

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

November 4, 2019

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

Also Present: County Clerk and Recorder Sara L. Rosene
County Manager Kate McIntire
Assistant County Manager Ed Moyer
County Attorney Chris Leahy

Those present recited the Pledge of Allegiance.

Commissioner Linke moved to approve the Meeting Minutes of October 22, 2019, of the Board of Commissioners with one change.

The motion passed.

Commissioner Manguso is absent from the meeting.

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

Commissioner Linke moved to approve the Multi-Family Project Borrower's/Management Agent's Management Certification and authorize the Chair to sign all applicable documents.

The motion passed.

Commissioner Linke moved to approve the Certification of No Identity of Interest and authorize the Chair to sign all applicable documents.

The motion passed.

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

Finance Department

Commissioner Linke moved to approve the Sales Tax Exemption Certificate Multi-Jurisdiction and authorize the Chair to sign all applicable documents.

The motion passed.

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on November 5, 2019, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Linke moved to approve the checks presented on November 4, 2019 for payment on November 5, 2019 for the Grand County Housing Authority.

The motion passed.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on November 5, 2019, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Linke moved to approve the vouchers presented on November 4, 2019, for payment on November 5, 2019 for the Grand County Board of Social Services.

The motion passed.

Commissioner Linke moved to approve the wire payments and vouchers presented on November 4, 2019, for payment on November 5, 2019 for Grand County.

The motion passed unanimously.

Departmental Contracts, Comments,

Road and Bridge Superintendent Chris Baer provided a Road and Bridge update.

Manager and Attorney Items

Commissioner Linke moved approve assignment of the Kremmling Airport Hangar Ground Lease for Hangar No. 8 between Ronald Patterson and Justin Anderson of Touch and Go LLC as presented and authorize the Chair to sign all applicable documents.

The motion passed.

Commissioner Linke moved to approve the Lease Agreement for the Maintenance Building owned by the County between Grand County and ARINC Incorporated at the Kremmling McElroy Field as presented and authorize the Chair to sign.

The motion passed.

Commissioner Linke moved to approve the Lease Agreement for the Maintenance Building owned by the County between Grand County and SOCIETE Internationale de Telecommunications Aeronautiques (SITA SCRLARINC Incorporated at the Kremmling McElroy Field as presented and authorize the Chair to sign.

The motion passed.

Grand County Communications Coordinator Alexis Kimbrough announced that Grand County received a grant from the Division of Local Government for census work in the amount of \$59,160.

Commissioner Linke moved to allow the Board to sign letter to Michael J. Willis, Director for the de-obligation of funds as presented by OEM Manager Kat Conrad.

The motion passed.

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

Commissioner Linke moved to approve the Contract Routing Form between Grand County and Prowers County for hotline services in amount not to exceed \$3,512 as presented by Deb Ruttenberg.

The motion passed.

Commissioner Linke moved to approve the Contract between Grand County and The Work Number in an amount not to exceed \$877.92 through October 31, 2020 as presented by Deb Ruttenberg.

The motion passed.

Commissioner Linke moved to approve the MOU between Grand County and Gilpin County to provide services for child welfare and adult protection to help cover staffing shortages in Gilpin County.

The motion passed.

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

Commissioner Linke moved to approve the allocation of Grand County Conservation Trust Fund money in the amount of \$25,000 to Grand County for work on the dance hall at the Fairgrounds in Kremmling. The money will be split equally between the three commissioner districts with the additional dollar from District 3.

The motion passed.

Commissioner Linke moved to approve Resolution No. 2019-11-2, "A RESOLUTION GRANTING RENEWAL OF THE DIAMOND SIX D RANCHES SPECIAL USE PERMIT FOR A MOBILE HOME BEING LOCATED IN THE W1/2NW1/4 OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 80 WEST OF THE 6TH P.M., GRAND COUNTY, COLORADO"

The motion passed.

Commissioner Linke moved to approve Resolution No. 2019-11-3, "A RESOLUTION GRANTING RENEWAL OF THE RICHARD KRENZIAN SPECIAL USE PERMIT FOR A MOBILE HOME BEING

LOCATED IN THE SE ¼ SW ¼ OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 79 WEST OF THE 6TH P.M., GRAND COUNTY, COLORADO, GRAND COUNTY, COLORADO”

The motion passed.

