

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

July 6, 2021

Present: Commissioner Richard D. Cimino, Commissioner District 1
 Commissioner Merrit S. Linke, Commissioner District 2- Chair
 Commissioner Kristen Manguso, Commissioner District 3

Also Present: County Clerk and Recorder Sara L. Rosene
 County Manager Ed Moyer
 Assistant County Manager Micah Benson
 County Attorney Chris Leahy
 Assistant County Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

Commissioner Cimino moved to approve the Minutes of the Special meeting of June 24, 2021 as presented. The motion passed unanimously.

General Public Comments

None

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on July 7, 2021, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the checks presented on July 6, 2021, for payment on July 7, 2021, 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 July 7, 2021, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the vouchers presented on July 6, 2021, for payment on July 7, 2021, for the Grand County Department of Human Services. The motion passed unanimously.

Commissioner Cimino moved to approve wire payment and vouchers presented on July 6, 2021, for payment on July 7, 2021, for Grand County. The motion passed unanimously.

Pandemic and Fire Costs 7/6/2021

	COVID-19	Paid	Unbilled but expected	East Troublesome Fire Total Fire
2020 Cares Act/ETFire Reimbursement Allocation	\$701,883	\$20,388		\$20,388
Less:				
2020 Personnel costs	\$381,135	\$243,829		\$243,829
2020 Grand Foundation programs funded	\$230,000			\$
2020 Rural Health grant	\$10,000			\$
2020 Other operating costs	\$115,852	\$254,503	\$56,813	\$311,316
Total 2020 costs	\$736,987	\$498,332	\$56,813	\$555,146
Net 2020 (costs) after reimbursements	(\$35,104)	(\$477,944)	(\$56,813)	(\$534,758)
2021 Reimbursements Requested	\$ -	\$ -	\$ -	\$ -
Less:				
2021 Personnel costs	\$ 224,316	\$		\$
2021 Grand Foundation programs funded	\$			
2021 Rural Health grant	\$			
2021 Other operating costs	\$15,165	\$24,368		\$24,368
Total 2021 costs	\$239,480	\$24,368	\$ -	\$24,368
Net 2021 (costs) after reimbursements	(\$239,480)	(\$24,368)	\$ -	(\$24,368)
Total Costs after reimbursements	(\$274,584)	(\$502,313)	(\$56,813)	(\$559,126)

Unrestricted Fund Balance calculation	
2020 Operating Revenues	\$27,100,000
2020 Operating Expenditures	\$21,176,000
2020 Unrestricted Fund Balance	\$10,760,000
% of Operating Revenues	40%
% of Operating Expenses	0.51%

Departmental Contracts, Comments, Issue

Commissioner Cimino moved to approve and authorize the Chair to sign the Notice of Award for Improvements to Emily Warner Field / Granby-Grand County Airport in the amount of \$642,666. The motion passed unanimously.

Commissioner Manguso moved to approve and authorize the Chair to sign Change Order #4 for McElroy Airfield in the total amount of \$2,737,122. This increases the contract by \$2,178. The FAA is covering this entire cost. The motion passed unanimously.

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

Commissioner Cimino moved to approve and adopt the Fourth Amended Restrictive Covenants for Miller’s Inn as presented and authorize the Chair to sign. The motion passed unanimously.

Commissioner Manguso moved to approve the Subdivision Agreement of the Deed of Trust between Grand County Housing Authority and Maggie Elizabeth Dutt and Christopher Paul Mitchell Dutt for the benefit of NewREZ LLC as presented. The motion passed unanimously.

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

Commissioner Manguso moved to approve the Tavern Liquor License Renewal for Ranch Operations, Inc. dba C Lazy U Ranch as presented. The motion passed unanimously.

Commissioner Cimino moved to approve Resolution No. 2021-6-22, “A RESOLUTION GRANTING A ONE (1) YEAR EXTENSION TO THE SKETCH PLAN APPROVAL FOR THE NEW HOMESITES AT COUGAR AVENUE (FORMERLY COUGAR AT THE SUMMIT) SUBDIVISION, A PROPOSED DEVELOPMENT LOCATED IN PART OF SECTION 20 AND 21, TOWNSHIP 1 SOUTH, RANGE 76 WEST OF THE 6TH P.M., GRAND COUNTY, COLORADO” The motion passed unanimously.

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

Commissioner Cimino moved to approve Contract Amendment #3 to Contract 2020*0100 with the Colorado Department of Public Health and Environment the amendment \$21,809. The motion passed unanimously.

