

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

March 17, 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.

General Public Comments

Tom Weydert of Grand Lake asked that the Board of Commissioner grant, on an emergency basis, the certification for Grand Lake Fire to have an ambulance service.

County Manager McIntire stated she is in close contact with the Grand Lake Fire Protection District. The Grand County EMS Chief is currently responsible for providing EMS services within the community.

Ms. McIntire stated that during an emergency is not the time to move the application forward. There is not an immediate need for EMS transports.

If need be, in an emergency, the County can use the resources that exist in Grand Lake.

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on March 18, 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 17, 2020 for payment on March 18, 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 March 18, 2020, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Linke moved to approve the warrants presented on March 17, 2020, for payment on March 18, 2020 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Linke moved to approve the wire payment, interfund transfers and warrants presented on March 17, 2020, for payment on March 18, 2020 for Grand County.

The motion passed unanimously.

Departmental Contracts, Comments,

Road and Bridge Superintendent Chris Baer stated that he is putting out bids for work on County Road 491.

Commissioner Cimino moved to approve the Memorandum of Understanding for participation in the Colorado Emergency Fire Fund and authorize the Chair to sign.

The motion passed unanimously.

Commissioner Linke moved to approve the 2020 Grand County Annual Operating Plan for cooperative firefighting as presented.

The motion passed unanimously.

### Emergency Resolution 2020-3-10

County Manager McIntire noted that the Board had a special resolution prepared on Saturday evening around 8:00 p.m. The Board had an email meeting and Resolution No. 2020-3-10 was approved and released.

County Attorney Leahy asked if the Board would like to publicly consider the issue and decide if the Board would like to extend the resolution.

Incident Commander Brad White stated that the entities in the County need to work under a County declaration. Mr. White would like to see the Board have a declaration for approximately 12 weeks.

Commissioner Cimino moved to direct staff to prepare a new resolution to extend the emergency through April 22, 2020.

The motion passed unanimously.

### Board of Health COVID 19 Update

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

Incident Commander Brad White stated that the Emergency Management Team was stood up over the weekend. There are approximately 20 people directly involved with the team. There are six people working the Joint Information Center to get messaging out.

The initial priorities:

- Provide for responder and health care provider safety
- Minimize local transmission of COVID 19 virus
- Provide and disseminate information regarding prevention, testing, and treatment measures to the public
- Minimize the disruption of local health organizations
- Reduce the patient surge to local hospitals
- Management the incident until such time the testing, treatment, and monitoring capability fall back within the capabilities of Grand County's health organizations
- Identify needs and financial resources
- Identify any areas where they can help with supply change management

Grand County Public Health Director Brene Belew-LaDue thanked Mr. White for setting up the Incident Command structure.

At this time, there are no COVID 19 cases in Grand County. There are 160 cases in Colorado.

Emergency Manager Kat Conrad stated the local entities are waiting for guidance from FEMA as far as declarations.

A community hotline is available for members of the community to get direct information. The community hotline is 970-725-3755.

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

### Board Business

Ed Moyer stated that he received a request from the Flying Heels Arena Association Club. Tish Linke-Krempin is on the phone with regard to the request.

The request is for \$32,000 for improvements.

Commissioner Linke stated that he is not a member of Flying Heels Arena Association and he does not own any of the stock.

Commissioner Cimino moved to approve the request from the Flying Heels Arena Association for needed work at Flying Heels Arena. The amount will not exceed \$32,000 from Conservation Trust Funds and the money will be allocated evenly between the three Commissioner Districts with the extra amount coming from Commissioner District 2.

The motion passed unanimously.

Todd Holzwarth is asking that the Board not open its public hearing for East Grand Fire District Impact Fees.

The Town of Fraser is interested in recalculating how the fee is being done. The Intergovernmental Agreements are still in place.

### Public Hearing – East Grand Fire District Impact Fees

East Grand Fire District Chief Todd Holzwarth asked to withdraw the application for now.

### Grand County Pay Plan Bids

County Manager Kate McIntire stated that her office sent out a formal Request for Proposal for a County Pay Plan review.

