

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

April 28, 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
Assistant County Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

Commissioner Cimino moved to approve the Minutes of the Regular Board of County Commissioners meeting of April 21, 2020 with a correction.

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 from CMHC down payment assistance loan fund in the amount of \$10,000 for Michael Williams II and authorize the Chair to sign and authorize the wire of the money.

The motion passed unanimously.

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

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on April 29, 2020, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the checks presented on April 28, 2020 for payment on April 29, 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 April 29, 2020, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the vouchers presented on April 28, 2020, for payment on April 29, 2020 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Cimino moved to approve the wire payment, interfund transfers, and vouchers presented on April 28, 2020, for payment on April 29, 2020 for Grand County.

The motion passed unanimously.

Mr. Lange reported on the Grand Foundation Economic Relief Fund Spending & Allocation

COVID-19 Emergency Assistance Fund – Total raised in the amount of \$185,000

\$105,000 Awarded

Housing, Utilities & Food \$105,000

Other \$32,000

COVID-19 efforts have assisted 1,350 households and impacted 2,700 individuals

Small Business Emergency Grant Fund – Total raised \$540,000

Has granted \$391,831- awarded to businesses by location

Winter Park	\$142,012
Fraser	\$88,833
Granby	\$59,530
Grand Lake	\$51,604
Kremmling	\$22,474
Unincorporated Grand County	\$27,384

Sales and Lodging taxes, Highway User Tax Funds, Building and Short-Term Rental fees are all expected to be lower than originally budgeted for 2020. Sales taxes are now projected to be only 50 percent of the budgeted level and Lodging taxes are projected to be 30 percent of the annual budget. Building permits and Short-Term Rental renewals are projected to be 50 percent of the original budget amount. Highway User Taxes are projected to be slightly lower than budgeted for 2020.

	Current expected	2020 Budget
Sales Tax	\$3,615,000	\$7,230,000
Lodging Tax	\$387,600	\$1,292,000
Building Permits	\$468,350	\$936,700
Short-term rental fees	\$68,150	\$136,300
Clerk & Recorder	\$650,000	\$800,000
Highway Users Tax	\$1,909,000	\$2,009,000
Total	\$7,098,100	\$12,404,000

Revenues expected to be down \$5.3 million for 2020

Expenditures in excess of budget per month

	Spent 3/14 thru 4/26	Projected Monthly	Expected Costs thru 6/30
Emergency Operation Center personnel	\$90,000	\$60,750	\$211,500
Grand Foundation Business Grant Program	\$100,000	-	\$100,000
Isolation facility @100k/mo	-	\$18,000	\$52,000
County LT (predominately PH & Sheriff thru 4-10)	\$7,100	\$5,751	\$18,602
Other Operating expenses	\$51,300	\$34,628	\$120,555
Totals	\$248,400	\$119,129	\$502,657

Expenditures expected to be higher \$503k

Expected Effort to 2020 budget (\$5.8 million)

Adjustments for Unrestricted Operating Fund Balance Only:

Add back	
Lodging Tax losses (restricted funds)	\$904,400
Open Lands, Rivers, Trails losses (restricted funds)	\$834,231
FEMA's expected 75 percent reimbursement (probably received after 2020)	\$376,993
Tabor Reserve used for COVID-19 expenditures	\$125,664
FFA 10% Airport grant funding	\$225,000
Hiring freeze expected savings	\$500,000
HUTF losses (restricted funds)	\$100,000
Pay plan review by outside consultant	\$40,000
Internships cancelled for 2020	\$25,000
Other County Budgeted Operations / Projects	TBD
Total offsets/restricted losses	\$3,131,288
Expected deficit to Unrestricted Fund Balance after adjustments	\$(2,668,712)
Estimated Unrestricted Fund Balance after adjustments	\$4,331,2288
Percent of operating expenditures	22.2%

Departmental Contracts, Comments, Issues

Commissioner Cimino moved to approve the Non-Federal Reimbursable Agreement between Department of Transportation Federal Aviation Administration and Grand County Colorado for the Kremmling Airport for the PAPI and authorize the Chair to sign.

Discussion: In the body of the resolution, include the language of Precision Approach Path Indicators to clarify PAPI

The motion passed unanimously.

Commissioner Cimino moved to approve Resolution No. 2019-5-32, “A RESOLUTION APPROVING SPECIAL USE PERMIT FOR SALID WASTE TRANSFER OPERATION LOCATED AT 441 HWY 125 IN THE SW1/4SW1/4 OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 77 WEST OF THE 6TH P.M., GRAND COUNTY, COLORADO”

The motion passed unanimously.

Grand County Board of Health – COVID-19 Update from the Incident Management Team

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

Incident Commander Brad White stated that testing has increased in the County. There are no hospitalizations in Grand County.

There were two public health orders since the last Board meeting; extension for short term lodging and order that safety precautions to be filed with the County.

There is a lot a gray area in State Order with regard to tourist related businesses.

There is a “Safer At Home” section on the County web page.

Ms. McIntire noted that Grand County is not more restrictive than the state. Grand County is following the state guidelines.

Mr. White stated that the JIC would like to work on additional testing in the community.

Public Health Director Nurse Brene Belew-LaDue noted that this is not just about the number of cases. It is about the ability to test people in the community. It is the ability to have the equipment on hand. It is the ability to handle the cases if there is a surge.

County Attorney Chris Leahy stated that the Incident Management Team have been doing the work that is necessary to get the waiver.

