitative and quantitative data around human needs.

Sheena Darland is on the Housing Team and they are working on paring up second homers who are willing to rent with people who need a homes.

Robert Davis of Community Development has been working with Ranch Creek Disposal and the Granby Transfer Station with regard to debris removal.

Mr. Davis stated that he is getting a number of unconventional requests to replace homes on a temporary basis. Commissioner Manguso would like those considered on a case-by-case basis. The Board would like to consider the unconventional requests in a workshop.

Katherine Morris of Natural Resources provided a presentation that was provided to the Northern Water Board and it specifically focuses on the watersheds of Northern Water.

Ms. Morris noted that where there is a private asset on Forest Service land, those can be handled through the Natural Resource Conservation Service Emergency Watershed Protection program. It consists of assessment of mitigating threat to life and property.

Ms. Morris has prepared a letter regarding the Natural Resource Conservation Service Emergency Watershed Protection program to request assistance will provide for landowner outreach, participation in the damage survey report, arrange for access and property rights in permitting, administer technical services, administer construction contracts, provide the cost share, manage the NRCS technical assistance funds, manage and locally allocate the funds, and operations of maintenance of projects when completed.

Northern Water has discussed and is considering being a sponsor on the project.

Acting County Manager Moyer stated that this does not put the County on the hook as the sponsor for all the costs associated or 20 percent of the costs. There are a lot of roles and responsibilities to work out with east and west slope partners and identify who is doing what.

Commissioner Cimino moved to approve and submit the NRCS letter as presented.

The motion passed unanimously.

Natural Resources Quarterly Update

Natural Resource Director Amy Sidener presented a quarterly update.

This year, the noxious weed program was limited to one seasonal employee due to the COVID restricted budget.

The giveaways started on May 24 and were weekly in Granby to September 27. There were 829 visits in the 19 days. There was 2,500 gallons given out.

In Kremmling, the giveaway started in June. The giveaway went every other week until the end of September. That was nine giveaway days with 125 visits with almost 500 gallons out.

There 200 acres treated this year. It is about a third of what they would do with a full staff.

The burn season was 128 days and was cut short by two weeks in March due to the COVID 19 stay at home order. There were 345 permit issued.

Jail Inspection

Commissioners Linke and Cimino viewed a tour of the jail.

Amended final Plat – Lots 18, 19 & 20, Block 3, Perry L. Miller Tract

PROJECT NAME: Amended Final Plat, Lots 18, 19, & 20, Block 3, Perry L. Miller Tract
APPLICANT: Matthew J., Tarly S., and Stephanie J. Dall, Owners
LOCATION: 161 GCR 4612
ZONING: Tourist District (T)
APPLICABLE
REGULATIONS: Grand County Zoning Regulations, Subdivision Regulations
ATTACHMENTS: Amended Final Plat, Letter of Application, Vicinity & Detail Maps, Title Commitment
STAFF PLANNER: Jacob Cote
REQUEST: Approval of an Amended Final Plat to combine Lots 18, 19, and 20 to increase buildable area for the construction of a single-family residence.

I. DISCUSSION

a. Proposal:

Matthew, Tarly, and Stephanie Dall, the “Applicant”, are co-owners of Lots 18, 19, and 20 in the Perry L. Miller Tract subdivision. The Perry L. Miller Tracts are located on the southwest side of Shadow Mountain Lake, close to the west side of US 34. The Applicant is proposing an Amended Final Plat that would combine the three lots, increasing the buildable area by eliminating the interior lot lines. All three lots are currently vacant. The lots, when combined, would create a parcel approximately 0.23 acres in size. There are no public utility easements corresponding to any of the interior lot lines which this Amended Final Plat would vacate. Applicant has represented that, pending approval of this Amended Final Plat, they intend to construct a single-family residence approximately 1,200 ft. large on the parcel. The dwelling will be connected to Three Lakes Water and Sanitation infrastructure systems. The subject lots are surrounded by developed residential lots on all sides but the south. The neighborhood in which the Applicant’s property is located is full of small lots created before the County’s zoning regulations which created a significantly larger minimum lot size for the Tourist District.

Consequently, the Applicant’s lots do not comply with minimum lot size requirements, nor would the property comply following approval of this proposed AFP.

b. History:

Perry L. Miller Tracts subdivision was recorded September 29th, 1954 at Reception No. 78856. It comprises of four tracts and 61 lots. There have been two other Amended Final Plats approved in the Perry L. Miller Tracts.

