

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

January 15, 2019

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

Also Present: County Clerk and Recorder Sara L. Rosene
County Manager Lee Staab
Acting County Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

Commissioner Linke moved to approve the Meeting Minutes of the January 8, 2019 Board of Commissioners meeting.

The motion passed unanimously.

Commissioner Cimino announced that the Board is sitting as Grand County Housing Authority.

Grand County Housing Authority Operations Manager Sheena Darland provided an update going into 2019.

A meeting was held with staff of Cliffview and with residents and their families about the transition to management by Middle Park Health. An operational meeting will be scheduled between Senior Housing Options, Grand County Housing, and Middle Park Health.

Silver Spruce and Grand Living are primarily funded (seventy percent) with HUD and USDA money, so the federal government furlough is stopping payment on those accounts. Ms. Darland reports that there are enough funds in the accounts to keep going for now.

Commissioner Cimino provided direction to look to funds in the Housing Authority accounts to supplement HUD and USDA payments. The Board supports finding funds in other departments if necessary.

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

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on January 16, 2019, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Linke moved to approve the checks presented on January 15, 2019 for payment on January 16, 2019 the Grand County Housing Authority.

The motion passed unanimously.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on January 16, 2019, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Linke moved to approve the vouchers presented on January 15, 2019, for payment on January 16, 2019 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Cimino announced that the Board is sitting as Grand County Board of Human Services.

Deb Ruttenberg, Director of Grand County Human Services provided an update of the effects of the federal government shutdown on her department. SNAP (food assistance) clients will receive January and February benefits in January. There are 207 cases, or about 400 people, who receive food assistance in Grand County. That is equivalent to about \$35,500 a month coming from the federal government that is distributed as food assistance benefits. FNS was able to release the administrative dollars available through February.

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

Brene Belew-LaDue, Grand County Public Health, reported that WIC has funds available through the end of February. New applications will be accepted through January 30, 2019. CCAP benefits will be available until “Spring” of 2019. Colorado Works Program will be operational through June of 2019, even if the federal government stays on furlough.

Commissioner Manguso moved to approve Resolution No. 2019-1-15, “A RESOLUTION ACCEPTING AN AMENDED SUBDIVISION IMPROVEMENTS AGREEMENT AND AUTHORIZING A PARTIAL RELEASE OF FUNDS FOR THE SUBDIVISION IMPROVEMENTS FOR THE RANCHES AT DEVILS THUMB LOCATED IN SECTIONS 9, 16, & 17, TOWNSHIP 1 SOUTH, RANGE 75 WEST OF THE 6TH P.M. COUNTY OF GRAND, STATE OF COLORADO” as presented by Alex Taft of Community Development.

The motion passed unanimously.

Human Resource Director Colleen Reynolds gave an update on meeting with the representative from CCOERA about adding a Roth plan in addition to the traditional retirement plan that is already offered to County employees. There would be no added cost to the County, as it is employee contribution only. The Board gave direction to proceed.

Clerk and Recorder Sara Rosene presented the December 2018 Clerk Revenue report.

Manager and Attorney Items

Assistant County Manager Ed Moyer provided updates on the Grand County Fair Board meeting on Monday night. The proposed Monster Truck Rally during Kremmling Days would require extensive cost and labor to prepare the arena and clear it after the event. Options are being considered, such as private sector donations. The Board of Commissioners is in favor of continuing with the event if possible.

The Demolition Derby will be held in Kremmling again this year.

County Manager Lee Staab presented his weekly update.

In-person candidate interviews for the position of County Attorney are scheduled for January 30, 2019. There are three candidates. Colleen Reynolds will be asking the questions of the interviewees.

Application review is completed for the position of County Manager. There are three candidates. A meet and greet will be scheduled on February 5 and interviews in person will be on February 6, 2019.

Board Business/Correspondence/Calendar

Commissioner Manguso attended a UCC meeting last Thursday at the Sagebrush.

Commissioner Manguso met with Shanna Ganne and Tyson Arnold about the Historical Association. There was discussion about a Grand County resolution indicating support from the Board of Commissioners for an addition to the Grand County Master Plan regarding historic preservation.

Commissioner Manguso attended the Mayors/Manager meeting on January 14, 2019.

Commissioner Linke met last Wednesday with Shanna Ganne and Tyson from the Historical Association.