Commissioner Cimino moved to approve and authorize the Chair to sign the Memorandum of Understanding between Reach Out and Read and Grand County Public Health in the amount of \$217.50. The grant amount is \$195.75 and Grand County investment is \$21.75. The motion passed unanimously.

Public Health Director Abbie Baker noted that Grand County is about 61 percent vaccinated. The state lists Grand County at 63 percent of the eligible population receiving at least one dose. The current case rate is about 12.72 per 100,000. The positivity rate is 2.94.

The state is seeing a decline in cases, hospitalizations and deaths. About 73 percent of the cases are the Delta variant. It is more transmissible. About 16 percent are the Alpha variant.

If someone has a breakthrough case, the person is seeing far less severe illness. The viral load is quite a bit less than those who have not received the vaccine.

Grand County will be using earmarked funds for the incentive program to encourage people to get vaccinated.

The Board agreed to move forward with the incentive program.

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

Road and Bridge Superintendent Chris Baer stated that there was some flooding over the weekend.

Mr. Baer stated that he is having a difficult time getting magnesium chloride. He will continue working to try to get magnesium chloride but there may come a time that he will not be able to get that done this year.

Acord has finished the asphalt work. The cost will come in under the contract amount.

Commissioner Manguso moved to approve and authorize the Chair to sign the Grant Agreement with Sonoran Institute to develop drought preparedness plan communication tools in the amount of \$10,000 as presented. The motion passed unanimously.

Manager & Attorney Items

Commissioner Manguso moved to appoint Doug Doudna and Lacy Thurston as referees to the Board of Equalization.

The motion passed unanimously.

Commissioner Cimino moved to approve the 2022 Budget Preparation Letter from the Board Rich moved to approve the 2022 budget prep letter from board pending final language approval and stamped or signed outside the meeting.

The motion passed unanimously.

Consent Agenda

Resolution No. 2021-7-5, "APPROVING CONTRACT CHANGE ORDER NO. 4 TO THE AGREEMENT BY AND BETWEEN OLDCASTLE SW GROUP, INC. DBA UNITED COMPANIES AND GRAND COUNTY FOR PROJECT A.I.P. NO. 3-08-0034-017-2020 AT KREMMLING MCELROY FIELD"

Resolution No. 2021HA-7-6, "APPROVING AND AUTHORIZING THE EXECUTION OF THE FOURTH AMENDMENT TO THE AFFORDABLE HOUSING RESTRICTIVE COVENANT AND AGREEMENT BETWEEN TEVERBAUGH-HEATON ENTERPRISES, INC. AND THE GRAND COUNTY HOUSING AUTHORITY"

Resolution No. 2021HA-7-7, "AUTHORIZING THE CHAIR TO EXECUTE A SUBORDINATION AGREEMENT CONCERNING REAL PROPERTY LOCATED AT 516 EAST SPRUCE, GRANBY, COLORADO"

Resolution No. 2021-7-8, "APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN GRAND COUNTY AND REACH OUT AND READ COLORADO"

Resolution No. 2021-7-9, "APPROVING AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH SONORAN INSTITUTE FOR SERVICES RELATED TO DEVELOPING DROUGHT PREPAREDNESS PLAN COMMUNICATION TOOLS"

Resolution No. 2021-7-10, "OPENING THE 2021 COUNTY BOARD OF EQUALIZATION HEARINGS AS OF JULY 1, 2021 AND CONTINUING THE HEARINGS AS NEEDED, AND APPROVING THE APPOINTMENT OF REFEREES TO HEAR THE 2021 BOARD OF EQUALIZATION APPEALS"

Resolution No. 2021-7-11, "APPROVING AND AUTHORIZING EXECUTION OF A NOTICE OF AWARD AND AGREEMENT WITH KIEWIT INFRASTRUCTURE CO. FOR TAXILANE PROJECT AIP NO. 3-08-0075-014-2021 AT EMILY WARNER FIELD/GRANBY – GRAND COUNTY AIRPORT"

Resolution No. 2021-7-12, "APPROVING CONTRACT AMENDMENT #3 TO THE TASK ORDER CONTRACT BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND GRAND COUNTY FOR EMERGENCY PREPAREDNESS ACTIVITIES"

Resolution No. 2021-7-13, "APPROVING A REQUEST FOR REIMBURSEMENT FROM THE USDA, NATURAL RESOURCES CONSERVATION SERVICE (NRCS), PURSUANT TO THE GRANT AWARD

AND AGREEMENT (PROJECT 5085) RELATED TO EMERGENCY WATERSHED PROTECTION MEASURES”

Commissioner Cimino moved to approve Consent Agenda.
The motion passed.

