MEETING MINUTES
GRAND COUNTY BOARD OF COUNTY COMMISSIONERS
GRAND COUNTY DEPARTMENT OF SOCIAL SERVICES
GRAND COUNTY HOUSING AUTHORITY
June 11, 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: County Clerk and Recorder Sara L. Rosene
County Manager Kate McIntire
Interim County Manager Ed Moyer
County Attorney Chris Leahy

Those present recited the Pledge of Allegiance.

Commissioner Linke moved to approve the Meeting Minutes of May 28, 2019, of the Board of Commissioners meeting as presented.

The motion passed unanimously.

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

Commissioner Manguso moved to approve the Grand County Housing Authority insurance Not for Profit Risk Protector renewal application and authorize the Chair to sign.

The motion passed unanimously.

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

General Public Comments

None.

Employee Recognition / Coin of Excellence Ceremony

The Board recognized employment anniversaries. Of special note, the Board recognized the following employees for their five-year incremental anniversary:

Road and Bridge - Steven Hickox - 5 years
Dustin Sanchez – EMS - 5 years

Bill Crouch was honored with the Grand County Coin of Excellence for his exceptional work for Grand County Maintenance Department.

Jessica Peppard was honored with the Grand County Coin of Excellence for her exceptional work for Grand County Road and Bridge.

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on June 12, 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 June 11, 2019 for payment on June 12, 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 June 12, 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 June 11, 2019, for payment on June 12, 2019 for the Grand County Board of Social Services.

The motion passed unanimously.
Commissioner Linke moved to approve the wires payment, vouchers, and interfund transfers presented on June 11, 2019, for payment on June 12, 2019 for Grand County.

The motion passed unanimously.

Departmental Contracts, Comments, Issues

Micah Benson stated based on a fuel compliance inspection, Grand County needs to make some repairs to the County fuel system.

Ms. Benson would like to contract with CGRS to fix fuel system at Granby in the amount of $7,835.16.

Commissioner Manguso moved to authorize the Chair to sign and approve the Construction Contract between the Board of Commissioners and CGRS, Inc.

The Board is open to a supplemental for this contract and for the necessary repairs at the Kremmling fuel site.

The Board provided direction to County Manager Kate McIntire to sign the Construction Contract.

Road and Bridge Superintendent Chris Baer stated that property owners in Sunset would like the County to provide materials (10 loads of gravel) and culverts for driveways for tanks for cisterns.

The Board agreed to waive the fee for the driveway permit and fill the cisterns.

Mr. Baer stated that there is a water leak at Flying Heels Arena. The Board would like staff to continue to haul water for the rest of the rodeo season. The water line break will need to be addressed after the rodeo season.

Commissioner Manguso moved to approve Resolution No. 2019-4-25, “A RESOLUTION APPROVING THE MORNINGSTAR VISTA SUBDIVISION EXEMPTION FINAL PLAT LOCATED IN THE W ½ OF THE SE ¼ OF SECTION 17, TOWNSHIP 1 SOUTH, RANGE 75 WEST OF THE 6th P.M., GRAND COUNTY, STATE OF COLORADO AND ACCEPTING A SUBDIVISION IMPROVEMENTS AGREEMENT AND A WATER QUALITY AGREEMENT FOR SAID SUBDIVISION” and authorize the Chair to sign all applicable documents.

The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2019-4-24, “A RESOLUTION APPROVING THE MORNINGSTAR MEADOWS SUBDIVISION EXEMPTION FINAL PLAT LOCATED IN THE W ½ OF THE SE ¼ OF SECTION 17, TOWNSHIP 1 SOUTH, RANGE 75 WEST OF THE 6th P.M., GRAND COUNTY, STATE OF COLORADO AND ACCEPTING A SUBDIVISION IMPROVEMENTS AGREEMENT AND A WATER QUALITY AGREEMENT FOR SAID SUBDIVISION” and authorize the Chair to sign all applicable documents.

The motion passed unanimously.

Commissioner Manguso moved to approve the Cooperative Law Enforcement Agreement between the Grand County Sheriff and USDA Forest Service Arapahoe and Roosevelt National Forest and Pawnee National Grasslands in the amount to Grand County in the of $16,500 to provide law enforcement services upon review by the County Attorney. The Chair’s signature will be stamped on the Agreement upon approval of the Agreement by the County Attorney.

The motion passed unanimously.

County Sheriff Brett Schroetlin introduced Fire Officer Paul Montier.

The Board will be reviewing the application for ambulance services from Grand Lake Fire District. The Sheriff’s Office will be involved in the conversations with regard to the application.

Manager and Attorney Items

Commissioner Manguso moved to approve Resolution No. 2019-6-1, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO ACKNOWLEDGING THE PARTIAL SATISFACTION OF A TERM AND CONDITION WITHIN THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE GRAND COUNTY
The motion passed unanimously.

Commissioner Manguso moved to approve Conservation Trust Fund request form in the amount of $1,000 for Bits N' Spurs Gymkhana series. The funds will be used for maintenance in the amount of $1,000 to be split evenly between the districts with the additional $.01 coming from District 3.

The motion passed unanimously.

Treasurer’s Report

Deputy Treasurer Ranette presented the monthly Treasurer’s Report.

River Ranch Subdivision Exemption, Final Plat

PROJECT NAME: River Ranch Subdivision Exemption- Final Plat
APPLICANT: Christina Sammons represented by Alan Hassler of Hassler Law, P.C.
LOCATION: River Ranch Subdivision Exemption and Outright Exemption Portion of the W ½ SE ¼ located in Section 17, T1S, R75W of the 6th P.M. Grand County, Colorado.

