

MINUTES OF A REGULAR
BOARD OF COMMISSIONERS MEETING

Present: Robert F. Anderson, Chairman; James L. Newberry, Commissioner; Duane E. Dailey, Commissioner; Lurline Underbrink Curran, County Manager; Anthony J. DiCola, County Attorney, absent; Sara L. Rosene, County Clerk and Recorder, absent; Candice Siefken, Chief Deputy County Clerk and Recorder

November 4, 2003

Chairman Anderson called the regular Board of Commissioners meeting to order at 8:30 a.m.

Board Business/Correspondence/Calendar

Department heads present for the Board's business portion of the meeting were Stu Findley, Billy Sumerlin, and Deb Campbell.

Those present recited the Pledge of Allegiance.

Commissioner Dailey moved to grant \$1,000 of District 3 lottery funds to the West Grand Ski/Board Stampede.

Discussion: Commissioner Dailey stated that since the money was not requested last year, he would be willing to double this amount this year. He asked Board Secretary Etler to contact Denise Robertson to see if additional funds are needed.

The motion passed unanimously.

Commissioner Dailey stated that Leo Sullivan was voted in as the Mayor of Gorewood Subdivision.

Commissioner Dailey received a letter from Steve Overton, of Napa Auto Parts of Granby. Mr. Overton is interested in bidding as a supplier for the County's automobile needs. County Manager Underbrink Curran will discuss the matter with the Road and Bridge Supervisor. Commissioner Dailey added that, to date, Car Quest has done approximately \$34,000 worth of business with the County, and Napa has done approximately \$3,000. Chairman Anderson stated that Road and Bridge had previously been told to spread the County's purchases out between the businesses. Commissioner Dailey would like to set up a vendor's workshop.

Commissioner Dailey reviewed County Manager Underbrink Curran's comments for the Wolford Mountain travel management workshop.

Commissioner Dailey stated that three interviews for the Extension Agent will be held on November 13, 2003, at 8:00 a.m.

Commissioner Dailey mention that Dennis Smith called to thank the Commissioners for their help on County Road 4920.

Commissioner Dailey would like to RSVP that he will attend the meeting with the Colorado Transportation Commission and the CDOT Executive Director on November 12, 2003, in Steamboat Springs.

Commissioner Dailey moved to approve the Agreement with Qwest and Grand County at the Granby EMS offices for a two-year agreement for T1 service at the monthly rate of \$343.59 and a one-time installation cost of \$500.00.

The motion passed unanimously.

Commissioner Dailey stated that there will be a Tourism Board meeting on November 6, 2003, at 2:30 p.m. in Fraser.

Commissioner Newberry moved to authorize the Board to sign a letter to Will Tully, with the BLM, and Chandler Peter, with the US Army Corp of Engineers, regarding the Windy Gap Firing Project.

The motion passed unanimously.

Commissioner Newberry presented a thank you letter from Senator Lewis H. Entz.

The Board discussed the Shoshone call.

Commissioner Newberry moved to grant \$1,500 in lottery funds to the Fraser Valley Metropolitan Recreation District for the purchase of new equipment for the gymnastics program.

The motion passed unanimously.

The Board discussed the water issue at the Grand Events Center.

Commissioner Dailey moved to approve the minutes from the regular Board of County Commissioners meeting held on October 21, 2003.

The motion passed unanimously.

Commissioner Dailey reviewed a draft of the Grand County police study completed by Mike Tupa. Commissioner Dailey stated that it contains good data, but a few things need to be corrected.

Commissioner Newberry wondered if the Board should write a letter to the Middle Park Water Conservancy District asking for clarification on Summit County's Water Augmentation Plan. County Manager Underbrink Curran stated that she will draft a letter. She also suggested talking with the County's representatives.

November 5 Commissioner Newberry and Chairman Anderson will attend the Grand Beginnings meeting in Granby at 8:30 a.m.

Chairman Anderson will meet with Art Pearson at 2:00 p.m.