On January 14, Commissioner Linke met with the Club 20 Executive Committee where Executive Director reviews were conducted. Legislature changes and their effect on the Western Slope were addressed. Water and forest management, mitigation of fire, fiscal issues, public land use, agriculture topics, and tourism were discussed.

Calendar

January 15	CCAP meeting at 5:30 p.m. (Commissioner Cimino)
January 16	County Manager interview applicants by Skype (All three commissioners)
January 16	CCAT meeting at 5:00 p.m. (Commissioner Cimino)
January 17	CCI Legislative meetings (Commissioner Cimino)
January 17	Grand County Wildfire Council meeting at 11:30 p.m. at Grand Fire Protection District No. 1 (Commissioner Linke)
January 19	Middle Park Health Foundation social gathering at Rendezvous from 3 – 7 p.m. (Commissioner Cimino)

January 18 CCI Legislative Breakfast at Capital at 7:00 a.m. (Commissioners Linke and Cimino)

January 21 Commissioner Linke will meet by phone with Summer Gathercole of Colorado Workforce at 9:30 a.m.

Consent Agenda

Resolution No. 2019-1-16, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPOINTING JAMIE LUCAS AS THE AT-LARGE REPRESENTATIVE TO THE GRAND COUNTY EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD"

Resolution No. 2019-1-17, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPOINTING SHERIFF BRETT SCHROETLIN AS THE LAW ENFORCEMENT REPRESENTATIVE TO THE GRAND COUNTY EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD"

Resolution No. 2019-1-18, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A GRANT AGREEMENT BY AND AMONG THE COLORADO MOUNTAIN COLLEGE FOUNDATION, THE STATE OF COLORADO, AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

Grand County Assessor, Abatement Hearings, Proposed Motion – Request for Administrative Denial for the following petitions (represented by Duff & Phelps):

Tom Weydert, Grand County Assessor, stated that he received a request for administrative denials on the Abatements presented. Assessor Weydert agrees with and recommends administrative denial.

Commissioner Manguso moved to approve the request for administrative denial for the following petitions:

Bergen, AB16-51(A)
Brothers, AB 18-10
Brumagin, AB16-50(A)
Brumagin, AB 16-50(B)
Debric Enterprises, AB16-41(A)
Edelstein, AB 16-52(A)
Forsha, AB16-58(A)
Frink, AB16-54(A)
Johnson, AB16-47(A)
Jones, AB16-55(A)
Kleeman, AB16-40(A)
Morton, AB16-38(A)
Paulsen, AB16-39(A)
Pierson, AB16-48(A)
Sanders, AB16-43(A)
Schnittker, AB16-46(A)
Strobel, AB16-59(A)
Zompa, AB16-53(A)
Tanner, AB16-41(A) – this application was listed but withdrawn before the hearing

The motion passed unanimously.

Public Hearing – Savage Outright Exemption & Vacation of Utility Easements, Lot 1, Grand Sky Subdivision Exemption

The public hearing scheduled to begin at 10:35 a.m. was called to order by Chair Cimino at 10:35 a.m. County Manager Staab set the record with the following exhibits:

- A. Letter of Application and Narrative, September 13, 2018
- B. Public Notice – January 16, 2018
- C. Vicinity Map depicting the 250-foot notification buffer as established by the Grand County GIS

- D. First Class Mailings to all property owners within 250 feet as established by the Grand County GIS
- E. Public Review Sheets with and without signatures
- F. Memo from the Community Development Department dated December 21, 2017
- G. Staff report dated January 15, 2019
- H. Proposed Outright Exemption Plat

Commissioner Linke is an adjacent property owner and added that he does not have financial interest in the property.

PROJECT NAME: Savage Outright Exemption
APPLICANT: Samuel and Cindy Savage
LOCATION: Grand Sky Subdivision Exemption Lot 1 and adjacent Metes & Bounds parcel of 19.06 acres, commonly known as 3607 County Road 55 (Cottonwood Pass Road)

APPLICABLE REGULATIONS: Master Plan, Zoning Regulations, Outright Exemption Regulations, C.R.S. Title 43
ZONING: F – Forestry and Open District
ATTACHMENTS:
A. Vicinity Map
B. Application and Narrative Letter
C. Title Commitment
D. Grand Sky Subdivision Exemption Plat
E. Proposed Outright Exemption Plat
F. Metes & bounds parcel Deeds
STAFF PLANNER: Alexander Taft, LEED Green Associate
REQUEST: The Applicant is proposing a combination of Lot 1 in a Grand Sky Subdivision Exemption with the adjacent legal Metes and Bounds parcel through an Outright Exemption.