Human Resource Director Deb Ruttenberg stated people are accessing services that are needed.

From January to June 2019	120 food assistance applications
In the last six weeks	124 food assistance applications

In the first two weeks of March, they had 15 or 16 food assistance applications. In the second two weeks of March, they had 55 applications.

About 75 percent of the applications are coming from individuals. The rest are coming from families.

Rent assistance is made available when applicable.

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

Manager and Attorney Items

County Manager Kate McIntire presented the weekly update.

Resolution No. 2020-4-14, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE WAIVER OF BUILDING PERMIT FEES FOR THE GRAND LAKE HISTORICAL SOCIETY FOR THE SMITH-ESLICK COTTAGE COURT BUILDING ROOF REPLACEMENT”

Resolution No. 2020-4-15, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO ACCEPTING THE BID PROPOSAL FROM OLDCASTLE SW GROUP, INC., D/B/A UNITED COMPANIES, FOR THE 2020 MCELROY AIRFIELD RUNWAY REHABILITATION PROJECT

Resolution No. 2020-4-16, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A MUNICIPAL FINANCE EQUIPMENT LEASE-PURCHASE

APPLICATION BETWEEN FORD CREDIT AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, SUBJECT TO COUNTY ATTORNEY APPROVAL”

Resolution No. 2020-4-17, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A GRANT APPLICATION FOR FEDERAL ASSISTANCE TO SUPPORT IMPROVEMENTS AT EMILY WARNER FIELD GRANBY-GRAND COUNTY AIRPORT”

Resolution No. 2020-4-18, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A GRANT APPLICATION FOR FEDERAL ASSISTANCE TO SUPPORT IMPROVEMENTS AT THE KREMMLING-MCELROY AIRFIELD”

Resolution No. 2020-4-19, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A MASTER AGREEMENT FOR DISASTER EMERGENCY MUTUAL AID AND DISASTER EMERGENCY FUNDING ASSISTANCE BETWEEN GRAND COUNTY LOCAL GOVERNMENTS”

Resolution No. 2020-4-20BOH, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE GRAND COUNTY BOARD OF HEALTH TO EXECUTE A MASTER AGREEMENT FOR DISASTER EMERGENCY MUTUAL AID AND DISASTER EMERGENCY FUNDING ASSISTANCE BETWEEN GRAND COUNTY LOCAL GOVERNMENTS”

Commissioner Cimino moved to approve the Consent Agenda.

The motion passed unanimously.

Board Business / Correspondence / Calendar

Commissioner Cimino moved to approve and authorize the Board to sign a letter in support of the BLM’s proposed Blue Valley Land Exchange in Colorado addressed to Deputy Director William P. Pendley.

The motion passed unanimously.

The Board directed staff to write a Letter of Support for Middle Park Health to the Colorado Enterprise Zone.

- April 28 Conference Call with Senator Gardner
- April 29 Commissioner Manguso will attend the STAC meeting
- April 29 All Hands meeting at 9:00 a.m. (All three commissioners)
- April 29 CCI Mountain District meeting at 10:00 a.m. (Commissioner Linke)
- April 29 Club 20 Gallagher Call at 3:00 p.m. (Commissioner Linke)
- April 30 AGNC zoom meeting (Commissioner Linke)
- April 30 NWCCOG meeting (Commissioner Manguso)
- Daily Board has a standing meeting at 2:00 p.m.

Commissioner Linke presented a COVID 19 update to the Granby Rotary.

Commissioner Linke attended a Club 20 Conference Call.

Public Hearing – Lots 25 & 30, Block 1, Lake Forest 1st Addition, Amended Final Plat and Easement Vacation

The public hearing scheduled to begin at 10:25 a.m. was called to order by Chair Manguso at 10:30 a.m. County Attorney Leahy set the record as follows:

- A. Application and Project Narrative Letter, dated February 5, 2020
- B. Public Notice Memo to all adjacent property owners from Community Development Department, Planning & Zoning, dated April 17, 2020
- C. List of Mailings properly to all adjacent property owners as established by the Grand County GIS
- D. Vicinity Map depicting the notification buffer as established by the Grand County GIS
- E. Certificate of Recommendation dated April 28, 2020
- F. Proposed Amended Final Plat, dated January 31, 2020
- G. Lake Forest subdivision 1st Addition Final Plat, Reception No. 76469, dated September 1953

- H. Email from Jean Johnson of Mountain Parks Electric, Inc., dated March 12, 2020
- I. Email from Katie Nichols manager of Three Lakes Water and Sanitation District, dated March 12, 2020
- J. Email and attachment from Melody Anders Treasurer for Lake Forest Mutual Water Company, dated April 16, 2020

PROJECT NAME: Amended Final Plat, Lots 25, and 30, Block 1, Lake Forest 1st Addition Subdivision

APPLICANT: Steven Lee and Beverly Ann Johnson, Owner

LOCATION: 136 County Road 6480 and 115 County Road 645

ZONING: Residential District (R)

APPLICABLE REGULATIONS: Grand County Zoning Regulations, Subdivision Regulations

ATTACHMENTS: Amended Final Plat, Letter of Application, Vicinity Map, Title Commitment

STAFF PLANNER: Alexander Taft, LEED Green Associate

REQUEST: Approval of an Amended Final Plat to vacate lot lines to create one lot, increasing buildable area and decreasing potential encroachment.

