

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

June 16, 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 Linke moved to approve the Minutes of the Regular Meeting of the Board of County Commissioners of May 26, 2020.

The motion passed unanimously.

Commissioner Linke moved to approve the Minutes of the Regular Meeting of the Board of County Commissioners of June 1, 2020.

The motion passed unanimously.

Commissioner Linke moved to approve the Minutes of the Regular Meeting of the Board of County Commissioners of June 9, 2020.

The motion passed unanimously.

General Public Comments

A member of the public noted that the Board is passing a resolution in support of the First Amendment. Normally she would support that but wondered if it will do anything.

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on June 16, 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 June 15, 2020 for payment on June 16, 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 June 16, 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 June 15, 2020, for payment on June 16, 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 June 15, 2020, for payment on June 16, 2020 for Grand County.

The motion passed unanimously.

Potential Coronavirus effect to 2020 budget

Sales and Lodging taxes, Building and Short-Term Rental fees, Clerk & Recorder fees, and Highway Users taxes are all expected to be lower than originally budgeted for 2020. Sales taxes are now projected to be only 75% of the budgeted level and Lodging taxes are projected to be 30% of the annual budget. Building permits

and Short-Term Rental renewals are projected to be 50% of the original budget amount. Clerk & Recorder fees are projected to be 25% lower than budgeted and Highway User Taxes are projected to be slightly lower than budgeted for 2020. Airport reimbursements for projects are projected to be increased from 95% to 100% of costs. Federal Cares Act reimbursements for COVID 19 expenses estimated to be \$700k .

	Current expected	2020 Budget
Sales tax	\$ 5,422,500	\$ 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
Airport project reimbursements	\$ 4,849,000	\$ 4,624,000
Highway Users tax	\$ 1,909,000	\$ 2,009,000
Cares Act Reimbursement	\$ 700,000	\$
Total	\$14,454,600	\$17,028,000

Revenues expected to be down \$2.6 million in 2020

EXPENDITURES in excess of budget 1 per month

	Spent 3/14 – 6/13	Projected Monthly	Costs thru 9/30
Emergency Operation Center personnel	\$204,152	\$59,058	\$425,620
Grand Foundation Business Grant Program & PPE	\$130,000	\$ -	\$130,000
Isolation facility @ 100k/ mo	\$ 5,000	\$ -	\$
County OT (predominately PH & Sheriff thru 5-29)	\$ 11,110	\$ 3,214	\$ 13,520
Other Operating expenses	\$ 92,639	\$ 26,799	\$193,136
Totals	\$ 442,901	\$ 89,071	\$767,277

Expenditures expected to be higher \$767k

Expected effort to 2020 budget (\$3.3 million)

Projected Budget Deficits and postponed or Eliminated Operations and Projects

Projected County wide effects to Fund Balance	\$ (3,300,000)
Add back Restricted Funds using restricted fund balance to cover deficits	
Lodging taxes	\$ 904,400
Open Lands, Rivers and Trails	\$ 417,115
Use TABOR emergency reserve for COVID-19 unbudgeted expenditures	\$ 67,277
Less Restricted Funds using surplus to cover costs	
Airports - FFA increased project funding to 100%	\$ (285,000)
Total budget shortfall less restricted funds	\$ (2,196,208)
% Unrestricted fund balance of operating budget	24%

Postponed or Eliminated Operation and Projects

Hiring freeze projected savings	\$ 500,000
Excess Hire Lag savings over budget	\$ 420,500
Pay plan consultant cancelled	\$ 40,000
Windy Gap pumping plan cancelled	\$ 35,000
Internship program cancelled	\$ 25,000
Total Budget Shortfall less restricted funds and these projects	\$(1,175,708)
%Unrestricted fund balance of operating budget	29%

Grand Foundation has used the \$30,000 provided by the County for PPE for businesses and purchased around \$25,000 in orders. There have been 250 businesses served by the fund.

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

Commissioner Cimino moved to approve and authorize Grand County to enter into a contract with CDPHE Grand 2020-247 Amendment 2 in the amount of \$21,790.

The motion passed unanimously.

Commissioner Cimino moved to enter into a Services Contract between Grand County Board of Commissioners and Mountain Mamma Maid, LLC for cleaning services in the amount of \$5,440.

The motion passed unanimously.

Commissioner Manguso announced that the Board is sitting as the Board of Human Services.

Commissioner Cimino moved to enter into a Purchase of Core Services Program Contract between Grand County Board of Human Services and Kelly Norris Counseling & Psychotherapy, LLC in an amount not to exceed \$5,000 for a contract term of June 1, 2020 through May 31, 2021.