Board Business / Correspondence / Calendar

Commissioner Manguso moved to authorize the Board to sign a letter to Elijah Waters at Bureau of Land Management for Northwest Resource Advisory Council nomination of Merrit Linke.
The motion passed unanimously.

Commissioner Manguso moved to approve the following resolutions:

Resolution No. 2021-7-1, “AMENDING RESOLUTION NO. 2020-1-6, TO CORRECT THE NUMBER ON BEGINNING OF THE YEAR RESOLUTION CONTINUING THE POSITION OF COUNTY ATTORNEY TO SERVE AT THE PLEASURE OF THE BOARD OF COUNTY COMMISIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO”

Resolution No. 2021-7-2, “AMENDING RESOLUTION NO. 2020-1-20 TO CORRECT THE NUMBER ON BEGINNING OF THE YEAR RESOLUTION APPROVING APPOINTMENTS OF REPRESENTATIVES TO THE NORTHWEST COLORADO COUNCIL OF GOVERNMENTS MEMBERS’ MEETINGS”

Resolution No. 2021-7-3, “AMENDING RESOLUTION NO. 2020-1-21 TO CORRECT THE NUMBER ON RESOLUTION APPROVING “TASK ORDER D” AS AN ATTACHMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN ARMSTRONG CONSULTANTS, INC. AND GRAND COUNTY”
The motion passed unanimously.

Calendar

Meetings commissioners attended:

- Update to the town of Granby (Commissioner Linke)
- Monthly meeting with Agriculture Commissioners (Commissioner Linke)
- Armstrong Airport workshop (attended by all three commissioners)
- Fly In at Granby Airport (attended by all three commissioners)

- July 7 Interview with KFFR regarding Health Care update at 9:30 am
- July 7 Peak Health Alliance Steering Committee meeting 1 pm to 2 pm via Zoom
- July 7 Fraser Town Board meeting at 5:30 pm
- July 8 UCC meeting at Java Lava at 7:30 am
- July 9 STAC meeting
- July 8-9 Club 20 Summer Policy Committee Meetings (Week 1 of 2) in Montrose
- July 8-12 National Association of Counties (NACo) Annual Conference in Prince George County, Maryland
- July 12 Mayors / Managers / Commissioners Meeting with Grand Lake as Host, 10 to 11:30 am at the Grand Lake Community House
- July 14 Opioid Summit 1:00 pm via Zoom
- July 15 NACo West Region Conference Call 2 to 3:30 pm

Fire Recovery

Commissioner Manguso moved to approve and authorize the Chair to sign the Request for Reimburse for USDA NRCS in the amount of \$58,676.63 and authorize County Manager Ed Moyer to sign any request for advance for reimburse to the USDA NRCS. The Board also authorizes the County Manager to sign the landowner agreements.
The motion passed unanimously.

Assistant County Manager Micah Benson stated that highest priority projects are moving to the design phase.

Aspen View Estates Subdivision Exemption Sketch Plan

Project Name: Aspen View Subdivision Exemption – Sketch Plan
Applicant: Ladd Properties, LLC represented by Roger Ladd

Location: Government Lot 2 Section 35, Township 1 North, Range 76 W of the 6th PM Zoning Forest and Open District

Applicable

Regulations: Grand County Zoning Regulations, Grand County Subdivision Exemption Regulations

Attachments:

- A. Development Application
- B. Project Narrative Letter
- C. Proposed Subdivision Exemption Final Plat
- D. Vicinity and Detail Maps

Staff Planner: Robert Davis, AICP, SMP and Alexander Taft, LEED Green Associate

Request: The Applicant is proposing a three (3) lot Subdivision Exemption.

Background

Proposal

The applicant, Ladd Properties LLC, is proposing to subdivide a 42.3-acre parcel into three lots. Lot 1 will be 11.428 acres, Lot 2 will be 14.78 acres and Lot 3 will be 13.388 acres totaling roughly 39.6 acres. Outlots A-F total approximately 2.8 acres. There will also be a 60-foot easement to accommodate an access that will also be shared by the roughly 42-acre parcel directly to the south and identified as the proposed Tabernash Highlands Subdivision Exemption (also to be presented on July 6th). The proposed lots are accessed by a single road which travels north to south approximately 2,000' and allows several points for turnaround for emergency and personal vehicles alike. The proposed road will connect to County Road 854. The proposed length of the subject new street is 2,000 feet and will require a variance if the block length requirement cannot be met.

