MEETING MINUTES
GRAND COUNTY BOARD OF COUNTY COMMISSIONERS
GRAND COUNTY DEPARTMENT OF SOCIAL SERVICES
GRAND COUNTY HOUSING AUTHORITY
January 21, 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
County Manager Kate McIntire
Assistant County Manager Ed Moyer
County Attorney Chris Leahy

Those present recited the Pledge of Allegiance.

Commissioner Linke moved to approve the Meeting Minutes of January 14, 2020, of the Board of Commissioners with one correction.

The motion passed unanimously.

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

Commissioner Cimino moved to approve and authorize the Chair to sign the letter of support for the Granby Senior LIHTC Housing.

The motion passed unanimously.

Commissioner Cimino moved to approve and authorize the Chair to sign the letter for expressed need for the Granby Senior Housing project. This is for the Herman and Kittle Properties, Inc. project located in Granby.

The motion passed unanimously.

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

General Public Comments

Dennis Carpenter came before the Board concerned over the requirement to increase the amount of insurance required at the airports.

Ryan Fosha, Airport Advisory Board, stated that he received notification from the Secretary of State to increase the amount of liability insurance coverages for counties on airports. The coverage level went from $990,000 to $1,093,000. To obtain insurance at the higher amount, the policies will be need to be purchased at $2 million. The cost for hangar owners will double.

County Attorney Chris Leahy stated that this is an ongoing issue and that it applies to all contractors that do any kind of work in the County. All contractors have been required to maintain State level insurance coverage.

Commissioner Manguso is not in favor of raising insurance coverage at this time.

Attorney Chris Leahy states the County would be liable for any gaps in coverage. Damages could be collected from the contractor, or the County insurance might cover the gap, or the taxpayers would be liable. This would be about $100,000 gap in coverage.

Commissioner Cimino proposes talking to the State Department of Insurance to discuss this issue and help with a resolution. Commissioner Cimino supports keeping insurance as is for now and move to make a goal for 2022 insurance adjustments.

Commissioner Linke would like a week or two to gather more information.

Ed Moyer will come back to the Board in one week with more information as to what contractors have what insurance currently. He would like this to be on the agenda next week.

County Manager Kate McIntire is gathering information on the County health insurance and will be providing information to the County Assessor this week.
Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on January 22, 2020, 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 21, 2020 for payment on January 22, 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 January 22, 2020, 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 21, 2020, for payment on January 22, 2020 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Linke moved to approve the wire payment and vouchers presented on January 21, 2020, for payment on January 22, 2020 for Grand County.

The motion passed unanimously.

**Departmental Contracts, Comments, Issues**

Commissioner Cimino moved to approve and nominate the representatives to the Juvenile Services Planning Committee that Juvenile Services Director Officer recommended – Brett Schroetlin, Cindy Rimmer, Matt Karzen, Shelley Hill, Tim Griffith, Molly Hamsher, and Tom Gangel as requested by Kelly Friesen.

The motion passed unanimously.

Commissioner Linke moved to approve and authorize the Chair to sign the Annual Report for the 2019 NPDES as presented by Amy Sidener, Grand County Natural Resources Foreman.

The motion passed unanimously.

Commissioner Cimino moved to approve the bid recommended by Road and Bridge Superintendent Chris Baer for a Skid Steer in the amount of $27,935.

The motion passed unanimously.

Commissioner Cimino moved to approve Resolution No. 2020-1-20, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE CUNTY OF GRAND, STATE OF COLORADO AFFIRMING ITS INTENT TO DEVELOP CONDITIONAL WATER RIGHTS AND AUTHORIZING GRAND COUNTY’S SPECIAL WATER COUNSEL AND EDWARD T MOYER, III, ASSISTANT COUNTY MANAGER, TO EXECUTE AND FILE AN APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE AND TO CONFIRM WATER RIGHTS AS ABSOLUTE AS DECREED BY THE DISTRICT COURT, WATER DIVISION 5, COLORADO Case No. 2010CW298”

The motion passed unanimously.

**Manager and Attorney Items**

County Manager Kate McIntire presented the weekly update.

Commissioner Cimino moved to appoint Wendy Thompson as the OLRT Board Representative for District 3

The motion passed unanimously.

Jen Fanning of the Grand County Rural Health Network is leading the Steering Committee for Peak Health Alliance in Grand County.

Commissioner Manguso stated that the Board needs to move forward carefully with the public as there has been so many issues with the employees with regard to Peak change over. We need to avoid any land mines with the public.
The Medical Director meeting was last week and they are starting to take formal notes of these meetings that will be forwarded to Manager McIntire so she can share with the Board.