APPLICABLE REGULATIONS: Zoning Regulations, Subdivision Exemption Regulations, Master plan
ZONING: B– Business District
ATTACHMENTS:
  a) Application and Narrative letter
  b) Sketch Plan (Plat)
  c) Vicinity Map
  d) Kremmling Sanitation District “Will Serve”
  e) Title Commitment
  f) Recorded Property Transfer Deeds
  g) Mineral Rights Notification
  h) Attachment to Water Well Permit
  i) Draft Declarations and Covenants
  j) River Ranch Outright and Subdivision Exemption Plat
STAFF PLANNER: Alexander Taft, LEED Green Associate
REQUEST: The Applicant is proposing a Subdivision Exemption to subdivide a 6.728 acre parcel bisected by a Right of Way into 3 parcels.

I. BACKGROUND
a. PROPOSAL
Christina Sammons, the Applicant is proposing a Subdivision Exemption Plat with the intent this proposal will not create more than three (3) lots within the Subdivision Exemption. The existing property is served by a well and new lots will be served by a Kremmling Public Water and Sewer. The proposed Lots 2 and 3, are intended to be annexed into the Town of Kremmling. The parcel being subdivided through this exemption process has a land area of 6.728 acres. Two of the three parcels being created within this Plat are anticipated to be annexed into the Town for the purpose of residential development. The lots created will have land areas of as following Lot 1 2.798 acres; Lot 2 .944 acres; Lot 3 2.985; that make up the total of 6.728 acres.

b. HISTORY
Beginning in April 2002, John H. McElroy as President of River Ranch Village, Inc., developed the Subdivision Exemption and Outright Exemption. The two (2) lots that were created through this process were split from a 19 acre parcel. Approximately ten (10) acres contains a “non-conforming” mobile home park and the remaining nine (9) acres contain a lot for a single family dwelling with some additional acreage being included in the deeded Right of Way for County Road 396. This Subdivision Exemption Sketch Plan proposal was brought before Board of County Commissioners April 16, 2019.

II. PLANNING COMMISSION AND STAFF ANALYSIS
The proposal is to “fix” a plat note from River Ranch Outright and Subdivision Exemption Recorded at Reception No. 2002014151. Plat Note Number 5 and 6 made it impossible to consider the portion of land created by the dedication of Grand County Road 396 for development or annexation. Staff represents that the creation of the new Plat excludes any plat notes that may have encumbered a previous Plat but agrees that as a portion to the approval Plat Notes 5 and 6 from the 2002 Plat shall be excluded from this proposed Plat. The Applicant is proposing this Subdivision Exemption Plat with the intention of annexing parcels into the
Staff review of Colorado Revised Statutes (C.R.S) Title 31, Article 12, Part 1 Municipal Annexation Act of 1965, finds that this parcel likely meets the eligibility criteria for annexation. Not less than one-sixth of the perimeter of the area is contiguous with the annexing municipality. The Grand County Master Plan identifies all parcels within the Kremmling Growth Area Boundary as an area that will be urbanized in the near future. Variances have been requested for the minimum area of a lot pursuant to Subdivision Exemption Regulations and minimum area of a lot within Business District. Also, Staff received a request for a variance from Subdivision Exemption Regulations: Section 2.2 which requires standard easements. The proposed Lot 2, totaling 9.44 acres is under the minimum area for a lot in the Business District which requires 1 acre and within Subdivision Exemption Regulations which requires 2.4 acres. Staff did analysis under Article 4 of the Subdivision Exemption Regulations, the BOCC may authorize variances.

III. COMPLIANCE/NONCOMPLIANCE WITH GRAND COUNTY REGULATIONS
Any conditions to be met shall be highlighted in bold in the following sections.
A. Grand County 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 two (2) are most relevant to this Subdivision Exemption proposal – Elements 2 & 3.

Plan Element 2 – Land Use: Growth and Development
Plan Element 2 aims to conserve the natural beauty and rural setting while building vibrant communities and directs growth to occur in and around existing communities. The proposed development in the Business District within the Growth Area Boundary is consistent with the intent to encourage infill and redevelopment and to direct development toward growth areas served by central water and sewer. The development of this property will benefit from connection to the Kremmling Sanitation District and Kremmling Water District. Plan Element 3 – Development the Built Environment
Plan Element 3 guide the protection of open lands and providing infrastructure toward the urban areas. It will further assist in protecting Grand County’s night sky by concentrating outdoor lighting to growth areas.

Potential development at the site offers the opportunity to use existing neighborhood amenities.
B. ZONING – Section 9.1 Business District
This District allows for single family dwellings as permitted uses and therefore the proposed use of the lot is consistent with the zoning regulations. The land area of Lots 1, 2 and 3 are 2.798, 9.44 and 2.985 respectively.

The stated minimum area for lots of subdivided land is 1 acre. While the proposal results in a less than the minimum area of a lot, the intention is to annex the subject property into the Town. Town zoning determined as a portion of annexation may allow for a smaller area.
C. SUBDIVISION EXEMPTION – Article 2 – Design Standards
The application shall be compliant with the Grand County Subdivision Exemption Regulations, the following is how each item was addressed under Article 2 – Design Standards.

[SPECIAL SITE CONSIDERATIONS (2.1) (1-6)] This application complies with Section 2.1. There is an existing ranching operation on Lot 1. The entirety of the property is generally flat, with the exception of ten feet (10') north of the ROW boundary adjacent to Colorado State Highway 9. Roads have been constructed adjacent to the property, any additional driveways shall meet Grand County Road and Bridge Standards.

[DRIVEWAYS, ROADS, STREETS AND EASEMENTS (2.2) (1-14)] The lots can be accessed from County Road 396 to the West and an access easement has been created pursuant to the Plat Recorded at Reception No. 2002014151. Subdivision Exemption Regulations require a 10’ easement along all property boundaries of each adjoining lot. These easements shall be shown along the western property boundary of proposed Lot 2. Utility easements shall be reviewed by MPEI, Xcel, CenturyLink, and Comcast. All utilities shall be placed underground where not already existing.