The Sketch Plan shows Outlots A-F. The Planning Commission reminded the applicant that the Grand County Subdivision Exemption Regulations outline the process of how to divide land on a small scale into a maximum of three (3) single family residence lots with one (1) single-family residential unit per lot. As such, the Planning Commission is requiring the applicant to combine outlots with Lots 1-3 for the Final Plat. The applicant states the outlets shown are encroachments as the result of poor past surveying. They are looking to sell the outlots to adjacent owners to solve the encroachments. They created outlots to make it easy to resolve any encroachments from neighbors or open space tracts. The Planning Commission added that the applicant should show Federal survey lines on the Final Plat.

Well permits for the domestic well will be converted to three (3) household wells. Electric power and utilities will be installed underground. Preliminary geotechnical engineering, On-site Wastewater Treatment Systems feasibility have been analyzed and roadway pavement sections have been designed.

The subject property has recently been divested to two entities holding approximately 40 acres each. The previous owner, Grand Enclave, presented several proposals between 2005 and 2008 which were reviewed by Grand County but were never finalized. Those proposals considered approximately 42 acres and contained a maximum of three lots consistent with the Minor Subdivision Regulations, which have since been repealed.

HISTORY

The subject property has recently been divested to two entities holding approximately 40 acres each. The previous owner, Grand Enclave, presented several proposals between 2005 and 2008 which were reviewed by Grand County but were never finalized. Those proposals considered approximately 42 acres and contained a maximum of three lots consistent with the Minor Subdivision Regulations, which have since been repealed.

As referenced in a previous Staff recommendation dated October 17, 2006, the property was formerly a property owned by the U.S. Bureau of Land Management (BLM) as an "in holding" and acquired as part of a land exchange process. In 2006, a proposed Minor Subdivision Preliminary Plat was reviewed and approved by Grand County but did not proceed because of the economic recession.

There was previous discussion pertaining to Grand Enclave about a potential for a fire suppression cistern as required by Grand Fire Protection District No. 1. The Planning Commissioners asked about the location of a possible 30,000-gallon cistern as there have been several other located in the area over the past decade. It was discussed to locate the proposed cistern in the center of the site. The Applicant stated that they were working with the Fire District to find the best location.

During the Grand Enclave presentation, the Planning Commission also discussed and questioned where buildable areas would be, the issue of previous encroachments with Federal lands, the impact of the proposal on view corridors, a possible trail connection south of the property running through the proposed open space and review of the proposal by the Headwaters Trails Alliance.

GRAND ENCLAVE REPORTS

Traffic Impact Analysis by Gagnon & Hayne dated January 11, 2007 reviews the conditions of the road network leading to the proposed development and estimated traffic volumes. The Analysis reports approximately 60% of total build out at this point.

A letter provided by JVA Consulting Engineers dated January 31, 2007 notes the single access. Comments were made about requests for variance to both the single point of access and distance of turnarounds which are still applicable today.

The Application narrative describes the natural drainage on site leading to Silver Creek to the south as a collector to the Fraser River Basin. Phase I Drainage Report by Gagnon & Hayne dated January 11, 2007, report that the site overlaps five historic drainage basins in the area. The soils and drainage are generally suitable for construction. There is potential for impacts to one drainage basin which would lead to greater than historic flows and the requirement of a detention basin.

STAFF ANALYSIS

The surrounding area is characterized by single family detached homes on large lots with the exception of large vacant open space parcels directly to the west. The single dwelling per parcel subdivisions include Winter Park Highlands Unit 5, Winter Park Highlands Greenridge, and Tabernash Village West. These were all developed between 1970 and 1980 and to date are not entirely built out. The density of the proposed development is low at approximately .07 du/acre compared to the roughly .25 du/acre of surrounding developments. Significant features important to current development is the location of open space or "park" tracts which border the subject property and could be an important open space connection for trails or drainage. These tracts are under private ownership, not public or a homeowners association.

The use of well and septic is expected, since there is no public water or sewer within a feasible proximity to create extension. A plat note will be provided stating septic inspection ports will be required to be installed with every septic system.

With available water, Staff finds this use to be appropriate for the area. The site is located in Tabernash Rural Growth Area #1 of the Master Plan.

Staff requires the developer place a plat note to consider design concerns by careful site planning of proposed structures to be inconspicuous or not immediately obvious and blend in with natural surroundings, to avoid building structures on ridge areas, to provide earthen tone colors for buildings and to incorporate dark sky lighting in any development.