The proposals have been provided in the drop box that is available on the County web page. Staff has been working on a robust analysis of each of proposals. Several factors were used in a scoring system; total cost of the proposal, timeline that vendor listed as to how the project would be completed, methodology used to look at pay rates, scope of services, whether the vendors had experience creating plans for similar entities, and cost.

The criteria were weighted:

Cost	5
Timeline	2
Methodology	3
Scope of Services	4
Experience	2

The top three companies are Lee & Burgess Associates, Pontifex Consulting Group, and Evergreen Solutions.

Colleen Reynolds stated that the County's existing pay plan was done in house. The work was done in 2017 and it was adopted January 1, 2018. The pay plan done prior to that was done by Lee & Burgess. The Lee & Burgess plan was implemented in 2015.

Ms. Reynolds noted that Lee & Burgess was great to work with. Lee & Burgess listened to the County staff while creating a valid survey. After the plan was implemented, Lee & Burgess helped with new job review.

Assistant County Manager Ed Moyer stated that he agrees with the assessment of Lee & Burgess.

County Assessor Tom Weydert stated that he has a different opinion of Lee & Burgess. If the plan was so great, why are we here today? Lee & Burgess is the cheapest but Mr. Weydert believes the County needs to go with a company that creates a plan that will be relevant and will remain relevant over time. One of the big problems we have is addressing issues in Grand County.

Mr. Moyer stated that Grand County would have stayed with Lee & Burgess after the pay plan, but the previous County Manager decided to move the work in house. Commissioner Cimino noted that the decision to move the work in house was ultimately made by the Board.

Ms. McIntire noted that Segal also included the development of compensation policies.

Mr. McIntire noted that she believes that Lee & Burgess and Pontifex Consulting Group are similar.

Mr. Weydert stated that he like Segal because of, in the long term, they are more comprehensive. Mr. Weydert liked Public Sector because of the work they have done. If the County is going with cost, then it limits what the County can get.

Ms. McIntire stated that the pay plan has not been the problem. The problem has been implementation by the County.

The Board would like to narrow the list and get some additional references.

The Board would like to perform more research on Pontifex Consulting Group, Lee & Burgess, and CPS HR Consulting.

Manager and Attorney Items

County Manager Kate McIntire presented her weekly update.

Grand County is currently in Tier IV.

Assistant County Manager Moyer provided an update on the purchase of the building at 129 Byers in Hot Sulphur Springs for the Department of Human Services. The seller is addressing items that were identified in the inspection. The seller has requested additional time to complete those items and Mr. Moyer recommends that the County Manager approve the extension.

Ms. McIntire is working on an informational notification for the Board of Commissioners from staff.

County Attorney Leahy will be requesting a workshop regarding the general philosophy of paving.

Consent Agenda

Resolution No. 2020HA-3-4, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY BOARD, APPROVING A LOAN FROM THE GRAND COUNTY HOUSING AUTHORITY DOWN PAYMENT ASSISTANCE PROGRAM, AND AUTHORIZING A BOARD MEMBER TO WIRE TRANSFER FUNDS"

Resolution No. 2020-3-5, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE APPOINTMENT OF LORI HALL AS A GRAND COUNTY REPRESENTATIVE TO THE FOOTHILLS REGIONAL EMERGENCY MEDICAL & TRAUMA ADVISORY COUNCIL"

Commissioner Cimino moved to approve the Consent Agenda.

The motion passed unanimously.

Board Business / Correspondence / Calendar

The Board agreed that it will likely respond to the ROSH request individually.

Commissioner Cimino moved to approve and sign the letter in support of the US Senate and House of Representatives continuing to support Payment In Lieu of Taxes (PILT) Federal funding.

The motion passed unanimously.

Commissioner Cimino

- Testified in opposition to House Bill 20-1349 (Public option for health insurance)
- Attended CCI on March 12 and 13
- Attended emergency meeting on March 14
- CCAT and CCI meetings

Commissioner Linke

- Attended Club 20 Winter Policy meetings
- Attended emergency meeting on March 14

Commissioner Manguso

- Attended meeting on Snowmobile parking
- Attended UCC meeting
- Attended emergency meeting on March 14

March 18 The Molybdenum will take place as a call-in meeting at 1:30 p.m. (Commissioner Linke may attend)

March 18 Club 20 meeting (Commissioner Linke may attend)

March 19 AGNC call-in meeting (Commissioner Linke)

March 19 All Hands meeting at 8:30 a.m. call-in meeting (Commissioner Linke)

Closure Procedure

The closure policy that was approved by the Board on March 13, 2020, provides specific closure policies.

