

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

March 10, 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 March 2, 2020, of the Board of Commissioners with corrections.

The motion passed unanimously.

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

Commissioner Cimino moved to approve the down payment assistance loan for Amanda Simmons in the amount of \$9,660.

The motion passed unanimously.

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

Finance Department

Cathy Henderson for Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on March 10, 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 March 10, 2020 payment on March 11, 2020, for the Grand County Housing Authority.

The motion passed unanimously.

Cathy Henderson for Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on March 11, 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 March 10, 2020, for payment on March 11, 2020 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Linke moved to approve the wire payments and vouchers presented on March 10, 2020, for payment on March 11, 2020 for Grand County.

The motion passed unanimously.

Departmental Contracts, Comments,

The Board reviewed the Clerk fee collections for February 2020.

Commissioner Cimino moved to approve the Scope of Work for Grand Futures Prevention Coalition-Grand County and Grand County Communities that Care in the amount of \$4,966.40 as presented.

The motion passed unanimously.

Deputy Chief Alan Pulliam asked that the Finance Director transfer \$200,000 from EMS to the County for PILT repayment.

County Manager Kate McIntire identified the employees who were having employment anniversaries in February. Special note was the 5-year employment anniversary of Mark Jensen of Information Technology.

Manager & Attorney Items

County Manager Kate McIntire presented her weekly update.

Commissioner Cimino moved to approve and sign the letter to several employees of the Colorado Department of Public Health and Environment regarding the Union Pacific Railroad Moffat Tunnel discharge to the Fraser River, permit number CO0047554, and proposed permit modifications dated November 14, 2019. The letter requests a copy of the as-built for the plant and an insistence on monitoring at point of discharged.

The motion passed unanimously.

Commissioner Cimino moved to approve Resolution No. 2020-3-3, "A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO AMENDING RESOLUTION NO. 2020-2-25 TO REFLECT THE PROPER TOWN AS FISCAL AGENT FOR GRAND PLACES 2050 FOR FACILITATION SERVICES"

The motion passed unanimously.

Consent Agenda

Resolution No. 2020-3-1, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN ASSIGNMENT OF HANGAR GROUND LEASE FOR AIRPLANE HANGAR NO. 15 LOCATED AT THE GRANBY-GRAND COUNTY AIRPORT"

Resolution No. 2020-3-2, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CONTRACT BETWEEN HOST COMPLIANCE, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE PROVISION OF SHORT -TERM RENTAL SERVICES"

Commissioner Cimino moved to approve the Consent Agenda.

The motion passed unanimously.

Board Business / Correspondence / Calendar

Commissioner Cimino moved to approve the appointment Lori Hall (Trauma Nurse Coordinator for the Middle Park Medical Centers) to the Foothills RETAC (Regional Emergency Medical & Trauma Advisory Council) as requested.

The motion passed unanimously.

Commissioner Cimino

- Met with Lieutenant Governor Diane Primavera
- Attended the AGNC meeting
- Attended the CCAT Teleconference
- Met with several residents of the Valley at Winter Park regarding roads (with Road and Bridge Superintendent Chris Baer)
- Attended Mayor and Managers meeting
- Attended a meeting regarding THOR
- Attended a COVID 19 discussion with Clear Creek County

Commissioner Linke

- Met with Lieutenant Governor Diane Primavera
- Attended meeting with Middle Park Stockgrowers
- Attended Mayor and Managers meeting
- Attended Club 20 meetings

Commissioner Manguso

- Met with Lieutenant Governor Diane Primavera

- Attended a COVID 19 discussion with Clear Creek County
- Met with LL Kourse regarding roads in Valley at Winter Park
- Attended Mayor and Managers meeting
- Spoke with a Summit County Commissioner regarding Blue Valley Land Exchange