I. DISCUSSION

a. History:

1st Addition Lake Forest Subdivision was originally platted in September 1953 at Reception No. 76469. The subdivision was the second division of land owned by W. W. Lininger, which consist of 6 blocks comprised of 153 lots. These lots within Lake Forest Subdivision and Lake Forest 1stAdditionare served by Lake Forest Mutual Water Company for public water and Three Lakes Water and Sanitation for public sewer. Other Amended Final Plat applications have been processed through the County for this subdivision.

b. Proposal:

Steve and Beverly Johnson, the “Applicant,” are currently the owners of Lots 25&30, Block 1,1st Addition Lake Forest Subdivision via Warranty Deeds recorded at Reception No. 2015009347 and 2019010994. The applicant also owns Lot 24 which was included in the transfer recorded at Reception 2019010994. The Applicant is proposing an Amended Final Plat that would vacate the lot line between Lots 30 and 25 to create one lot with increased building area but leave one for a future owner to build on.

Currently, Lot 30 has an existing single family residence and Lots24 and 25are vacant. Each of the two lots are .23 acres or 10,018 ft2 each, comprising a total lot size of .46acres or 20,036 ft2.Public sewer is provided to Lot 25by Three Lakes Water & Sanitation District. Public water is provided to the subject Lots by the Lake Forest Mutual Water Company. Two taps are being maintained for the three parcels. If approved, Lot 24 will be sold and the additional tap will transfer. The subject lots are surrounded by single family residential development. Lots in the immediate vicinity of the subject parcels range in size from .23 acres to .56 acres in size and the majority are developed.

II. STAFF COMMENTS AND ANALYSIS

Staff supports this proposal in consideration that three other Amended Final Plats have been approved in the Lake Forest Subdivision. Staff also supports the increase in lot size in consideration that it matches pre-existing lot sizes of lots ranging from .23 acres to .56 acres.

III. PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed this application during their regularly scheduled meeting on March 11, 2020. There was a significant discussion about the garage on Lot 25, it was approved to be constructed in the rear yard encroaching on the “setback”. Staff had previously confirmed that this was compliant with our regulations but didn’t have the exact reference. The Commissioners agreed that despite the potential issue the combination of these lots would alleviate the issue. The Applicant was present and provided some additional information that there were three (3) total taps for the three (3) lots and to combine two (2) lots would eliminate the need for maintenance of one(1)of those taps leaving two (2) total.

Planning Commission unanimously recommended approval of the Amended Final Plat, Amended Lot 30A, Block 1, First Addition to the Lake Forest Subdivision being a replat of Lots 25& 30, Block 1, First Addition to the Lake Forest Subdivision, Reception No. 76469 with the following conditions to be met prior to the recording of the Final Plat.

1. A note shall be added to the Plat that identifies this parcel as being located within the Three Lakes Design Review Area (Zoning).
2. The legal description shall be amended as recommended (4.3 (2)(b)).
3. Tract boundary lines, easements, residential lot lines and accurate dimensions shall be shown on the Plat, including those boundaries of adjacent properties (4.3(2)(d)).
4. Location and dimensions of existing easements and reference to their recording information shall be shown on the Plat (4.3(2)(f)).
5. The Dedication shall be amended to read as shown in this recommendation (4.3(2)(k)).

6. The Surveyor's Certificate shall be amended to read as follows (4.3(2)(l)).
7. The Planning Commission Certificate shall be added to this plat (4.3(2)(m)).
8. The A 14" x 18" black-line Mylar(s) with approved addresses and road numbers as required (4.3 (2) (w)).
9. A statement of taxes that shows all taxes have been paid shall be submitted (4.3(2)(x)).
10. An electronic copy of the Final Plat shall be submitted (4.3(2)(y)).
11. All recording fees are to be paid by the Applicant.
12. Quit Claim Deed to describe the amended legal description of the lot and be clearly conveyed on title.

Commissioner Cimino moved to approve a the Lots 25 & 30, Block 1, Lake Forest 1st Addition, Amended Final Plat with staff recommendations and there is no vacation of easements.

The motion passed unanimously.

Commissioner Cimino moved to close the public hearing.

The motion passed unanimously.

Public Hearing – Lots 7 & 20, Block 3, Lake Forest 1st Addition, Amended Final Plat and Easement Vacation

The public hearing scheduled to begin at 10:35 a.m. was called to order by Chair Manguso at 10:38 a.m. County Attorney Leahy set the record as follows:

- A. Application and Project Narrative Letter, dated February 10, 2020
- B. Public Notice Memo to all adjacent property owners from Community Development Department, Planning & Zoning, dated April 17, 2020
- C. List of Mailings property to all adjacent property owners as established by the Grand County GIS
- D. Vicinity Map depicting the notification buffer as established by the Grand County GIS
- E. Certificate of Recommendation dated April 28, 2020
- F. Proposed Amended Final Plat, dated February 10, 2020
- G. Lake Forest subdivision 1st Addition Final Plat, Reception No. 76469, dated September 1953
- H. Email from Jean Johnson of Mountain Parks Electric, Inc., dated March 12, 2020
- I. Email from Katie Nichols manager of Three Lakes Water and Sanitation District, dated March 12, 2020

PROJECT NAME: Amended Final Plat, Lot 7 and 20, Block 3, Lake Forest Subdivision
APPLICANT: Nicholas and Kristi Gulley, Owner
LOCATION: 985County Road 64
ZONING: Residential District (R)
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Subdivision Regulations
ATTACHMENTS: Amended Final Plat, Letter of Application, Vicinity Map, Title Commitment, Easement Vacation Permission from Utility Providers
STAFF PLANNER: Jacob Cote
REQUEST: Approval of an Amended Final Plat to vacate lot lines and interior easements to create one lot, increasing buildable area and decreasing potential encroachment.