The primary reason for the decision to go with a single road access is that the access to roads below the proposed development to the south are very steep and could not meet the grades in the Road and Bridge Standards. The Sketch Plan will be reviewed by the County Engineer prior to the Final Plat submission.

As referenced in the Grand Enclave submission, there is potential for impacts to one drainage basin which would lead to greater than historic flows and the requirement of a detention basin. The determination of a detention basin will be required prior to submission of the Final Plat.

IV. PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends approval of the Aspen View Subdivision Exemption Sketch Plan with the following 17 conditions to be met prior to submitting an application for Final Plat approval:

1. The applicant is required to combine outlots with Lots 1-3 for the Final Plat.
2. The applicant should show Federal survey lines on the Final Plat.
3. The Sketch Plan will be reviewed by the County Engineer prior to the Final Plat submission.
4. The areas in excess of 30% grade or greater shall be noted on the final plat as nondevelopment zones [2.1 (1&2)].
5. A geotechnical soils analysis shall be completed and submitted with the Final Plat [2.1(5)].
6. Cul-de-sacs, turnarounds areas, street widths, grades and driveway requirements shall follow Road and Bridge Standards as well as comply with fire district requests [2.2 (1-11)].
7. Utility easements shall be reviewed by MPEI, Xcel, CenturyLink, and Comcast. A plat note stating: All utilities shall be placed underground where not already existing [2.2 (12)].
8. An explanation of adequate supply created by a water resource engineer or water resource attorney shall be provided prior to Final Plat review by the Board of County Commissioners pursuant to §29-20-103 (§29-20-304) Colorado Revised Statutes [2.5(3a)].
9. A letter shall be sent to the East Grand School District for a decision on their preference in receiving lands or fees in lieu [2.10].

10. A plat note should be added on the Final Plat stating the plat drawing depicting the subdivision exemption will be on two pages.

11. The title on the Final Plat shall be reviewed by the County Attorney.

12. The Final Plat shall also include, owner and/or engineer of the proposed division [3.2(2)(c)].

13. The Final Plat shall include the location and principal dimensions for all existing streets (including their names) width of adjacent private and County Right-of-Way. [3.2(2) (f)].

14. All impact fees, water quality fees and school fees shall be paid prior to recording the Final Plat.

15. Statement of taxes due showing current taxes paid. This shall be provided prior to recording of the Final Plat.

16. The applicant shall meet all Final Plat requirements.

17. Any encroachment will be resolved before submission of the Final Plat.

Additionally, the following requirements are recommended to be met prior to the submission of a Final Plat:

18. The proposed length of the subject new street is 2,000 feet and will require a variance if the block length requirement cannot be met.

19. A plat note will be provided stating septic inspection ports will be required to be installed with every septic system.

20. The developer is required place a plat note to consider design concerns through careful site planning of proposed structures to be inconspicuous or not immediately obvious and to blend in with natural surroundings, to avoid building structures on ridge areas, to provide earthen tone colors for buildings and to incorporate dark sky lighting in any development.

21. The determination of a detention basin will be required prior to submission of the Final Plat.

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 suggested that Condition 1 should be changed to say that the applicant is required to create outright exemption lots. The applicant can make it part of the sub-exemption lot (and label as outright exemptions) or do a separate outright exemption plat.

A note needs to be added to the plat that single family residences and accessory structures only on each lot.

Mr. Moyer stated that this needs to contain a condition that all standard plat notes be on the plat.

The Board suggested that no-build zones be added so that buildings will be placed back from the ridgeline.

Commissioner Manguso moved to the Aspen View Estates Subdivision Exemption Sketch Plan as presented with the added conditions:

1. Condition 1 should be changed to say that the applicant is required to create outright exemption lots.

The applicant can make it part of the sub-exemption lot (and label as outright exemptions) or do a separate outright exemption plat.

2. A note needs to be added to the plat that single family residences and accessory structures only on each lot.

3. This needs to contain a condition that all standard plat notes be on the plat.

4. No-build zones be added so that buildings will be placed back from the ridgeline.

The motion passed unanimously.

Commissioner Linke left the meeting due to a commitment of a meeting in Kremmling.

Commissioner Manguso moved to appoint Rich Cimino as the Chair for the remainder of the meeting.

The motion passed unanimously.