The motion passed unanimously.

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

Commissioner Linke moved to approve Resolution No. 2020-2-27, "A RESOLUTION APPROVING THE AMENDED FINAL PLAT AMENDED LOTS 31A AND 32A RIVER ACRES ADDITION TO MOUNTAIN MEADOWS BEING A REPLAT OF LOTS 12, 31 AND 32, RIVER AGRES ADDITION TO MOUNTAIN MEADOWS ACCORDING TO THE PLAT RECORDED AT RECEPTION 90589 PART OF SE1/4 SECTION, 14, TOWNSHIP 3 NORTH, RANGE 76 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF GRAND, STATE OF COLORADO" and authorize the Chair to sign all applicable documents.

The motion passed unanimously.

Commissioner Linke moved to approve Resolution No. 2020-5-23, "A RESOLUTION APPROVING THE SHEARON-BUCHANAN OUTRIGHT EXEMPTION, BEING A REPLAT OF TRACT 1 MATSON SUBDIVISION EXEMPTION RECEPTION NO. 93013415 & TRACT 1, TIRANA SUBDIVISION EXEMPTION RECEPTION NO. 96010230 SITUATED IN THE E1/2, SECTION 34 AND THE W1/2 OF SECTION 35, TOWNSHIP 3 NORTH, RANGE 77 WEST OF THE 6<sup>TH</sup> P.M., GRAND COUNTY, COLORADO" and authorize the Chair to sign all applicable documents.

The motion passed unanimously.

Alexis Kimbrough provided a Census update:

#### Outreach

##### Education

- Spoke to all West Grand Middle School Students.
- Conducted a Complete Count Committee meeting during the Let's Chat Community Conversations with Businesses and Citizens event.
- Census presentation and discussion with Mountain Family Center staff.
- Census presentation at Winter Park, Fraser, and Granby. HSS, Grand Lake, and Kremmling postponed/cancelled due to COVID-19.

##### Promotional

- Partnered with Jen Fanning and our US Census Partner Maureen Reilly to obtain a calling list for volunteers to call for outreach.
- Two postcards mailed a few weeks a part to all registered voter households.
- Partnered with GCLD and provided them with many promotional items to hand out with all library books and during their events.
- Partnered with GCPH to provide Senior Nutrition with promotional items to hand out to their clients.
- Partnered with local businesses to put outreach materials in to-go bags.

##### Advertisements

##### Newspaper

- 10 week running ad in Gazette, SkyHi, and Winter Park Times.
- 8 week radio advertisement.
- Social media campaigns.
- Posters and flyers at various areas throughout the county.

##### Television

- Running ads on local channels.

##### Miscellaneous

- Spoke with Robert Good and organized putting Census messaging on their message board once or twice a week.

##### Media

##### Local

- Interview with Steve Skinner at KFFR x2
- Discussions about Census messaging with Gazette, SkyHi, and Winter Park Times.

##### State

- Interview about Census outreach with NPR.

##### National

- Interview about Census outreach with WIRED Magazine.

##### Planned

##### Outreach

- Partnering with Town Chambers, Mountain Family Center, and Rural Health Network to provide them with promotional items to hand out through services they provide.
- Partnering with the schools to provide them with promotional items to hand out through lunches.
- Working on a partnership with Fraser Rec. District on promotional items, signage and additional advertisements throughout their summer activities.

●Response Rate Challenge?

Advertisements

- Additional ads in Gazette, SkyHi, and Winter Park Times.
- Yard signs.
- Possible banners placed throughout the county.

Grand County Board of Health

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

COVID-19 Incident Commander Brad White stated that the County is up to 17 cases. Mr. White noted that over 40 people have been quarantined.

Winter Park Resort would like to lease the quarantine building to someone else. No one has used the building for quarantine purposes and the County has not been charged. Mr. White would like to release the lease.

Manager & Attorney Items

Commissioner Cimino moved to approve the Lease Agreement between Grand County Board of Commissioners and Northwest Colorado Visiting Nurse Association Incorporated dba Northwest Colorado Health for property located at 613 First Street, Hot Sulphur Springs.

The motion passed unanimously.

Commissioner Cimino moved to approve the payment of \$95,308 to the Town of Fraser. The Board acknowledges that a supplemental may be necessary at the end of the year.

The motion passed unanimously.

Commissioner Cimino moved appoint Teri Tanton to the Treasurer upon the vacancy of the County Treasurer position.

