

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

July 26, 2022

Present: Commissioner Richard D. Cimino, Commissioner District 1 (absent)
Commissioner Merrit S. Linke, Commissioner District 2
Commissioner Randal F. George, Commissioner District 3

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

Those present recited the Pledge of Allegiance.

Approval of Board Minutes

Commissioner George moved to approve the minutes of the Regular Board of Commissioners meeting of July 19, 2022, as presented.

The motion passed.

General Public Comments

Mariette McGrath provided a special acknowledgment of the wonderful life of Betty Cranmer.

Finance

Commissioner George moved to approve the request for the extension of time to file the audit for the year ending December 31, 2021 only and authorize the Chair to sign.

The motion passed.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on July 27, 2022, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner George moved to approve the checks presented on July 26, 2022, for payment on July 27, 2022, for the Grand County Housing Authority.

The motion passed.

Commissioner George moved to approve the vouchers presented on July 26, 2022, for payment on July 27, 2022, for the Grand County Department of Human Services.

The motion passed.

Commissioner George moved to approve wire payment and vouchers presented on July 26, 2022, for payment on July 27, 2022, for Grand County.

The motion passed.

Departmental Contracts, Comments, Issues

Commissioner George moved to approve the Certificate of Authorization to update the signatories on agreement with Bank of the West.

The motion passed.

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

Commissioner George moved to approve the Space Lease for Grand Living Senior Homes with CSC Services, Inc. for the laundry facility and authorize the Chair to sign.

The motion passed.

Commissioner George moved to approve the Commercial Washer and Dryer Rental Agreement with CSC Services Works Inc for the rental of the washers and dryers at Silver Spruce Apartments and authorize the Chair to sign.

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

Emergency Management Director Joel Cochran presented.

BACKGROUND

On June 7, 2022 the BOCC approved the issuance of a Request for Proposal (RFP) to solicit proposals from qualified firms to update the CWPP. On June 10, the RFP was posted with a closing date of July 5, 2022.

Three proposals were received and opened on July 6 at 8:30am at the County Office Building, by Assistance County Manager Micah Benson and EM Director Joel Cochran.

Firm	Proposal Price	Optional Price
SWCA Environmental Consultants	\$129,320.75	\$135,096.75
CGRS, Incorporated	\$84,955.25	
Willow Labs, Incorporated	\$144,00	

EM assembled a review panel consisting of representatives from Grand and East Grand Fire Districts, Grand County Department of Natural Resources, Grand County Wildfire Council, and Emergency Management.

The panel reviewed the proposals and selected SWCA as the preferred firm to update the CWPP. The panel agreed SWCA provided the best project task list addressing the scope of work, plus capability and experience of the firm to complete the work. The panel ranked the second selected firm was CGRS, Incorporated.

CURRENT SITUATION

The selected firm’s pricing is over the budgeted amount of the grant award of 92,500.00. To close the funding shortage the following is proposed increasing contributions from Grand County, and adding contributions from Grand Fire and the Grand Foundation.

Funding Source	Original Commitment	Sub-Total	New Commitment	Total
AIM Grant	\$46,250.00			
Fire Districts	\$30,000.00			
Grand County	\$16,250.00	\$92,500.00	\$10,000.00	
Grand Fire			\$15,000.00	
Grand Foundation			\$20,000.00	\$45,000.00

STAFF REQUEST

EM is looking for direction from the BOCC on this recommendation.

Commissioner George moved to authorize the additional funding on behalf of Grand County in the amount of not more than \$10,000 as proposed by the Director of Emergency Management for the Community Wildfire Protection Plan.

The motion passed.

Undersheriff Wayne Sheriff requested to purchase a UTV that will be paid for by the Forest Service and Northern through the annual agreement.

Commissioner George moved to authorize the purchase of the UTV for the amount of \$9,000 as presented. The motion passed.

