MEETING MINUTES
GRAND COUNTY BOARD OF COUNTY COMMISSIONERS
GRAND COUNTY DEPARTMENT OF SOCIAL SERVICES
GRAND COUNTY HOUSING AUTHORITY
February 26, 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: Interim County Manager Ed Moyer
Interim County Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

Commissioner Linke moved to approve the Meeting Minutes of February 19, 2019 of the Board of Commissioners with corrections.

The motion passed unanimously.

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on February 27, 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 February 26, 2019 for payment on February 27, 2019 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 February 27, 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 February 26, 2019, for payment on February 27, 2019 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Linke moved to approve the wires payment and vouchers transfers presented on February 26, 2019, for payment on February 27, 2019 for Grand County.

The motion passed unanimously.

Interim County Manager Ed Moyer thanked the Finance Director for the great work on weekly payments.

Departmental Contracts, Comments, Issues

Public Health Nurse Brene Belew-LaDue stated that she purchased a plaque in recognition of Dr. Richard Bortz for his work as Grand County’s Medical Office since 2000.

Commissioner Cimino expressed concern that Grand County’s Medical Officers are not from Middle Park Health.

Commissioner Manguso moved to approve Resolution No. 2019-2-18, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, SITTING AS THE GRAND COUNTY BOARD OF HEALTH, APPROVING THE APPOINTMENT OF DR. DARYSE LENKE AS MEDICAL OFFICER TO ADVISE THE GRAND COUNTY PUBLIC HEALTH DIRECTOR ON MEDICAL DECISIONS PURSUANT TO C.R.S. §25-1-508(5)(c)(I), EFFECTIVE IMMEDIATELY” as presented by Public Health Nurse Brene Belew-LaDue.

Discussion: This appointment expires December 31, 2019 and is for zero dollars.

The motion passed unanimously.

Commissioner Manguso moved to approve out-of-state travel to New Orleans for Brene Belew-LaDue for a class on Aging in America.
Commissioner Manguso moved to approve Resolution No. 2019-2-17, “A RESOLUTION GRANTING APPROVAL OF A SPECIAL USE PERMIT FOR A PUBLIC UTILITY FACILITY HELD BY MPEI SOLAR 2, LLC LOCATED ON A TRACT OF LAND BEING IN A PORTION OF THE WEST ½ OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 81 WEST OF THE 6TH P.M., COUNTY OF GRAND, STATE OF COLORADO” and authorize the Chair to sign all applicable documents.

The motion passed unanimously.

Commissioner Linke moved to authorize OEM/EMS to proceed with the Hazard Mitigation Planning Grant and to authorize the Chair to sign any applicable documents.

The motion passed unanimously.

**County Manager Weekly Update**

Interim County Manager Ed Moyer presented the weekly update.

Commissioner Manguso moved to authorize the Chair to sign the application for Federal Assistance and all related documents for the Kremmling Airport Rehabilitation Design Project.

Discussion: The County portion is in the 2019 budget.

The motion passed unanimously.

Commissioner Manguso moved to authorize staff to submit the State of Colorado grant for the Kremmling Airport Rehabilitation Design Project in the amount of $17,959.

The motion passed unanimously.

Commissioner Manguso moved to appoint Christy Horn to the Middle Park Fair Board with her term to end on December 31, 2019.

The motion passed unanimously.

**Consent Agenda**


Resolution No. 2019HA-2-9, “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 EXECUTE A STANDARD FORM TO CONFIRM ACCOUNT BALANCE INFORMATION WITH FINANCIAL INSTITUTIONS”


Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

Finance – Fixed Asset Report

Cathy Henderson of the Accounting Department presented the Board with Grand County Fixed Asset Report.

Public Hearing – Amended Final Plat, Lots 4 & 5, Block 2, Colorado Anglers #1 & Vacation of Utility Easement

The Public Hearing scheduled to begin at 10:30 a.m. was called to order by Chair Cimino at 10:32 a.m. Interim County Attorney LaBarre-Krostue set the record with the following exhibits:

A. Letter of Application, December 10th, 2018
B. Memo from Department of Community Development dated December 21st, 2017
C. Vicinity map depicting the 750 foot notification buffer as established by the Grand County GIS
D. First Class Mailings to all property owners within 750 feet as established by the Grand County GIS
E. Public Review Sheets with and without signatures
F. Staff report dated February 13th, 2018
G. Site Map – Plat proposed dated February 1st, 2019
H. Letter from Altitude community law, Maris S. Davis legal counsel to Rocky Mountain Estates Homeowners Association, dated December 13th, 2018
I. Title Company of the Rockies Commitment Number 1118198-C dated October 12th, 2018