The motion passed unanimously.

County Manager Kate McIntire presented her weekly update.

Commissioner Cimino moved to increase the spending authority of the Grand County Manager by an additional \$250,000.

The motion passed unanimously.

The CARE Acts allocation is being considered to be broken as follows: 52 percent to the County and 48 percent to the Towns. The proposed breakdown for the towns is:

Fraser:	17 percent
Granby	8 percent
Grand Lake	9 percent
Hot Sulphur Springs	2 percent
Kremmling	3 percent
Winter Park	10 percent

Commissioner Cimino moved to approve the release of the Request for Proposal for Auditing Services and authorize the Chair to sign.

The motion passed unanimously.

Resolution No. 2020HA-6-4, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY, APPROVING AN APPEAL FROM THE AFFORDABLE HOUSING TRANSFER FEE OF THE RESTRICTIVE COVENANTS, THE RANCHES AT DEVILS THUMB, GRAND COUNTY, COLORADO CONCERNING THE REAL PROPERTY LOCATED AT LOTS 11 AND 15, THE RANCHES AT DEVILS THUMB, GRAND COUNTY, COLORADO"

Resolution No. 2020-6-5, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A PARTICIPATING AGREEMENT BETWEEN THE U.S.D.A. FOREST SERVICE AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR REIMBURSEMENT OF WEED MANAGEMENT COSTS"

Resolution No. 2020-6-6, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, SITTING AS THE BOARD OF HUMAN SERVICES, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE GRAND COUNTY DEPARTMENT OF HUMAN SERVICES, THE 14TH JUDICIAL DISTRICT PROBATION DEPARTMENT, THE 14TH JUDICIAL DISTRICT, THE GRAND COUNTY PUBLIC HEALTH DEPARTMENT, THE WEST GRAND SCHOOL DISTRICT, THE EAST GRAND SCHOOL DISTRICT, COLORADO WEST REGIONAL MENTAL HEALTH, INC. DBA MIND SPRINGS HEALTH, INC., REGION 1 RAE ROCKY MOUNTAIN HEALTH PLANS, DIVISION OF YOUTH SERVICES, WEST SLOPE CASA, ADVOCATES FOR A VIOLENCE-FREE COMMUNITY, THE GRAND COUNTY JUVENILE SERVICES DEPARTMENT, GRAND BEGINNINGS, MOUNTAIN FAMILY CENTER, GRAND COUNTY RURAL HEALTH NETWORK, AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE COLLABORATIVE DELIVERY OF SERVICES TO CHILDREN AND FAMILIES AND DESIGNATING THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO AS THE GRAND COUNTY COLLABORATIVE MANAGEMENT PROGRAM FISCAL AGENT"

Resolution No. 2020-6-7, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CONTRACT AMENDMENT #3 TO A TASK ORDER CONTRACT BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO CONCERNING ADMINISTRATION OF THE IMMUNIZATION CORE SERVICES PROJECT"

Resolution No. 2020-6-8, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A TASK ORDER AMENDMENT #2 BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO CONCERNING THE "COMMUNITIES THAT CARE" MODEL"

Resolution No. 2020-6-9, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CONTRACT BY AND BETWEEN THE NORTHWEST COLORADO COUNCIL OF GOVERNMENTS AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO CONCERNING SENIOR NUTRITION SERVICES"

Commissioner Cimino moved to approve the Consent Agenda.

The motion passed unanimously.

#### First Amendment-Right to Assemble Resolution Consideration

Commissioner Cimino moved to approve Resolution No. 2020-6-11, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO IN DEFENSE OF THE FIRST AMENDMENT OF THE UNITED STATES CONSTITUTION AND OF ARTICLE II, SECTION 24 OF THE COLORADO CONSTITUTION"

The motion passed unanimously.

#### Board Business / Correspondence / Calendar

Commissioner Linke moved to appoint Lori Hall as an alternate to the Foothills RETAC Board of Directors.

The motion passed unanimously.

## Water Protection Update

### Colorado River Headwaters Connectivity Project

#### NEPA Watershed Plan EA –Last Project Partner Call May 21

- AECOM completed all additional NRCS required dam and flood analysis.
- All final reports sent to NRCS for approval and McMillan Jacobs is incorporating into Watershed Plan EA.
- EA Public Scoping-NRCS approval of all final reports (Fall/Winter 2020).
- Target date for the EA ROD and FONSI is March 2021.
- Revised impact analysis and any data gaps will be provided with 30% Final Design to address any areas (cultural, wetlands, etc.) that were not included in the preliminary design.
- Next Plan EA Partner Call: June 18

### Final Project Design

- Northern Water contracted with AECOM November 2019 for Final Design prior to issuance of a ROD and FONSI.
- 30% Final Design target end of June.
  - to include revised Diversion Structure design to accommodate flow splits, and enable opportunity to update project cost estimates.