Commissioner Linke moved to approve Resolution No. 2019-11-4, “A RESOLUTION DIRECTING THE GRAND COUNTY TREASURER TO ACCEPT TEN THOUSAND AND 00/100 DOLLARS (\$10,000.00) FROM PROPRIETAS DEVELOPMENT, LLC FOR THE CABINS AT PORCUPINE RIDGE ESCROW ACCOUNT TO BE HELD AS THE SECURITY FOR THE REQUIRED SUBDIVISION IMPROVEMENTS”

The motion passed.

Manager and Attorney Items

County Manager Kate McIntire presented the weekly update.

Consent Agenda

Resolution No. 2019-10-17, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING AND ADOPTING THE CHANGES TO THE GRAND COUNTY PUBLIC HEALTH DEPARTMENT’S RETAIL FOOD ESTABLISHMENT APPLICATION AND PLAN REVIEW FEE SCHEDULE”

Resolution No. 2019-10-20, “A RESOLUTION by THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE WAIVER OF BUILDING PERMIT FEES FOR HISTORIC FRASER FOR THE RESTORATION OF THE 4BAR4 HOTEL”

Resolution No. 2019-10-21, “A RESOLUTION by THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE WAIVER OF BUILDING PERMIT FEES FOR THE TOWN OF GRAND LAKE FOR INSTALLATION OF A NEW WINDOW AT THE GRAND LAKE CENTER”

Resolution No. 2019HA-10-22, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY BOARD, APPROVING THE TIER I BROAD CLEARANCE CATEGORICAL EXCLUSIONS FOR PROJECTS/ACTIVITIES UNDER THE SINGLE FAMILY OWNER-OCCUPIED REHABILITATION PROGRAM”

Resolution No. 2019-10-23, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN ANNUAL PROGRAM PAPER TO REPORT 2019 EMPG-LEMS grant RESULTS TO THE COLORADO DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT”

Commissioner Linke moved to approve the Consent Agenda.

The motion passed.

Board Business / Correspondence / Calendar

Commissioner Linke moved to authorize the Board to allocate \$40,000 as budgeted and previously discussed to the Town of Winter Park for the transit system.

The motion passed.

Commissioner Linke attended the LEPC meeting, the House Bill 1264 (Conservation Easement bill) conference call, and helped process ballots in the Clerk’s Office.

Commissioner Cimino spoke with Sheriff’s Office regarding the upcoming insurance changes.

Commissioner Cimino attended a meeting of the self-funded members of the Peak Alliance.

Commissioner Cimino stated that he has been appointed the Emergency Fire Fund committee.

Calendar

- November 6 Board to attend Elected Officials meeting at Grand County Administration Building from 8:30 a.m. to 10:00 a.m.
- November 6 Commissioner Linke will attend the joint CPP meeting with Grand and Clear Creek Counties
- November 6 Board to attend Peak Health events at the Kremmling Chamber of Commerce (noon) and at the East Grand School Board office (2 pm)
- November 7 Board is set to attend Mountain Parks Electric's ribbon-cutting ceremony (at 350 CR 5103, in Fraser) and Community Toast (at Foundry Cinema and Bowl in Fraser) for the Sifers Solar Array.
- November 7 Commissioner Cimino will attend a call-in meeting for CCAT
- November 8 Board is set to attend a Natural Resources Roundtable at Bait Shop Grill, in Hot Sulphur Springs
- November 11 Board to attend the Annual Veteran's Breakfast at Snow Mountain Ranch
- November 18 Board to attend Mayor and Managers meeting from 10 a.m. to noon at the Kremmling Town Hall
- November 21 Board to attend "All Hands" meeting at the Grand County Administration Building from 8:30 a.m. to 10:00 a.m.
- November 27 Board to attend monthly Legislative breakfast in Clear Creek County
- December 2 Board to hold a Special meeting of the Board of Commissioners at 8:30 a.m. in the Board of County Commissioner's meeting room at 8:30 a.m.
- December 3 No Board meeting this day
- December 4 Board to attend an Elected Officials meeting in the Grand County Administration Building from 8 to 10 a.m.
- December 12 Board to attend County Christmas Party from 11 am to 2 pm at the County Administration Building
- December 19 Board to attend "All Hands" meeting at the Grand County Board of Commissioner's meeting room
- December 19 Board with hold a special meeting to approve the Certification of Levies and Revenues at 8:00 a.m.