There have also been three applications for variances in the Perry L Miller Tracts subdivision. The Applicant applied for a variance for the subject property in February 2020 to allow reduced front, side, and rear yard requirements. Had the variance request not been granted, the property would not have been developable. The Grand County Board of Adjustment granted the variance at the March 11, 2020 hearing. The variance approval is contingent on approval and recording of this proposed Amended Final Plat.

c. Planning Commission Variance

A variance to the minimum lot size for parcels in the Tourist District was granted by the Planning Commission at the August 12th, 2020 hearing. §8.1 of the Grand County Subdivision Regulations was invoked to grant a variance for the property due to the non-conforming lot size.

II. PLANNING COMMISSION RECOMMENDATION

Grand County Planning Commission recommends approval of the Amended Final Plat, Amended Lot 18A, Perry L. Miller Tract, being a replat of Lots 18, 19, and 20, Perry L. Miller Tract, Recorded at Reception No. 78856, 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 as recommended (§4.3(2)(a)).
2. The legal description shall be written as recommended (§4.3(2)(b)).
3. A plat note shall be added referencing Planning Commission Resolution No. 2021-1-1 which shall grant a variance to the front, side, and rear yard requirements for the purpose of increasing buildable area (§4.3(2)(d)).
4. The Amended Final Plat shall show the name of the street adjacent to the east boundary of the Plat to be GCR 6430 (§4.3(2)(e)).
5. Location and description of monuments shall be shown on the Plat. "Point A" shall be located in reference to section lines of township and range with connection to property corners (§4.3(2)(i)).
6. The Dedication shall be written as recommended (§4.3(2)(k)).
7. The Surveyor's Certificate shall be amended to read as recommended (§4.3(2)(l)).
8. The Planning Commission Certificate shall be written as recommended (§4.3(2)(m)).
9. The Commissioner's Certificate shall be written as recommended (§4.3(2)(m)).
10. The A 14" x 18" black-line Mylar(s) with approved addresses and road numbers shall be placed on the Final Plat Mylar as required (§4.3(2)(w)).
11. An electronic copy of the Final Plat shall be submitted (§4.3(2)(y)).
12. All recording fees are to be paid by the Applicant.
13. Quit Claim Deeds to describe the amended legal description of the lots.
14. A variance shall be granted for minimum lot size to allow for the creation of a lot which would otherwise be non-conforming in size.

III. STAFF COMMENTS AND ANALYSIS

Staff supports this proposal to combine the three lots, eliminating the potential yard encroachments and increasing buildable area. This Amended Final Plat is a "part two" of the Applicant's process to make this property buildable (the first part being the Yards Variance approved in March 2020). There are no utility easements on the interior lot lines which would be vacated, thereby reducing the impact of the lot line vacation on the neighboring properties. The abnormally small lots in the area have made development difficult; zoning and subdivision regulations created since the platting of the lots has created legal non-conformities in the Perry L. Miller Tracts and surrounding subdivisions. Without approval of variances and Amended Final Plats—as we are seeing for this property—development of vacant parcels would not be possible. Condition #15—that the Planning Commission shall grant a variance to the Applicant because a non-conforming lot is being created—was discussed at length by Planning Commissioners and Community Development Staff. It was determined that a variance must be granted and that, per Grand County's Subdivision Regulations (§8.1.1), the Planning Commission has the authority to grant such a variance. There are no public notice requirements for a variance granted by this provision if there are otherwise not public notice requirements for the application.

IV. COMPLIANCE WITH GRAND COUNTY REGULATIONS

a. Master Plan

The subject property is located in the Grand Lake Urban Growth Area. The Urban Growth Area designation's intent is to identify areas where higher density growth can best be accommodated. Parcels located within UGA's are typically serviceable by public facilities, are easily connected to existing infrastructure, and have minimal impact on environmentally-sensitive areas in the County. Subdivisions located within Urban Growth Areas are typically of higher density, as well.