[LOTS (2.3) (1-6)] Lot 2 does not meet the requirements of either of these provisions or applicable zoning requirements. The Applicant has requested a variance to these requirements pursuant to Article 4 which will be discussed later in this Certificate (Page 7).

DEDICATIONS (2.4) (1-2)] This application shall comply with the provision set forth in the Subdivision Exemption regulations, the dedications are subject to review by the County Attorney.

DESIGN STANDARDS FOR DRAINAGE, SEWER AND WATER (2.5) (1-3)] This application complies with Section 2.5. These lots shall be served by public water and sewer. The Applicant has submitted a “will serve” letter with the application. There is an existing water tap at the northern boundary of Lot 2. Should extension of service be required for a tap on Lot 3, they shall be at the obligation of the Applicant pursuant to §29-20-103.

DESIGN STANDARDS FOR NATURAL HAZARD AREAS (2.6)] This Application complies, it appears the subject property is not located in or near Natural Hazard Areas.

IMPROVEMENTS REQUIRED (2.7) (1-5)] Survey monuments shall remain as referenced on the Final Plat. All lots shall be provided access to electric service at the property line. Any new extension of utility service to lots shall be placed under ground.
Staff suggest that a Subdivision Improvement Agreement be discussed as a portion of Annexation. As a condition of this Plat the Applicant shall discuss further improvements with the Town of Kremmling.

[SLASH REMOVAL/DISPOSAL (2.8) (1-2)] Shall comply with the Subdivision Regulations. Any burning of slash piles shall follow standards as established by Grand County Natural Resources and the local Fire District.

[SOLID FUEL BURNING DEVICES (2.9)] This has been repealed pursuant to 2016-7-34.

[SCHOOL LANDS (2.10) (1-6)] This application is subject to school impact assessment, fees and land dedication have been calculated below.

Land areas dedicated for future school sites follows the following calculation

<table>
<thead>
<tr>
<th>Units</th>
<th>Acres</th>
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<tbody>
<tr>
<td>3</td>
<td>.135</td>
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</table>

Money in Lieu of Land Calculates to:

<table>
<thead>
<tr>
<th>Units</th>
<th>Acres</th>
<th>Rate</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>3</td>
<td>.135</td>
<td>$25,468.97</td>
<td>$3,438.31</td>
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</tbody>
</table>

A letter was sent to the West Grand School District for a decision on their preference in receiving the impact fee. The confirmation letter will be presented to the Applicant and Board of County Commissioners on receipt.

[STORMWATER MANAGEMENT (2.11) (1-6)] Areas of disturbance seem to be less than 1 acre triggering a Storm Water Permit through CDPane, this shall be verified in any engineering report.

[DESIGN STANDARDS FOR MINERAL RESOURCE AREAS (2.12) (1-6)] This Application complies.

[DITCH CROSSINGS (2.13) (1-6)] This application complies. The proposed Plat and Title Commitment does not reference any existing, dedicated waterways or historical irrigation ditches.

[POST CONSTRUCTION (2.14) (1-6)] Post construction procedures are requirements that give satisfactory proof of completion of improvements completed as referenced in engineering drawings. The acceptance of the improvements shall be subject to approval by the Board of County Commissioners.

a. SUBDIVISION EXEMPTION – Section 3.3 – Final Plat

The application shall be compliant with the Grand County Subdivision Exemption Regulations, the following is how each item was addressed under the submittal of Final Plat:

[Final Plat (1) (a-b)] The Plat substantially meets the requirements and conditions as included within the Sketch Plan application. A proposed Final Plat drawing has been submitted to be created on a 24” x 36” sheet at a scale of one inch (1”) equals sixty feet (60’). The approved plat shall be printed on Mylar at a size of 24” x 36”.

[Final Plat (2) (a)] The title of the Plat shall read:

River Ranch Subdivision Exemption Final Plat

A replat of River Ranch Subdivision Exemption and Outright Exemption recorded at Reception No. 2002014151, a portion of the N ½, Section 17, Township 1 North, Range 80 West, of the 6th P.M. County of Grand, State of Colorado

Conveyance to Subdivider Recorded at Reception No. 2012009730 the drawing includes a scale of one inch (1”) equals sixty feet (60’), North arrow, and was revised May 8, 2019.

[Final Plat (2) (b)] This application complies, conveyance to the owner is referenced following the title Recorded at Reception 2012009730.

[Final Plat (2) (c)] This application complies. Primary control points, or descriptions and similar data are shown on the submitted Plat.

[Final Plat (2) (d)] This application complies. Tract boundary lines, right-of-way lines of streets, easements and other Rights-Of-Way, and property lines of residential lots and other sites, with accurate dimensions have been shown on the Plat.

[Final Plat (2) (e-f)] Location and approximate dimensions for all proposed street Rights-Of-Way, easements and lot lines has been shown. The 60’ width of Grand County Road 396 is labeled.

[Final Plat (2) (g)] Lots shown on the submitted Plat are to the nearest 1/100th of an acre, and a statement about the use for single-family residences only has been included within Plat note 7 (b).

[Final Plat (2) (h)] This application complies all lots proposed are for purpose of residential use or agricultural use compliant with the adoption of “Right to Farm and Ranch Act” pursuant to Resolution 1999-8-5.

[Final Plat (2) (i-l)] This application complies. Locations, description of monuments, Certificates and Dedications have been provided. The dedication shall be subject to review by Grand County Attorney’s Office and Assessor’s Office for consistency with ownership.

[Final Plat (2) (m)] This plat shows a statement by the owner ensuring compliance with the design standards and all other requirements of the Grand County Subdivision Exemption Regulations, and the statement of requirements issued by the Board of County Commissioners. This shall be signed prior to submitting for signatures by Planning Commission and Board of County Commissioners.