Dr. Paulson raised concern regarding transport from a doctor’s office to an emergency room. That person could be intoxicated and cannot be released but needs to go to the emergency room for holding or additional treatment. Ms. McIntire would like to see some community involvement on this transportation issue.

Commissioner Cimino moved to approve and authorize the Chair to sign the Administrative Service Agreement by and between Rx Benefits Incorporated and Grand County for prescription component of the County health insurance plan.

The motion passed unanimously.

Consent Agenda

Resolution No. 2020-1-16HA, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE GRAND COUNTY HOUSING AUTHORITY TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE GRAND COUNTY HOUSING AUTHORITY BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, FOR THE PROVISION OF AFFORDABLE HOUSING PROJECT ADMINISTRATION SERVICES”

Resolution No. 2020-1-17, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE GRAND COUNTY HOUSING AUTHORITY BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, FOR THE PROVISION OF AFFORDABLE HOUSING PROJECT ADMINISTRATION SERVICES”


Commissioner Cimino moved to approve the Consent Agenda.

The motion passed unanimously.

Board Business

The Upper Colorado River Watershed Group requested funds from the Open Lands Rivers and Trails fund for creating a plan for a stream restoration plan on the Northfork Project. It was determined that OLRT funds could not be used for planning.

It appears that OLRT funds could be used once the plan is in place and action is ready to be taken.

The Board of Commissioners were asked to provide a letter of support of the Northfork project.

Commissioner Cimino moved to approve and sign the draft Letter of Support. The subject of the letter is regarding support to study the lower Northfork of the Colorado River.

Discussion: The Board of Commissioners puts resources to support the CRCA. Commissioner Cimino asked if the Upper Colorado River Watershed Group has any public or official position of the CRCA. Mr. Miller stated that they do not have an official position. The Upper Colorado River Watershed Group is not a political entity. It is a watershed group.
The motion passed unanimously.

The Board agreed to support House Bill 20-1052, Department of Human Services Staff Safety and Privacy Bill.

**Board Business / Correspondence / Calendar**

Commissioner Cimino attended:
1. Phone Peak Steering Committee meeting
2. Phone Association of Governments of Northwest Colorado for legislative review
3. CCI – legislative review
4. Grand County School Districts basketball games

Commissioner Linke attended:
1. The Stockgrowers meeting
2. The Homegrown Talent Initiative
3. The LEPC meeting
4. The Builders Association meeting

Commissioner Manguso attended:
1. The Builders Association meeting
2. Several phone conversations regarding Blue Valley Land Exchange

January 22  CCAT evening meeting in Denver – Commissioners Cimino
January 22  Commissioner Manguso will meet with Brad White
January 22  Commissioner Manguso will meet with Linda Hill at Lawson Ranch
January 23  CCI Steering committee in Denver – Commissioner Cimino
January 23 & 24  Club 20 Voices of Rural Colorado – Commissioners Cimino and Linke
January 24  CCI Steering committee in Denver – Commissioner Cimino
January 27  Grand County Rural Health at Granby Library from 9 to 11 – Commissioner Cimino
January 27  Grand Innovators meeting – Commissioner Cimino
January 27  Basin Roundtable meeting – Commissioner Linke

Northwest Loan Fund Community Development Block Grant Application

Anita Cameron, Director of Northwest Loan Fund presented.

The loan fund is used to loan to businesses in the nine counties in the northwestern part of Colorado.

Ms. Cameron asked the Board to participate in the grant application for the funds.

Ms. Cameron stated that DiAnn Butler and Patrick Brower are great team members for Grand County and the loan fund.

Some of the businesses that have received loan funds in Grand County:

- Aircraft Technical Books
- Windy Gap Logging
- 1st Class Automotive in Granby
- Viking Lodge in Winter Park
- Grand Adventure Brewing
- Single Track Trail Builders
- Camber Brewery
- Pearl Dragon Restaurant

The County Attorney will review and prepare application for the Board’s signature next week.