The essential functions list was provided to all employees over the weekend.

Commissioner Cimino moved to approve Resolution No. 2020-3-11, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO DECLARING AND EXTENDING A LOCAL DISASTER PANDEMIC RELATED EMERGENCY IN GRAND COUNTY, COLORADO"

The motion passed unanimously.

Public Hearing – Lots 34 & 35, Grand View Park Amended Final Plat & Easement Vacation

The public hearing scheduled to begin at 2:00 p.m. was called to order by Chair Manguso at 2:07 p.m. County Attorney Leahy set the record as follows:

- A. Letter of Application, dated December 2, 2019
- B. Memorandum from Community Development Department dated March 6, 2020
- C. Vicinity Map depicting the 300 foot Notification buffer as established by the Grand County GIS
- D. List of Certified Mailings to all property owners within 300 feet as established by the Grand County GIS
- E. Title Commitment, dated February 7, 2020
- F. Proposed Lots 34 & 35, Amended Grand View Park Amended Final Plat dated November 9, 2019
- G. Site Map & Detail Map, no date
- H. Amended Grand View Park subdivision plat, Reception No. 97005037 dated June 23, 1997
- I. Email from Jean Johnston, Mountain Parks Electric, Inc., dated March 11, 2020
- J. Email from Katie Nicholls, Three Lakes Water and Sanitation District., dated March 12, 2020

PROJECT NAME: Amended Final Plat, Lots 34, and 35, Amended Final Plat Grand View Park  
APPLICANT: Mitchell D. and Margaret A. Greene  
LOCATION: Lots 34, and 35, Grand View Park, 366 GCR 4571 & 390 GCR 4571  
ZONING: Mobile Home District (M)  
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Master Plan, Grand County Subdivision Regulations

ATTACHMENTS:

- A. Vicinity Map
- B. Letter of Application and Narrative
- C. Proposed Plat
- D. Title Commitments
- E. Site Photos

STAFF PLANNER: Alexander Taft, LEED Green Associate

REQUEST: The Applicant is requesting an Amended Final Plat to remove a property line to create a conforming lot and gain additional buildable area.

I. BACKGROUND:

Grand Vie Park was originally approved and platted in 1923 recorded at Reception No. 28445. The lots originally created in 1923 were approximately 40' x 100' or 4,000 ft<sup>2</sup>. The developers who purchased the property in 1996 and completed the subdivision in 1997 created lots in the range of 10,000ft<sup>2</sup> (.25 acres). The lots in the subdivision are serviced by well and public sewer. The service was extended by the developers in 1997. This subdivision borders US Highway 34 to the west.

II. PROPOSAL:

Mitchell D. and Margaret A. Greene are the owners of Lot 34 and 35 by Warranty Deed at Reception No. 2019007560 and 2017006376. The Applicants propose to combine the two lots and to allow a larger buildable area and create separation between their property and neighbors.

Lot 34 currently contains a dwelling and the Applicant intends to begin construction of a garage in spring or early summer of 2020.

III. STAFF COMMENTS AND ANALYSIS

This Amended Final Plat involves a lot combination of Lot 34 and Lot 35 resulting in one conforming lot. The property owner also owns Lot 47 southwest of this proposal, but has no plans for it currently.

The lots subject in this proposal are residential use and is surrounded by residential uses. The zone district throughout Grand View Park is Mobile Home District which allows individual mobile homes. It appears that the homes within the subdivision are all site build timber frame construction.

The lots as they exist today are pre-existing and non-conforming. They were a vast improvement over the lots created by the original plat. Both lots are served by public sewer via Three Lakes Water and Sanitation District. Access to utilities is either in the adjacent roadway or overhead. The amended plat will benefit both lots by creating a larger area where structures could be built without causing encroachment into the setbacks.