### Timeline

- 5 years to complete project (Sept. 2022).
- Delays justify a 6thYear Project Extension request via Farm Bill extension process.
- Although NRCS previously was not allowing Project extensions until the 5thYear, NRCS recently submitted for a one-year extension on June 4.

### Water Court Case No. 17CW3176 Colorado River Connectivity Channel

- Last status conference on May 19; Stipulations were in place with all opposers.
- Final proposed Decree circulated to all opposers for final consistency review (approved by water counsel).
- Final Decree being submitted to Water Court June 19.

### Project Cost Estimates

- Northern Water paid for updated Project Cost Estimates August 2019. Included a \$2M inflation escalator through 2020 and 35% contingency.
- Cost Estimates will again be updated with 30% final engineering drawing late June 2020.
- Project line item costs will not be shared publically, since we are getting closer to bidding the project.

### Funding Shortfall now \$2.1M (was \$4.8M in Oct.2019)

- TU request for additional \$2M from NRCS RCPP in 9/2019 was denied. Further discussion and another request -TBD.
- Northern Water and Municipal Subdistrict contributed additional \$1M (each) to the project, total \$2M.
- \$1M Donor Challenge –\$250K raised (not incl. in shortfall)
- Northern Water submitted \$2.4M CWCB Water Plan Grant in Jan.
  - CWCB Board (in May) approved \$700K toward Final Design.
  - No Construction funds at this time and will be discussed at July CWCB Meeting.
- Trout Unlimited submitted \$600K GOCO “Restore” Grant
  - Unsuccessful due to not being shovel ready at this time, and \$600K on an \$18M project isn’t a big impact.
- Northern Water submitted \$1.5M Colorado Wildlife Habitat Program application in May-decision TBD “Fall 2020”.

### Habitat Project (CPW)

- \$1M of the CPW Habitat Project at Kemp Breeze SWA will be completed as in-kind for RCPP funding on Connectivity Project (Construction 2021 and 2022).
- 30% design completed by CPW.
- Final Design bid awarded to Stillwater Sciences. Northern Water funded design via Agreement with CPW. Plans are nearly 60%.
- Construction Bid: CPW/Northern Water (and Project Partners) working on plan/timing to commit construction funds prior to bid.
  - Northern unable to provide funds in 2020. Project construction target now 2022.

### Project Team Meetings & Calls

- Last Partner Meeting –June 1. Next Meeting: June 24 and 29.

### Last CBRT Meeting –May 18:

- Basin Implementation Plan (BIP) Update
  - Grand County Team to focus on updating Grand County Project list/costs

•Next Meeting: July 27

## Contracts / Agreements

•1) Agreement with Municipal Subdistrict of Northern Water to fund consultant assistance with review of draft compliance submittals required by the WGFP 1041, and 2) contract with Lotic Hydrological for that assistance.

- Consultants include Lotic Hydrological, which will subcontract with
  - Dr. James McCutchan, CU Boulder
  - Dr. Tim Covino, CSU
- This work is not in the Water Protection budget, but this Agreement provides for Northern to cover the consultant costs in their entirety.
- Anticipated cost with Lotic is \$12,300, but agreement with Subdistrict will reimburse this work up to \$30,000.

Commissioner Linke moved to approve and sign the Services Contract between Grand County Board of County Commissioners and Lotic Hydrological LLC in an amount not to exceed \$12,300.

The motion passed unanimously.

Commissioner Linke moved to approve and sign the Funding Agreement for Review of Nutrient Reduction Plan, Nutrient Monitoring Plan, and Adaptive Management Plan Associated with Condition 22 of the Windy Gap Firing Project 1041 between Grand County Board of Commissioners and Municipal Subdistrict of the Northern Colorado Water Conservancy District to reimburse work up to \$30,000.

The motion passed unanimously.

Commissioner Linke moved to amend the previous two motions to include the language “Contracts / Agreements to be executed outside the meeting.”

The motion passed unanimously.

## Drought Preparedness Plan

1 stakeholder meeting remaining on June 25<sup>th</sup>

- Finalize draft plan prior to presentation to boards, launch committees (education & outreach, funding, & implementation).
- Will bring draft plan to BOCC after the 25<sup>th</sup>
  - Asking stakeholders if they'd be willing to sign an MOU or other instrument committing participants to the plan.
- Joan Lyons drafted an Education and Outreach guidance document and example video to communicate the plan to the general public.