From Forests to Faucets Partnership Update with Denver Water, USFS, and CSFS

CEO and Manager of Denver Water Jim Lochhead thanked the continued working relationship between Denver Water and Grand County.

Mr. Lochhead also thanked the Board with regard to Grand County's support on the efforts to get permit for the enlargement of Gross Reservoir.

Watershed Scientist for Denver Water Christina Burri presented:

Denver Water Strategic Plan

Strategic Perspective: Excellent Operations – An organization that is effective, efficient, and strategically driven.

Strategic Goal: We strategically align our projects and programs to provide the best value to our customers.

Strategic Objective: We sustain healthy watersheds and an excellent collection, treatment, and delivery system to provide high quality water at an affordable price.

Denver Water partnership commitments

From Forests to Faucets

- \$66 million investment 2010-2021 - Denver Water committed \$33M.
- Partners include DW, CSFS, NRCS, USFS.
- Proactively improve the health and resiliency of forests and watersheds.
- Focus in areas critical for providing and delivering water to Denver Water customers.

Forest and Land Management Services Agreement

- CSFS has been Denver Water's forester for more than 30 years.
- CSFS manages 60,000 acres of Denver Water lands.
- A four-year agreement with yearly operating plans.

Forest and land management services agreement

Sedimentation after Buffalo Creek fire 1986 prompted concerns of runoff into water sheds
Strontia Springs 27.7 million to clean up Hayman and Buffalo Creek fire runoffs.
More demand for lumber would increase assistance in removing burn area fuels.

Kevin McLaughlin of the United States Forest Service stated that it is his job to manage the entirety of the Vegetation Management Program on the forest which includes a portion of the Sulphur Ranger District in Grand County.

When considering the Denver Water partnership, they are considering all the public state and private lands in Grand County which is referred to as the Colorado River Headwaters Watershed. All the work that occurs within the County are designed to meet the objectives.

The prescribed burn areas are starting up again in Grand County.

The Forest Service has a noxious weed treatment program.

2017-2021 Partnership commitments renewed

- 24,880 acres of planned treatment – half in Grand County, half in Boulder County
- 9,805 areas of hazardous fuels reduction treatments
- 15,075 acres of noxious weed treatments – some contracted out
- 122 miles of improved to damaged and unimproved roads

Timber Stand Improvement –

- Candle Lynx Habitat must be considered as well as too much thinning effects their habitat.
- 20000 acre backing TSI need
- Thinning for future timber production and fuels reduction
- Variable density thinning
- Approve work in unsuitable habitat (4325 acres)

Good Neighbor Agreement

- USFS and CSFS Granby Districts signed supplemental project agreement in 2018.
- Working on another supplemental project agreement to include new areas such as Strawberry Bench.
- 1700 acres of timber salvage – Meadow Creek Reservoir area

Prescribed Broadcast Burning - Blue Ridge 11,652 acres

- 398 acres accomplished in 2019
- Strategic pre-treatment of vegetation

Strategies have to work with all partners

Money available to invest in Grand County – Presentation to be given next week.

Ryan McNertney of the Colorado State Forest presented:

Colorado State Forest Service – Good neighbor Projects

- Partnership with private land owners – upper reaches Fraser Valley
- Federal Grant funds matched with private owner and forest to faucet money
- Future and past Treatments – linking together to cover more acreage
- Timber Stand Improvement YMCA

OLRT Fall 2019 Grant Cycle – Open Lands, Rivers, & Trails

Anna Drexler-Dries, Administrator for the Advisory Committee presented:

As of August 31, 2019, the Committee has \$1,888,404.91 of available funds. For the fall 2019 grant cycle, they received two grant requests: 1. Colorado Cattlemen's Agricultural Land Trust and 2. Colorado Land Trust for a total request of \$1,130,000.

The OLRT Committee is recommending approving both grant applications.

Elk Mountain Ranch Conservation Easement

Colorado Cattlemen's Agricultural Land Trust is requesting \$580,000 which is 48 percent of the total project budget. This does not include in-kind.

The 637-acre Elk Mountain Ranch Conservation Easement will permanently protect nearly a square mile of important wildlife habitat, 0.64 miles of Corral Creek, and 1.29 miles of the Musgrave Ditch which irrigates about 90 acres on the property and is relied upon by wildlife and agricultural producers throughout the area.