Commissioner Dailey and Chairman Anderson will attend the Rural Health Network meeting at 6:00 p.m. at the EMS building

Commissioner Dailey will attend the Kremmling Memorial Hospital Siting Committee meeting in Hot Sulphur Springs

November 6 Commissioners Newberry and Dailey will attend the Tourism Board meeting at the Pinnacle Lodge at 2:30 p.m.

November 9 Commissioner Dailey will attend the 4-H achievement awards at 2:00 p.m. at the West Grand High School

November 11 Commissioner Dailey will attend the Veterans Day breakfast and ceremony at Snow Mountain Ranch starting at 8:00 a.m.

November 12 All three Commissioners will attend the Granby Town Board meeting at 8:00 p.m.

Commissioner Dailey will attend the Fraser Valley Leadership meeting at 7:30 a.m. Commissioner Dailey and Chairman Anderson will attend the meeting with the CDOT Regional Director and State Director at the Centennial Hall in Steamboat Springs from 1:00 p.m. to 3:00 p.m. Commissioner Dailey and Chairman Anderson will attend a meeting with the Colorado Transportation Commission and the CDOT Executive Director at the Centennial Hall in Steamboat Springs at 3:00 p.m.

November 13 Commissioner Newberry will attend the East Grand Water Quality meeting

All three Commissioners will attend the Extension Agent interviews at 8:00 a.m. at the Extension Hall in Kremmling

Commissioner Dailey will attend the UCC meeting

November 17 All three Commissioners will attend the budget workshop at 1:00 p.m. in the Board's meeting room

November 19 Commissioner Dailey will attend the department heads meeting

All three Commissioners will meet with Tony Curtis at the Fraser Library at 2:00 p.m. to discuss the Fraser Parkway

November 21 Commissioner Dailey will attend the open house for the Fraser Road and Bridge shop at 12:00 p.m.

Commissioner Dailey stated that Kelly Weimer would like to have a workshop with regard to CET. Board Secretary Etlar will get a list of possible dates.

Road and Bridge Update

Bryan Holley, Gary Morrow, and Tim Gagnon appeared before the Board.

Mr. Holley discussed the reasons for overtime last week.

The new secretary will start November 10, 2003.

Mr. Holley stated that crews are performing the following work:

- performing ditch work on County Road 87
- working on culverts on County Road 54
- sanding various roads
- grading County Roads 10, 21, 24, 34, 56, 60, 315, and 608
- moving the recycling trailers

- painting the new shop
- repairing the cattle guard at the landfill
- plowing in Old Park

The new shop received its Certificate of Occupancy yesterday. The crews are finishing up some last minute details.

Mr. Holley asked for approval of out-of-state travel for four mechanics to attend a class in Salt Lake City, Utah.

Commissioner Dailey moved to approve the out-of-state travel request.

The motion passed unanimously.

Mr. Holley stated that the Commissioners need to look at the berm at the landfill.

Mr. Gagnon presented a map detailing four separate alignments for the Fraser Valley Parkway. He discussed the pros and cons of the various alignments.

Commissioner Newberry suggested setting up a meeting with the various groups to discuss the Parkway. Mr. Gagnon will coordinate something with Planning Director Campbell.

Mr. Gagnon stated that Pole Creek Valley is almost complete and is coming in on budget. There will be some asphalt work done today. Commissioner Dailey questioned how it will be plowed this year. Mr. Morrow stated that the crews will not put the wings down when plowing. Mr. Gagnon stated that it will be a normal situation by next winter.

The Board discussed the Red Top Ditch. The completed project will take 114 feet, or less, of culvert. Mr. Holley stated that they haven't heard from Mr. Lacroix yet.

Manager and Attorney Items

Commissioner Newberry moved to authorize the Chairman to sign a Letter of Understanding to allow the Public Health Nurse to draw blood for genetic marking of sex offenders.

The motion passed unanimously.

Commissioner Newberry moved to authorize the Chairman to sign a letter to Wade and Sally Monroe regarding paving County Road 8.

The motion passed unanimously.

Commissioner Dailey moved to authorize the Board to sign a letter to Daryl Shrum regarding the 2030 Plan.

The motion passed unanimously.

County Manager Underbrink Curran stated that she purchased four air conditioners for the courts. Two will be placed in the Court Clerk's Office, and the remaining two will be installed in the judges' chambers.