Tabernash Highlands Subdivision Exemption Sketch Plan

Project Name: Tabernash Highlands Subdivision Exemption – Sketch Plan
Applicant: Tabernash Highlands, LLC, represented by Brad Smith
Location: NW ¼, SW ¼ of Section 35, Township 1 North, Range 76 West of the 6th P.M. Zoning Forest and Open District

Applicable

Regulations: Grand County Zoning Regulations, Grand County Subdivision Regulations, Grand County Outright Exemption Regulations

Attachments:

- A. Development Application
- B. Project Narrative Letter
- C. Proposed Subdivision Exemption Final Plat
- D. Vicinity and Detail Maps

Staff Planner: Robert Davis, AICP, SMP, and Alexander Taft, LEED Green Associate
Request: The Applicant is proposing a three (3) lot Subdivision Exemption.

I. BACKGROUND

a. PROPOSAL

The applicant Tabernash Highlands LLC represented by Brad Smith, is proposing to subdivide a 42-acre parcel into three lots. Lot 4 will be 10.7 acres, Lot 5 will be 17.78 acres and Lot 6 will be 12.4 acres totaling roughly 40.9 acres. Outlots G-H total approximately 1.15 acres. There will also be a 60-foot easement at the NW portion of the site to accommodate an access that will also be shared by the 43-acre parcel directly to the north and identified as the proposed Aspen View Subdivision Exemption (also to be presented on July 6th). The proposed lots are accessed by a proposed single road which from the northwest which extends from County Road 854 approximately 2,000' to the north and allows several points for turnaround for emergency and personal vehicles alike.

The Sketch Plan shows Outlots G-H. The Planning Commission reminded the applicant that the Grand County Subdivision Exemption Regulations outline the process of how to divide land on a small scale into a maximum of three (3) single family residence lots with one (1) single-family residential unit per lot. As such, the Planning Commission is requiring the applicant to rename Lots 4-6 to Lots 1-3 and combine outlots with Lots 1-3 for the Final Plat. The applicant states the outlets shown are encroachments as the result of poor past surveying. They are looking to sell outlots to adjacent owners to solve the encroachments. They created outlots to make it easy to resolve any encroachments from neighbors or open space tracts. The Planning Commission added that the applicant should show Federal survey lines on the Final Plat. Well permits for the domestic well will be converted to three (3) household wells. Electric power and utilities will be installed underground. Preliminary geotechnical engineering, On-site Wastewater Treatment Systems feasibility have been analyzed and roadway pavement sections have been designed.

There is a 2.5 feet wide trail easement identified on the southern portion of what are now Lots 5 and 6 (will be renamed to Lots 2 and 3 on the Final Plat).

The subject property has recently been divested to two entities holding approximately 40 acres each. The previous owner, Grand Enclave, presented several proposals between 2005 and 2008 which were reviewed by Grand County but were never finalized. Those proposals considered approximately 42 acres and contained a maximum of three lots consistent with the Minor Subdivision Regulations, which have since been repealed.

The site is located in Tabernash Rural Growth Area #1 of the Master Plan.

a. HISTORY

The subject property has recently been divested to two entities holding approximately 40 acres each. The previous owner, Grand Enclave, presented several proposals between 2005 and 2008 which were reviewed by Grand County but were never finalized. Those proposals considered approximately 42 acres and contained a maximum of three lots consistent with the Minor Subdivision Regulations, which have since been repealed.

As referenced in a previous Staff recommendation dated October 17, 2006, the property was formerly a property owned by the U.S. Bureau of Land Management (BLM) as an "in holding" and acquired as part of a land exchange process. In 2006, a proposed Minor Subdivision Preliminary Plat was reviewed and approved by Grand County but did not proceed because of the economic recession.

There was previous discussion pertaining to Grand Enclave about a potential for a fire suppression cistern as required by Grand Fire Protection District No. 1. The Planning Commissioners asked about the location of a possible 30,000-gallon cistern as there have been several other located in the area over the past decade. It was discussed to locate the proposed cistern in the center of the site. The Applicant stated that they were working with the Fire District to find the best location.

During the Grand Enclave presentation, the Planning Commission also discussed and questioned where buildable areas would be, the issue of previous encroachments with Federal lands, the impact of the proposal on view corridors, a possible trail connection south of the property running through the proposed open space and review of the proposal by the Headwaters Trails Alliance.

b. GRAND ENCLAVE REPORTS

Traffic Impact Analysis by Gagnon & Hayne dated January 11, 2007 reviews the conditions of the road network leading to the proposed development and estimated traffic volumes. The Analysis reports approximately 60% of total build out at this point.

A letter provided by JVA Consulting Engineers dated January 31, 2007 notes the single access. Comments were made about requests for variance to both the single point of access and distance of turnarounds which are still applicable today.