PROJECT NAME: Amended Final Plat, Lots 4 and 5, Block 2 Colorado Anglers No. 1
APPLICANT: Kevin and Lynn Berens
LOCATION: Lots 4 and 5, Block 2 Colorado Anglers No. 1, 63 County Road 4038 (Grey Hackle Road)
ZONING: Residential District (R)
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Master Plan, Subdivision Regulations
ATTACHMENTS:
A. Vicinity Map
B. Letter of Application and Narrative
C. Colorado Anglers No. 1 Subdivision Plat Rec. No. 76812
D. Lots 4 and 5, Block 2 Colorado Anglers No. 1, Proposed Amended Final Plat
E. Title Commitment
F. Letter from Rocky Mountain Estates HOA
STAFF PLANNER: Joan Lyons, Planner I
REQUEST: Approval of an Amended Final Plat to combine lots for the construction of a new single family dwelling.

I. DISCUSSION
a. Background:
Kevin and Lynn Berens (the “Applicants”) are owners of the subject lots transferred via Warranty Deed recorded at Reception No. 20018009099. The Applicants are proposing the construction of a new single family
dwelling on combined lots. Approval of this Amended Final Plat will increase the effective building area preventing potential engineering and construction problems presented by the existing lots.

b. History:
Colorado Angler’s Club No. 1 Subdivision was platted in 1953 and contains approximately 280 lots in 83.2 acres with average lot sizes of roughly .30 acres or 13,060 ft2. Utility easements of five (5) feet exist adjacent to all lot lines within this subdivision. Subdivided lots are within the service area of Three Lakes Water and Sanitation District and require a well. There are existing easements within the County rights-of-way for sewer. Electric is provided in adjacent interior lot line easements, but not within the proposed easement vacation.

II. STAFF COMMENTS AND ANALYSIS
The Applicant is proposing this lot combination with the future intention of constructing a new single family dwelling on the larger lot. The individual platted lots are .23 acres or 10,018.8 ft2, and .22 acres or 9,583.2 ft2 lying in the Residential District. Under current County Zoning Regulations, minimum area of a lot is 15,000 ft2 and minimum width is sixty (60) feet. The difficulty with constructing a building on the existing lots is the plat was created at a time where lots were not placed in optimal orientation with the topography.

The subject parcel is surrounded by Residential zoning to the north, west and south. To the east exist a 26.9 acre parcel in a Split Zoning District containing agricultural uses. Immediately north exist a single family residence and to the south and east exist vacant land.

Staff finds this proposal consistent with the applicable Grand County Regulations. The resultant lot is .45 acres or 19,602 ft2 and therefore complies with the 15,000 ft2 minimum area of a lot lying in the Residential District. It is Staff’s opinion that, the land area is a suitable area for constructing a home. Staff believes that the proposal is consistent with keeping low density where there are not public water or sewer services.

III. PLANNING COMMISSION REVIEW
During the regular Planning Commission meeting on February 20, 2018, the Commissioners reviewed this application. Commissioners felt as though the application was straightforward and had no questions or comments. Planning Commission voted to recommend the approval of this application as presented with Staff conditions.

IV. RECOMMENDATION
Planning Commission unanimously recommended approval of the Amended Final Plat for Lot 4A, Block 2, Colorado Angler’s Club No. 1 with the following conditions to be met prior to the recording of the Amended Final Plat:

1. A statement of taxes that shows all taxes have been paid shall be submitted (4.3 (2) (u)).
2. An electronic copy of the Final Plat shall be submitted (4.3 (2) (y)).
3. All recording fees are to be paid by the Applicant.
4. All applicable building and sanitation permits shall be obtained through the County prior to construction.
5. Draft Quit Claim Deeds to amend legal description of the lots shall be submitted for review by the County Attorney’s Office.
6. A 24”x36’ mylar for recording shall be submitted and recorded (4.3(1)(a)).
7. A surveyor’s certificate shall be submitted (4.3(2)(l)).

Commissioner Manguso moved to approve the Amended Final Plat, Lots 4 & 5, Block 2, Colorado Anglers #1 and vacation of utility easements as presented.

The motion passed unanimously.

Commissioner Manguso moved to close the public hearing.

The motion passed unanimously.

Board Business / Correspondence / Calendar

Commissioner Manguso moved to authorize the drafting and sending of letter to Governor Jared Polis opposing Senate Bill 19-042 and asking the Governor to veto the bill.