Commissioner Dailey asked about the Soda Springs resurvey. County Manager Underbrink Curran stated that the County Surveyor completed the survey. She reminded the Board that she was asked by the Board to have everything verified, which is why she contacted Tim Shenk.

Tina Whitmer and Micah Benson appeared before the Board. Ms. Whitmer stated that she would like the spurious liens which were filed against her and Ms. Benson taken care of. It has been almost two years. The Board directed the County Manager to find an attorney to take care of this matter.

Colorado Department of Public Safety Grant Umbrella Contract - Billy Sumerlin

County Manager Underbrink Curran stated that this is a Master Contract like Public Health's. The County Attorney is going to write a letter which will state that the County is signing the Contract under duress due to not being able to include the County's governmental immunity.

Mr. Sumerlin stated that a similar contract was signed in 2002 with the Office of Emergency Management. The Master Contract is good for 5 years.

Commissioner Dailey moved to authorize the Chairman to sign the Colorado Department of Public Safety Grant Umbrella Contract.

The motion passed unanimously.

Mr. Sumerlin stated that the Mass Casualty Plan has been completed. He is in the process of completing a critical assessment document. By finishing this assessment, the County should receive an additional \$8,000 to \$12,000 in 2004.

Board Business

Commissioner Newberry moved to approve Resolution 2003-9-39, A Resolution approving the appointment of Peg Steffens of District 2 to the Health Advisory Committee to replace Diane Pritchard.

The motion passed unanimously.

Commissioner Newberry moved to approve Resolution 2003-9-40, A Resolution approving the appointment of Gary Ashly to replace Janet Hitchcock of District 2 as an alternate to the Three Lakes Area Tourism Board.

The motion passed unanimously.

Commissioner Newberry moved to approve Resolution 2003-9-41, A Resolution authorizing the Chairman of the Board to execute a Contract by and between the Board of County Commissioners of the County of Grand, State of Colorado, and T & C Concrete, Inc. for work at the District 1 Maintenance Facility, Grand County,

Colorado, not to exceed the amount of \$8,370.00.

The motion passed unanimously.

Commissioner Newberry moved to approve Resolution 2003-9-42, A Resolution authorizing the Chairman of the Board of County Commissioners of the County of Grand, State of Colorado, to execute the Contract Change Order Letter No. 10, from T & C Concrete, Inc., in the amount of \$1,050.00 for 100' of concrete for curbs, gutters, and a handicap ramp at the District 1 Maintenance Facility, Grand County, Colorado.

The motion passed unanimously.

Commissioner Newberry moved to approve Resolution 2003-9-43, A Resolution authorizing the Chairman of the Board of County Commissioners of the County of Grand, State of Colorado, to execute the Contract Change Order Letter No. 12, from Top Notch Fence, LLC., in the amount of \$2,540.00 for 170 linear feet of 6 & 1 chain link fence for the District 1 Maintenance Facility, Grand County, Colorado.

The motion passed unanimously.

Commissioner Newberry moved to approve Resolution 2003-10-21, A Resolution with regard to the Valley at Winter Park Subdivision Improvements Agreement.

The motion passed unanimously.

Commissioner Newberry moved to approve Resolution 2003-10-22, A Resolution authorizing the Chairman to execute a Services Contract by and between the Board of County Commissioners of the County of Grand, State of Colorado, and Mountain Family Center for emergency food distribution in Grand County, Colorado.

The motion passed unanimously.

Finance Director

Finance Director, Denise Harvey, presented the Warrant Register and Expenditure List to be paid on November 5, 2003, for vendor payments. The list for this period was verified by the Finance Director for the Board's approval.

Commissioner Newberry moved to approve and sign the warrants to be paid on November 5, 2003.

The motion passed unanimously.

Discussion on Security and Air Conditioning - Judge O'Hara and Evan Herman

Judge O'Hara and Evan Herman appeared before the Board.

Judge O'Hara stated that it was his understanding that the Commissioners approved the idea of a second security

person. County Manager Underbrink Curran stated that the Board informed everyone present at the last meeting that the Commissioners would have to look at the budget before making a decision. The Board has not made a final determination on the budget.