This project will assist the landowner, Alicia Ninesling, in her attempt to keep the property within her family. The property is leased for summer pasture directly contributing to the local agricultural economy. The terms of the conservation easement have been discussed extensively between the landowner and CCALT.

Generally reserved rights are expected to include three building envelopes totally 11 acres which is 1.7 percent of the conserved property.

All water and mineral rights owned by the landowner will be perpetually tied to the land by the conservation easement. CCALT has negotiated a Bargain Sale price with the landowner of \$550,000 and the remaining appraised easement value will be donated.

Transaction costs associated with this project are estimated at \$95,000 and \$30,000 in transaction costs assistance has been requested as part of the application.

With an average score of 92.6 out of 100, OLRT recommends \$580,000 be allocated to the project with the requirement that the funding will not exceed the appraised value of the conservation easement.

Himebaugh Creek Conservation Easement

Colorado Headwaters Land Trust is requesting \$550,000, which is 81% of the total project budget (not including in-kind) for Himebaugh Creek conservation easement.

CHLT is requesting funding to complete a purchased conservation easement to be held in perpetuity encumbering 270 acres south of Hot Sulphur Springs. With the potential easement in mind, the landowner has removed the property from the market. While the owners value conservation, they are in need of financial support and have also considered developing the property. This property is under threat of development, with that threat only increasing as population centers in Grand County continue to grow. The property provides wildlife habitat, scenic open space, and a buffer between Arapaho National Forest and Hot Sulphur Springs. No final terms of the conservation easement have been negotiated with the landowner as of the time of this application. Both water rights and mineral rights are held by the property owner. A title commitment will be completed as part of CHLT's due diligence; although the deed negotiations have not yet occurred, it is CHLT's intent to have the remaining rights encumbered by the conservation easement.

Recommended Funding: With an average score of 81.1/100, OLRTAC recommends \$550,000 to be allocated to this project with the following requirements: (1) OLRT funding shall not exceed 90% of the appraised value of the conservation easement or \$550,000; whichever is less, (2) Water and mineral rights will be encumbered by the conservation easement, and (3) The building envelope will be consistent with CHLT standards. Unanimously approved by all Committee members present.

OLRTAC Reasoning: Meets the OLRT criteria, important land for wildlife connectivity and habitat, important ecological corridor, and critical open space for the Town of Hot Sulphur Springs.

As of August 31, 2019, the OLRT has \$139,230.69 for trail maintenance. The committee received four grant requests. The total amount requested was \$138,738 and was from Headwaters Trail Alliance. The OLRT recommended approving all four requests for hiking and biking trail maintenance projects in Grand County.

Applicant: Headwaters Trails Alliance

Project Name: Fraser Valley Trail Smart Sizing (TSS) Phase I: 2020-2021

Brief Description: Headwaters Trails Alliance is requesting \$60,000, which is 7% of the total project budget (not including in-kind) for the entire TSS project and 15% of the two-year total. HTA is assisting the Sulphur Ranger District of the Arapaho and Roosevelt National Forest with fiscal agency and implementation of the recently approved "Trail Smart Sizing" (TSS) Project. The TSS project developed out of the first subarea plan of the Grand County Master Trails Plan (2015). This project is designed to mitigate ecological damage due to historic poor trail development (i.e. trenching, erosion, sedimentation into creeks, wildlife habitat fragmentation, etc.) and improve the overall recreational experience for trail users in the Winter Park and Fraser area. It includes up to 18 miles of new trail construction, trail reroutes, maintenance, bridges, restoration (Phase I), and enhancements at trailheads (Phase II). Project implementation began in 2017 and will cost an estimated \$1.5 million. This specific request covers a two-year span of work from 2020-2021 and includes a bridge construction project, new trail construction, reroutes, sustainability improvements and decommissioning. Exhibit A, Scope of Work, includes several trail projects for Phase I 2020-2021: Vasquez Creek Bridge (2020), Upper Iko Trail (2020), Pinball Ridge Trail (2021), FSR 891.2 Road to Trail (2020), East Elk Creek Loop (2020), Upper Chickadee Trail (2021), and social trail decommissioning. **Recommended Funding:** With an average score of 92.9/100, OLRTAC recommends \$60,000 to be allocated to this project with the requirement that a noxious weed management program be in place. Unanimously approved by all Committee members present. **OLRTAC Reasoning:** The ask is small compared to the total project cost, the project reduces future

maintenance costs, eliminates social trails, and trail users in Grand County are providing positive feedback about the project as a whole.