March 10 American Legion meeting at 6:30 p.m. at Mavericks (Commissioners Linke and Cimino)
March 11 Meeting with CDOT regarding parking on Rabbit Ears at 2:30 p.m. (Commissioner Manguso)
March 12 AGNC Conference call (Commissioner Cimino)
March 12 UCC meeting at Midtown Café at 7:30 a.m. (Commissioner Manguso)
March 13 STAC meeting at CDOT building from 9 to noon (Commissioner Manguso)
March 12&13 Club 20 Policy meetings (Commissioner Linke)
March 12&13 CCI and CCAT (Commissioner Cimino)
March 16 Sheep Mountain Project meeting at 3:00 p.m. at Grand Fire (Commissioner Linke)

Treasurer's Report

Deputy Public Trustee Ranette Bakke presented the monthly Treasurer's Report.

Public Hearing – Wolford telecommunications Tower Permit Amendment

The public hearing scheduled to begin at 11:00 a.m. was called to order by Chair Manguso at 11:00 a.m. Assistant County Attorney Maxine LaBarre-Krostue set the record as follows:

- A Letter of Application and Narrative dated January 30, 2020
- B Public Notice – Middle Park Times, dated February 6, 2020
- C Proof of Publication – Middle Park Times, dated March 9, 2020
- D Memorandum from the Community Development Department dated February 14, 2020
- E Vicinity Map depicting 500' notification buffer, as established by the Grand County GIS
- F List of property owners within the 500' notification buffer, as established by the Grand County GIS
- G Vicinity Map depicting actual site
- H Monopole Site and construction plans dated August 9, 2018
- I Draft Telecommunications Grand County Special Use Permit dated March 10, 2020
- J Certificate of Recommendation dated March 10, 2020

PROJECT NAME: Bridger Wireless Telecommunications Tower Special Use Permit
APPLICANT: Bridger Wireless -- represented by Steven A. Portnoy
LOCATION: 55.73 acres, Metes and Bounds in Part of NW ¼ NW ¼ and SE ¼ NW ¼ of Section 14 and SE ¼ NE ¼ NE ¼ of Section 15 T2N R81W of the 6th P.M. also known as 15756/15881 CO Highway 134 approximately 6.25 miles Northwest of Kremmling
ZONING: Forestry and Open District – F/O
APPLICABLE REGULATIONS: Zoning Regulations: Forest and Open District Section 6.1 and Special Use Permits Section 11.8, Grand County Master Plan
ATTACHMENTS: A. Application with Narrative Letter
B. Vicinity Map
C. Draft Special Use Permit ("SUP") 2020 - 3 - XX
STAFF PLANNER: Alexander Taft, LEED Green Associate
REQUEST: The Applicant is requesting approval of an amendment and renewal to the Special Use Permit for transfer to new permittees with substantially the same use for the existing property

I. BACKGROUND AND PROPOSAL

The parcel involved in this proposal is owned by Glenda Lee Hill. The approximately 55 acre parcel has been assessed agricultural for at least the last 5 years. There are agricultural buildings onsite that are typical of agricultural use and keeping livestock.

The Applicant is requesting transfer of the existing Special Use Permit to continue operation of a one hundred twenty five (125) feet tall un-manned wireless telecommunications facility. The site is located near the junction of Colorado State Highway 134 and US Highway 40 west of Wolford reservoir.

The telecommunication tower will have the capacity to allow for collocation of several carriers. The list of the carriers shall be updated with this amendment. The first tenant of this structure is AT&T with FirstNet which is

the first high speed nationwide wireless broadband network dedicated to public safety. This tower is intended to serve the public where there is minimal current service. The proposed tower will serve the local residents and the traveling public in the west end of the County. Most important is the future access it will provide to the county for emergency and public service communications. As far as Staff understands, local emergency service providers have to obtain use of FirstNet as part of a service plan.

II. STAFF ANALYSIS

Provision 5 (r) “non-transferable” of the current Special Use Permit states:

“This Permit is valid for use only by Permittee and may not be transferred or assigned unless (emphasis added) approved by the Board of County Commissioners in a Public Hearing that this transfer is possible”.