**Lot 18, the Valley @ Winter Park, Amended Final Plat**

PROJECT NAME:  Amended Final Plat, Lot18, The Valley at Winter Park Ranch
APPLICANT:  William N. and Jackie B. Coors
LOCATION:  Lot 18, The Valley at Winter Park
ZONING:  Forestry and Open District (F/O)
REGULATIONS:  Grand County Zoning Regulations, Grand County Master Plan, Subdivision Regulations
ATTACHMENTS:  A. Vicinity Map
B. Letter of Application and Narrative
C. Proposed Plat
D. Title Commitment
E. The Valley at Winter Park Recorded at Reception No. 2000-005081
F. Amended Final Plat, The Valley at Winter Park Recorded at Reception No. 2001-002136

STAFF PLANNER: Alexander Taft, LEED Green Associate

I. BACKGROUND

a. Proposal

William N. and Jackie B. Coors, the Applicant, are the owners of the parcel subject in this application (shown to the right) via Warranty Deed recorded September 20, 2019 at Reception No. 2019007686.

The site is surrounded by residential uses to the north, residential and vacant land to the west, residential and vacant land to the south and residential and other public lands owned by Bureau of Land Management, National Forest Service, or Denver Water to the east.

The lot has been vacant since the Plat has been recorded in 2000. The Applicant recently reached out to Staff about Amending the Plat since the “30’ Building Envelope” which seemed extremely burdensome in addition to a “no build area”. On initial review, it was difficult to determine the actual dimensions of the established Building Envelope, but Staff agreed that the envelope could be removed with standard setbacks for developing the site to be applied in order to grant enough flexibility for developing the site.

b. History

The Valley at Winter Park Reception No. 2000-005081 and Amended Final Plat, The Valley at Winter Park Recorded at Reception No. 2001-002136, created 45 lots in approximately 199 acres.

The Pole Creek Valley experienced a boom of development in the area between 1995 and 2002. Those developments included Pole Creek Meadows, The Fairways at Pole Creek, Pole Creek Timbers, the Valley at Winter Park, Pole Creek Valley, Stagecoach Meadows, Sheep Mountain Ridge Estates, and Pole Creek Preserve.

The Valley at Winter Park was created to have a public water system that is currently being managed by Tabernash Meadows Water and Sanitation District.

II. STAFF COMMENTS AND ANALYSIS

The subject lot is significantly encumbered by a 200’ drainage easement which is clarified on Amended Final Plat, The Valley at Winter Park, Plat Note 29 and reads: “No building is allowed in the 100 year flood plain as shown on this plat. In addition no building is allowed in the drainage easement on Lot 18.”

This drainage easement established a no build area and to further ensure that no construction, including Onsite Wastewater Treatment Systems, (OWTS) occurred in the no-build area. A greater concern emerged when the intention of the developer intended to allow a development served by wells and OWTS. After further discussion, Staff at the time, pushed for a public water system and one was established, thereby eliminating the need for most of the Building Envelopes which had been part of a Preliminary Plat Submittal.

To avoid the concern of constructing an OWTS in the drainage easement, Staff believes that it is appropriate to add a plat note which reads: “Due to the No-build drainage easement any building permit on this Lot 18 shall be subject to submitting a detailed site plan which shows locations of all site improvements, including but not limited to: dwelling, accessory structures, sanitary sewer or Onsite Wastewater Treatment System, and driveways.”

III. PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed this application during the irregular meeting October 9, 2019. Planning Commission and Staff discussed the application focused on the establishment of the building envelope. Staff represented that the extents of the building envelope were unclear which is why it should be eliminated. Planning commission substantially agreed suggesting that it was a modified building envelope. They requested that the setbacks be clarified, and eliminate any additional setback, parallel to the drainage easement.

Planning Commission unanimously recommends the approval of the Amended Lot 18A, 2nd Amended Final Plat, Valley at Winter Park with the following conditions to be met prior to the recording of the Amended Final Plat.
1. The following plat notes shall be added to the plat:
   a. Due to the No-build drainage easement any building permit on this Lot 18 shall be subject to submitting a detailed site plan which shows locations of all site improvements, including but not limited to: dwelling, accessory structures, sanitary sewer or Onsite Wastewater Treatment System, and driveway.
   b. All notes from Amended Final Plat, Valley at Winter Park recorded at Reception No. 2001002136 shall remain applicable with this Plat.
2. The front property line and setback shall be shown and identified on the plat.
3. Location and description of monuments shall be included with a legend or other description (4.3 (2) (i)).
4. Dedication Statement by owner platting the property and dedicating the streets, rights-of-way, easements and any sites for public uses (4.3 (2) (k))
5. Name of adjacent Right-of-Way, shall read as follows: County Road 5194B Elk Meadows Lane and be shown legibly (4.3 (2) (e)).
6. Add physical addresses to the plat (4.3 (2) (w)).
7. A statement of taxes that shows all taxes have been paid shall be submitted (4.3 (2)(x)).
8. An electronic copy in AutoCAD.dwg or AutoCAD.dxf of the Final Plat shall be submitted (4.3 (2) (y)).
9. All recording fees shall be paid by the Applicant.
10. Draft Quit Claim Deeds to amend legal description of the lots shall be submitted for review by the County Attorney’s Office and Recorded with the Amended Final Plat.
11. A plat note shall be added noting the front property line as identified pursuant to this proposal.