Commissioner George moved to approve Resolution No. 2021-8-32, “A RESOLUTION APPROVING THE CORNERSTONE CONCRETE BATCH PLANT SPECIAL USE PERMIT THAT ALLOWS FOR A MOBILE CONCRETE BATCH PLANT LOCATED AT 566 GRAND COUNTY ROAD 721” and authorize the Chair to sign all applicable documents.

The motion passed.

Commissioner George moved to approve Resolution 2022-6-22, “A RESOLUTION CORRECTING RESOLUTION NO. 2022-6-21 RECORDED AT RECEPTION NO. 2022006133 WHICH APPROVED THE AMENDED FINAL PLAT OF CABINS AT PORCUPINE RIDGE, BEING A REPLAT OF THE OPEN SPACE OF FINAL PLAT, THE CABINS AT PORCUPINE RIDGE AT RECEPTION NO. 2004015121 LOCATED IN SECTION 20, TOWNSHIP 1 SOUTH, RANGE 75 WEST OF THE 6TH P.M. COUNTY OF GRAND, STATE OF COLORADO”

The motion passed.

Commissioner George moved to approve Resolution No. 2022-7-10, "A RESOLUTION GRANTING APPROVAL OF A SPECIAL USE PERMIT FOR EMORE INC. PERMITTING OUTDOOR STORAGE OF HEAVY EQUIPMENT LOCATED IN THE FORESTRY AND OPEN DISTRICT ON LOTS 25, BLOCK 4, BLUE VALLEY ACRES (FILING 1) SUBDIVISION" and authorize the Chair to sign applicable documents. The motion passed.

Commissioner George moved to approve Resolution No. 2022-6-23, "A RESOLUTION GRANTING APPROVAL OF THE SIMMONS MINOR SUBDIVISION, LOCATED IN SIXTEENTH: SW QUARTER: NE S:26 T: 3N R: 76W 17.28 AC+/- SW4NE4 & NW4SE4 SEC 26 TOWNSHIP 3 NORTH, RANGE 76 WEST SIXTEENTH; NW QUARTER: SE S:26 T: 3N RANGE 76 WEST THE OF THE 6TH P.M. GRAND COUNTY, COLORADO" and authorize the Chair to sign all applicable documents. The motion passed.

Manager and Attorney Items

County Manager Ed Moyer stated that the construction document approval has not been signed by NRCS with regard to the Windy Gap Connectivity Channel. It is anticipated that it will be signed this week. The goal is for the full notice to proceed from Northern Water to the contractor. The limited notice to proceed that was over \$1 million that was issued by Northern Water with the contractor out there today, all of that spending cannot be reimbursed from NRCS. Those are project expenses. Those have been fronted by Northern Water.

Senator Bennet is planning a ground breaking on Tuesday, August 23. Mr. Moyer has requested that the ground breaking be scheduled for noon or 1 pm.

Mr. Moyer stated that at the Colorado Basin Roundtable, there was a CWCB water plan presentation. There was a discussion with regard to analyzing snowpack.

The CWCB Board just authorized \$17 million to be moved to the WSRF Fund that would partially go to the roundtables and to the Water Plan Grants.

CWCB also went through Wildfire Ready Watershed discussion in that program.

There were presentations on a couple of projects that will be coming back to the roundtable for funding that apply to the Water Plan Grants; one was the Grand Valley Water Users (\$8 million project at the roller dam) and City of Grand Junction on gravel pit and reservoir letter of support.

The roundtable also discussed the public education outreach.

Commissioner George moved to approve Resolution No. 2022-7-8, "APPOINTING A GRAND COUNTY FIRE CODE OFFICIAL" Kristen Manguso.

The motion passed.

Commissioner George moved to approve Resolution No. 2022-7-9, "APPOINTING A GRAND COUNTY BUILDING CODE OFFICIAL" Kristen Manguso.

The motion passed.