## GC Mutual Ditch & Res. Co.

GCMDRC continues to work with CWCB and Colorado Water Trust on the Substitute Water Supply Plan as legal instrument for Pilot Project. (2021 implementation).

- Creates additional in-stream flows in Fraser River for environmental water and other uses (R&B Op's for example).
- Accomplished by Denver Water diverting and using GCMDRC stored shares in Meadow Creek Res., then retiming and delivering same amount of water to upper Fraser River via the Moffat or Vasquez Collection System (Clinton delivery points).
- Working with Grand County Irrigated Land Company GCILC) President, attorney and engineer to finalize reports and address all concerns.  
GCILC will need to formally approve Pilot Project.
- Once approved, GCMDRC will make formal application to CWCB; requires two Board Meetings for approval, including public notice and State Engineer approval.
- CWCB Program: 5 in 10 year Program per new legislation
- Potential ISF compensation. Could be used to pay for engineering and leverage needed funding for Vail Ditch improvements to benefit all shareholder and GCILC.
- Last Meeting May 28, Next Meeting June 25.

## Lease of Additional GCILC Shares –2020

- GCMDRC leased an additional 58.5 shares in the GCILC.
- GCMDRC is working on subleasing the shares.

•In summary, these shares could ultimately help with the Pilot Project and the mission of GCMDRC.

[www.gcwin.org](http://www.gcwin.org)

- Field staff trained
- Education coordinator looking into COVID-19 education contingency plans like on-line videos or science options at come in case field trips are cancelled.
- Monitoring programs up and running
  - Secchi monitoring started
  - Water temperature sensors calibrated, deployed, being checked on schedule
  - 3 Lakes temperature and conductivity deployed
- 2021 budget proposal ready to go to members in July

Grand Lake: NEPA

- Next meeting scheduling underway: targeting August
- Subcommittee meetings also resuming
  - Modeling/water quality committee meeting June 24

Grand Lake: Adaptive Management

- Kickoff meeting held virtually on May 28
- Reclamation modeled
  - 2 hydrology years—one with 3 peak flows (2008), and one with one peak flow (2016), scaled to this year's volume forecast of 226,000
  - 2 meteorology years—one with high air temps (2007), and one with low air temps (2009)
  - 2 scenarios—both minimize Granby spill, both achieve several targets at Horsetooth, use east slope priority water, maintain significant flow through SMR to cool water, generate hydropower during high summer months; the second one “shapes Adams Tunnel diversions”

#### Draft Herd Management Plans for D-8, D-9 (Deer) and PH-37 (Pronghorn)

Presented by Lyle Sidener.

Purpose:

Population and Sex Ratio Objectives For the next 10 years

Key Management Issues

- Loss of habitat quantity due to land development
- Loss of habitat quality due to
  - Fragmentation & human activities, especially recreation
  - Lack of large-scale wildfires
- Vehicle collisions
- Chronic Wasting Disease (For deer)

Mule Deer Herd Management Plan

Revision for D-9 Middle Park

Middle Park Deer DAU D-9

GMUs 18, 27, 28, 37, 181, and 371

2,387 mi<sup>2</sup> (75% public lands)

Grand and Summit Counties

Sagebrush, pinon-juniper, oak/mountain shrub, deciduous & subalpine forests, alpine habitat

Winter range 19% of DAU

Severe winter range 2% of DAU

CPW proposed new herd management objectives

Population Objective: 10,500-14,000 deer (higher & wider range)

Sex Ratio Objective: 30-35 bucks per 100 does (status quo)

Mule Deer Herd Management Plan revision for D-8 State Bridge

State Bridge deer

DAU D-8

GMUs 15, 35, 36, 45, and 361

1,453 square miles (80% public lands)

Eagle, Routt, Grand, and Pitkin Counties

Sagebrush, pinon-juniper, oak/mountain shrub, deciduous & subalpine forests, alpine habitat

Proposed new herd management objectives for D-8



**Population Objective:**

10,000-14,000 deer (lower & wider range)

Sex Ratio Objective: 26-30 bucks per 100 does (status quo)

**Pronghorn Herd Management Plan Revision for PH-37 Middle Park**

GMUs 15, 18, 26, 27, 28, 37, 181, 231 and 371

•3,298 mi<sup>2</sup> (600 mi<sup>2</sup> pronghorn range)

•Pronghorn primarily inhabit sagebrush and mountain shrub habitat types

•Eagle, Garfield, Grand, Rio Blanco, Routt, and Summit Counties (Most pronghorn in Grand County)

•Inclusion of GMUs 15, 26, and 231

•Access during hunting season

**CPW proposed new herd management objectives**

Population Objective: 600-800 pronghorn (higher & wider range)

Sex Ratio Objective: 35-45 bucks per 100 does (status quo)

**Next Steps:**

•Draft herd management plans are available for a 30-day comment period.