Commissioner Dailey detailed what the County has done for the courts including relocating the switchboard in order to open up another sitting area upstairs, purchasing a new metal detector, and purchasing personal security buttons. County Manager Underbrink Curran added that the County also purchased video arraignment equipment and video cameras to monitor when prisoners are brought over from the jail.

Judge O'Hara stated that he appreciates the video arraignment equipment. He stated that Mr. Rask is wonderful in his job and has a very calming influence up in the courts. Judge O'Hara would hate to lose the ability to have Mr. Rask rove during the peak times. The problem with Mr. Rask roving is that the metal detector is unmanned. They have discussed locking the door and having a doorbell. The problem with this system is that it would inconvenience the County's employees needing to reach the Accounting Office. County Manager Underbrink Curran stated that the County has programable locks that can be used so that Accounting personnel could let themselves in when Mr. Rask isn't at the scanner and the door is locked. Judge O'Hara stated that he believes every person entering the third floor should be scanned including court personnel.

Commissioner Dailey asked if Accounting and Probation could switch offices. Mr. Herman stated that he doesn't believe there is enough room. The possibility of moving the two offices was discussed. Mr. Woros stated that the County's wiring closet could be isolated if Probation does move into the offices upstairs. He would just like an agreement that he could have occasional access. Sheriff Johnson stated that moving the two offices might increase the security risk.

Mr. Herman stated that he would like to renew the request for full-time security. He added that the risk doesn't go away just because court isn't in session.

Commissioner Dailey stated that the budget is very tight. The County has even asked the District Attorney's Office to cut its budget. He wondered if the State could provide money for security measures. Mr. Herman stated that the State is very rigid in what it pays for and what is required of the Counties. Judge O'Hara stated that the statute is very clear on the delegation of authority of responsibility.

Mr. Herman stated that hiring another security person wouldn't be much of an increase in the budget since there aren't too many times when court isn't in session already. County Manager Underbrink Curran reviewed the figures in order to have full-time security.

Commissioner Newberry asked how Grand County compares to the other courthouses in the 14th Judicial District. Judge O'Hara reviewed the security measures in Moffat County and Routt County. He added that there are facilities in the State that don't have security.

Mr. Herman stated that he is sympathetic to the County's budget issues, but he believes the Commissioners should look at court security as insurance. He stated that if something happens, the County could be sued for millions in liability damages.

Chairman Anderson stated that the Commissioners will be having a budget workshop on November 17, 2003, and the Board will be able to give a definite answer after that time.

County Manager Underbrink Curran stated that it might help to know how many hours or days court is in session. If the amount of time that Mr. Rask is working has increased, what is required to make security full-time might not be as much as the County anticipated. Judge O'Hara stated that the District Court varies. County Court is in session four full days a week. He stated that there is a minimum of four days and a maximum of five days a week when court is in session. He added that there are times when Judge Hoak is in chambers, but court isn't in session. Mr. Rask does not provide security during these times. Mr. Herman added that the judges aren't always in session together. There might still be days when no judge is in the courthouse.

Mr. Herman asked about the air conditioning. County Manager Underbrink Curran replied that she purchased four units. Two will be placed in the Clerk's Office, and the other two will be placed in the judges' chambers.

Judge O'Hara asked about the air that is piped into the jury room. County Manager Underbrink Curran stated that she believes the system is sized for the jury room alone. There were plans for the courtrooms, but the roof wouldn't hold the necessary units. Ms. Underbrink Curran will ask Building Official Penson if the jury room system is large enough to pipe air elsewhere. Judge O'Hara stated that he appreciates the Board's efforts. He asked that the Board not give up on trying to cool the courtrooms. He feels sorry for the jury since they can't leave the courtroom to get relief.

County Manager Underbrink Curran stated that the Commissioners are trying to do the best they can. She added that the County invested almost \$300,000 last year trying to improve the courts.

Peper Stagecoach Estates Subdivision Preliminary Plat Approval

The following is all or part of staff's Certificate of Recommendation to the Board of County Commissioners as presented at the meeting on November 4, 2003.