Commissioner Cimino moved to approve the Amended Final Plat, Lot18, The Valley at Winter Park Ranch as presented.

The motion passed unanimously.

Lots 20 & 21, Block 5, Columbine Lake Amended Final Plat

PROJECT NAME: Amended Final Plat, Lots 20 and 21, Block 5, Columbine Lake Subdivision
APPLICANT: James A. and Cynthia A. Cunningham
LOCATION: Lots 20 and 21, Block 5, Columbine Lake Subdivision (304GCR494 AKA Columbine Drive)

APPLICABLE REGULATIONS: Grand County Zoning Regulations, Subdivision Regulations
EXHIBITS: Amended Final Plat, Letter of Application, Letters from Utility Companies, Vicinity Map, Title Commitment
STAFF PLANNER: Alexander Taft, LEED Green Associate
REQUEST: Approval of an Amended Final Plat to vacate the lot line and associated utility easement that currently bisect Lots 20 and 21, Block 5.

I. BACKGROUND
   a. History:
   Columbine Lake Subdivision was created May 2, 1968 recorded at Reception No.110970. It consists of approximately 543 lots within 207 acres. It is a covenant controlled community with a very active Owners Association.

   The utility easement to be vacated is not shown on the original recorded Columbine Lake Subdivision plat. It was established by the recorded Columbine Lake Declaration of Protective Covenants, Restrictions, Easements and Reservations (Rec. #111196). This non-exclusive easement was then conveyed to the Three Lakes Water and Sanitation District via an Easement Deed (Rec. # 176297) in 1980.

   Grand County cannot process the vacation of an easement that is not dedicated to the public. It is Staff’s determination that both the Columbine Lake Homeowners’ Association (AKA Columbine Lake Country Club) and the Three Lakes Water and Sanitation District have a legal interest in the utility easement and therefore both of these entities will need to take all necessary formal actions to vacate this easement. Any vacation of an interior lot line easement shall be via Quit Claim Deed which shall be recorded prior to recording of any approved Plat.

   If this is done prior to the recording of this plat, the utility easement can be removed from the plat. If it is not, then the utility easement will need to be shown on the Amended Final Plat.

   b. Proposal:
   James and Cynthia Cunningham, the “Applicant” are the current owners of Lot 20, Block 5 by Warranty Deed recorded at Reception No. 2000005124 and Lot 21, Block 5 by Quit Claim Deed recorded at Reception No.
The Applicant is proposing an Amended Final Plat to vacate the common lot line between Lots 20 and 21, Block 5, of the Columbine Lake Subdivision. The Applicant is also requesting a vacation of the 5-foot utility easement that runs along each side of this property line. This non-exclusive easement was then conveyed to the Columbine Lake Water District (Rec. No. 176297) and Three Lakes Water and Sanitation District (Rec. No. 176299) in 1980. Grand County does not have the authority to vacate this easement.

When the lot line is vacated, Lots 20 and 21 will be effectively combined as Amended Lot 20A. Currently, there is a single family dwelling that exists on Lot 20 which the Applicant is proposing the addition of a garage and dwelling space. When combined, Amended Lot 20A will be .412 acres in size or approximately 17,946 ft².

II. STAFF COMMENTS AND ANALYSIS

This Amended Final Plat involves the lot combination of two (2) lots. Recently, the Columbine Lake Homeowners Association has been encouraging owners to combine lots. Staff feels this request is similar to several that have previously been approved and recorded within the subdivision. The small lots were intended to fit cabins that are atypical of new construction.

Staff has received letters from MPEI, Three Lakes Water and Sanitation, and Columbine Lake Water District sharing no concern of combining the lots. Quit Claim Deeds shall be recorded vacating interest in the easement along the common property boundary. These shall be recorded prior to recording of any approved Plat and show on the Plat Mylar.

III. PLANNING COMMISSION RECOMMENDATION

This application was reviewed at a regular Planning Commission meeting December 13, 2019. This application was presented by Director Robert Davis and following the presentation the Planning Commissioners had no questions or comments.

Planning Commission unanimously recommended the approval of the Amended lot 20A, Block 5, Columbine Lake Subdivision, A replat of Lots 20 and 21, Block 5, Columbine Lake Subdivision with the following conditions to be met prior to the recording of the final plat.