[Final Plat (2) (n-q)] This application complies. The plat includes a vertical box for the use by County Clerk and Recorder. A vicinity map and documented proof of access and available water and sewer supply have all been
supplied as a portion of this submittal. Lots to be annexed into the town shall be served by public water and sewer pursuant to C.R.S. § 29-20-103.

[Final Plat (2) (r)] This application shall comply with any such additional information as may be required by the Grand County Board of County Commissioners.

[Final Plat (2) (s)] The addresses for these lots shall be shown and included on the Final Plat Mylar and included in the electronic copy. The 14”x18” Mylar is no longer effective regulation and will be amended in the future to reflect policy.

[Final Plat (2) (t)] An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat.

[Final Plat (2) (u)] Statement of taxes due showing current taxes paid. The Assessor has not created accounts for this property but shall be subject to the current year’s taxes.

[Final Plat (3) (f)] Upon final approval of the Final Plat, the County shall require the payment of an emergency services impact fee, pursuant to Section 3.3 of the Subdivision Regulations of Grand County. A receipt of impact fee paid shall be submitted with documents for recording.

[Final Plat (3) (g)] Upon final approval, the County shall require the payment of $1,000.00 per lot if served by Individual Sewage Disposal Systems, and $500.00 per lot if served by central wastewater treatment for water quality impact fees to be used by the County. The Applicant is prepared to enter into a Water Quality Agreement with the County with fees to be paid prior to recording the Final Plat. Contribution of these funds will be set forth in a Water Quality/Wastewater Agreement. Payment will be as set forth in this agreement. The Applicant shall pay $2000 in impact fees

IV. RECOMMENDATION

Planning Commission recommended approval of and Board of County Commissioners granted approval of the River Ranch Subdivision Exemption Sketch plan with the following conditions to be met for prior to recording the Final Plat:

1. The Applicant shall be responsible to pay any impact fees prior to recording the Final Plat associated with this application including but not limited to: School Impact and Fire Impact Fees [§2.10 1-6].
2. Should extension of service be required for a tap on Lot 3, they shall be the obligation of the Applicant pursuant to §29-20-103 [§2.5 1-3] [§3.3 (2) (q)].
3. The Applicant shall add a Plat note that states continued use of the property pursuant to the “Right to Farm and Ranch” policy adopted by the County in 1999 under Resolution 1999-8-5.
4. Statement of taxes due showing current taxes paid. This shall be provided prior to recording of the Final Plat.
5. This Final Plat if approved shall be contingent on the annexation of Lot 2 into the Town of Kremmling.
6. A Subdivision Improvement Agreement shall be discussed as a portion of Annexation with the Town of Kremmling.
7. The variances for required easements within Subdivision Exemption Regulations, Section 2.2 minimum area of a lot within Subdivision Exemption Regulations, Section 2.3 and minimum area of a lot within the Business District.
8. The Applicant shall meet all Final Plat requirements.
9. All legal documents required in conjunction with the final approval of this request are subject to the review and acceptance of the County Attorney.

Staff recommends approval of the River Ranch Subdivision Exemption Final Plat with the following conditions to be met for compliance with Subdivision Exemption Regulations Final Plat prior to recording the Final Plat:
10. The Final Plat shall include a corrected title [§3.3 (2) (a)].
11. This application shall comply with any such additional information as may be required by the Grand County Board of County Commissioners [§3.3 (2) (r)].
12. An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat [§3.3 (2) (t)].
13. A receipt of fire impact fee paid shall be submitted with documents for recording. [§3.3 (3) (f)].
14. The Applicant shall enter into a Water Quality Agreement with the County the Applicant shall pay $2000 in impact fees [§3.3 (3) (g)].

Attorney Alan Hassler noted his appreciation of the work that staff provided on the application.

Commissioner Manguso moved to approve River Ranch Subdivision Exemption- Final Plat as presented.

The motion passed unanimously.

Public Hearing – Special Events Permit for Colorado Headwaters Land Trust

County Clerk and Recorder Sara Rosene stated that the property was posted and no remonstrance have been received. Ms. Rosene asked that the hearing be cancelled.

Stewart McNab President/Secretary and Jeremy Krones Events Manager of the Colorado Headwaters Land Trust is requesting a Special Events Permit. The event will be held at B Lazy 2 Ranch & Event Center at 454
County Road 5, Fraser on July 21, 2019. They will sell malt, vinous and spirituous liquor from 12:30 pm until 4:30 p.m.

The fees have been paid to the State and to Grand County. The Clerk and Recorder recommended approval.

Commissioner Linke moved to approve the Special Event Permit for Colorado Headwaters Land Trust on July 21, 2019 from 12:30 p.m. to 4:30 p.m. at the Bar Lazy Ranch & Event Center at 454, County Road 5, Fraser as presented.

The motion passed unanimously.

Commissioner Manguso moved to convene an Executive Session at 10:45 a.m. in accordance CRS 24-6-402(4)(b) for legal advice and CRS 24-6-402(4)(e) determining negotiating strategies and positions and instructing negotiators on for the acquisition of property. The session is with regard to negotiations for land for County facilities. Present for the Executive Session was the Board, County Manager, County Attorney, Assistant County Manager, and Assistant County Attorney.

The motion passed unanimously.

The meeting was reconvened at 11:20 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.

Housing Authority Quarterly Update

Presented by Housing Authority Director Sheena Darland:

Facts:

- The market will not fix its self!
- If left alone, experts say the lack of affordable housing will cause other social and economic issues such as:
  - Increased household instability
  - Decrease in Economic Stability
  - Education
    - Housing instability can jeopardize children’s performance and success in school, leading to lasting achievement gaps.
  - Health
    - Housing instability and homelessness have serious negative effects on children and adults health.
    - Families forced to choose between medications, needed medical care and housing leading to a significant decrease in life expectancy.
    - Poor housing quality had been directly linked to increases in infectious diseases, chronic illnesses, and injuries.