APPLICANT: C.D. and Maureen Peper (Referred to as the "Applicant")

RE: Peper-Stagecoach Estates Preliminary Plat

LOCATION: NE ¼ of Section 12, Township 3 North, Range 76 West of the 6th PM, Grand County, Colorado.

REQUEST: The applicant is requesting approval of the Peper-Stagecoach Estates Preliminary Plat.

DISCUSSION

The Applicant has presented the Preliminary Plat of Peper-Stagecoach Estates to the Grand County Board of County Commissioners on November 12, 2002. The subdivision is a five (5) lot subdivision on 13.5 acres. The development is located south of the Town of Grand Lake, approximately a half mile and, located on GCR 466. The applicant is legal owner of the property, pursuant to a 1999 court decision (Case No. 99SC165).

Grand County Planning Staff had recommended that the Peper-Stage Coach Estate Subdivision is required to complete installation of infrastructure to connect to the Three Lakes Water and Sanitation District. A workshop was conducted with the Applicant, Grand County Board of County Commissioners, and Grand County Staff on October 11, 2002 due to differences in how the Applicant would meet this obligation. Six alternatives were considered and discussed at the workshop. These are summarized in the October 11, 2002 memorandum from William E. Gray. No decision was made at the workshop. The Peper-Stagecoach Estates Preliminary Plat was

presented to the Grand County Board of County Commissioners on November 12, 2002. At this meeting, the Applicant had elected to pursue none of the six alternatives, and requested that the Preliminary Plat be tabled. Commissioner Daily moved to table the Peper-Stagecoach Estates Subdivision Preliminary Plat. It passed unanimously.

The applicant has been in negotiations with the Three Lakes Water and Sanitation District. They have recently completed their negotiations. The Applicant will provide a sanitary sewer extension to enable the subdivision to be connected to the District's closest sewer main at CR 466.

PLANNING COMMISSION RECOMMENDATION

Grand County Planning Commission approved the Preliminary Plat on June 12, 2002 (Resolution 2002-6-2).

STAFF RECOMMENDATION

Staff recommends approval of the Peper-Stagecoach Estates Preliminary Plat. The Applicant has provided evidence that they will be served by the Three Lakes Water and Sanitation District's sanitary sewer system.

The Applicant is required to meet all conditions for final plat, as stated as part of the Certificate of Recommendations, Peper-Stagecoach Estates Subdivision Preliminary Plat (November 12, 2002).

Planning Director Campbell and C.D. and Maureen Peper appeared before the Board.

Ms. Campbell stated that the Building Department has been notified of some concerns regarding a septic tank and the use of an accessory building. Scott Penson will look into the matter and report back to Ms. Campbell.

Larry Malouff, owner of Simonds Outright Exemption, stated that he would like to discuss the access lane. He gave the history of the access and the driveways and stated that former Planning Director Bill Gray agreed that County Road 466 can't be designated as even a restricted access road due to the grade and poor sight distance. Mr. Malouff would like to change the access. Ms. Campbell replied that she reviewed the files, and she needs the engineered drawings in order to address Mr. Malouff's concerns.

Ms. Peper stated that Road and Bridge Supervisor Branstetter indicated that he would prefer not have any driveways off of County Road 466.

Mr. Peper stated that they do not care where the access is.

Ms. Campbell stated that after she reviews the designs, they can work on other options with regard to the access if necessary.

Mr. Malouff read aloud from former Planning Director Gray's Certificate of Recommendation to the Planning Commission from a 2002 meeting.

Jim De Loach, nearby resident, asked how the cost of connecting onto Three Lakes will be apportioned. Ms. Campbell stated that the details haven't been worked out. There has been some discussion about structuring the

Subdivision Improvements Agreement to limit lot sales until the connection has been made. Mr. De Loach stated that he discussed the matter with Sally Blea. He was informed that if the property line is within 400 feet of the sewer line, the lot owner must connect onto the system. He stated that his house is 450 feet beyond the property line, so he will have to run line for 850 feet. He added that his current septic system is fine.

Chairman Anderson wondered if something could be worked out with Three Lakes in order to extend the time frame for the connection.