<https://cpw.state.co.us/thingstodo/Pages/HerdManagementPlans.aspx> Or search “CPW herd management plans” and look for the D-9, D-8, and PH-37 plans.

•D-9 until June 27<sup>th</sup>

•D-8 until July 3<sup>rd</sup>

•PH-37 until July 2<sup>nd</sup>

•Colorado Park and Wildlife Commission review and approval later this year

Executive Session

Commissioner Cimino moved to convene an Executive Session at 12:12 p.m. citing Section 24-6-402, CRS, which states that local public bodies may utilize executive sessions for considering any of the following matters (specifically): (4)(b) Conferences with an attorney for the local public body for the purposes of receiving legal advice on a specific legal question.

The motion passed unanimously.

The Regular meeting reconvened at 1:05 p.m.

I, Kristen Manguso, hereby attest that the portion of the executive session during which no minutes were taken was confined to a topic authorized for discussion in an executive session.

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I, Chris Leahy, hereby attest that the portion of the executive session during which the Recorder was directed to take no minutes constituted a privileged attorney-client communication.

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Colorado Retirement Association 401a & 457b Participation Agreements – Decision

Commissioner Cimino moved to approve the 401 plan to continue to offer the 3-6% election at hire date, and the election is irrevocable for the duration of the employment tenure. When an employee completes 20 years of service with the County, an additional employer match is made available in the 457 plan. The employer match would allow for a maximum total employer contribution between the 401 & 457 plans of 9%. This allows any tenured employees that did not elect 6% at hiring to maximize the available 9% employer contribution. The employee can adjust 457 contributions as the home budget allows.

Discussion: If budget situation changes, the Board can adjust employer compensation – that will be consideration. These are all things that may be considered.

The motion passed unanimously.

Lots 4, 5, 6, 7 Grand Country Village – Amended Final Plat

PROJECT NAME: Amended Final Plat, Lots 4, 5, 6, and 7, Grand Country Village  
APPLICANT: Robert D. and Eric W. Johnson  
LOCATION: Lots 4, 5, 6, and 7, Grand Country Village (1170, 1192 and 330 GCR 86, AKA Hillside Dr.—Lot 7 is currently unaddressed)  
ZONING: Tourist District (T)  
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Master Plan, Grand County Subdivision Regulations  
ATTACHMENTS:  
A. Vicinity Map  
B. Letter of Application and Narrative  
C. Proposed Plat  
D. Title Commitments  
E. Site Photos  
STAFF PLANNER: Alexander Taft, LEED Green Associate  
REQUEST: The Applicant is requesting an Amended Final Plat to remove a property line to create two (2) conforming lots and gain additional buildable area.

I. BACKGROUND

a. History:

Grand Country Villages was originally approved and platted in 1967 recorded at Reception No. 107531. This Subdivision was the first of several in the region surrounded by other subdivisions such as Winter Park Highlands Units 2 and 4, Grand Country Estates, and Grand Country Estates 1st Addition. The lots are pre-existing non-conforming lots of record. The average lot area is approximately one half (1/2) acre. The lots in the subdivision are serviced by household use wells and Onsite Wastewater Treatment Systems (OWTS).

b. Proposal:

Robert D. and Eric W. Johnson, two brothers, are the owners of Lots 4, 5, 6, and 7 by Warranty Deed at Reception No. 2020002715. The Applicants propose to combine the four (4) lots into a total of two (2) compliant lots and to allow a larger buildable area. This Amended Final Plat involves a lot combination of Lot 4 and Lot 5 resulting in one conforming, buildable lot and Lot 6 and Lot 7, also resulting in one conforming, buildable lot. The property owners intend to construct a total of two (2) single family dwellings, one on each resultant parcel. All lots are currently vacant and the Applicant intends to begin construction of new single family dwellings in 2020.