#### IV. PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed this application during their regularly scheduled meeting, February 12, 2020. The Planning Commission and Staff had discussion about conforming lots and the peculiarity of this Amended Subdivision. There was a question about the intention of the Applicant because of lack clarity between Staff's description and Recommendation. It was clarified that the combination of the lots would decrease non-conformity, creating a lot which complies with current zoning regulations and the applicant would be constructing a garage.

Planning Commission unanimously recommends the approval of the 2nd Amended Final Plat, Amended Lots 34A, Amended Final Plat of Grand View Park and vacation of interior lot line easements with the following conditions to be met prior to the recording of the Plat:

1. The title shall be amended to include conveyance to owners with location of Recording and a date of creation (4.3 (2) (a)).
2. This proposed plat shall include primary control points, rights-of-way lines of streets, and easements and widths of rights-of-way, and adjacent property lines. Right of way lines for the full width of GCR 4571 (4.3 (2) (d)).
3. Names of rights of way shall be corrected and total widths shall be shown (4.3 (2) (e)).
4. Pre-existing recorded easements with reference to their location of recording within the Grand County Real Estate records of the Grand County Clerk and Recorders Office (4.3 (2) (f)).
5. Location and description of monuments shall be included with a legend on the proposed plat (4.3 (2) (i)).
6. 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)).
7. Corrections to the surveyors certificate shown on the plat prior to recording the Plat Mylar (4.3 (2) (l)).
8. Planning Commission and Commissioners certificate shall be correctly shown on the plat prior to recording the Plat Mylar (4.3 (2) (m)).
9. A statement of taxes that shows all taxes due and payable shall be paid prior to recording the plat. (4.3 (2) (x)).
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.
12. A title commitment dated within 6 months shall be provided prior to Board of County Commissioners Meeting (4.3) (2) (j). There is an existing Deed of Trust which requires a lienholder's certificate which shall be placed on the Final Plat.

Commissioner Cimino moved to approve the Amended Final Plat and Easement Vacation for Lots 34 & 35, Grand View Park as presented.

The motion passed unanimously.

Commissioner Linke moved to close the public hearing.

The motion passed unanimously.

#### Lots 2, 8 and 14 – Ranches @ Devil's Thumb, Amended Final Plat (Amended Building Envelope)

PROJECT NAME: Amended Final Plat, Lots 2, 8, and 14, The Ranches at Devils Thumb  
APPLICANT: The Ranches at Devils Thumb, Inc. represented by Jeff Vogel AICP, Principle, Vogel & Associates  
LOCATION: Lot 2: 102 GCR 80316 (Alpenglow Vista), Lot 8: 106 GCR 80314 (Sky Valley Way), Lot 14: 118 GCR 80320 (Cattle Drive)  
ZONING: Forestry and Open District (F)  
APPLICABLE  
REGULATIONS: Grand County Zoning Regulations, Grand County Master Plan, Rural Land Use Process  
ATTACHMENTS:  
A. Vicinity Map

- B. Letter of Application and Narrative
- C. Proposed Plats
- D. Title Commitments
- E. Site photos (EagleView)

STAFF PLANNER: Alexander Taft, LEED Green Associate

REQUEST: The Applicant is requesting three (3) Amended Final Plats to shift building envelopes on these lots.

## I. BACKGROUND

### a. History:

The Ranches at Devils Thumb was completed under a Rural Land Use Process (Subdivision) in 2017 and 2018. The Ranches at Devil's Thumb, Inc. as the developer, is still owner of a majority of the parcels within the subdivision. The 17 lots within the subdivision are on 341.1 acres near Devils Thumb Ranch Resort located northeast of the Town of Fraser and situated between GCR 8 to the south and GCR 83 which leads to Devils Thumb Ranch Resort to the north and east. The subdivision, which created these 17 lots, maintains two-thirds open space and contains solely agricultural or recreational uses.

The property is not contained within an Urban or Rural Growth Boundary as defined by the 2011 Master Plan. Being located outside of these growth areas the Rural Land Use Process is one of the few methods available to property owners interested in creating multiple interest in tracts less than thirty-five (35) acres.