The motion passed unanimously.

Commissioner Linke attended the AGNC meeting.

Commissioners Linke and Manguso attended the Builder’s Association Meeting.
Commissioner Manguso attended a Statewide Transportation Advisory Committee meeting.

Calendar

February 27  Commissioner Cimino will testify at the Committee Hearing for HB19-1168 (Health Care Reinsurance Program) at 2:00 p.m.
February 28  TPR meeting at the Steamboat Springs Town Hall at 10:00 a.m. (Commissioners Manguso and Cimino)
February 28 to March 1  Club 20 conference calls (Commissioner Linke)
March 1  QQ meeting in Edwards at 8:00 a.m. (All three commissioners)
March 5  CSU ARDEC Cow Study (Commissioner Linke)
March 20  AGNC meeting in Glenwood Springs at the Garfield County Commissioner’s Meeting Room (Commissioner Linke)

Human Resources - Recommendations: Personnel Policy Review Committee

Commissioner Cimino favors disbanding the 12-member committee and reforming it in the near future when the new county manager and county attorney are on board.

Commissioner Linke stated that it is not effective to have the policy drafted by committee.

Commissioner Manguso would like to dismantle the committee as well. Commissioner Manguso stated that changes can be brought forward by anyone and the Board can determine if the proposed changes should be considered.

Commissioner Linke moved with regard to the Grand County Personnel Policy to approve Option C (dismantle committee; establish alternate procedure) as presented with a few changes. The changes will include the ability of any employee to go to the County Manager, County Attorney, or Human Resources to request proposed changes to the policy.

The motion passed unanimously.

Executive Session

Commissioner Manguso moved to convene an Executive Session at 11:10 a.m. pursuant to CRS 24-6-402(4)(e)(I) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations; and instructing negotiators regarding Grand County Road 53. Attendees are the Interim County Attorney Maxine LaBarre-Krostue, Interim County Manager Ed Moyer, the Board of Commissioners, and Road and Bridge Superintendent Chris Baer.

The motion passed unanimously.

The Executive Session ended at 11:35 a.m.

I, Richard Cimino, 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.

Public Hearing – 599 S. Main Street LLC Special Use Permit (Continued from 1/8/2019)

The continued public hearing scheduled to begin at 11:30 a.m. was called to order by Chair Cimino at 11:36 a.m.

Planner Alex Taft presented:

This Application was presented to Planning Commission during a regular meeting October 10, 2018. The Public Hearing held January 8th, 2018 at 10:45am was continued to February 26th, 2019. Staff has had discussions with the Applicant to verify completion of the conditions set forth in the Staff Certificate presented to Planning Commission. The Applicant would like to move forward with the proposal but has not confirmed the access from US Highway 34. The Applicant has discovered from Colorado Department of Transportation (CDOT) issues with the accesses to US Highway 34 February 18th which did not give them enough time to
prepare a statement. Staff recommends Board of County Commissioners continue the hearing of this application to April 9th at 11:25am to contemplate resolution to the access from Highway 34 as discussed.

Neighbor Gregg Marken owns Lots 4 and 5, Lofty Pines Subdivision. Lofty Pines Subdivision is directly behind Armstrong Subdivision.

Interim County Attorney LaBarre-Krostue stated that the Board cannot take additional evidence today because the applicant is not here today.

Commissioner Manguso moved to continue public hearing on this issue on April 9, 2019 at 1:30 p.m.

The motion passed unanimously.

Commissioner Linke moved to add an agenda item at 11:45 a.m. to hear public comments.

The motion passed unanimously.

Gregg Marken and Cheryl Marken live at 85 County Road 4431 (Blackhawk Lane) Grand Lake. Mr. Marken pointed to the plat map of Armstrong Subdivision showing an easement that goes east to west.

For the past two years, the driveway has been the subject of litigation between Marken and Betty Straub. The easement has been in controversy in District Court in front of Judge Hoak. Ms. Straub’s counsel and very good friend is Maxine LaBarre-Krostue. Ms. LaBarre-Krostue has been asked to recuse herself but she still sits as Ms. Straub’s counsel and counsel for the Board of Commissioners.

Ms. Straub expressed in court, a fear of losing access to the driveway. The northern access to the RV Park is a shared access for all of Armstrong Subdivision.

Mr. Marken has the fear of conflict of interest in seeing what has gone on over the last two years.