County Attorney LaBarre-Krostue reported that Grand County was served with a summons and complaint with regard to a case in Rabbit Ears Village involving a conservation easement. The Colorado Cattlemen's Agricultural Land Trust is the holder of the conservation easement. Grand County has no interest in the case. County Attorney LaBarre-Krostue requested a motion to authorize the Chair to sign a disclaimer.

Commissioner George moved to approve and authorize the Chair to sign the disclaimer with regard to Case Number 2022CV30045.

The motion passed.

Consent Agenda

Resolution No. 2022-07-07, "APPROVING AND ADOPTING A BUSINESS CORRESPONDENCE POLICY"

Commissioner George moved to approve the Consent Agenda.
The motion passed.

Colorado River Water Conservation District Update – Mike Ritschard

Mike Ritschard presented:

A. BACKGROUND

The Colorado River Water Conservation District was created by the Colorado General Assembly in 1937. The River District boundary includes all or parts of 15 West Slope counties and encompasses all of the Colorado River main-stem, Yampa, White, Green, Gunnison, Uncompahgre river drainages and part of the Dolores River drainage within the state of Colorado.

Under the 1937 legislation, the River District included Summit, Eagle, Garfield, Mesa, Pitkin, Delta, Gunnison and Montrose Counties. In 1955, Grand; Moffat, Routt, Rio Blanco and Ouray Counties joined the District and in 1961, the portions of Hinsdale and Saguache Counties within the Colorado River Basin became a part of the River District.

Within Colorado, there are three other water conservation districts, the Southwestern Water Conservation District, which was created in 1941, the Rio Grande Water Conservation District, created in 1961, and the Republican River Water Conservation District created in 2004.

B. GENERAL POWERS AND MISSION

The River District's general powers and mission are described in its legislative charter. The legislative declaration states:

37-46 101, Legislative declaration. "In the opinion of the general assembly of the state of Colorado, the conservation of the water of the Colorado river in Colorado for storage, irrigation, mining, and manufacturing purposes and the construction of reservoirs, ditches, and works for the purpose of irrigation and reclamation of additional lands not yet irrigated, as well as to furnish a supplemental supply of water for lands now wider irrigation, are of vital importance to the growth and development of the entire district and the welfare of all its inhabitants and that, to promote the health and general welfare of the state of Colorado, an appropriate agency for the conservation, use, and development of the water resources of the Colorado river and its principal tributaries should be established and given such powers as may be necessary to safeguard for Colorado, all waters to which the state of Colorado is equitably entitled under the Colorado river compact."

The statute gives the River District broad powers to carry out its declaration. These powers are described in detail in CRS 37-46-107 (a) and through (l). In general, the River District can appropriate water rights, litigate water matters, enter into contracts, hold real property, operate projects and perform other functions as needed to meet the present and future water needs of the District.

Mission Statement

To lead in the protection, conservation, use and development of the water resources of the Colorado River basin for the welfare of the District, and to safeguard for Colorado all waters of the Colorado River to which the state is entitled.

C. BOARD OF DIRECTORS

The District's legislation states that the District shall be managed and controlled by a board of 15 directors, one from each of the 15 member counties. Board members are appointed by the board of county commissioners from each county and serve three year terms. Each January five board members are up for appointment. In January 2021 those counties were Garfield, Gunnison, Montrose, Ouray, and Rio Blanco Counties.

The Board elects a president and vice president and appoints a secretary (normally the General Manager) and treasurer. In 2002, the Board adopted a two-term limit commencing in 2003, for its president and vice president.

The Board utilizes committees as necessary. The duties of the officers and procedures for committee meetings are further described in the District bylaws.

Regular Board meetings are traditionally held in Glenwood Springs beginning on the third Tuesday of January, April, July and October and run one or two days. For 2022 the start dates are:

The Board also holds special meetings and tours as necessary, including a budget workshop typically scheduled in mid-September.

D. RESOURCES

The available River District resources include its water resources (projects, contracts, absolute and conditional water rights), staff resources and budget resources.