The Application narrative describes the natural drainage on site leading to Silver Creek to the south as a collector to the Fraser River Basin. Phase I Drainage Report by Gagnon & Hayne dated January 11, 2007, report that the site overlaps five historic drainage basins in the area. The soils and drainage are generally suitable for construction. There is potential for impacts to one drainage basin which would lead to greater than historic flows and the requirement of a detention basin.

II. STAFF ANALYSIS

The surrounding area is characterized by single family detached homes on large lots with the exception of large vacant open space parcels directly to the west. The single dwelling per parcel subdivisions include Winter Park Highlands Unit 5, Winter Park Highlands Greenridge, and Tabernash Village West. These were all developed between 1970 and 1980 and to date are not entirely built out. The density of the proposed development is low at approximately .07 du/acre compared to the roughly .25 du/acre of surrounding developments. Significant features important to current development is the location of open space or "park" tracts which border the subject property and could be an important open space connection for trails or drainage. These tracts are under private ownership, not public or a homeowners association.

The use of well and septic is expected, since there is no public water or sewer within a feasible proximity to create extension. A plat note will be provided stating septic inspection ports will be required to be installed with every septic system.

With available water, Staff finds this use to be appropriate for the area. The site is located in Tabernash Rural Growth Area #1 of the Master Plan.

Staff requires the developer place a plat note to consider design concerns by careful site planning of proposed structures to be inconspicuous or not immediately obvious and blend in with natural surroundings, to avoid building structures on ridge areas, to provide earthen tone colors for buildings and to incorporate dark sky lighting in any development.

The primary reason for the decision to go with a single road access is that the access to roads below the proposed development to the south are very steep and could not meet the grades in the Road and Bridge Standards. The Sketch Plan will be reviewed by the County Engineer prior to the Final Plat submission.

As referenced in the Grand Enclave submission, there is potential for impacts to one drainage basin which would lead to greater than historic flows and the requirement of a detention basin.

The determination of a detention basin will be required prior to submission of the Final Plat.

IV. STAFF RECOMMENDATION

The Planning Commission recommends the approval of the Tabernash Highlands Subdivision Exemption Sketch Plan with the following 20 conditions to be met prior to submitting an application for Final Plat approval:

1. The applicant is required to rename Lots 4-6 to Lots 1-3 and combine outlots with Lots 1-3 for the Final Plat.
2. The applicant should show Federal survey lines on the Final Plat.
3. The Sketch Plan will be reviewed by the County Engineer prior to the Final Plat submission.
4. The areas in excess of 30% grade or greater shall be noted on the final plat as nondevelopment zones [2.1 (1&2)].
5. A geotechnical soils analysis shall be completed and submitted with the Final Plat [2.1 (5)].
6. Cul-de-sacs, turnarounds areas, street widths, grades and driveway requirements shall follow Road and Bridge Standards and Fire District approval [2.2 (1-11)].
7. Utility easements shall be reviewed by MPEI, Xcel, CenturyLink, and Comcast. A plat note stating: All utilities shall be placed underground where not already existing [2.2 (12)].
8. An explanation of adequate supply created by a water resource engineer or water resource attorney shall be provided prior to Final Plat review by the Board of County Commissioners pursuant to §29-20-103 (§29-20-304) Colorado Revised Statutes [2.5 (3a)].
9. A letter shall be sent to the East Grand School District for a decision on their preference in receiving lands or fees in lieu [2.10].
10. The title on the Final Plat shall be reviewed by the County Attorney.
11. The Final Plat shall also include, owner and/or engineer of the proposed division [3.2(2) (c)].
12. The Final Plat shall include the location and principal dimensions for all existing streets (including their names) width of adjacent private and County Right-of-Way. [3.2(2) (f)].

13. All impact fees shall be paid prior to recording the Final Plat.
 14. Statement of taxes due showing current taxes paid. This shall be provided prior to recording of the Final Plat.
 15. The applicant shall meet all Final Plat requirements.
 16. All encroachments shall be resolved prior to Final Plat.
 17. An easement agreement shall be established for the private road prior to Final Plat submission.
 18. An easement agreement between the HOA and the applicant be provided once an agreement has been reached.
 19. Standard plat note that the Subdivision Exemption is limited to three (3) lots as per the regulations.
 20. The plat title should reflect the application name.
- Additionally, the following requirements are recommended to be met prior to the submission of a Final Plat:
21. The proposed length of the subject new street is 2,000 feet and will require a variance if the block length requirement cannot be met.
 22. A plat note will be provided stating septic inspection ports will be required to be installed with every septic system.
 23. The developer is required place a plat note to consider design concerns through careful site planning of proposed structures to be inconspicuous or not immediately obvious and to blend in with natural surroundings, to avoid building structures on ridge areas, to provide earthen tone colors for buildings and to incorporate dark sky lighting in any development.
 24. The determination of a detention basin will be required prior to submission of the Final Plat.
- All legal documents required in conjunction with the final approval of this request are subject to the review and acceptance of the County Attorney.