Applicant: Headwaters Trails Alliance
Project Name: National Public Lands Day 2020
Brief Description: Headwaters Trails Alliance is requesting \$5,500, which is 27% of the total project budget (not including in-kind) for National Public Lands Day 2020. Funding assistance is requested for trail maintenance for Grand County's National Public Lands Day (NPLD) 2020, our 26th anniversary. This specific request will help HTA and the federal agencies with materials/supplies and labor costs associated with the planning of and implementation of projects on NPLD.

Recommended Funding: With an average score of 91.8/100, OLRTAC recommends \$5,500 to be allocated to this project with the requirements that (1) OLRT funding be acknowledged on the volunteer t-shirts, and (2) HTA take a stronger leadership role in local outreach to encourage more local volunteers in order to reduce the burden on volunteers that organize NPLD.

Unanimously approved by all Committee members present.

Applicant: Headwaters Trails Alliance
Project Name: Countywide Adopt-A-Trail Program (AAT)
Brief Description: Headwaters Trails Alliance is requesting \$12,850, which is 43% of the total project budget (not including in-kind) for the Countywide Adopt-A-Trail Program. The Adopt-A-Trail (AAT) program is an extension of HTA's trail maintenance program in which land managers allow HTA to leverage resources to assist with several million dollars of deferred maintenance on Grand County's trail systems. By utilizing volunteers to help "oversee" the trails and perform labor during scheduled project days on specific trails throughout the field season.

HTA can accomplish more trail maintenance work and promote stewardship of our public lands. In 2019, HTA was able to complete 38 projects (almost double the normal season) with the additional funding provided through the OLRT fund.

Recommended Funding: With an average score of 89.4/100, OLRTAC recommends \$12,850 to be allocated to this project. Unanimously approved by all Committee members present.

OLRTAC Reasoning: This program provides trail users with ownership of the trails they frequent, and it is an efficient way for HTA to conduct needed trail maintenance.

Applicant: Headwaters Trails Alliance
Project Name: Thomasson Trail
Brief Description: Headwaters Trails Alliance is requesting \$53,388, which is 67% of the total project budget (not including in-kind) for Phase I of the Thomasson Trail project and 35% of the total project cost. HTA is assisting the Town of Grand Lake with much-needed trail improvements to the popular Thomasson Trail. This project is designed to mitigate public safety issues and ecological damage due to the trail's current alignment. The Thomasson Trail maintenance work includes: drainage mitigation including the installation of culverts and construction of rolling grade dips, bridge improvement projects, vegetation and noxious weed management, signage program, trail tread resurfacing and rerouting of approximately 1,000 feet of trail to higher ground. Phase I includes field work to improve the trail's drainage and tread and removal of a significant public safety hazard in the bridge crossing near the Gateway Inn, preferably completed before this winter. Phase II includes new signage installation, removing residual asphalt from the trail surface, and potential widening of the "Doc Warren" bridge paralleling Grand Avenue from 8 feet to 14 feet to accommodate winter trail grooming by a snowcat.

Recommended Funding: With an average score of 80.5/100, OLRTAC recommends \$53,388 to be allocated to this project with the requirement that HTA explore other funding sources for Phase II. Unanimously approved by all Committee members present.

OLRTAC Reasoning: Upgrades to the bridge may increase Nordic skiing use during the winter and in the summer the Thomasson Trail is the only trail from Grand Lake where people can bike, horseback ride, and walk their dogs.

Commissioner Linke moved to approve all the OLRT grant applications as presented.

The motion passed.

Commissioner Manguso joined the meeting.

Commissioner Linke stated that Sandy Baker and Commissioner Linke share a common ancestor – they share a great grandfather. Commissioner's grandfather and Sandy's grandfather were brothers. Commissioner Linke has no business interest in this application. Commissioner Linke has no interest pro or con to this. He added that he will see this as objectively as possible in terms of Commissioner.