Applicable Elements of Master Plan: 2. Land Use – Growth and Development 2.2: The Pattern of Development Promote an overall pattern of development that directs intensive development toward existing towns and communities. By combining these lots to create a developable parcel, the County is encouraging infill development, an effective way to efficiently utilize existing infrastructure while preserving undisturbed lands away from the County's developed towns and subdivisions. Encourage development in designated Growth Areas to take advantage of existing infrastructure and public services or logically and efficiently extend or

expand such amenity/infrastructure. Approval of this Amended Final Plat would allow for development in a designated Growth Area (Grand Lake Growth Area (Urban Growth Area 2)) that is already served by infrastructure and public services.2.3: Town and Community Pattern Direct the majority of development toward Growth Areas with central water and/or central sewer

As mentioned above, development of the Applicant's property would comply with this Master Plan policy. Encourage infill development in existing developed residential communities/areas in unincorporated areas. Development of properties such as the Applicant's is a great example of infill development in unincorporated Grand County, where existing infrastructure can be utilized without necessitating large, expensive extensions.

b. Zoning Regulations

The Applicant's property is in the Tourist District.

a. The planned use for the property is a single-family dwelling, an allowed use in the Tourist District.

b. The amended plat will be for the purpose of combining three presently vacant parcels through the elimination of the interior separating lot lines. The minimum area of a lot in the Tourist District is one acre. The lot created through this Amended Final Plat would not comply, but the lots—being platted prior to adoption of the one-acre minimum lot size regulation—are “pre-existing non-conforming”.

c. The Tourist District's minimum yard requirements are:30' front yards, 20' side yards, and 20' rear yards. The approved Variance for the property—reducing the front yard to 10', the side yard to 5', and the rear yard to 10'—will make the lot developable.

d. Minimum lot width in the Tourist District is 150 feet. The created lot will be 71' at its widest point. This is a pre-existing non-conformity, and does not comply with current zoning regulations.

V.SUBDIVISION REGULATIONS –4.3 FINAL PLAT

The Amended Final Plat shall contain or be accompanied by the following information:

Section 4.3 (1) (a-b) the Final Plat Mylar shall be on a 24"x36" sheet, at a minimum scale of 1"=100"

Section 4.3 (2) (a)Title, Scale, North Arrow, and Date. The title of the Amended Final Plat shall be amended to read: Amended Final Plat Amended Lot18A, Perry L. Miller Tract Being a replat of Lots 18, 19, and 20, Perry L. Miller Tract, Recorded at Reception No. 78856 Part of Section 24, Township 3North, Range 76 West of the 6th P.M. Ownership Recorded at Reception No. 2020002221.

Section 4.3 (2) (b) The legal description shall be written as follows: Amended Lot 18A, Perry L. Miller Tract

Section 4.3 (2) (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. These requirements have been met.

Section 4.3 (2) (d)Tract boundary lines, rights-of-way lines of streets, easements and other rights-of-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. Plat note shall be added referencing Planning Commission Resolution 2021-1-1 which shall grant a variance to the front, side, and rear yard requirements for the property for the purpose of increasing buildable area.

Section 4.3 (2) (e) Names and right-of-way width of each street or other rights-of-way. This Amended Final Plat will show the name of the street adjacent to the east boundary of the property to be GCR 4612.

Section 4.3 (2) (f) Location, dimensions and purpose of any easement, including reference by book and page to any pre-existing recorded easements. This provision is not applicable; no easements exist on the property.

Section 4.3 (2) (g) Number to identify each lot or site and acreage of each site to nearest 1/100th of an acre. The total acreage of Amended Lot 18A shall be shown on the Final Plat as required.

Section 4.3 (2) (h) Purpose for which sites, other than residential lots, are dedicated or reserved. This provision is not applicable; the lot shall remain vacant and is intended for future residential use.

Section 4.3 (2) (i) Location and description of monuments. This requirement has been met.

Section 4.3 (2) (j) Current title commitment. This requirement has been met.

Section 4.3 (2) (k)Statement by owner platting the property and dedicating the streets, rights-of-way, easements and any sites for public uses, to be in substantially the following form: The Dedication Statement shall be amended to read as follows (revisions in bold):DEDICATIONKNOWN ALL MEN BY THESE PRESENTS:

That Tarly Dall, Stephanie Dall, and Matthew Dall are the owners of that real property situated in Grand County, Colorado, more fully described as follows: Lots 18, 19, and 20,Perry L. Miller Tracts. That they have caused said real property to be laid out and surveyed as: Amended Lot 18A, Perry L. Miller Tracts and do hereby dedicate and set apart all the streets, alleys and other public ways and places shown on the accompanying plat for the use of the public forever, and do hereby dedicate those portions of said real property which are indicated as easements on the accompanying plat as easements.IN WITNESS WHEREOF Tarly Dall, Stephanie Dall, and Matthew Dall have caused their names to be hereunto subscribed this ____ day of _____, 20____.