The River District owns and operates two reservoir projects, Wolford Mountain Reservoir, located on Muddy Creek in the Colorado River Basin north of Kremmling and Elkhead Reservoir, located on Elkhead Creek in the Yampa River basin near Craig. It also has contracted interests in water through its shares in the Grand County Mutual Ditch and Reservoir Company, Eagle Park Reservoir, the Homestake Reservoir exchange, water from the Twin Lakes Reservoir and Canal Co. enlargement decree, contracts with the Bureau of Reclamation for Ruedi Reservoir water and a contracted interest in the Taylor Park Reservoir second fill.

The River District financial statements are divided into "Governmental Activities" and "Business-Type Activities". The Governmental Activities are financed through the Board's authority to levy taxes as provided in:

37 46-109, Authority of board to levy taxes. (1) (a) In addition to other means of providing revenue for the district, the board of directors has the power to fix the amount of an assessment upon the property within the district, not to exceed two and one-half mills for every dollar of valuation for assessment therein as a level or general levy to be used for the purpose of paying the expenses of organization, for surveys and plans, to pay the salaries of officers and the per diem allowed to directors and their expenses, for the costs and expenses of construction or partial construction of any project designed or intended to accomplish the utilization of water, by storage or otherwise, for any beneficial uses or purposes, and for other incidental expenses which may be incurred in the administration of the affairs of the district.

The Governmental Funds are further divided into a "General Fund", a "Capital Projects Fund" and a newly formed "Community Funding Partnership Fund".

The River District's Business-Type Activities are managed by an enterprise formally named the Colorado River Water Projects Enterprise of the Colorado River Water Conservation District. The Board of Directors of the River District is the Board of Directors of its Enterprise. The River District and its Enterprise share the same staff.

The Enterprise is a "government-owned business" as referred to in Colorado Constitution Article X, § 20, a/k/a "TABOR (Taxpayer Bill of Rights)" or "Amendment One". Therefore it is subject to judicial interpretations of TABOR and the provisions of the Water Activity Enterprise Act.

The Enterprise develops and operates the District's water supply assets. The Enterprise's water supplies are contracted for beneficial use pursuant to a water marketing policy, The Enterprise currently markets three basic supplies: (1) Colorado River Supply, which is provided from the Enterprise's Wolford Mountain Reservoir Project and the Enterprise's Ruedi Reservoir (Bureau of Reclamation) water contracts; (2) Eagle River Supply, which is provided from the Enterprise's interest as a shareholder in Eagle Park Reservoir Company and that Company's sources of supply (Eagle Park Reservoir and a Homestake Reservoir exchange supply), and (3) the Elkhead Reservoir, in the Yampa River basin.

A full-time staff of 22 consisting of managers, general and associate counsels, water resource engineers and specialists, project caretakers, public affairs, legal and administrative support personnel carry out the activities of the District as directed by the Board. Personnel costs are split between the Enterprise and General Funds based on estimated percentage of time spent.

REGIONAL/ ECONOMIC CONDITIONS AND OUTLOOK

A. REGIONAL SETTING

The River District covers a large and diverse area. There are four major river basins within the district: the Yampa, the White, the Gunnison and the Colorado main stem. The River District's economics are also quite

diverse. It includes areas that are highly dependent on energy production, agriculture and others that are dependent upon winter and summer recreation and a second home market. Resort development in Summit County, Aspen, Gore Creek and Eagle River Valleys, Winter Park, Steamboat Springs, and Crested Butte areas have resulted in a significant increase in the District's tax base in the last decade.

In the summer of 2008, the national economic slowdown began impacting most areas within the District. This slowdown impacted the rate of growth in the energy and second home sectors. The River District's assessed valuation peaked in 2009. It dropped significantly in 2010, 2011 and 2013. This can be attributed to a dramatic decrease in Oil and Gas development and related foreclosures. There were slight improvements in 2015 and 2021, The 2021 valuations are 15% below the 2009 peak. 2021 residential real estate values within the District were a beneficiary of the pandemic related migration from crowded cities to rural, recreational areas. While not reflected in the 2021 valuation, there is significant evidence that the increase witnessed overall value of residential properties within the District in 2021 accelerated significantly in the later part of 2021 and into 2022.