The public hearing scheduled to begin at 2:30 p.m. was called to order by Chair Cimino at 2:30 p.m. County Attorney Chris Leahy set the record with the following Exhibits:

- A. Letter of Application, dated September 17th, 2019
- B. Public Notice, dated September 27th, 2019
- C. Proof of Publication Middle Park Times, dated October 30th, 2019
- D. Vicinity Map depicting the 500 foot Notification buffer as established by the Grand County GIS
- E. Certified Mailings to all property owners within 500 feet as established by the Grand County GIS
- F. Public Review Sheets with and without signatures
- G. Memorandum from Community Development Department to interested parties dated October 2nd, 2019
- H. Certificate of Recommendation from Community Development Department to BOCC dated November 4th, 2019
- I. Vicinity Maps, no date
- J. Memorandum from Community Development Department to State Division of Water Resources regarding compliance with §29-20-103 C.R.S. dated October 8th, 2019
- K. Water Rights and Well Permits from State of Colorado (16 pages), dated varies
- L. R. Linke Septic permit #S96-53, dated July, 3rd 1996
- M. Site Photos, no date
- N. Warranty deed recorded at Book 346 and Page 127, dated January 25th, 1984
- O. Statement of Authority for Linke Cattle Ranch, LLC, dated April 16, 2012

PROJECT NAME: Baker/Linke Cattle Ranch Agriculture Mobile Home SUP
APPLICANT: Vincent and Karen Baker
LOCATION: 64610 US Hwy 40, Granby, Colorado
ZONING: Forestry & Open
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Master Plan, Subdivision Regulations

ATTACHMENTS:

- A. Vicinity Map
- B. Community Development Application
- C. Table of Well Permits
- D. Septic Permit Number S96-53
- E. Deed of Trust
- F. Map of Septic and Well Locations

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

REQUEST: The applicant wishes to place a mobile home on the Linke Cattle Ranch site.

I. DISCUSSION

Applicant is requesting a Special Use Permit for a mobile home to be placed on the Linke Cattle Ranch, Parcel #1451-183-00-083. The subject site is located west of US Highway 40 southwest of the Town of Granby. The 1201.72 acre site Linke Cattle Ranch is an active ranch with cattle and hay operations.

The mobile home is needed to replace an existing mobile home in order to accommodate a family member on the site. This family member is needed to help keep the ranch in operation. Staff Review of tax assessment history shows an agricultural exemption from 2014 to the current year. As such, Staff is of the opinion that a bona fide agricultural operation exists on the ranch and that the applicant qualifies for a Special Use Permit.

The proposed mobile home is planned to be placed on the site approximately between one (1) Outright Exemption acre parcel containing an existing single family dwelling and a one (1) acre Metes and Bounds parcel. A third single family dwelling exists on a one (1) acre the Metes and Bounds parcel nearest the US Hwy 40 access north of the other two dwellings.

In addition to the three (3) existing dwellings, there is the vacant mobile home that is to be replaced, a vacant cabin and a mobile home that is being resided in. Much of the remaining site area consists of storage buildings, equipment and horse stables. Access to the proposed mobile home will be from US Highway 40.

The source of water for the proposed mobile home is not yet clear. The applicant has provided additional information since the Planning Commission meeting showing four (4) septic and (4) wells, but it is still not

clear which well and septic belongs to which dwelling. Water for the new mobile home is said to be provided by well permit number 195996 which is a domestic well. This may also be the well that is to serve the Linke Outright Exemption parcel. In researching the well permits, staff spent over four (4) hours with the State trying to figure out what was serving what. Tables 1 and 2 below describes land ownership and lists well permit information that Staff could find. Because of the difficulty in matching the wells to the existing dwellings, Staff feels that more clarity is needed regarding water availability for the new mobile home.

Table 1. Property Ownership

OWNERSHIP	LEGAL DESCRIPTION	EXISTING DEVELOPMENT (AS IDENTIFIED ON ASSESSOR)
RICHARD & DELORES R. LINKE	Linke Outright Exemption	1 Single Family Dwelling and accessory structures
LINKE CATTLE RANCH, LLC	Metes & Bounds 1 acre in the NW ¼ of the NE ¼ of Section 19, T1N, R 76 W	1 Single Family Dwelling, agricultural out building, and mobile home hookup.
DOUGLAS WILLIAM AND CHRISTY BAKER	Metes & Bounds 1 acre in the NW ¼ of the NE ¼ of Section 19, T1N, R 76 W	1 Single Family Dwelling
LINKE CATTLE RANCH, LLC	Metes & Bounds 1201 acres in part of Sections 7, 8, 12, 13, 16,19, and 24	1 Single Family Dwelling and Agricultural Outbuildings