Commissioner Cimino stated that Public Comment is limited to three minutes. He added that the new County Attorney will be in place at the time of the next hearing. Commissioner Cimino stated that the Board will be sensitive to the issues.

Community Development Quarterly Update

TOPICS FOR PRESENTATION
Global Issues
Workplan Items
Budget
Building Division
Planning Division
GIS

What am I worried about?
• The lack of affordable housing
• The saturation of Short-term Rentals
• The preservation of single family housing communities
• A possible change in the economy and how the County will respond (resiliency)
• Water quality and availability as we grow
• Capacity of septic systems
• How to avoid problems observed in over built mountain communities
• Complex and time consuming development processes

Workplan Items
• Master Plan Update Scope of Work
• Subdivision Planning Updates
• Zoning Code Updates
• STR Program Analysis
• Development Review Team
• Code Enforcement
• Accela Implementation (permit software)
• Training
• Access Control Plan
Wastewater/Water Quality Status Report

Master Plan Update Scope of Work
- Collecting existing land use and zoning information for areas within the three mile boundaries of the towns of Granby, Fraser, Winter Park, Grand Lake and Tabernash. Much of this work will be mapped out through GIS.
- Updating existing elements in the Plan while considering additional elements such as sustainability and resiliency.
- Analyzing housing densities, hillside development, land use compatibility, water issues, septic issues, trails and open space.
- Identifying locations for affordable housing.

Subdivision Planning Updates
- Updating the Planned Unit Development Regulations seeking to make it less onerous for the development community while encouraging creative and attractive development projects.
- Creating a minor subdivision process where certain lot splits and lot combinations can be serviced administratively.
- Evaluating the 60% open space requirement for multi-family developments in the Subdivision Regulations.
- Develop a subdivision exemption process for non-residential development.

Zoning Code Updates
Recommended changes to the Code include:
- The creation of new residential zoning districts
- Special Event Venue siting and special use criteria
- Indoor and Outdoor Storage requirements
- Outdoor display area requirements
- Private Camping regulation changes
- Auxiliary Living Space or Accessory Dwelling Units
- Temporary Use Permits
- Site Plan Review process
- Definitions

STR Program Analysis
HOA COMPLIANCE/RESTRICTIONS
- Columbine Lake requires owners to show proof they have registered with the County.
- One HOA has a ban on STRs.
- Pole Creek Meadows restricts the number of days an owner can rent.

SEPTIC/WATER USAGE
- Homes on septic systems may not be engineered for large numbers of people being housed.
- Water usage is higher.

FEES
- There has been very few complaints about the fee structure.

AFFORDABLE HOUSING
- Possible higher fees to be used for gap financing towards affordable housing.

PROPERTY MANAGEMENT
- Local property management vs. online/out of County.
- Registration by property owner vs. property manager. Owner contact information not always included when property managers apply.

REGISTRATION GAPS
- If owner/property manager is late in applying for new license, have the new permit cover the time frame property was rented.

Development Review Team
DRT is comprised of a cross section of the County’s key staff members, including the Community Development Director, County Planners, County Engineer, Building Plans Examiners, Road and Bridge staff, representatives from Fire Districts and other staff as needed.

The ultimate goal is for staff and the developer to identify and resolve any issues before a development application is submitted.

We have conducted 25 DRT meetings since May 2018.
Code Enforcement
- There are 18 open violations remaining from 2018 while 35 violations from 2018 have been closed.
- In 2019, there are seven (7) open violations and one (1) has been closed.
- Staff is actively working on 25 violations.
- Currently developing language for the proposed amendment of Ordinance #6 relative to blight further defining junk vehicles and setting up a graduated fine system.

Accela Implementation
- Kickoff meeting with Accela last week. Will start by looking at Winter Park’s templates and configurations.
- Developed workflows for:
  - the application intake process
  - the plans examination process
  - the planning application and review process
- Will finish workflows for the inspection and building permit closeout processes.
- After completion of the Accela implementation process, staff will develop a Procedures Manual.

Training
- Planning Commissioner Training – we held a Planners Refresher course with DOLA in December for area planning officials and had roughly 20 persons in attendance.
- Board of Adjustment Training – We have scheduled an orientation workshop with the BOA for Wednesday, March 6
- Staff Training – the week of March 4, much of the Building Division staff will be attending ICC training in Denver. Alex and I plan to attend the American Planning Conference in San Francisco in April.

Access Control Plan
- Staff has been discussing the need for an Access Control Plan with CDOT and Granby for US 34 and US40 from that intersection to the Tabernash area.
- We are asking if you support this effort to help reduce vehicular conflicts along these arterials.
- CDOT has indicated they would contribute half of the costs of the Study, however, actual costs or the scope of the Study have not been determined.