- Negative Economic Impact on Businesses
- Strain On Community Resource Providers Such As Non Profits

- Health Care Strain
  - Research published by in American Health and Drug Benefits states almost 33% of emergency room visits are made by people experiencing homelessness.
    - Study found on average homeless patients visits the ER five times per year amounting to $18,500 per patient annually.
    - A study performed by Boston Medical Center’s Children’s Health Watch estimates that housing Instability will cost the healthcare industry around $111 billion over the next decade.

How do we fix it?
Start by evaluating what we have
Then look at what we need
Evaluate obstacles
Make resolution

What do we have?

Grand County Housing Authority

- County Formed Housing Authority
  - Coyote Creek 0.5% transfer fee designated for GCHA and general operating fund
    - 2018 Generated Revenue $15,050.00
  - Section 8 Housing Choice Voucher Program
    - Lack of rentals available at an affordable price causes voucher holders to leave area with voucher to find housing.
  - Down Payment Assistance
    - Becoming more utilized as rental market continues to sore purchasing has become more reasonable.
    - Rising for sale market in area makes homeownership very difficult
  - Senior Housing Projects
  - Grand Living and Silver Spruce both have 2 year waiting lists

Grand County Fund

- Voluntary fee
- Current Balance $34,940
  - Stagnant fund

What do we need:

500 additional housing units needed by 2020

- Winter Park 160
- Fraser 165
- Granby 86
- Grand Lake 33
- Hot Sulphur Springs 19
- Kremmling 37

Housing obstacles to overcome

- Lack of a designated Housing Funding Source
  - Being a County Formed Housing Authority vs. Multijurisdictional Housing Authority.
  - Mill Levy
  - Sales Tax
- Lack of regulations
  - Nominal Fees on Short Term Rentals (STR) and increased revenue encourages more owners to rent short term vs. long term
  - Lack of Residential Linkage Fee’s or In Lieu of Fees
  - No affordable housing impact fees
  - ADU’s regulation
  - Land Banking
  - Minimum Deed Restriction preserving affordable housing

Resolutions

- Develop a unified mission that complements, incorporates, and supports the mission and goals of the municipalities, a mission that breaks down silos and brings unity and collaboration to affordable housing county wide.
- Encourage growth in the Housing Authority’s administered programs
- Support opportunities to partner with developers to provide tax exemption which builds equity and allows for more affordability
- Establish designated affordable housing funding sources
- Review zoning regulations, building codes, permitting fees and process to insure flexibility and streamlined processing

So what can GCHA do?

- Single Family Owner Occupied Rehabilitation Program (SFOO)
  - Utilize Community Development Block Grant funds from Colorado Division of Housing.
  - Apply for $250,000.00 for 1st year which would equal roughly 10 loans
  - Application dead line July 1, 2019
  - Offer loans up to $24,999 for Rehab of owner occupied homes
  - 0% interest deferred loans
    - Minimum administrative monitoring
  - Loans payoff at time of sale or transfer

Administration of SFOO

- Grand County Housing Authority would administer the program county wide.
• Cost of Administration would be paid for by Colorado Division of Housing through Admin Fee.
  o Administration Fee paid on a per loan bases
  o Grand County Housing Authority submits administration budget to Colorado Division of Housing yearly.

GCHA would request Colorado Division of Housing to provide reimbursement for 15% of staff time + cost of the program. Equates to 1,400 per loan.

Partnerships
• Partnering with Private Developers to provide tax exemption
  o Housing Authority holds a minimum ownership in projects
  o Housing Authority charge percentage or lump sum to developer for tax exemption
    ▪ Funds could potentially go back into housing in area of development
  o Housing Authority retains the ability to purchase the project at the end of the affordability period for a nominal price and keep project affordable.

Future goals – Acquisition rehabilitation project
• Purchase of existing property to be rehabbed into Veterans Housing

Summary
• Grand County Housing Authority was established pursuant to state legislation, due to the lack of affordable housing in Grand County in 1977 the Housing Authority was created to develop, manage, and provide affordable housing programs and apply for and receive state and federal funds to provide affordable housing options in the County.

• As a Housing Authority, GCHA has not grown in its obligation to provide housing since the early 2000's. No new programs have been offered and no new housing developed for Grand County by Grand County Housing Authority.

• Question to ask is how and if this can be changed? The need is clear, how can we help?

Commissioner Linke moved for the Board of Commissioners to provide authorization to the Housing Authority Director for the Grand County Housing Authority to make application for the funds for the SFOO program.

Commissioner Manguso no
Commissioner Cimino yes
Commissioner Linke yes

The motion passed.

Economic Development Quarterly Update

Economic Development Director DiAnn Butler stated that she applied for a Small Business Development Center Certified Small Community Designation. That will be county wide as well as Jackson County. The grant comes with technical assistance. The funds will be $30,000 per year for three years.

Economic Development will provide a presentation from the State Demographer which will focus on the dynamics of an aging population.

Ms. Butler is working on launching a loyalty card.

The Grand Innovators are having an event.

Headwater Trail Alliance has been requesting assistance in obtaining grants.