Section 4.3 (2) (l)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 subdivision plat, to be in substantially the following form: The surveyor's certificate shall be amended to read as follows (revisions in bold):SURVEYOR'S CERTIFICATEI, Warren Ward, a duly licensed land surveyor in the State of Colorado, do hereby certify that this plat of Amended Lot 18A,Perry L. Miller Tracts truly and correctly represents the results of a survey made by me or under my direction, and that said plat complies with the requirements of Title

38, Article 51, Colorado Revised Statutes, 1973, and that the monuments required by said Statute and by the Grand County Subdivision Regulations have been placed on the ground. (Surveyor's Signature)(Surveyor's stamp and registration number shall appear with this certificate)

Section 4.3 (2) (m) Certificates for approval by the Planning Commission and the Board of County Commissioners as follows:

PLANNING COMMISSION CERTIFICATE Approved this ___ day of _____, 20__ by the Grand County Planning Commission, Grand County, Colorado. _____ Chairman Add more space for date and month COMMISSIONER'S CERTIFICATE Approved and all public dedications accepted this ___ day of _____, 20__ by the Board of County Commissioners of Grand County, Colorado. Acceptance of this platted subdivision by the County of Grand does not constitute an acceptance of the roads and rights-of-way reflected hereon for maintenance by said County. Until such roads and rights-of-way meet County specifications and are specifically accepted for maintenance by Resolution of the Board of County Commissioners of Grand County, the maintenance ,construction, and all other matters pertaining to or affecting said roads and rights-of-way are the sole responsibility of the owners of the land embraced within the subdivision. This approval does not guarantee that the size or soil conditions of any lot shown herein are such that a Building Permit may be issued. _____ Chairman Board of County Commissioners Grand County, Colorado Shall be revised to the Commissioner's Certificate above.

Section 4.3 (2) (n) Certification by a qualified professional engineering, designing or planning firm, insuring compliance with the design standards and all other requirements of the Grand County Subdivision Regulations, as follows: This condition is not applicable.

Section 4.3 (2) (o) A two and one-half by three inch (2-1/2" 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.

Section 4.3 (2) (p) The executed original of the Restrictive Covenants and Articles of Incorporation and Bylaws of any owners' association showing filing of the Articles in the office of the Secretary of State of the State of Colorado. This condition is not applicable.

Section 4.3 (2) (q) A vicinity map. This requirement has been met.

Section 4.3 (2) (r) The subdivider shall provide: storm drainage plans and related designs; property survey and proof of ownership; and sanitary sewer plans and designs. These requirements have either been met or are not applicable.

Section 4.3 (2) (s) The subdivider shall provide sites and land areas for schools and parks when such are reasonably necessary to serve the proposed subdivision and the future residents thereof. Such provisions may include: Not applicable.

Section 4.3 (2) (t) No subdivision shall be approved until such data, surveys, analyses, studies, plans, and designs as may be required by this section and by the County Planning Commission or the Board of County Commissioners have been submitted, reviewed and found to meet all sound planning and engineering requirements of the County contained in these Subdivision Regulations. This application shall comply.

Section 4.3 (2) (u-v) These requirements are not applicable. This is not a new land division; Colorado Land Use Commission does not receive applications for Amended Final Plats.

Section 4.3 (2) (w) A 14" x 18" black-line Mylar(s) with approved addresses and road numbers as required. These shall be placed on the Final Plat Mylar. The address for the lot shall be as follows: 161 GCR 4612.

Section 4.3 (2) (x) Statement of taxes due showing current taxes paid. This requirement has been met.

Section 4.3 (2) (y) 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 coordinates available from the BLM at www.blm.gov/gcdb. The drawing shall include either a data dictionary to explain the layers, or a self-explanatory layering system. This shall be provided prior to recording the Final Plat Mylar.

Commissioner Linke moved to approve the Amended Final Plat of Lots 18, 19, and 20, Block 3, Perry L. Miller Tract as presented.

The motion passed unanimously.