Wastewater/Water Quality Annual Report
- Working with the Water Resource Management staff on monitoring water quality in the County.
- Staff is putting together a team via the Sonoran Institute to examine how the County can integrate land use and water planning.

Current Staff
Bldg. Plans Examiner/Inspector – Tyson Dearduff (August 2016)
Permit Technician – Vicki Ellis (September 2016)
Combination Inspector – Wes Chessman (August 2018)
Combination Inspector – Joseph See (March 2019)
Planner I – Alex Taft (August 2017)
Planner I – Joanie Lyons (January 2018)
Planning and Building Technician – Julie Nessen-Gasner (March 2018)
GIS Coordinator – Greg Thorne (November 2012)
Administrative Assistant – Patricia Kemper (December 2018)
Part-time Administrative Assistant – Elaine Henrekin (January 2019)
Seasonal Administrative Assistant – vacant

BUILDING DIVISION
- As of February 22, we have received 61 building permit applications and all but 13 are ready to be issued.
- Responsiveness/personal attention focus provides high quality customer service:
  - Over-the-Counter service & advice – same day (no queue).
  - Engaged to a collaborative process – with local builders and contractors.
  - Working with other County agencies on the permitting process including Road and Bridge and Public Health.

2018 SFD 113
2018 Total Bldg. Permits 639
2018 Inspections 3,690
PLANNING DIVISION

- Subdivisions
  - There are currently three Subdivision Exemption plat submittals in process with a proposed nine (9) units.
  - There are also three (3) subdivisions being processed involving small lot single family detached, 155 proposed units/lots total.
  - There are also two (2) subdivisions being processed involving small lot single family detached, 155 proposed units/lots total.
  - We are expecting to receive two (2) applications for multifamily subdivisions for 17 proposed units.

Geographic Information Systems (GIS)

- Setting up a new mapping system for dispatch with up-to-date maps.
- Developed a Snow Load Application.
- Published a snow plow route map.
- Updates monthly to Parcel Viewer with Assessor appraisal data:
  - Hurd Creek, Sun Communities and Ranches at Devil’s Thumb.
- Paid the annual ESRI maintenance fee which provides access to online web maps.
- Updated fire district maps.
- Coordinating with the Sheriff’s Dept. on the creation of fire evacuation maps during a wildfire episode.
- Pictometry flights have been suspended until the snow melts.

Needs Assessment (continued discussion)

Interim County Manager Ed Moyer stated that there needs to be prioritization of facilities.

Mr. Moyer stated that the County may be able to hire an individual who has been a realtor but no longer works for a real estate company. They have a great deal of experience in real estate in Grand County. The Board asked to get pricing to review possible property acquisition or sale of property for County facilities.

Commissioner Linke proposed that the jail is the first priority, with further discussion of its features. The jail should stay in Hot Sulphur Springs. Second priority would be EMS because the facility is beyond remodeling or repair. EMS needs to stay in or near Granby, Grand County’s population center. Health and Human Services can be housed in other existing facilities. The Health and Human Services facility should stay in Hot Sulphur Springs. Priorities aside, timing and opportunities may shift actual implementation.

Commissioner Cimino suggested the possibility of a main campus for Health and Human Services in Hot Sulphur Springs with a satellite campus in Kremmling.

Wayne Schafer, Undersheriff, expressed concern over being limited to the South lot behind the judicial building for the law enforcement facility.

Board Business

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

Commissioner Manguso moved to convene an Executive Session at 3:02 p.m. citing Section 24-6-402, CRS, which states that local public bodies may utilize executive sessions for considering any of the following matters (specifically): (4)(b) Conferences with an attorney for the local public body for the purposes of receiving legal advice on a specific legal question. The topic of the meeting is Cliffview. Present for the meeting are the Board of Commissioners, Interim County Manager Ed Moyer, Interim County Attorney Maxine LaBarre-Krostue, Finance Director Curtis Lange, County Sheriff Brett Schroetlin, and Housing Authority Director Sheena Darland.

The motion passed unanimously.

The Executive Session concluded at 3:26 p.m.
I, Richard Cimino, 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, Maxine LaBarre-Krostue, 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.

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

There being no further business to come before the Board, the meeting was adjourned at 3:27 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this day of March 2019.

Richard Cimino, Chair

Attest:

Sara L. Rosene, Clerk and Recorder