Public Hearing – Grand County Zoning Regulations, Indoor Storage, Outdoor Storage, Site Plan Review, and their Definitions

The public hearing scheduled to begin at 1:00 p.m. was called to order by Chair Cimino at 1:02 p.m. County Attorney Leahy set the record as follows:

A Public Notice – Middle Park Times, dated May 23, 2019
B Proof of Publication – Middle Park Times, dated June 7, 2019
C Interested parties memo dated May 30, 2019
D Public review sheet
E Grand County Planning Commission Resolution No. 2019-2-1 draft
F Grand County Planning Commission Meeting Minutes dated November 14, 2018
G Grand County Planning Commission Meeting Minutes dated February 20, 2019
H Grand County Planning Commission Meeting Minutes dated May 8, 2019
I. DISCUSSION
a. Background:
After various discussions throughout 2018 and 2019 before the Planning Commission (October and November of 2018 and February and May of 2019), and with members of the community, Staff found it appropriate to propose amendments to the Grand County Zoning Regulations in regards to Indoor and Outdoor Storage. Proposed amendments will allow for Indoor and Outdoor Storage Facilities as a use by right in the Business District. They will also allow Indoor and Outdoor Storage Facilities as a use by special review in the Tourist District.

b. History
The Grand County Zoning Regulations were last changed in regards to storage in March of 2008. At that time, Outdoor Storage became a use by right in the Forestry and Open District. The following year in April of 2009, indoor storage including recreational vehicle storage outdoors became an allowable use by special review in Forestry and Open. Previously, the wording excluded recreational vehicle storage outdoors.

Currently in the County, there are mini storage units, Indoor, Warehouse and Outdoor, in the Forestry and Open District, the Tourist District, Business District, and in the Mobile Home District. Storage units located outside of the Forestry and Open Districts have no formal regulations for their storage, access, or visibility.

II. STAFF COMMENTS AND ANALYSIS: INDOOR AND OUTDOOR STORAGE
As Grand County draws in extensive revenues from tourism, where seasonal use of recreational vehicles plays a large role in tourism for the county, there is a demand for local storage use. In order to accommodate for the demand of storage throughout the county, Staff found it pertinent to extend uses into the Business and Tourist Districts that are developed properly, with minimal visual impact, and appropriate screening as necessary.

Previous Planning Commission meetings (October and November 2018, and February 2019) elaborated on the importance of having allowable uses closer to areas where tourism exists, such as town centers, maintenance facilities, or marinas. Discussion also included how there are particular parcels within the county where business owners have two parcels adjacent to each other where one is a business, and the second parcel has storage existing that is contingent to the business use. Planning Commission agreed that parcels immediately adjacent to a primary use tract of land, are permitted for storage use. This includes parcels split by roadways. Parcels that are not immediately adjacent to a primary use tract of land, and are not considered contingent with the primary use, requires a Special Use Permit for an additional site. Multiple tracts of lands of land can be considered for a Special Use Permit if all used for the same purpose.

Based upon a review of the following counties (Clear Creek, Summit, Routt, Eagle, Chaffee and Moffat), zoning amendments outlined in the chart below explain allowable uses of storage:

<table>
<thead>
<tr>
<th>County</th>
<th>Zoning Amendment Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chaffee</td>
<td>Commercial and Industrial Zones: Permitted Use</td>
</tr>
<tr>
<td></td>
<td>Residential and Rural Zones: Major Impact Review</td>
</tr>
<tr>
<td>Clear Creek</td>
<td>Commercial, Recreational Vehicle/Commercial Camping Park, and Mineral Zones: Permitted Principal Use</td>
</tr>
<tr>
<td>Eagle</td>
<td>Industrial: Use by Right</td>
</tr>
<tr>
<td></td>
<td>Commercial: Use by Special Review</td>
</tr>
<tr>
<td>Moffat</td>
<td>Manufactured Home Park Residential District: Use by Right</td>
</tr>
<tr>
<td></td>
<td>Rural and Business District: Permitted Accessory Uses</td>
</tr>
<tr>
<td></td>
<td>Commercial District: Permitted Use</td>
</tr>
<tr>
<td>Routt</td>
<td>Low, Medium, and High Density Residential Districts, and the Industrial Districts: Permitted by Special Use Permit</td>
</tr>
<tr>
<td></td>
<td>Commercial District: Use By Right</td>
</tr>
<tr>
<td>Summit</td>
<td>Commercial: Accessory Use</td>
</tr>
<tr>
<td></td>
<td>Industrial: Permitted Use</td>
</tr>
</tbody>
</table>

Following the review of allowable uses throughout various different Colorado counties, verbiage was determined to accommodate for outdoor storage regulations in Grand County. Following the Planning Commission meeting on February 20, 2019, Staff brought forward regulations regarding Indoor and Outdoor Storage, and Private Camping on March 19, 2019. During the Public Hearing in March, the Board of County Commissioners directed Staff to start the process of meetings with an Ad Hoc Zoning Steering Committee comprised of community members that were concerned about regulation changes brought forth with a plan of action to bring regulations back to the Planning Commission in April.
Staff met with the Ad Hoc Zoning Steering Committee throughout the month of March and April to determine changes to both the proposed Indoor and Outdoor Storage regulations as well as Private Camping regulations. During that process, expansive amounts of concerns were brought forth regarding the Private Camping regulations. Because of time constraints in meetings, no conclusions were drawn for Indoor and Outdoor Storage regulations and their changes. This then required Staff to continue meetings regarding Indoor and Outdoor Storage with the Ad Hoc Zoning Steering Committee into late April in order to bring forth to the Planning Commission in May. At the Planning Commission meeting in May. Staff proposed separate regulations for a site plan review process that included Indoor and Outdoor Storage regulations. At the meeting, the Planning Commission expressed confusion with the site plan review process regulations. Commissioners were under the impression that regulations that were previously brought forth to them in February were approved, and that the Board of County Commissioners did not have adequate time to review the proposed changes because they were grouped with Private Camping regulations. With this in mind, Staff found it relevant to bring the proposed changes approved by the Planning Commission in February 2019 back to the Board of County Commissioners following the May 2019 Planning Commission meeting.