Mr. Malouff wondered if the Board could exempt the homeowners that don't have a real reason to hook onto the Three Lakes system. County Manager Underbrink Curran stated that Three Lakes has a federal mandate to connect everyone in the Three Lakes area. The Three Lakes Board asked the Commissioners for an agreement that if Three Lakes asked that an area be connected, that the Commissioners would help. This is the reason this subdivision was asked to connect. The Board can't waive anyone's connection, only Three Lakes can do that. Mr. Malouff then asked the Commissioners for a time extension. Chairman Anderson stated that the Board can request that Three Lakes work with the property owners.

Mr. De Loach stated that if something was wrong with his septic system, it would drain into the ponds on the old dump site. He added that this is true of his neighbors too. He believes that something should be done with the dump site with regard to contamination. Commissioner Newberry stated that this is an issue for Three Lakes.

Mr. Malouff then requested that the power be underground. He would hate to cut down trees for the power lines since so many have already been lost to the beetles. County Manager Underbrink Curran stated that the County's regulations require that the utilities be located underground.

Ms. Campbell stated that Condition 12 needs to be modified. Commissioner Newberry suggested that it state that Lot 5 have its own driveway and that the County will receive the engineer reports and all other materials in order to make a decision on Lot 4 with regard to its access with the intention of it having a driveway which will stand alone with a backup plan which would use Mr. Malouff's access.

Ms. Campbell will review the site with the Pepers and allow Mr. Malouff to be part of the process.

County Manager Underbrink Curran wondered, since the Board assisted Three Lakes in gaining the connection of property that is over the 400 foot limit, if Three Lakes would grant a time waiver to allow people extra time to hook on.

Mr. De Loach asked that the distance variance play into this since his house is on the far side of his property. County Manager Underbrink Curran stated that the statute states that the distance is measured to the property line and not to the residence.

Commissioner Newberry wondered if it would be possible to keep a holding tank and simply pump the effluent to Three Lakes.

Ms. Campbell stated that she will talk with Three Lakes about a time variance and a variance on the type of sewer connections allowed.

Commissioner Newberry moved to approve the Peper-Stagecoach Estates Subdivision Preliminary Plat with changes made to staff's Recommendation 12.

Discussion: Commissioner Newberry wanted to confirm that everything is captured in Recommendation 12. Ms. Campbell stated that it will deal with the driveways for Lots 4 and 5 as discussed. Commissioner Newberry also stated that the workshop that will be held sometime in the future with Three Lakes is not part of the recommendations.

The motion passed unanimously.

Silver Ridge Town Homes Extension Request

The following is all or part of staff's Certificate of Recommendation to the Board of County Commissioners as presented at the meeting on November 4, 2003.

APPLICANT: Silver Ridge Rocky Mountain LLC, Steven S. Bromberg- Manager

RE: Silver Ridge Town homes- Extension of Subdivision Improvements Agreement

LOCATION: Outlot portion of Phase I- Lakeview Subdivision, Portion of E2 SW4, SW4, SW4, Section 17, Township 1 North, Range 76 West of the 6th P.M. Grand County, Colorado

REQUEST: The applicant is requesting extension of the Subdivision Improvements Agreement, Phase I for Silver Ridge Town homes for one (1) year.

DISCUSSION:

The site is located approximately 1 mile east of US Highway 40, adjacent to and North of County Road 89, near the intersection of County Road 896, aka Spruce Drive. The 30acre site is owned by Silver Ridge Rocky Mountain LLC (Reception No. 2000-000404 of the Grand County Records)

The site is located within a portion of Phase I- Lakeview Subdivision (Recorded at Reception No. 203722) of the Grand County Records, known as Lot 1. Phase I- Lakeview Subdivision consists of Lot 1, Phase I (2 multi-family buildings with a total of 16 units on 3.596 acres), Lots 2-5, Phase I (linear lots) and an Open Space Parcel.

The Applicant received Final Plat approval January 2, 2001 (Resolution No. 2001-1-1). The applicant has completed minimal site work, including installation of the soil erosion control features, construction of an access road from Silver Creek Drive, and construction of primitive roads throughout the proposed site. Construction subdivision improvements are covered in the First Amended Subdivision Improvements Agreement (Recording No. 2001-000527).