II. STAFF COMMENTS AND ANALYSIS

The lots subject in this proposal are proposed to be residential use and is surrounded by residential uses. The Tourist District allows for several uses by right including commercial or retail type uses. In 2016, a proposal was presented to combine all four (4) lots into a single parcel and construct mini-warehouse storage. At the time, there was an active owners association which prevented the use from being constructed. The lots as they exist today are pre-existing and non-conforming at approximately one-half acre. The proposed amended plat will benefit both resultant lots by creating conforming lots, with a larger area where structures can be built without causing encroachment into the setbacks. Staff notes that there are interior utility easements shown on the plat recorded at Reception No. 97004012. This would appear to mean the easements were established by Declarations and Covenants which would require them being vacated by the Homeowners Association. Currently there is no active HOA, therefore Staff and the County Attorney's Office is researching means to vacate them through the appropriate authority. There is authority within the covenants to vacate the easement but by whom is still being determined.

III. PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed this application during their regularly scheduled meeting on May 13, 2020. The Commissioner had a question about the choice of lot numbers as curiosity arose about the potential of future confusion with regard to addressing. Staff responded that standard practice internally was to use the lowest number traditionally. Vacation of utility easements was discussed because this Plat was unique since the easements were established by covenants and not on the plat or by another instrument. The issue which Staff discovered is that there was no active Home Owners Association (HOA). Staff had discussions with the County Attorney's office and discovered the property owner can vacate their own easements since there was no other specific designee to proceed the previous HOA presidents. This information was shared with the Planning Commission who made no additional conditions because of this.

Planning Commission unanimously recommended the approval of the Amended Final Plat, Amended Lots 4A and 6A, Grand Country Village and Utility Easement Vacations with the following conditions to be met prior to the recording of the Plat:

1. The title shall be amended to include conveyance to owners with location of Recording and a date of creation (4.3 (2) (a)).
2. Names of Rights-of-Way shall be corrected and total widths including both sides of ROW shall be shown (4.3 (2) (e)).
3. Corrections to the dedication statement shown on the plat to be reviewed by the County Attorney's Office prior to recording the Plat Mylar (4.3 (2) (k)).
4. Corrections to the surveyors certificate shown on the plat prior to recording the Plat Mylar (4.3 (2) (l)).
5. An electronic copy in AutoCAD.dwg or AutoCAD.dxf of the Final Plat shall be submitted (4.3 (2) (y)).
6. All existing well permits shall be amended or re-permitted by State Division of Water Resources to reflect the combination of lots.
7. Quit Claim Deeds clarifying legal descriptions back to current ownership shall be provided prior to staff and County Attorney's office for review for consistency with the proposed plat.
8. All recording fees are to be paid by the Applicant.
9. HOA established easement shall be vacated prior to recording the Final Plat.

Commissioner Cimino moved to approve Amended Final Plat, Lots 4, 5, 6, and 7, Grand Country Village as presented.

The motion passed unanimously.

#### 2<sup>nd</sup> Amended Tabernash Sewer Outright Exemption – Final Plat

PROJECT NAME: Tabernash Sewer Outright Exemption  
APPLICANT: GRAND COUNTY in joint effort with TABERNASH MEADOWS WSD  
LOCATION: Tracts A, B and C Tabernash Sewer Site Outright Exemption / commonly known as 440 GCR 828, 452 GCR 828, 250 GCR 820

#### APPLICABLE

REGULATIONS: Grand County Master Plan, Zoning Regulations, Outright Exemption Regulations

ZONING: F-Forestry and Open District

ATTACHMENTS: A. Vicinity Map  
B. Application and Narrative Letter  
C. Proposed Outright Exemption Plat  
D. Deeds  
E. Tabernash Meadows Water & Sanitation IGA

STAFF PLANNER: Alexander Taft, LEED Green Associate

REQUEST: The Applicants are requesting the approval of a boundary line adjustment and lot combination to eliminate an existing tract at the Tabernash Sewer Site. The new property boundaries will provide usable real estate for wastewater treatment facility (WWTF) expansions and modifications.

#### I. BACKGROUND

##### a. Proposal

This is a proposal brought by Grand County Staff as part of an agreement with Tabernash Sewer District which is being managed by Tabernash Meadows Water and Sanitation District (TMWSD). Grand County and TMWSD have had an Inter-Governmental Agreement since 2000. In 2016, a revised agreement was completed and recorded confirming the joint interest in the parcels created by both owners. Owner and ownership information will be confirmed and verified with the County Attorney's office. The current proposal includes extending the eastern property line of Tract B further to the east, moving the northern property line of Tract B to the south and eliminating Tract A—which was to be the site of a single family home. The new layout of Tract B will allow for expansions and modifications to the sewage treatment facility. Since, the home site has been eliminated there is no longer a reason for the Sewer Site to have three tracts. Although the amended final plat currently shows three lots, the 2<sup>nd</sup> Amended Plat, Tabernash Sewer Site Outright Exemption will only be composed of two tracts-Tract A and Tract B. The images below show the existing and proposed lot line configurations for the Sewer Site.