The primary agricultural areas within the District include the Uncompahgre Valley, Grand Valley, Gunnison River Basin, Upper White River Basin and the Lower Yampa River Basin.

The major urban center within the River District is Grand Junction. Other towns with populations of over 10,000 include Montrose, Craig, Delta, Rifle, Steamboat Springs and Glenwood Springs. There are numerous other smaller towns and cities within the District.

B. POPULATION TRENDS

The population of the 15 River District counties is in the following table:

From 1980 to 2020, the population of the River District increased by 103%. This is a greater rate of growth than the six counties in the Denver Metro area, which increased from 1,618,461 to 2,910,035 (79.8%) or the state of Colorado which increased from 2,889,964 to 5,782,914 (100.1%).

County	1980	1990	2000	2010	2020	% Chg 1980-2020
Delta	21,225	20,980	27,834	30,889	31,160	46.81%
Eagle	13,320	21,928	41,659	52,057	55,624	317.60%
Garfield	22,514	29,974	43,791	56,150	61,723	174.15%
Grand	7,475	7,966	12,445	14,790	15,707	110.13%
Gunnison	10,689	10,273	13,956	15,309	16,944	58.52%
Hinsdale	408	467	790	843	795	94.85%
Mesa	81,530	93,145	116,225	147,155	155,910	91.23%
Moffat	12,133	11,357	13,184	13,806	13,283	9.48%
Montrose	24,352	24,423	33,432	41,188	42,810	75.80%
Ouray	1,925	2,295	3,742	4,446	4,880	153.51%
Pitkin	10,338	12,661	14,872	17,156	17,363	67.95%
Rio Blanco	6,255	5,972	5,986	6,617	6,532	4.43%
Routt	13,404	14,088	19,690	23,439	24,840	85.32%
Saguache	3,935	4,619	5,917	6,144	6,409	62.87%
Summit	8,848	12,881	23,598	28,073	31,013	250.51%
Totals	238,351	273,029	377,121	458,062	484,993	103.48%

Management believes that the most recent population trends both within the District and within Colorado as a whole have grown at rates above the historical average, especially in the 2020- 2021 timeframe. Growth rates are likely to continue to increase in the near future. Meeting the water needs of the District population, which includes the maintenance of stream flows necessary for a thriving recreation based economy, will continue to challenge the District's financial and personnel resources. Continued growth along the Colorado Front Range will continue to create significant pressure for the diversion of additional Colorado River water to the Front Range resulting in more demands on District staff and Board.

C. DISTRICT TAX BASE AND TAX REVENUES

Since the mid 1990's the River District's tax base has grown at a significant rate.

limited the increase in tax revenues and expenditures to the rate of inflation plus new growth. Consequently, prior to 2021, the mill levy changed as an inverse relationship to the change in assessed valuation.

In November 2020, voters in the District approved Ballot Issue 7A, which, starting in 2021 increases the levy to half a mill and eliminates the spending and revenue caps under TABOR. This allows the District to keep and spend state and local grant funds, as well as revenue generated from increased valuations that exceed the revenue cap contained in TABOR. The increase in mill raised approximately \$4.9 million in additional revenue in 2021. The District's Fiscal Implementation Plan allocates approximately 86% of the 2021 increased revenue,

or \$4.2 million, annually for the Community Funding Program, which will fund projects identified as priorities by the District and local communities within the District.

Additional funding was approved for Wolford Reservoir on the dam for the inclinators.