Eldridge / Hot Sulphur Springs – Parshall FPD Outright Exemption

PROJECT NAME	Eldridge/Hot Sulphur Springs-Parshall FPD Outright Exemption
APPLICANT	Applicant: Hot Sulphur Springs –Parshall Fire Protection District M&B Property Owner: Walter Eldridge Represented by: Tom Baumgarten, Fire Chief, HSS-Parshall FPD
LOCATION	147 GCR 309 ZONING Accommodations (A)
APPLICABLE REGULATIONS	Grand County Zoning Regulations, Grand County Subdivision Regulations, Grand County Outright Exemption Regulations
ATTACHMENTS	A. Development Application

- B. Project Narrative Letter
- C. Proposed Eldridge Outright Exemption Final Plat
- D. Grand County Board of County Commissioners Res. No. 2008-4-51 approving Hot Sulphur Springs-Parshall Fire Protection District Outright Exemption – Reception No. 2008006224
- E. Hot Sulphur Springs-Parshall Fire Protection District Outright Exemption – Reception No.2008006225
- F. Current Tax Receipts
- G. Title Commitments

STAFF PLANNER
REQUEST

Jacob Cote, Planner I
Approval of an Outright Exemption to create a new 0.365-acre parcel out of the Eldridge Metes & Bounds property to be joined to the adjacent Lot B, Hot Sulphur Springs-Parshall Fire Protection District Outright Exemption.

BACKGROUND

Hot Sulphur Springs-Parshall Fire Protection District—represented by Tom Baumgarten, the “Applicant” or the “FPD”—is interested in acquiring a portion of the Metes & Bounds parcel owned by Walter Eldridge, “Eldridge”. The Applicant has owned Lot B (see plat) of the Hot Sulphur Springs-Parshall Fire Protection District Outright Exemption since 2008, when the Outright Exemption was approved per Resolution No. 2008-4-51, recorded at Reception No. 2008-006224. Walter Eldridge has owned his property since at least August 2019 (per County Assessor’s records for the property) per Deed recorded at Reception No. 2019-005848. The subject properties are located on the southwest edge of Parshall, between US 40 and the Colorado River. The parcel adjacent to the north of the current FPD parcel is a Grand County Road & Bridge refueling/storage facility. There are no residences immediately adjacent to the portion of the Eldridge parcel subject to this proposed Outright Exemption; Eldridge’s residence is in the extreme southeast of his property, away from County and FPD operations.

HISTORY

The Hot Sulphur Springs-Parshall Fire Protection District Outright Exemption Final Plat was approved by the Board of County Commissioners on April 1, 2008, and was recorded at Reception No. 2008-006224 (the Final Plat was recorded at Reception No. 2008-006225). The purpose of this Outright Exemption was to amend a lot line separating the Road & Bridge parcel and the FPD parcel that bisected the fire house. It resulted in the transferring of only 0.062 acres, or 2,700 ft.2. The FPD parcel was a pre-existing non-conformity due to its size; the 2008 Outright Exemption did not bring the parcel into compliance but it did reduce the non-conformity.

PURPOSE OF REQUEST

During the summer of 2020, Mr. Eldridge approached the Applicant to offer some of his land to the FPD as a donation. Eldridge does not use the section of the property subject to this Outright Exemption and believes the FPD could make better use of it. The FPD was, before discussions with Mr. Eldridge began, searching for parcels in Parshall suitable for a water storage tank to be used for fire protection operations. The additional 0.37 acres of land to be transferred to the FPD via this Outright Exemption would give the Applicant sufficient space for this water storage tank. The additional space on the FPD property will also be used for training exercises. Future projects that would become possibilities with the approval of this Outright Exemption include: a pumping source to pressurize water out of the tank, expediting fire truck loading; a paved driveway/section of the property for training; and possibly a new structure for training or storage.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission hearing for this Outright Exemption application took place on December 9th, 2020. Planning Commission recommends approval of the presented Outright Exemption to create the Eldridge Outright Exemption, to be forever joined to Lot B, Hot Sulphur Springs-Parshall Fire Protection District Outright Exemption. The following conditions shall be met prior to the recording of the Final Plat:

1. The Title of the Outright Exemption Final Plat shall be amended (§3.2.2 (a)).
2. Current title commitments from both involved parties shall be submitted to Grand County Community Development Department Staff prior to the hearing of this application by the Grand County Board of County Commissioners (j).
3. An electronic copy of the Final Plat shall be submitted (t).
4. The second “Reception” listed in Survey Note #2 of the draft Final Plat shall be amended to reflect the correct Reception Number of the Resolution: 2008-006224.
5. All recording fees are to be paid by the Applicant.
6. Quit Claim Deeds to describe the amended legal description of the lots shall be completed and recorded with the Grand County Clerk and Recorder’s Office.