I. DISCUSSION

a. Proposal:

Nicholas and Kristi Gulley, the "Applicant," are currently the owners of Lot 7 and 20, Block 3 of the Lake Forest Subdivision. The Applicant is proposing an Amended Final Plat that would vacate the common lot line between Lots 7 and 20 to create one lot with an increased building area. It is the Applicant's goal to construct a house in the center of the existing two lots. The proposed Amended Final Plat would vacate the internal lot line and adjacent 5' interior lot line easement between Lots 7 and 20, eliminating potential encroachments along the internal line and allowing the Applicant to build centrally on the lot.

Currently, Lots 7 and 20 are vacant. Both lots are mostly clear of tall vegetation, with the exception of two small tree clusters adjacent to the street in Lot 7. Lot 7 is 12,970 ft. 2 (0.30 acres) and Lot 20 is 11,345 ft. 2 (0.26 acres), comprising a total lot size of 24,315 ft.2 (0.56 acres). Water and sewer is provided to Lot 7 by Lake Forest Mutual Water and Three Lakes Water & Sanitation District, respectively. The subject lots are surrounded by residential development to the north, east, and west. To the south, across CR-64, are the North Shore Lodge and Beacon Landing Marina establishments on either side of residences. Lots in the immediate vicinity of the subject parcels range in size from 0.26 acres to 0.98 acres in size. The southern edge of the lot is approximately 288 feet from the Lake Granby (aka Granby Reservoir) shoreline (pending water level).

b. History:

Recent AFPs in Lake Forest Subdivision Lake Forest First Addition Subdivision was originally platted in September 1953 at Reception No. 76469. It contained one filing, consisting of six (6) blocks comprised of 153 lots. Four other Amended Final Plat applications have been processed through the County for this subdivision: RECEPTION## OF LOTS COMBINED 20190050552 20120077932 20180063453 20000042232

II. STAFF COMMENTS AND ANALYSIS

Staff supports this proposal in consideration of four other Amended Final Plats which have been approved in the Lake Forest Subdivision for similar reasons. Staff also supports the increase in lot size in consideration that it matches pre-existing lot sizes of lots ranging from 0.26 acres to 0.98 acres. Permission has been granted by utility companies providing services to the property allowing for the vacation of the interior lot line easements. Documentation available as attachment to this Staff Report.

III. PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed this application during their regularly scheduled meeting on March 11, 2020. Commissioners and County Staff discussed Staff's addition of a condition requiring documented permission from utility companies providing service to the property to vacate the interior lot line easements. These permissions have since been obtained from Three Lakes Water and Sanitation District and Mountain Parks Electric, Inc. and are attached to this Staff Report. Planning Commission unanimously recommends approval of the Amended Final Plat, Amended Lot 7A, Block 3, Lake Forest Subdivision, as well as the vacation of the interior lot line and corresponding utility easements with the following conditions to be met prior to recording of the Plat:

1. The title of the Amended Final Plat shall be amended as recommended in Section 4.3(2) (a).
2. The legal description shall be amended as recommended in Section 4.3 (2)(b).
3. Primary control points or descriptions shall be amended as recommended in Section 4.3 (2)(c).
4. Tract boundary lines, easements, residential lot lines and accurate dimensions shall be shown on the Plat, including those boundaries of adjacent properties as recommended in Section 4.3 (2)(d).
5. The Amended Final Plat shall show the name of the street adjacent to the north boundary of the Plat to be GCR 6430 as recommended in Section 4.3 (2) (e).
6. Location and description of monuments shall be shown on the Plat. "Point A" shall be located in reference to section lines of township and range with connection to property corners as recommended in Section 4.3 (2)(i).
7. The Dedication shall be amended to read as indicated as shown in Section 4.3 (2)(k).
8. The Surveyor's Certificate shall be amended to read as indicated as shown in Section 4.3 (2) (l).
9. The Planning Commission Certificate shall be amended to read as shown in Section 4.3 (2) (m).
10. Remove "Preliminary Plat" and correct legal description as show in Section 4.3 (2)(o).
11. A vicinity map. This has been provided and shall remain on the Final Plat as recommended in Section 4.3 (2)(q).
12. The A 14" x 18" black-line Mylar(s) with approved addresses and road numbers shall be placed on the Final Plat Mylar as required as recommended in Section 4.3 (2)(w).
13. A statement of taxes showing that all taxes have been paid shall be submitted as recommended in Section 4.3 (2)(x).
14. An electronic copy of the Final Plat shall be submitted as recommended in Section 4.3 (2)(y).
15. Documented permission shall be granted by utility companies providing service to the property allowing for the vacation of the interior lot line easements.
16. All recording fees are to be paid by the Applicant.
17. Quit Claim Deeds to describe the amended legal description of the lots.
18. Vacation of interior public easements for the creation of a single larger lot shall be approved.

Commissioner Cimino moved to approve Lots 7 & 20, Block 3, Lake Forest 1st Addition, Amended Final Plat and Easement Vacation with staff conditions adding Condition Number 19 regarding the requirement to abandon the well shown on the plat through the state of Colorado and cap the existing well.

The motion passed unanimously.

Commissioner Cimino moved to close the public hearing.

The motion passed unanimously.