I. BACKGROUND

a. Proposal

Samuel and Cynthia Savage, hereafter referred to as “the Applicant,” purchased the subject properties with no existing structures. The Applicant approached the County with a request to combine the lots. The subject lots in this application consist of Lot 1 of Grand Sky Subdivision Exemption being 23.36 acres, and the adjacent 19.06 acre Metes & Bounds parcel in Section 17, Township 1 North, Range 77 West, of the 6th P.M. Together the gross area is 42.422 Acres. The combined lot will also eliminate the building envelope from the Grand Sky Subdivision Exemption plat.

b. History

The Grand Sky Subdivision Exemption was recorded in January 2006 at Reception No. 2006001019 and was a subdivision of three lots out of approximately 49 acres. The Grand Sky Subdivision Exemption established two building envelopes for the additional Lots 1 & 2 that did not already have structures. Lot 1 consists of 23.36 acres with a one acre building envelope created by the Subdivision Exemption Plat.

Also subject in this Outright Exemption is a Metes and Bounds parcel of 19.06 acres created on April 18, 1972 by Warranty Deed from Britton to McLeod, recorded in Book 185, Page 172 of the Grand County Clerk & Recorder.

II. STAFF ANALYSIS

This proposed Outright Exemption combines one lot from a Subdivision Exemption with a Metes & Bounds parcel. Staff has determined that this combination is an unusual and unique circumstance which should be considered through the “Jurisdiction” Article 1.4 (d) of the Outright Exemption Regulations. Neither parcel of land is within a platted subdivision. This combination presents minimal land impacts. It is Staff’s opinion it is within the general interest of public safety and welfare to combine these lots. Additionally, the existing Building Envelope on Lot 1 Grand Sky Subdivision Exemption is not the only building site of the proposed new lot and can be removed. The utility easement established by the Grand Sky Subdivision Exemption Plat along the eastern and southeastern boundary of Lot 1 should also be removed. Electrical service is not present near this proposal and shall be extended underground. Water and sewer to this lot shall be provided by a State permitted well and onsite wastewater treatment system (OWTS). Further, the proposed Outright Exemption will create 20 foot perimeter utility easements that shall be shown on the Final Plat Mylar.

III. PLANNING COMMISSION RECOMMENDATION

During the regular Planning Commission meeting November 14, 2018, the Commissioners reviewed this application. The Commissioners asked Staff to explain the purpose of an Outright Exemption and implications for a property owner to go through this process. A Commissioner asked about “the general interest of public safety and welfare” as mentioned in the Staff Certificate. Clarification provided by Staff explained that the

impact of the development proposed by this Outright Exemption minimized land use related impacts, and was therefore in the general interest of the public. Finally, there was discussion about existing well permits which Staff explained have all expired. Planning Commission voted to recommend the approval of this application with no additional conditions, and some minor corrections.

IV. RECOMMENDATION

Planning Commission unanimously recommended the approval of the Savage Outright Exemption with the following conditions to be met:

1. A plat note shall be added to the Mylar that states: The property hereby described on this Plat shall be limited to single family residential dwelling and shall not be considered in the future for a Subdivision Exemption. Any subdivision of this lot is subject to current Grand County Subdivision Regulations.
2. Certification and a statement by the owner insuring compliance with the design standards and all other requirements of the Grand County Outright Exemption Regulations.
3. A draft Quit Claim Deed shall be supplied for review by the County attorney.
4. A 20 foot perimeter utility easements shall be shown on the Final Plat Mylar
5. Statement of taxes due showing current taxes paid.
6. An electronic copy of the Outright Exemption final plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided.
7. The Applicant shall meet all Plat requirements and such additional information as may be required by the Grand County Board of County Commissioners.

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 Manguso wants a very strongly worded plat note attached specifying that the property may not be subdivided into more than two lots in the future.

Commissioner Manguso moved to approve the Savage Outright Exemption with all conditions and with the adjustment of condition 1 for the plat note, and approve the vacation of the utilities as described, and change the easements from 10 feet to 20 feet all the way around.

Commissioner Manguso	aye
Commissioner Cimino	aye
Commissioner Linke	abstain

The motion passed.

Commissioner Manguso moved to close the public hearing.

The motion passed unanimously.