### b. Proposal:

The proposal is to move building envelopes on Lots 2, 8 and 14 within the established disturbance zones. The envelopes which were created by the plat of The Ranches at Devil's Thumb, has had interests but only if they were moved. Lot 2 building envelope shifts roughly 60-70 feet to the south, Lot 8 shifts from an east-west configuration to a more easterly north-south configuration and Lot 14 shifts roughly 60-70 feet to the east.

## II. STAFF COMMENTS AND ANALYSIS

The proposal to move building envelopes appears to not conflict with any previous approvals. There have been several discussions between Planning Commission and Staff in the past to eliminate building envelopes on plats, as they tend to create administrative burdens with regard to adjusting building areas. Staff's opinion is that these serve a necessary purpose consistent with the Rural Land Use Process, and are therefore warranted.

## III. PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed this application during their regularly scheduled meeting March 11, 2020. Discussion began with Staff explaining the differences of the Rural Land Use Process compared to another Subdivision. Explanation was given why the building envelopes were a critical part in this classification of subdivision. The commissioners asked a couple of clarifying questions related to information supplied in the support packet and in Staff's recommendation.

Wrapping up discussion the Planning Commission Chairman asked for a vote. Planning Commission unanimously recommended the approval of the Amended Final Plat, Lots 2, 8, and 14, The Ranches at Devils Thumb, with the following conditions (consistent with all proposed plats) to be met prior to the recording of the Amended Final Plat.

1. Correct the Title of the plat as shown and add conveyance to owners and location of Recording (4.4 (2) (a)).
2. Primary control points, or description and ties to such control points shall be clearly identified on the proposed plat (4.4 (2) (c)).
3. Tract boundary lines, rights-of-way lines of streets, easements and other rights-of-way, and property lines shall show radii, arcs and central angles with accurate dimensions (4.4 (2) (d)).
4. Name of adjacent Right-of-Ways, shall read: GCR 80314 (Sky Valley Way), GCR 80316 (Alpenglow Vista), GCR 80320 (Cattle Dr) and shall show widths and dimensions of Rights-of-Way. (4.3 (2) (e)).
5. Pre-Existing recorded easements with reference to their location of recording within the Grand County Real Estate records (e.g., 25' access easement) (4.4 (2) (f)).
6. Location and description of monuments shall be connected to corners of sections or similar (4.3 (2) (i)).
7. Minor corrections are needed for the dedications that are placed on the Plat, the County Attorney's Office shall review the Dedications (4.3 (2) (k)).
8. A statement of taxes that shows all taxes have been paid shall be submitted (4.4 (2) (v)).
9. An electronic copy in AutoCAD.dwg or AutoCAD.dxf of the Final Plat shall be submitted (4.3 (2) (w)).
10. All recording fees are to be paid by the Applicant.
11. All applicable building and sanitation permits shall be obtained through the County prior to construction.
12. Quit Claim Deeds to describe the amended legal description of the lots and be clearly conveyed on title.

Commissioner Cimino moved to approve the Amended Final Plat, Lots 2, 8, and 14, The Ranches at Devils Thumb as presented.

The motion passed unanimously.

Executive Session

Commissioner Cimino moved to convene an Executive Session at 2:15 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 was not provided.

Present for the meeting was the Board, the County Manager, County Attorney, Assistant County Manager and Assistant County Attorney.

The motion passed unanimously.

The meeting was reconvened at 2:30 p.m.

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.

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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.

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Commissioner Cimino moved to convene an Executive Session at 2:42 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 was coordination of emergency response services.

Present for the meeting was the Board, the County Manager, County Attorney, Assistant County Manager, Assistant County Attorney, Todd Holzwarth, Tony Tucker, Robert Good, Mike Blevins, Brett Schroetlin, and Brad White.

The motion passed unanimously.

The meeting was reconvened at 3:45 p.m.

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.

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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.

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There being no further business to come before the Board, the meeting was adjourned at 3:55 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 6<sup>th</sup> day of April 2020.

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Kristen Manguso, Chair

Attest:

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Sara L. Rosene, Clerk and Recorder