Evaluating Conserved Consumptive Use in the Upper Colorado River Project – Update

Paul Bruchez stated that the project has taken flight. The purpose of the presentation is two-fold; 1) Discuss with the County specific issues associated with Big Lake Ditch and 2) Provide update with regard to the project.

The Colorado Basin Round Table formed a work group and conversations started immediately about the need for demonstration projects to understand consumptive use of perennially irrigated ground at high altitudes within the basin.

Mr. Bruchez is on the Ag Impact Demand Management Work Group. The group developed a white paper that looks almost identical to the Colorado Basin Roundtable. It was really of statewide interest. The Roundtable was very supportive of the concept of the project.

They submitted the application to the Colorado Water Conservation Board on February 7, 2020, for the alternative transfer methods program. That project and grant was awarded in the amount of \$500,000 from the Colorado Water Conservation Board on March 11, 2020. The total project is over \$900,000. The project applicant is the Colorado Basin Roundtable. The fiscal agent is Trout Unlimited. The Nature Conservancy and American Rivers are project partners. The research is being conducted by Colorado State University. Colorado State University has partnered with Utah State University.

Right now, they have 983 acres participating in full season curtailment for purposes of research associated with the project. There is 158.7 acres of split season deficit irrigation so the irrigator will be allowed full irrigation practices until June 15 and then curtail any water delivery after June 15 for the year.

Denver Water wanted to make sure that Grand County was on board with the consumptive use project.

Right now, they are down to 34.5 acres of Big Lake Ditch irrigated land being involved and it would be for a split season. The cut-off date would be June 15.

Mr. Moyer stated that Denver Water wants to make sure that people do not see this as Denver Water drying up agriculture land.

This did go to the River District last week. Mr. Bruchez stated that this project is very basic. It is not political. It is simply getting science to the researchers.

The River District staff has been very involved in this project. The River District Board approved it unanimously.

Purchase Options – Office building in Hot Sulphur Springs for Department of Human Services, Facility Needs (continued from April 21, 2020)

Department of Human Services purchase options as provided by County Manager Kate McIntire.

Option 1 - Purchase the building using County funds on 6-30-2020 for a purchase price of \$1,600,000 plus closing costs

Costs - \$1,600,000 purchase price plus approximately \$30,000 closing costs
 Unrestricted Fund Balance \$2.8 million (14% of general fund expenditures)

Option 2 - Decide not to purchase the building and likely risk losing the \$50,000 earnest money deposit

Costs - \$50,000 earnest money plus appraisal and inspection costs already incurred

Option 3 - Utilize a lease-purchase funding arrangement with a bank to purchase the building on 6-30-2020

	Costs - 20 year term	30 year
	\$1,600,000 purchase price	\$1,600,000
Costs	\$20,000 Alan Matloz to manage loan process	\$20,000
	\$5,000 Additional closing costs	\$5,000
	\$131,850 interest paid 1st 3 years of loan term	\$135,000
	\$156,850	\$160,000
8,596/mo	\$51,575 monthly loan payments in 2020	\$39,210 6,535/mo
	\$513,100 cumulative interest	\$802,000
	\$4,338,000 Unrestricted fund balance	\$4,351,000
	22.2%	22.3%

Option 4 - Utilize 2 new contracts, a lease and an option to purchase property with the seller

Monthly lease costs - \$6,500 / month

If option to purchase exercised, all applied to purchase price

Cost of Option to purchase - \$70,000 (an additional \$20,000 due 6-30-2020)

If option to purchase exercised, all applied to purchase price

Property purchase price - \$1,600,000

Costs -

\$5,000 Additional closing costs
\$4,506,000 Unrestricted fund balance 23.1%

This option saves approximately \$155,000 versus option #3 above

Human Service Director Deb Ruttenberg expressed the need for an appropriate space. The current space is not safe and does not allow for enough room. Grand County Human Services has 17 individuals housed in three different buildings.

Ms. Ruttenberg stated that they went from three eligibility technicians to six eligibility technicians in the same space because of Medicaid expansion.

Ms. Ruttenberg stated that they have five offices that are below ground and there are eight people working in that space.

The current space is not secure. Ms. Ruttenberg expressed concerns for confidentiality because of the size of the space.

Ms. Ruttenberg highly encourages the purchase of the building.

Both Commissioners Linke and Cimino agreed to move forward with Option No. 4 and encouraged staff to move forward with this Option No. 4.

Commissioner Manguso recused herself from the discussion.

Open Lands, Rivers & Trails – Spring 2020 Grant Cycle

OLRT Chair Mike Crosby, Executive Director Anna Drexler-Dries, and Vice-Chair Paul Bruchez were present for the presentation.

Funds Available as of 2/29/2020: \$1,680,575

Recommending Funding: \$500,000

Applicant: Colorado Parks & Wildlife Project Name: Renegade Ranch Property Acquisition Brief Description: Colorado Parks & Wildlife is requesting \$500,000, which is 33% of the total project budget (not including in-kind) for the Renegade Ranch property acquisition. Renegade Ranch is a 20-acre parcel which borders on the Kemp-Breeze State Wildlife Area at the confluence of the Williams Fork and Colorado Rivers. For a distance of approximately 2,900 feet in this area, half of the Colorado River (river left) is on State Wildlife Area and the other half is owned by Renegade Ranch. This project would incorporate Renegade Ranch into the State Wildlife area, thus giving the public full access to the river, as well as a new access point from the Town of Parshall. Acquisition of this parcel will enable this section of the Colorado River to be included in the Kemp-Breeze Habitat Improvement Project.