Strategic Plan Update

County Manager Lee Staab presented the overview

Managing Growth:

1. County Roads
2. Alternative Transportation
3. Congestion
4. Affordable Housing
5. Broadband

Road and Bridge Superintendent Chris Baer presented updates on the snow plan policy and determining what level of service to provide for private vs. non-maintained roads.

Assistant County Manager Ed Moyer stated that focus for alternative transportation is on the Kremmling Airport and the Granby Airport. Train and bus information will be forthcoming.

The access control plan for the Highway 34 corridor in Grand Lake is being addressed. CDOT will only fund 50 percent of the study. Grand County is seeking an extension of programmatic agreements as well as a 404 permit extension for the Grand County Road 522 project. Grand County is working with the town of Fraser on acquisition of the right-of-way of the section from County Road 5 to the intersection of County Roads 73 and 21.

Sheena Darland, Housing Authority Operations Manager, presented an update on affordable housing efforts. Her team is seeking a balance between maintaining rural character while providing affordable housing in

higher-density settings. Strategies are to clearly define the County's role with respect to affordable housing, meet with each municipality and form a collaborative plan, and reevaluate the County's regulatory growth management strategies. The housing needs assessment has been completed.

DiAnn Butler is working on launching the website to help coordinate with the Workforce

Undersheriff Wayne Shafer presented an update on the public safety facility stating that there is a contract with Reilly Johnson Architecture for needs assessment. The afternoon meeting today will discuss the direction of the project.

Strategic Priority number 5 is Water Protection. Water Quality Specialist Katherine Morris stated that the results include:

1. Negotiated enhancements
2. Grand Lake clarity
3. Water rights

Grand County is the most profoundly affected county by trans-basin diversions in Colorado, with as much as 80 percent of its native waters transferred out of the watershed (when the two projects are built).

Negotiated Enhancements:

These are annual activities. All negotiated requirements and enhancements of the CRCA (Colorado River Cooperative Agreement) and the Windy Gap Firming Project (IGA) are implemented. Proposed that in September of 2022, construct the Colorado River Headwaters connectivity channel to take Windy Gap Reservoir offline and attempt to restore habitat connectivity and fish populations to pre-reservoir levels.

Grand Lake Clarity:

The date associated with this result, January 1, 2022, is the end of the clarity MOU. Work will continue even if a decision is not made by that date.

Water Rights:

By January of 2020, we want to apply for diligence on the water right associated with recreation and in-stream channel diversion.

An additional result would be to implement permanent solutions to purchase or lease water to accommodate annual Road and Bridge operations.

Water Protection Update

Update provided by Assistant County Manager Ed Moyer and Katherine Morris, Water Quality Specialist.

Operation Round Up update:

Rich Newton reached out to representatives in each basin with a proposal. Karn Stiegelmeier in Summit County was contacted. Mr. Moyer encouraged the Board to reach out to Commissioner Stiegelmeier with regard to the round up proposal.

Mr. Moyer will request two things from each of the members in each basin:

1. Buy in for the proposal
2. To proportionately share the upstart or admin costs

Once there is buy-in with each basin, the next step is to meet with leadership partners at Denver Water.

Connectivity project:

McMillan Jacobs is still working on the EA subdistrict and the verification of the design and engineering of the existing dam. There have been some concerns raised by the town of Hot Sulphur Springs regarding sediment transport. The RFP for the final design build on this project has been drafted. It will be finalized and published once there is a record of decision issued.

Fundraising:

The Army Corps of Engineers selected the project for CAT funding in 2019. The Bureau of Reclamation met with Northern last week. The Bureau of Reclamation requires a letter from Colorado Parks and Wildlife ensuring that transferring that money does not impact the habitat project. CPW will issue the letter.

Town of Granby Fish Passage and Diversion Project:

The RFP was awarded to Freestone Aquatics and Flywater Consulting. They will team up on the project.

Update on CDPHE (Colorado Department of Public Health and Environment) standards for molybdenum: Lane Wyatt at NWCCOG requested to share the West Slope partners' concerns with some of the molybdenum studies, the multigenerational molybdenum rat studies with the federal agency for Toxic Substances and Disease Registry (ATSDR). That agency is revising their toxicological profile for molybdenum and the Water Quality Control Commission wants that prior to making any decision on the molybdenum standard.

Climate and Water Outlook:

The definition of snow water equivalent is the depth of water that would result if you melted the whole snowpack instantaneously. On December 10, 2018, the snowpack in upper Colorado Headwaters was at 118 percent.