The applicants expectations were to begin construction of the project soon after approval; however due to the economy, it has not. The attached letter, dated September 25, 2003, identifies the developer's dilemma.

The applicant has requested a one (1) year extension of the Subdivision Improvements Agreement to move forward with this plan, or an amended plan. The Applicant has indicated that they are in discussions with potential buyers.

The potential buyers have completed due diligence with Grand County Planning staff regarding the resubmittal process for any proposed changes. Grand County Staff has requested that any potential buyers meet to discuss annexation with the Town of Granby, due to recent annexation of the Sol Vista property to the East.

The current Amended Subdivision Improvements Agreement has expired. The Applicant will provide a Second Amended Subdivision Improvements Agreement with an updated Construction Cost Estimate and the appropriate security to cover the extension.

Grand County Planning Staff has received several complaints regarding the condition of the site. These complaints have been from homeowners in the Innsbruck area. They have complained of the lack of maintenance of the soil erosion control.

Staff met with Irene Cooke, Erosion Control Specialist, and East Grand Water Quality, on site on October 15, 2003. Ms. Cooke identified specific areas where the existing erosion control has been damaged, resulting serious erosion issues.

The Applicant addresses the damaged sections of existing soil erosion control, and repair or replace.

The Applicant will be subject to random inspections by Grand County Planning Staff regarding on- going maintenance of the erosion control features.

Once the project begins, the Applicant will implement the requirements for Stormwater Control as noted in Ms. Cooke's October 15, 2003 letter, to ensure that the best management practices for sedimentation and control are in place during construction, noxious weed control, and Revegetation.

STAFF RECOMMENDATION

Staff recommends approval to extend the Silver Ridge Town homes –Final Plat First Amended Subdivision Improvement Agreement until November 1, 2004, with the following conditions:

1. The Applicant will provide a Second Amended Subdivision Improvements Agreement, with an updated Construction Cost Estimate and appropriate security to cover the extension.
2. The Applicant addresses the damaged sections of existing soil erosion control, and repair or replace.
3. The Applicant will be subject to random inspections by Grand County Planning staff regarding on-going maintenance of the erosion control features.
4. Once the project begins, the Applicant will implement the requirements for Stormwater Control as noted in Ms. Cooke's October 15, 2003 letter to ensure that the best management practices for sedimentation and control are in place during construction, noxious weed control and Revegetation.

Deb Campbell, Ron Stern, Steve Bromberg, and a representative from G & H Engineers appeared before the Board.

Mr. Bromberg stated that most of the erosion issues were corrected last week. G & H Engineers has prepared an updated report with pictures.

Mr. Stern stated, with regard to Condition 1, that no actual money has been posted but that there is a restriction from sale. He wondered about selling the entire project. County Manager Underbrink Curran stated that the whole project can be sold, but nothing can be released for sale until new cost estimates, a Subdivision Improvements Agreement, and guarantee of construction are provided by the buyer. The Subdivision Improvements Agreement should say that no construction or sale can occur until the new buyer comes in and makes arrangements with the Board. She further added that any construction requires updated cost estimates.

Ms. Campbell will change Condition 1 to state that if the entire parcel is sold, existing costs don't need to be changed. However, once the developer requests to be able to sell lots, the County will require an updated Subdivision Improvements Agreement and new costs analysis.

Commissioner Dailey moved to approve the extension of the Subdivision Improvements Agreement with staff's recommendations and modifying Recommendation 1 as stated by Ms. Campbell.

The motion passed unanimously.

Grand County Treasurer Resolution to Disburse Funds to EGSD

County Treasurer Whitmer presented the Treasurer's Report.

Commissioner Newberry moved to approve Resolution 2003-11-1, A Resolution authorizing the Grand County Treasurer to disburse funds from the account "Payment in Lieu of East Grand School Land."

The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 11:58 a.m. Minutes were taken and prepared by Candice Siefken, Chief Deputy County Clerk and Recorder. Approved this _____ day of November 2003.

Robert F. Anderson, Chairman

ATTEST:

Sara L. Rosene
Grand County Clerk and Recorder