Recommended Funding: With an average score of 89.9/100, OLRTAC recommends funding the grant request with the requirement that OLRT funding shall not exceed 33% of the appraised value of the conservation easement or \$500,000, whichever is less. Unanimously approved by all Committee members.

Applicant: Colorado Headwaters Land Trust

Project Name: Granby Highlands Trails Easement

Brief Description: Colorado Headwaters Land Trust is requesting \$1,200,000, which is 28% of the total project budget (not including in-kind) for the Granby Highlands Trails Easement. The Granby Highlands Trails Conservation Easement will permanently preserve approximately 780.5 acres of vital wildlife habitat and scenic and recreational open space, including approximately 1.7 miles of the Colorado River, which is used by a variety of wildlife as well as anglers and other recreators. The conservation easement will create an open space buffer around the River Run RV Resort and will protect an important elk migration corridor and sage grouse lek. It will also provide ample trail-based recreational opportunities, strengthening the Town of Granby's economy and raising its stature as a destination for Grand County visitors.

Recommended Funding: With an average score of 71.0/100, OLRTAC generally supports the grant request and recommend that Ms. Drexler-Dreis coordinate a work session in the next couple months with Town of Granby, Colorado Headwaters Land Trust, Grand County Board of County Commissioners, and any other interested parties to finalize the details regarding water rights, gravel pit, trail density, and others. Unanimously approved by all Committee members.

OLRTAC Reasoning: Committee members have concerns about the lack of detail regarding the inclusion of water rights, the gravel pit inholding, and that 10-miles of trails will cause fragmentation and is a high density of trails for a conservation easement. Committee members support the project and want to see this area conserved but need to know the outcomes of the above concerns before making a taxpayer funding commitment. A work session(s) over the next six months before the Fall 2020 grant cycle will allow an opportunity to defer authorization of the grant request to ensure full transparency of County funds.

Funds Available as of 2/29/2020: \$181,898

Recommending Funding: \$105,111

Applicant: Headwaters Trails Alliance

Project Name: Phases Trail System Redevelopment Project: Phase I

Brief Description: Headwaters Trails Alliance is requesting \$33,590, which is 13% of the total project budget (not including in-kind) for the Phases Trail System Redevelopment project. HTA requests funds to assist the BLM with the continuation of a trail redevelopment project in the popular Strawberry Recreation Management Area (aka "The Phases") aimed at protecting the natural environment from erosion and providing safer recreational experiences for hiking, biking, and fishing access. The Phases area has very steep terrain with trails that are fall line and prone to erosion due to the crushed granite soil type. Trail improvements (reroutes, rock armoring, improved drainages, deadfall and hazard tree removal, and vegetation management) have been occurring over the last 2 years through OLRT funding, volunteer projects, and National Public Lands Day projects. An Environmental Assessment (EA) was required to approve more significant trail changes and reroutes, which is complete and currently in its public comment period. The EA proposes a trail system overhaul of over 7 miles of trails with reroutes, closures and decommissions, armoring, and alternate lines to enhance the safety, sustainability, and recreational experience on these trails.

Recommended Funding: With an average score of 90.2/100, OLRTAC recommends fully funding the grant request for \$33,590. Unanimously approved by all Committee members.

Applicant: Headwaters Trails Alliance

Project Name: Grand County Hazard Tree Mitigation

Brief Description: Headwaters Trails Alliance is requesting \$41,500, which is 55% of the total project budget (not including in-kind) for the Hazard Tree Mitigation project. This funding request is for assistance with hazard tree mitigation costs of primarily standing dead lodgepole pine due to the mountain pine beetle epidemic on popular recreational trails within Grand County. HTA's approach to hazard tree removal is multi-tiered based upon tree density and trail usage. HTA staff will continue to remove trees as part of regular trail maintenance (field staff have trail maintenance bikes with chainsaw holders); HTA will hire local arborists for spot-treatment of specific areas; and for larger and more complex areas, HTA will hire Terra Firma Forestry, a professional forestry management company, to spend 4 weeks in Grand County on specific trails prioritized by federal land managers. This request to help fund hazard tree removal will improve public safety and reduce fire hazards in and around recreational areas. Specific areas identified for work this year include: trails in the Troublesome Valley (Elk Mountain, Paradise, Buffalo Creek, and Bill Miller Trails), Idlewild Trail System in Fraser/Winter Park, Phases Trail System in Tabernash, and if time allows, the High Lonesome Trail on the Continental Divide (from Junco Lake south).

Recommended Funding: With an average score of 81.1/100, OLRTAC recommends fully funding the grant request for \$41,500. Unanimously approved by all Committee members.

Applicant: Headwaters Trails Alliance

Project Name: Signage Replacement Project 2020

Brief Description: Headwaters Trails Alliance is requesting \$8,825, which is 58% of the total project budget (not including in-kind) for the Signage Replacement project. This funding request will allow HTA, BLM, and USFS to replace existing signage along trails and at trailheads that are damaged, degraded, and/or missing. The BLM has requested 50 carsonite/u-channel signs be replaced in both Kremmling and Tabernash, as well as 100 horizontal trail name signs and 10 additional educational signs (i.e. trail courtesy, seasonal wildlife closures, etc.). The USFS has requested 350 UV-sealed sign decals and 12 wilderness registrations boxes (warranted for 10 years) be updated, repaired, or replaced due to damage. Lastly, HTA needs to repair and replace 25 signs along the Fraser River, Fraser-to-Granby, and Givelo Trails combined. This request is only for the replacement of existing signage and does not represent new signs that will be added to trails nor does it include additional signage to be installed by federal agencies in recreation areas, campgrounds, roads, etc.