East Grand Water Quality Board

The Board meets quarterly and officers were just elected. Thomas Yoder is the president. The Board has not had a defensible dues strategy so a new committee is working on that.

The Upper Colorado Watershed Group has asked to attend the April 7 meeting of the East Grand Water Quality Board.

Learning By Doing

The next meeting is January 17, 2019. There will be discussion on the Hammond Ditch.

Pre-NEPA meeting

The peer review report of the two models (Three Lakes Water Quality and hydrology model) are complete.

Moffat Firming Project

Mr. Moyer stated that they have received an update on the issuance of FERC permits.

Reilly Johnson Architects - Needs Assessment Update

County Manager Lee Staab stated that the Board developed the Grand County Strategic Plan known as Grand Results. Part of the plan was to look at some of the facilities within the County and determine the strategy to replace some of the facilities.

Bob Johnson of Reilly Johnson Architects stated that his firm is 37 years old. The firm does justice and public sector architecture. Mr. Johnson stated that 32 of the 64 counties have been their clients. They have had clients in Wyoming, Montana, Nebraska, Iowa, and New Mexico.

Mr. Johnson stated that they have looked at the following operations: Sheriff, Public Health, Social Services, and EMS in Granby and Fraser.

The space requirements are considered for future growth to 20 years.

The average daily population in the detention center in the last year has been 28 or 29. The detention center is not designed properly for 28 or 29.

The recommendation is to build the facility for a minimum of 52. More likely it will be built to 60.

Citizen Dan Nolan asked if second homeowners are considered in the formula. Sheriff Schroetlin stated that about half of the people considered in the jail population are non-residents.

Mr. Johnson provided drawings of proposed locations for the Sheriff's Office and Jail. One is to tear down the existing Sheriff's facility and build across the west half of Moffat Avenue and onto the west half of the parking lot to the south. This plan would require Dispatch and Detention to go somewhere else for the period to demolish and rebuild.

One option would be to take the entire parking lot to the south of the Judicial Building. A tunnel could be built from the new Detention facility to the basement of the Judicial Building.

Mr. Johnson stated that he believes that the jail for a County does not have to be in the County seat.

Mr. Johnson noted that the area currently used for the District Attorney could be changed to a court set; meaning that it could house the judge's chambers, the courtroom, jury room, and attorney/client room. The District Attorney could have space added on to the current judicial building.

Hot Sulphur Springs Town Mayor Bob McVay stated that leaving the jail in Hot Sulphur Springs is the best solution for the County.

Jen Fanning of the Grand County Rural Health Network stated that are nine to ten non-profit organizations in Grand County that may be a good fit to co-locate with Health and Human Services. Ms. Fanning will provide information on the health and human services non-profits.

The Board will see a more complete plan on February 5, 2019 and funding strategies will be presented on February 12, 2019.

Blight Hearing, Michael Smith, 85 GCR 496 (continuation from September 25, 2018)

Community Services Deputy Richard C. Liberali stated that he is present to represent the Commissioners in the Blight Hearing.

Mr. Liberali asked for the Board's guidance and possible solution regarding the blight matter for Michael D. Smith for property located at 85 County Road 496, Grand Lake. This was first brought to the attention of the Board of Commissioners in 2009 based on a complaint made by Frank Drum.

Mr. Liberali wondered why it has taken so long to resolve the issue. He wondered how much County time, resources, and energy have been wasted in trying to get this solved.

Mr. Liberali stated that as of yesterday, there were six vehicles on the property as well as a boat.

Mr. Liberali left a phone message for Mr. Smith to produce valid registrations and proofs of insurance on the vehicles.

Mr. Liberali stated that the County writes the seemingly draconian rules and empower staff to enforce. Unfortunately, staff is hobbled all the time. Staff does not have the teeth or direction to enforce.

Mr. Smith noted that the burn pile is gone and the roll-off dumpster is gone.

Community Development Director Robert Davis stated that the items needed to be resolved by the meeting today are resolved.

Mr. Davis will look into the issue of inoperable vehicles.

Commissioner Manguso moved to dismiss the blight violation for Michael Smith with the understanding that if Mr. Smith is brought before the Board again, he will not have the opportunity to clean up again.

The motion passed unanimously.

Commissioner Linke moved to close the public hearing.

The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 3:25 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this _____ day of January 2019.

Richard Cimino, Chair

Attest:

Sara L. Rosene, Clerk and Recorder