Second Amended Final Plat, Lot 2A – Tom Drake Subdivision Exemption

PROJECT NAME Second Amended Final Plat -Tom Drake Subdivision Exemption
APPLICANT Sandra Scanlon
LOCATION Tom Drake Sub Exempt Lot: 2A AMD Final Plat Drake Filing 1stand Tom Drake
 Sub Ex (AKA 788 GCR 519)
ZONING Forestry and Open District (F)
GROWTH AREA Grand County Rural Growth Area 2
APPLICABLE
REGULATIONS Grand County Zoning Regulations; Grand County Subdivision Exemption
Regulations; Grand County Master Plan
ATTACHMENTS
 A. Project Narrative
 B. Proposed Amended Final Plat
 C. Vicinity and Detail Maps
STAFF Jorune Klisauskaite, Planner I
REQUEST Approval of a Second Amended Final Plat to reestablish two (2) lots on a 31.09 acre
 Subdivision Exemption parcel which was previously amended into one (1) lot.

PURPOSE OF REQUEST AND BACKGROUND

In 1992, the Tom Drake Subdivision Exemption, recorded at Reception No. 303475, divided a 57.97 acre parcel into three (3) lots of 5 acres, 26.22 acres, and 26.75 acres respectively near Pole Creek Golf Course. In 2017, Lots 1 and 2 of the Tom Drake Subdivision Exemption were combined to create the current property, Lot 2A. Sandra Scanlon Revocable Trust and Mary Petryzyn Revocable Trust own the property by Warranty Deed recorded at Reception No. 2017006031.

Sandra Scanlon, the Applicant, is now requesting approval of a Second Amended Final Plat to reestablish the two (2) lots on the 31.09 acre parcel. The purpose of this request is to allow for another single family dwelling to be built.

Given that density is being restored on the lot, Staff has determined that an Amended Final Plat process is suitable for the request. There are no exterior boundary changes to the original plat.

STAFF RECOMMENDATION

Staff recommends approval of the Second Amended Final Plat –Tom Drake Subdivision Exemption with the following conditions to be met or sufficiently addressed prior to recording:

1. A 14” x 18” black-line Mylar with approved addresses and road numbers, as outlined above, shall be provided.
2. A Quit Claim Deed shall be provided for abutting Grand County Road 519.
3. A Quit Claim Deed shall be provided conveying the new property description for each newly created lot.
4. An electronic copy of the Final Plat shall be provided.
5. All recording fees are to be paid by the Applicant.

Commissioner George moved to approve the Second Amended Final Plat -Tom Drake Subdivision Exemption with conditions as presented.

The motion passed.

Board Business

July 27 Peak Health Alliance Executive Committee Meeting via Zoom, 2-3 pm
July 28 Associated Governments of Northwest Colorado (AGNC) Legislative Call via Zoom, 8:30 to
 9:30 am
July 28-29 Club20 Summer Policy Committee Meetings at Colo. NW Community College in Rangely,
 Colo.; All Day
July 28 AGNC Legislative Call via Zoom, 8:30 to 9:30 am

- July 28 GC Wildfire Council Steering Committee Meeting at Grand Fire and via Zoom, starting at 11:30 am
- July 29 Colorado Counties, Inc. (CCI) Bylaws Committee Meeting via Zoom, starting at 9 am
- July 30 Chipping Day at 12669 U.S. Highway 34, 10 am to 3 pm
- Aug. 1 Winter Park Transit Advisory Committee at Winter Park Town Hall, starting at 4 pm
- Aug. 4 AGNC Legislative Call via Zoom, 8:30 to 9:30 am
- Aug. 11 Utility Coordinating Committee Meeting at Java Lava in Granby, 7:30 to 9 am
- Aug. 11 AGNC Legislative Call via Zoom, 8:30 to 9:30 am
- Aug. 12 Natural Resources Roundtable (tbd), starting at 8 am

Commissioner George attended the Kawuneeche Valley workshop.
Commissioner Linke attended the Colorado Basin Roundtable.
Commissioners Linke and Cimino attended NACO in the Denver metro area.

There being no further business to come before the Board, the meeting was adjourned at 12:19 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 2nd day of August 2022.

Merrit Linke, Chair

Attest:

Sara L. Rosene, Clerk and Recorder