##### b. History

Grand County and Tabernash Meadows WSD, the Applicant, jointly own Tract B of the Tabernash Sewer Site Outright Exemption. Tract A and Tract Care owned solely by Grand County. The Tabernash Sewer Site Outright Exemption was amended in 2004, partly to preserve fen wetlands that were discovered. The 2004 Amended Plat created Tract A which was a designated homebuilding site for Habitat for Humanity, Tract B

which was to be used for the sewage treatment facility and Tract C which was a preservation tract that encompassed the fen wetlands.

## II. STAFF ANALYSIS

The history and ownership as stated above in “History” is to the best understanding of Staff’s interpretation of documents which have been reviewed with the review of the application. An updated title commitment is anticipated and will assist in verification of ownership, and Staff will revise this recommendation as necessary to reflect appropriately on the Final Plat Mylar. The proposed plat is a lot combination and boundary adjustment. Tract B is intended to have no change in total area retaining space and use for the existing Waste Water Treatment Facility. Former Tract A will merge with Tract C and become an approximately 4 acres of high quality wetlands which have been identified as USACE jurisdictional wetlands protected under Section 404 of the Clean Water Act. The total land area of proposed Tract B is less than the required 2 acres in the Forestry and Open zoning district, inside a growth area. Staff believes that this total lot area is sufficient as it decreases non-conformity to the greatest extent possible while still giving area for future expansion without creating any long term planning issues. The surrounding uses are primarily smaller lot residential to the south and larger lot residential to the north which transitions into public lands. The location of this Wastewater Treatment Facility is the most beneficial use of this site being adjacent to surface water to discharge and directly adjacent to unbuildable parcels to the north and west.

## III. PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed this application during their regularly scheduled hearing on April 8, 2020. The Planning Commission asked for clarification about the history and origination of the parcel. Staff responded with the explanation that the parcel originated as Metes and Bounds. In 2001, it was the first Outright Exemption which created Tract A and B, Tract A being approximately four (4) acres. In 2004, a new lot was created, creating Tract C for the use of Habitat for Humanity and construction of a home supported by Grand County. The Habitat for Humanity project and proposal was eliminated, thereby eliminating the need for Tract C. Planning Commission and Staff discussed the land in Tract B was all part of a Conservation Easement and that was the original purpose for this Outright Exemption. Planning Commission unanimously recommended the approval of the 2nd Amended Tabernash Sewer Outright Exemption with the following conditions to be met:

1. Revise the Plat to combine Tract C with Tract A leaving only Tracts A and B with new boundary conditions.
2. Revise the Title of the Plat as shown [3.2 (2) (a)].
3. Show and label (including the width) the GCR 824 Right-Of-Way [3.2 (2) (e)].
4. A label where the 40’ easement is recorded shall be added to the Final Plat. [3.2 (2) (f)].
5. The dedication shall be corrected as necessary as determined by Staff and the County Attorney’s office [3.2 (2) (k)].
6. Certification by a surveyor shall be corrected [3.2 (2) (l)].
7. Certificate of approval by the Board of County Commissioners shall be corrected [3.2(2) (m)].
8. Statement of taxes due showing current taxes paid [3.2(2) (s)].
9. An electronic copy of the Outright Exemption Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided [3.2 (2) (t)].
10. The Applicant shall meet all Plat requirements and such additional information as may be required by the Grand County Board of County Commissioners.

All legal documents required in conjunction with the final approval of this request are subject to the review and acceptance of the County Attorney.

Mr. Moyer stated that this is a result of the 2016 Amended IGA between Grand County and Tabernash Meadows Water and Sanitation District. The new Tract C will be retained by Grand County. There are portions of that tract that are jurisdictional wetlands. Mr. Moyer stated that Grand County intends to use part of this land as the wetland mitigation for the Fraser Valley Parkway.

Commissioner Cimino moved to approve the 2<sup>nd</sup> Amended Tabernash Sewer Outright Exemption as presented.

The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 2:00 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 7<sup>th</sup> day of July 2020.

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Kristen Manguso, Chair

Attest:

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Sara L. Rosene, Clerk and Recorder