1. The title shall be amended to include conveyance to owners and location of Recording (4.3 (2) (a)).
2. The Plat shall include tract boundary lines, rights-of-way lines of streets, and easements and widths of rights-of-way, and adjacent property lines. (4.3 (2) (d)).
3. Pre-existing recorded easements with reference to their location of recording within the Grand County Real Estate records (4.3 (2) (e)).
4. Quit Claim Deeds from the HOA for vacation of easements shall be recorded and shown on the proposed Plat prior to recording the Plat Mylar.
5. Location and description of monuments shall be included with a legend on the proposed plat (4.3 (2) (j)).
6. The Title Commitment identifies two liens on the property currently, a lien holders certificate shall be provided for signature by all existing lien holders (4.3 (2) (j)).
7. Minor corrections to the dedication statement shown on the plat to be reviewed by the County Attorney’s Office prior to recording the Plat Mylar (4.3 (2) (k)).
8. Addresses shall be shown on the Amended Final Plat and a digital copy will be supplied to the Grand County GIS Coordinator (4.3 (2) (w)).
9. A statement of taxes that shows all taxes have been paid shall be submitted. It is anticipated the plat is to be recorded in 2020, all taxes due and payable shall be paid prior to recording the plat (4.3 (2) (xx)).
10. An electronic copy in AutoCAD.dwg or AutoCAD.dxf of the Final Plat shall be submitted (4.3 (2)(y)).
11. All recording fees are to be paid by the Applicant.

Commissioner Cimino moved to approve Amended Final Plat, Lots 20 and 21, Block 5, Columbine Lake Subdivision as presented.

The motion passed unanimously.

Grand County Housing Authority Bi-Annual Update

Housing Authority Director Sheena Darland presented.

Ms. Darland has found someone to administer the Section 8 Housing Choice Voucher. The voucher count is down because there is nowhere to rent. The Voucher program brings money into the counties for the landlords.

As of the 10th of January, the Division of Housing has frozen the issuance of new Vouchers.
There were eight new down payment assistance loans in 2019. There were approximately $70,000 in loans.

There were eight loans that paid off in 2019. That brought $45,999 back into the fund.

In 2020, there is over $73,000 in funds available for down payment assistance. The Department currently has three loan applications in.

Coyote Creek was not quite as busy as in 2018. They generated $540 in application fees in 2019. The Department generated just over $5,000 for the zero percent transfer tax.

There were 38 households that attended the Homebuyers Education Class and 30 of those were Grand County residents.

Ms. Darland is working to become Certified Mortgage Counselor.

Ms. Darland stated that there are six interested households in the rehabilitation loan program. Ms. Darland hopes to loan to ten households in 2020.

Grand County Housing Authority took over the management of senior housing facilities in 2019.

There were two unit turnovers at Granby Senior Solar Housing.

Ms. Darland is working toward rebuilding the community programs to what they used to be. There is a bible study in the common areas at Granby Senior. No one is allowed to solicit residence, but are offering more events. There is a community newsletter.

The parking lot chip and seal will be completed in 2020.

There were two unit turnovers in Silver Spruce Apartments.

There is a Community monthly newsletter at Silver Spruce. Ms. Darland is working to get more community events at Silver Spruce.

Cliffview is being managed by Middle Park Health and the vacancy rate is pretty low.

There are great activities planned and currently have high participation rates at Cliffview.

Commissioner Cimino moved to convene an Executive Session at 12:02 p.m., pursuant to CRS 24-6-402, Sections (4)(e)(I), (4)(a), and (4)(b) – to determine positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators; for the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; And for Legal Advice (if needed) RE: Facility Needs. Present for the meeting is the Board of Commissioners, the County Manager, the Assistant County Manager, the County Attorney, the Assistant County Attorney, the Human Services Director, and the Finance Director.

The motion passed unanimously.

I, Kristen Manguso, hereby attest that the minutes of this executive session were recorded in accordance with CRS 24-6-402 and confined to the topic authorized for discussion in the executive session.

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

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

The meeting was reconvened at 12:55 p.m.
Commissioner Cimino stated that the meeting was regarding facilities needs and negotiations. The County is still continuing to evaluate potential property purchases for a variety of facility needs that the County has been discussing for the last year and a half.

There being no further business to come before the Board, the meeting was adjourned at 1:00 pm. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 28th day of January 2020.

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Sara L. Rosene, Clerk and Recorder

Attest:

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Kristen Manguso, Chair