Staff has received various different comments from the public regarding the proposed regulation changes as they stand to be presented in a Public Hearing on June 11, 2019. Concerns mainly surround permitted uses and uses by right in the Districts proposed in the Staff Certificate. Some members of the community expressed concern with outdoor storage being a use by right, while others expressed concern with overregulation. Concerns outlined by the public also include regulations outlined in Section XV – Non-Conforming Uses and Non-Conforming Buildings and how existing storage complexes would continue use following amendments to Grand County Zoning Regulations. Following discussion with the Grand County Attorney, Staff determined that Section XV does not match current Colorado Revised Statute (CRS) 30-28-120. CRS 30-28-120 allows pre-existing non-conforming structures and uses to continue into perpetuity. However, when a use expands or gets modified in any way, shape, or form, this shall prompt a pre-existing non-conforming use to comply with current regulations. Section XV allows for a use to expand or enlarge by no more than one-half (or 50 percent) of its total floor area existing at the time of adoption of current regulations. Staff has not outlined changes to Section XV in the Staff Certificate.

Upon further review of concerns, Staff found concerns relevant to address during the Public Hearing on June 11, 2019 and allow public comment through the Hearing and letters submitted to the Public Hearing file before the Board of County Commissioners prior to changes to the proposed regulations as they were presented in February 2019 with minute changes to alleviate concerns referencing the special use permit process in a permissible use. Proposed amendment additions and their individual explanations are outlined below:

a. Amendment Wording Explanations

Section VIII Tourist District

Uses Permitted by Special Review
(15) Commercial outdoor storage facilities, including recreational vehicles

☐ In order to allocate for current and future storage in the Tourist District, both Indoor and Outdoor Storage were added as a use permitted by special review.

Section IX Business District

Uses Permitted
(16) Commercial outdoor storage facilities, and the terms, conditions, and requirements allocated in Section XIV, 14.10, Supplementary indoor and outdoor storage regulations

☐ In order to allocate for current and future storage in the Business District, both Indoor and Outdoor Storage were added as a use permitted. Their supplementary review criteria is outlined in Section XIV, 14.10. All regulation changes, with this exception, were presented to Board of County Commissioners on March 19, 2019. Based on discussion with the public, Staff deemed it necessary to alleviate confusion with the use being permitted with reference back to the special use permit process. This prompted Staff to create a separate section in XIV, 14.10 to accommodate for other considerations individuals shall consider in the process of starting an entrepreneurial endeavor in the storage business.

Section XI Uses Permitted by Special Review and Temporary Uses:
11.8 (9)
(v) Submittal of a detailed site plan with identified uses and accessory uses of adjacent and contiguous land. In the event that an application is for use on a property leased from others, an executed lease agreement shall be provided prior to issuance of any Special Use Permit. This shall include contact information for property owner/landlord.

☐ This portion was added to accommodate for land owners throughout the county that may have tracts of land adjacent to a parcel with the same business use pursuant to discussions from the October 2018 meeting.

11.8 (10)
All of Section XI 11.8 (10) is new to our regulations, as there is no review process for Outdoor Storage. Most of the wording is the same as what is outlined in Section XI 11.8 (9), unless specified below.

(c) Visibility from adjacent lot, right of way, common open space, or other public area
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June 11, 2019

1. Landscaping/berming/fencing/screening/or enclosure
2. Three Lakes Design Review criteria (if applicable) as outlined in Section XIV, 14.5 Design Review Area
3. Lighting
4. Highway or County Road Access Permit

Section XX Definitions
Commercial Indoor Storage: The keeping of materials or other items indoors for a fee which are not incidental to normal use of property including but not limited to merchandise, goods, supplies and equipment, parts, vehicles, junk, scrap, timber, trash, debris, or goods that are not incidental to a use by right. Mini-Storage Warehouse, as defined under these regulations, shall not be considered Indoor Storage, as defined herein. Routt County’s Zoning Regulations in Section 5-1.5 has an extensive definition of Commercial Indoor Storage almost identical to this definition. The following sentence was altered from Routt County to accommodate for differentiation of Mini-Storage Warehouse, a separate use type in the Grand County Zoning Regulations: Mini-Storage Warehouse, as defined under these regulations, shall not be considered Indoor Storage, as defined herein. Commercial Outdoor Storage: outdoor storage of any materials, including but not limited to equipment, parts, vehicles, junk, scrap, timber, trash, debris, or goods that are not incidental to a use by right or an approved permitted use is prohibited unless such storage is specifically approved by Staff and/or the Planning Commission. This section does not apply to vehicles as referenced in the Grand County Blight Ordinance. This section also does not apply to materials used for farming or ranching purposes.

While it is important to know the size of the parcel, the parcel size, Staff finds it important to also know the size of the storage facilities on the parcel prior to approval. To reiterate on visibility, based on the case, it may be important to note if applicants plan to screen or fence the area.

See explanation outlined in 11.8 (10) (f).
See explanation outlined in 11.8 (10) (l).
See explanation outlined in 11.8 (9) (v).
See explanation outlined in 11.8 (10) (f).
See explanation outlined in 11.8 (9) (v).

Commercial Indoor Storage: The keeping of materials or other items indoors for a fee which are not incidental to normal use of property including but not limited to merchandise, goods, supplies and equipment, parts, vehicles, junk, scrap, timber, trash, debris, or goods that are not incidental to a use by right. Mini-Storage Warehouse, as defined under these regulations, shall not be considered Indoor Storage, as defined herein. Routt County’s Zoning Regulations in Section 5-1.5 has an extensive definition of Commercial Indoor Storage almost identical to this definition. The following sentence was altered from Routt County to accommodate for differentiation of Mini-Storage Warehouse, a separate use type in the Grand County Zoning Regulations: Mini-Storage Warehouse, as defined under these regulations, shall not be considered Indoor Storage, as defined herein. Commercial Outdoor Storage: outdoor storage of any materials, including but not limited to equipment, parts, vehicles, junk, scrap, timber, trash, debris, or goods that are not incidental to a use by right or an approved permitted use is prohibited unless such storage is specifically approved by Staff and/or the Planning Commission. This section does not apply to vehicles as referenced in the Grand County Blight Ordinance. This section also does not apply to materials used for farming or ranching purposes.
Routt County’s Zoning Regulations in Section 5-1.5 has an extensive definition of Commercial Outdoor Storage almost identical to this definition. The following sentence was altered from Routt County to accommodate for assisting Grand County Community Development with Blight Ordinances: This section does not apply to not registered, unlicensed or inoperable vehicles, as referenced in the Grand County Blight Ordinance.