Commissioner Manguso moved to the Tabernash Highlands Subdivision Exemption Sketch Plan as presented with the added conditions:

1. Condition 1 should be changed to say that the applicant is required to create outright exemption lots. The applicant can make it part of the sub-exemption lot (and label as outright exemptions) or do a separate outright exemption plat.
 2. A note needs to be added to the plat that single family residences and accessory structures only on each lot.
 3. This needs to contain a condition that all standard plat notes be on the plat.
 4. No-build zones be added so that buildings will be placed back from the ridgeline.
- The motion passed.

Marijuana License Renewal – RM Concepts, LLC, Medical Marijuana Infused Product Manufacturer License

Commissioner Manguso moved to approve the request for renewal of the Medical Marijuana Infused Product Manufacturer License for RM Concepts as presented by Clerk and Recorder Sara Rosene.
The motion passed.

Public Hearing – Special Events Permit, Liquor License, Granby Rotary Club

Clerk and Recorder Sara Rosene stated that the location for the Special Events Permit for Granby Rotary Club at Flying Heels Arena, 62819 US Highway 40, Granby on September 4 from 5 pm to 11 pm and September 5 from 5 pm to 10 pm has been posted.

Because not remonstrances have been received, Ms. Rosene recommended the hearing be cancelled and the permit be approved.

Commissioner Manguso moved to approve the request for the Special Events Permit for Granby Rotary Club at Flying Heels Arena, 62819, US Highway 40, Granby on September 4 from 5 pm to 11 pm and September 5 from 5 pm to 11 pm
The motion passed unanimously.

Marijuana License Renewal – Highway 40, LLC dba Bonfire Cannabis Company

Withdrew upon request of the County Clerk.

Chief Information Security Officer Quarterly Update

Presented by Chief Security Officer Thomas Johnson:

2021 Monthly Newsletters

April

- Laptop Battery Safety Notice
- 10-Digit Local Dialing Notice
- 2021 Awareness Training Update
- Information Security Concern Form
- Information Security Manual Awareness
- Grand County Password Manager Update
- Personal Home Password Manager Update

May

- Good Password Guidance
- Fraudulent texting, calling, and voicemails
- 2021 Awareness Training Update
- Psychology of Persuasion
- Information Security Manual Awareness
- Grand County Password Manager Update
- Warning Signs of a Phishing Email

June

- Account Self-Service Awareness
- Grand County Password Manager
- 2021 Awareness Training Update

Sampling of Security Indicators

- MDBR is blocking ~20K internal initiated connections a week
- Proofpoint is blocking~4kSpam,100 Phish, and 30viruses per month.
- Firewall is blocking~580k outbound attempts a week
- Top 3 Categories: Information Technology, Games, and Multimedia
- Firewall is blocking~65 external attacks per week
- We have a vulnerable service awaiting migration by vendor
- We believe current mitigation will isolate damage if compromised.
- Our end-user patch management practices are insufficient
- We are currently deploying a solution to remediate this.
- Our phish-prone percentages are too high.
- Not all employees have completed cybersecurity awareness training

Ransomware Risk Analysis

Threat Scope

A single PC (PCX) is infected with malware/ransomware after having been accessed for a week by a threat actor.

Impact Scope

Over a week period the threat actor has gained business operations intelligence, any login/password combinations used, and information typed by the team member using the computer. The computer and all county hosted file shares accessible have been encrypted and are unusable.

Organizational Risk

Analysis of this scenario accounted for the current volume of emails received and websites visited on a daily basis, the probability of those that are able to evade our current protections, the current phish-prone percentage of 6% and additional security mechanisms that have an influence on protecting from this type of attack. The primary loss was estimated at 258 hours of response and productivity, \$5M in wired funds, with the frequency of secondary loss estimated at 106 hours and civil liabilities of \$95K (0.2% of revenue).

There being no further business to come before the Board, the meeting was adjourned at 12:15 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 13th day of July 2021.

Merrit Linke, Chair

Attest:

Sara L. Rosene, Clerk and Recorder