Recommended Funding: With an average score of 79.4/100, OLRTAC recommends fully funding the grant request at \$8,825. Unanimously approved by all Committee members.

Applicant: Headwaters Trails Alliance

Project Name: Four Seasons Trail Improvements

Brief Description: Headwaters Trails Alliance is requesting \$19,500, which is 49% of the total project budget (not including in-kind) for the Four Seasons Trail Improvements project. This trail funding request is for a trail maintenance and improvement project with Rendezvous, Winter Park, and Fraser to complete the finish work

necessary for 1,365 feet (approximately ¼ mile) of full bench cut, year-round trail linking valley trails through Rendezvous to the Idlewild Trail System. Currently, this trail (to become “Four Seasons Trail”) is only a winter use trail and needs regrading, tread work, and drainage features to allow it to be used for hiking, mountain biking, dog walking, and trail running during the remaining months. Recommended Funding: With an average score of 72.3/100, OLRTAC recommends partially funding this grant request at \$16,500 so Rendezvous matches the amount of funds Town of Fraser is committing. Recommendation passes with eight Committee members voting yes and one Committee member voting no.

Applicant: Continental Divide Trail Coalition

Project Name: Continental Divide Youth Trail Crew Trail Maintenance

Brief Description: CDTC is requesting \$9,392, which is 74% of the total project budget (not including in-kind) for the Youth Trail Crew Trail Maintenance project. Funding is requested for two volunteer trail maintenance projects and a CDTC Adopted Training (adopt-a-trail) that engage youth 14-20 years in age from both Colorado College and cityWILD (a Denver based nonprofit connecting youth to the natural world through outdoor experiential education) in the stewardship of the Continental Divide Trail in Grand County. This specific request will help CDTC with labor costs and travel associated with the planning and implementation of both projects and training in Summer 2020. The projects will address tread, corridor clearance, and bridge repair along the CDT in this area (Knight Ridge and Junco Cabin).

Recommended Funding: With an average score of 70.4/100, OLRTAC recommends partially funding this grant request at \$4,696 and Continental Divide Trail Coalition may come back to OLRT if they are unable to find alternate partners/funding sources. Unanimously approved by all Committee members present.

OLRTAC Reasoning: Committee member concern regarding the high percentage of funds requested related to total project cost and lack of partners.

Commissioner Cimino moved to approve the application from Colorado Parks and Wildlife for potential acquisition of Renegade Ranch property to have OLRT fund 33 percent of total project budget up to \$300,000 whichever is less.

The motion passed unanimously.

Commissioner Cimino moved to approve all four projects that HTA applied for exactly as the OLRT Board recommended.

The motion passed unanimously.

Commissioner Cimino moved to amend his motion to include the Granby Highlands as part of the land acquisition section as recommended by the OLRT.

The motion passed unanimously.

Commissioner Cimino asked to strike the motion regarding trails.

Commissioner Cimino moved to approve all the trails projects as recommended by OLRT.

The motion passed unanimously.

Assistant County Manager Ed Moyer asked if the Town of Granby could donate more toward the Granby easement. It was noted that Granby is the largest contributor.

Byers Peak Mill Ave. Apartments aka Filing 2, Byers Peak Ranch Preliminary Plat

PROJECT NAME: Byers Peak Ranch Filing 2 Multi-Family Subdivision (Mill Apartments) –Preliminary Plat
APPLICANT: Byers Peak Properties, LLC represented by Clark Lipscomb
LOCATION: A parcel of land, being Government Lot 3, Government Lot 4 EXCEPT the Westerly 440 feet thereof, and a portion of the south ½ of Section 19, and the N1/2NE1/4 of Section 30, all in Township 1 South, Range 75 West of the 6th P.M., County of Grand, Colorado.,
REGULATIONS: Grand County Master Plan, Zoning Regulations, Subdivision Regulations
ZONING: R –Residential District
ATTACHMENTS:
a) Application
b) Cover Letter and Project Summary
c) Vicinity Map
d) Sketch Plan (Existing Conditions, Existing Zoning, Site Plan and Proposed Buildings: Character Images)

STAFF PLANNER: Alexander Taft, LEED Green Associate, Planner and Robert C. Davis, AICP, SMP Director

REQUEST: The Applicant is proposing a subdivision in order to construct 60-unit subdivision of multi-family on 4.2 acres creating a density of 13.2 dwelling units per acre.

I. BACKGROUND

“Filing 2” also known as The Mill Apartments is a continuation of the larger proposed development in Byers Peak Ranch. This application represents 4.2 acres of the overall 295.4 acre Byers Peak Ranch site. This Preliminary Plat is a review for 60 units in two (2) three story buildings and a club house on Parcel 2 of this Filing. The type of units proposed include a mixture of one bedroom units, two bedroom units and three bedroom units. The Filing 2 Sketch Plan called for three (3), 3-story buildings and one (1), 2-story building located in on three (3) parcels. A variance was also approved for all four buildings with pitched roofs and heights up to 45 feet by the Board of Adjustment in December 2019. The Mill Apartments site is bounded by Mill Avenue to the north, an extension of Norgren Road to the west, adjacent to the Union Pacific Railroad to the east and the future remaining phases of Byers Peak Ranch development to the south (see vicinity map above). This project is facing CHFA tax credit deadlines approaching on June 1st. This proposal is being presented as a stand-alone plat although much consideration has gone into the master planning concerns relative to drainage, utilities and traffic.