Where necessary in the Special Use Permit current permittee shall be altered to the following:

American Tower Corporation
Attn: Erica Rawlinson
10 Presidential Way
Woburn, MA 01801

Staff shall revise the new Special Use Permit to read “Assignability” with the same provisions. The new permittee shall provide a security acceptable to Grand County in the amount of \$25,000 to ensure maintenance and complete rehabilitation of the site consistent with Grand County Zoning Regulations and this approved Permit.

III. COMPLIANCE/NONCOMPLIANCE WITH GRAND COUNTY REGULATIONS

A. MASTER PLAN

The Grand County Master Plan contains seven (7) Plan Elements that form the core of the Master Plan. The Plan Elements include policies and implementation actions, of which one (1) is relevant to this Special Use Permit proposal.

Plan Element 4 – Community and Public Facilities

If approved, this facility will be a benefit to the community. It will also aid in emergency preparedness as FirstNet is a state supported enterprise. This is consistent with Plan Element 4.6 as emergency management requires a framework to increase response times and minimize risks where impacts of wildfire are great.

B. ZONING REGULATIONS

Section VI (6) Forestry and Open District allows the consideration of telecommunication towers and facilities as a use under special review. This permit has been issued under the most recent amended Section 11.8(7), criteria that is specific to telecommunication towers and facilities. Staff has not received any complaints or grievances from neighbors related to this permit. The tower remains in compliance and received a Certificate of Occupancy on June 2, 2019.

IV. STAFF RECOMMENDATION

Staff recommends approval of this application for the transfer Bridger Wireless Telecommunication Tower Special Use Permit with the following conditions:

- 1) An executed lease between the new tower operator and existing property owner be provided.
- 2) The list of existing carriers on the tower shall be updated with this amendment. The following requirements shall be made a part of the Special Use Permit (Exhibit C):
- 3) That all standard language and conditions of Grand County Special Use Permits shall be made part of any approved permit for this request, under the following headings, as follows:
 - Tower height
 - Lease area
 - Building Permit
 - Colors and Materials
 - Collocation
 - Control of Site
 - Noxious Weed Control
 - Screening
 - Site Maintenance
 - Rehabilitation of Site
 - Storage of Abandoned Equipment

- Compliance with County, State and Federal Regulations
- Limitation of Liability
- Alteration of Terms and Conditions
- Access and Right to Enter Site
- Assignability
- Binding Contract
- Financial Security
- Abandonment
- Violation of Terms and Conditions
- Termination

Commissioner Cimino moved to approve the Bridger Wireless Telecommunications Tower Special Use Permit with conditions as presented.

The motion passed unanimously.

Commissioner Linke moved to close the public hearing.

The motion passed unanimously.

Board Business

The Board discussed the use of the County's Pictometry program. County Manager McIntire suggested that staff be given time to review a policy for requests to use the program for personal reasons.

County Policies

County Manager McIntire presented the Board with a policy regarding temporary closure of County facilities or reduction of County services.

The policy identifies what goes into the decision of a temporary closure or reduction or suspension of services. It outlines potential relocation of public meetings or other events. It identifies how the County will manage public hearing in the event of closure or suspension. The policy also identifies notification to employees. The policy is intentionally very broad.

Grand County does not have a county-wide continuity of operations plan. There are departments that have a plan.

Ms. McIntire stated that generally, she would make a decision by 4:30 a.m. on whether a closure is necessary. After that time, notification would be made. The goal is to make notification by 5:00 a.m.

Commissioner Cimino stated that he would like the County Manager to make the decision and then inform the Board.

Board Business

Assistant County Manager Ed Moyer stated that management of fishing on a portion of the Fraser River is a concern. Learning By Doing will be performing fish counts on the river.

There being no further business to come before the Board, the meeting was adjourned at 11:59 a.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 6th day of April 2020.

Kristen Manguso, Chair

Attest:

Sara L. Rosene, Clerk and Recorder