STAFF COMMENTS AND ANALYSIS

The FPD’s need for more room in Parshall was met by Mr. Eldridge’s offer to transfer a section of his property to them via an Outright Exemption. This Outright Exemption application is very similar in intent and nature to the 2008 Outright Exemption, which was recommended for approval by the Planning Commission and was

approved by the County Commissioners. Because this proposed Outright Exemption would involve a Metes and Bounds parcel (Eldridge's), this would not permanently create an additional parcel for development by a third party, and will have minimal-to-negligible impact on neighboring property owners, the Outright Exemption process has been deemed an appropriate process. This project is not intended to circumvent the County's Subdivision Regulations. Staff understands this request is a boundary line adjustment between a Metes & Bounds parcel and an Outright Exemption parcel. The future Metes and Bounds parcel (as described as NW1/4 and of the NW1/SW1/4 of Section 18, Twp. 1 North, Range 78 West of 6th P.M. in Reception No. 99012962) legal description will be altered to reflect the removal of the proposed plat following recording of this proposed plat. Staff suggests the surveyor make additions and corrections to the plat that achieve the following:

- Create an Outright Exemption Parcel from the existing Metes and Bounds Parcel.
- Join that parcel to Lot B of the Hot Sulphur Springs-Parshall Fire Protection District Outright Exemption to be forever combined, never to be sold, transferred, or mortgaged separately.
- Create a plat of Eldridge Outright Exemption with the altered total area, therefore "legalizing" the remainder of Metes and Bounds parcel. The use of the FPD parcel has no explicit definition in the Grand County Zoning Regulations. Staff has determined that none of the defined uses permitted—either by-right or by Special Use Permit—accurately describe the Fire Protection District's use of the property. The use of the property will not be changing through this Outright Exemption, but Staff asks that a discussion take place regarding the definition of "public safety facilities".

Commissioner Linke moved to approve the Eldridge / Hot Sulphur Springs – Parshall Fire Protection District Outright Exemption as presented.

The motion passed unanimously.

Summit Trail Homes, Resubdivision of Lot 3, Summit Trail Lodge Condominiums Phase 1 Amendment – Final Plat Recording Extension

PROJECT NAME: Summit Trail Homes, a resubdivision of Lot 3, Summit Trail Lodge Condominiums Phase 1 Amendment –Final Plat
APPLICANT: 1215 Bryant Development, LLC
LOCATION: Lot 3, Summit Trail Lodge Condominiums Phase 1 Amendment 1215 GCR 8344 aka Bryant Blvd.
APPLICABLE REGULATIONS: Grand County Subdivision Regulations
ATTACHMENT:
A. Letter of Request to Extend Final Plat Approval dated November 24, 2020
STAFF PLANNER: Alexander Taft, LEED Green Associate
REQUEST: One (1) year extension to record Lot 3, Summit Trail Lodge Condominiums Phase 1 Amendment Filing as Approved by the Board of County Commissioners January 22, 2018 and previously extended.

I. DISCUSSION

1215 Bryant, LLC represented by Lloyd Kuehn, the "Applicant," are owners of Lot 3, Summit Trail Lodge Condominiums Phase 1 Amendment. The applicants proposed a 4 unit multi-family subdivision on a .72 acre parcel within Summit Trail Lodge Condominiums subdivision. Since the approval of the Final plat in January 2019 the Applicant has cited an increase in construction costs which halted the project. When Final Plat approval is granted, the Applicant has one (1) year to record the final plat, unless extensions are requested consistent with this language:(3) The final plat shall be processed as follows: ...(e) Following approval of the final plat by the Board of County Commissioners and the completion of the required improvements, the secretary of the Planning Commission shall record the final plat, Restrictive Covenants and Articles of Incorporation and Bylaws of any owners' association in the office of the Clerk and Recorder of Grand County. The subdivider shall be responsible for all recording fees. Approval of any Final Plat shall expire after one (1) year if not recorded in the Office of the Grand County Clerk and Recorder following the date of the Board of County Commissioners Final Plat approval. One (1) year extensions may be requested in writing by the developer and will be considered by the Board of County Commissioners.

II. RECOMMENDATION

Staff recommends approval of the one (1) year extension, until January 22, 2022, request for Summit Trail Homes, a resubdivision of Lot 3, Summit Trail Lodge Condominiums Phase 1 Amendment –Final Plat

Commissioner Cimino moved to extend the final plat recording for Summit Trail Homes as presented.

The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 1:09 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 26th day of January 2021.

Merrit Linke, Chair

Attest:

Sara L. Rosene, Clerk and Recorder