The proposed multifamily buildings are also intended to be incentivized with tax credits by the Colorado Housing and Finance Authority “CHFA”, which was awarded in October 2019, helping to provide for low-moderate income housing units. The land use layout of Filing 2 at the northeast portion of the Byers Peak development provides for higher densities near town centers and transportation corridors.

Current roadways serving Filing 2 include County Road 73 is adjacent to the North, as is Mill Avenue within the Town of Fraser. The primary site access will occur at the intersection of Mill Avenue and Norgren Road. Other access points will be constructed at CR721 to the south which would also be one of the entrances to the Filing I site (micro-cottages) to the south. The drives running through the parking lots will be private and maintained by the property owner. Unlike what is demonstrated in the drawing below, there will be one connection to Norgren on the west and to CR721 to the south. The southerly extended Leonard Lane drive would be closed at Mill Avenue. This is proposed in order to discourage through traffic movements on the drive through the parking lot. The site plan will be revised to reflect these changes prior to Final Plat.

Filing 1, also known as the micro-cottages, is located south of the subject property and calls for the development of 123 units on 12.7 acres. Both Filing 1 (micro-cottages) and Filing 2 (Mill Apartments.) were the subject of a 23 acre Concept Plan approved at the April 2019 Planning Commission meeting pursuant to Article 8 of the Subdivision Regulations.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission at its hearing scheduled on April 22, 2020 recommended with a vote of 7-0 approval of the Byers Peak Ranch Parcel 2 (aka Mill Apartments or Filing 2) Preliminary Plat with conditions. The following lists provide conditions of approval, many of which shall be added as notes or dedications on the plat and resolved in a Final Plat resolution:

1. Show connection at Norgren to the development as the second means of ingress/egress compliant with Section 1.4 (2) (c) which dedicates two points of access being. An offsite access easement dedicated to the Filing 2 property shall be provided by Applicant from the connection at Norgren to Filing 2 prior to Final Plat recording.
2. The Final Plat drawing will be revised to reflect no intersection or entrance at the Mill Ave. and Leonard Lane intersection and the developer will build a two lane gravel road build to county road standards connecting to CR721.
3. Additional drainage analysis that provides hydraulic analysis of the 100-year storm down and along Mill Ave. and defines any proposed improvements to the drainage corridor needed to provide the drainage capacity to safely convey the 100-year storm, or provide similar calculations for a separate drainage conveyance within the site to isolate BPR developed flows from these historic flows.

The following conditions listed below to be included with any Final Plat submittal:

4. A revised landscape plan which shall be completed and signed by a Landscape [Architect], Horticulturist, or revegetation specialist (resource specialist, engineer, etc.) and shall include maintenance requirements for established plantings (standard details and notes) and a two-year warranty. Native and adapted species alternatives will be considered.
5. The total area of the land to be affected by the apartment, condominium, or townhouse and the tabulation of square acreage in land to be built upon, parking area, open space, driveway; and each is to be stated as percentage of the total area, Section 5.5 and 7.2 (2) (d).

6. Delineate and tabulate open space on the Final Plat as shown on the site plan and include a plat note stating that cross-hatched areas shall be open space. The open space areas will be restricted to uses allowed in open space on the Final Plat as a plat note.
7. Cost estimates shall be updated to include ALL onsite roadways and drives to connect the proposed development to existing roads.
8. Two (2), 24" x 36" hard copy complete sets of construction drawings, which are versions that are final and have water and sewer improvements approved by the Town of Fraser and all other required site improvements approved by Grand County.
9. Surety shall be provided to the Town of Fraser for any water and sewer improvements required by the Town pursuant to the Town of Fraser Out of Town Service Agreement and therefore excluded from a Subdivision Improvements Agreement with Grand County.
10. The Applicant shall be responsible for the cost of and to be paid in full, the Emergency Impact Fee as approved by the Board of County Commissioners, at the time the Final Plat Mylar is submitted for signature and recording per Section 3.3 (6) (a).
11. The Applicant shall be responsible to pay in full any school impact fees as agreed upon between the Applicant and Board of County Commissioners.
12. The dead-end at the southern termination of "Norgren Road" shall include a temporary easement and improvements for public safety turn around [Section 2.3].
13. An updated title commitment shall be submitted for verification all lot owners are free and clear from all liens and encumbrances except patent reservations and except liens and encumbrances which cannot be extinguished, released, or purchased by the developer, prior to review of the Final Plat by Planning Commission.
14. The Building Plans shall include provisions for passive depressurization given the county averages 6 pCi/l for Radon.

Developer Clark Lipscomb has requested a fee waiver for school fees and fire district fees. That request will be considered at final plat.

Mr. Lipscomb stated that he does not agree with the Planning Department with respect to fair market value of the land. Mr. Lipscomb requested that the Board of Commissioners mutually agree with Mr. Lipscomb to hire Thomson Appraisals to complete the appraisal. Commissioner Manguso requested that Mr. Lipscomb present a list of appraisers for the County to consider.

Mr. Lipscomb stated that he will not consider annexation into the Town of Fraser.

Commissioner Cimino moved to approve the Byers Peak Mill Ave. Apartments aka Filing 2 Byers Peak Ranch Preliminary Plat as presented.

The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 3:35 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 5th day of May 2020.

Kristen Manguso, Chair

Attest:

Sara L. Rosene, Clerk and Recorder