Uses Permitted: The term ‘Uses Permitted’, also known as ‘Use by Right’ refers to a property owner’s use of property and structures in manners consistent with that which is listed as permissible in zoning districts in which his or her property is located. ‘Uses Permitted’ is a use permitted in a zoning district and is not subject to special review.

Upon further review, Staff found that uses permitted, and uses permitted by special review were not defined in the Grand County Zoning Regulations. Staff worked with the Grand County Attorney to create the definition outlined herein.

Uses Permitted by Special Review: The term ‘Use Permitted by Special Review’ is stabled for the review of uses in specific zone districts that require public hearings and the final approval by the Board of County Commissioners. Such uses may require additional conditions and safeguards as may be imposed by the Board of County Commissioners to ensure compatibility with surrounding areas.

Upon further review, Staff found that uses permitted, and uses permitted by special review were not defined in the Grand County Zoning Regulations. Staff worked with the Grand County Attorney to create the definition outlined herein.

Section 8: Tourist District. Uses permitted by Special Review, Commercial Outdoor Storage Facilities including recreational vehicles, indoor storage facilities, warehouse, and light manufacturing.

Ron Jones stated that there has been a lot of growth in the County but Grand County does not generally overregulate. Mr. Jones stated that if the County is to address open storage, it should address all open storage.

Tim Debevec stated that he has had trouble finding land for boat storage.

Stan Spencer stated that he does not have a concern for indoor storage. His concern lies with commercial outdoor storage with regard to safety.

All uses in the Business are allowed by Special Review.

Commissioner Cimino would like to further discuss fencing.

Ms. Lyons stated that she wrote the current proposed regulations to mirror what was approved at the Planning Commission.

Commissioner Manguso moved to continue the public hearing to July 9, 2019 at 1:00 p.m.

The motion passed unanimously.

Secure Rural Schools Payment – Allocation to East and West Grand School Districts

County Finance Director Curtis Lange stated that the County received the Secure Rural Schools funds in the amount of $1,393,142.04. The money is to be shared with the local school districts. The County is required to give at least 25 percent to the schools.

Commissioner Linke moved to authorize Grand County through the Finance Department to make a payment of 100 percent of the allocated funds to the schools as described by Finance Director Curtis Lange.

Discussion: East Grand School District Superintendent Frank Reeves and West Grand School District Superintendent Darren Peppard thanked the Board for the 100 percent payment.

The motion passed unanimously.

Commissioner Linke moved to approve Resolution No. 2019-6-2, “A RESOLUTION PROVIDING FOR THE DISTRIBUTION OF THE NATIONAL FOREST RESERVE APPORTIONMENT” in the amount of $1,393,142.04 to be split with $321,815.81 to West Grand School District and $1,071,326.23 to East Grand School District.

The motion passed unanimously.

Board Business / Correspondence / Calendar


Resolution No. 2019HA-5-19, "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, CONDITIONALLY APPROVING A LOAN FROM THE GRAND COUNTY HOUSING AUTHORITY DOWN PAYMENT ASSISTANCE PROGRAM, AND AUTHORIZING A COMMISSIONER TO EXECUTE THE WIRE TRANSFER REQUEST"

Resolution No. 2019HA-5-20, "A RESOLUTION APPROVING AND AUTHORIZING 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 TWO (2) ACCOUNT AGREEMENTS BETWEEN GRAND MOUNTAIN BANK AND THE HOUSING AUTHORITY OF THE COUNTY OF GRAND"

Resolution No. 2019-5-21, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE WAIVER OF A BUILDING PERMIT FEE FOR THE TOWN OF FRASER, COLORADO"


Resolution No. 2019-5-23, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE APPOINTMENT OF TONYA FRENCH AS A REPRESENTATIVE TO THE MIDDLE PARK FAIR AND RODEO BOARD"


Resolution No. 2019-5-25, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING AND ADOPTING AMENDMENTS TO THE GRAND COUNTY PERSONNEL MANUAL, SECTIONS 4.04, 4.08 AND 10.04"

Commissioner Manguso moved to approve the Consent Agenda.
The motion passed unanimously.

Board Business

The Board agreed to support the nomination of Bill George to the BLM Resource Advisory Commission.

Commissioner Manguso moved to appoint Will McDonald to the Grand County Planning Commission District 1 upon the resignation of Jennifer Scott.

The motion passed unanimously.

Commissioners Linke and Cimino attended the CCI Conference and Commissioner Cimino attended CCAT. Commissioner Linke also attended the Trail Ridge Road Ribbon Cutting Ceremony.

June 13  BLM Resource Advisory Committee meeting at the Allington in Kremmling at 10:00 a.m. – Commissioner Linke
June 14  Club 20 Executive Committee conference call at 10:00 a.m. – Commissioner Linke
June 14  QQ meeting in Carbondale at 10:00 a.m. – Commissioners Manguso and Cimino
June 17  Peak Health Alliance meeting in Summit County – Commissioner Cimino

There being no further business to come before the Board, the meeting was adjourned at 3:28 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 18th day of June 2019.

Attest:

_______________________________
Sara L. Rosene, Clerk and Recorder

__________________________________________
Richard Cimino, Chair