Table 2. Well Permits

Water Use Decree (owner of Rights)	Well Permit #	Name on permit	Location	Other notes
5105069, Case 940 (F.W. Linke Ranch Co.)	48606 (Linke Ranch Co Well No. 4)	WF Linke	SW1/4 SW1/4 Sec 18 T1N R76 W	Use notes stock water, irrigation and domestic uses.
5105069, (Case 940) (F.W. Linke Ranch Co.)	15925-F (Linke Ranch Co Well No. 5)	WF Linke	SW1/4 SW1/4 Sec 18 T1N R76 W	Use on 100 acres, application for commercial well, DENIED APPLICATION
5105069, Case 940 (F.W. Linke Ranch Co.)	195996 (F. W. Linke Well No. 1)	FW Linke	North ¼ corner of Sec 19, East 135', southerly 29' (NW1/4, NE1/4 Section 19 T1N, R 76W)	"Domestic use" located within Parcel ID 145119100041 a M&B 1AC AND Linke Outright Exemption (at least 2 Dwellings)
5105060, Case 938 (F.W. Linke Ranch Co.)	18256 (F.W Linke Ranch Well No. 3)	William F. Linke	North ¼ corner of Sec 19, East 567', southerly 228' (NW1/4, NE1/4 Section 19 T1N, R 76W)	Use notes stock water, irrigation, and domestic uses.

The applicant provided a septic permit Number S96-53 for a 1,000 gallon septic tank for a 40 acre tract to serve three (3) bedrooms. Staff believes the septic is for the use of the single family dwelling on the Linke Outright Exemption parcel. Staff is requesting that the applicant provide proof of sanitation for the new mobile home as well.

The applicant has confirmed they have the authority to apply for an SUP on this property.

COMPLIANCE WITH GRAND COUNTY REGULATIONS

A. MASTER PLAN

The parcel involved in this proposal lies within the Forestry and Open District, existing inside the Granby Urban Growth Area. The following vision statement of the Master Plan speaks to protecting rural character: Design future growth to occur in and around existing communities in a way that complements and enhances the County's rural character. In addition, a goal of the Master Plan states; protect the county's rural character, existing ranching economy and culture while enhancing and maintaining the general county economy.

The Master Plan does not provide any references to mobile homes. Mobile homes are not allowed in any zoning district as a permitted use other than the Mobile Home District and as allowed by Section XI – Uses Permitted By Special Review and Temporary Uses of the Zoning Regulations.

The intent of allowing mobile homes on agricultural land was an effort to help promote the economy of ranching and to avoid having mobile homes appear as a nuisance on agricultural land. Forestry and Open does not explicitly permit mobile homes as a permitted use, but permits them as a resource for farming/agricultural operations.

B. ZONING REGULATIONS

The proposed mobile home will be situated in the Forest and Open Zoning District. The purpose of the Forestry and Open Zone District is to protect lands suitable for agricultural and related uses including uses related to forestry, mining and recreation after additional permitting.

Mobile homes are not explicitly allowed as a use in the Forest and Open District, although the Zoning Regulations do not prohibit them either. Low density single-family residential uses are permitted in this zone district. The Planning Commission feels that because of Section 11.8 (5) of the Zoning Regulations, mobile homes are allowed in zoning districts as a special use where the predominant use of the land is agricultural. Under the Special Use Permit Regulations (Section 11.8 (5) (a-f):

- (5) Individual mobile homes for occupancy of the owners, operators or employees of owners or operators, of an agricultural use subject to the following additional provisions:
- (a) The Board of County Commissioners in the granting of permits under this provision, shall determine that the proposed permit will promote the continuation of agriculture within Grand County and in the granting of said permits, they will be guided by the principle that this provision has been enacted for the purpose of promoting the traditional American concepts relating to the family ranch traditionally operated in Grand County.
 - (b) The Board of County Commissioners shall determine that the applicant and/or the occupant of the proposed mobile home is in fact engaged in an agricultural use and regardless of who the applicant may be, the Board shall determine that the occupant of the mobile home is an integral part of an agricultural operation.
 - (c) The Board of County Commissioners shall determine that the applicant is the owner of, or has control of, by lease, option, contract or otherwise, a minimum tract of land used primarily for an agricultural operation, before a permit shall be issued or renewed.
 - (d) Upon application for a permit the Board of County Commissioners shall require a minimum deposit of two hundred fifty dollars (\$250.00) cash or certified funds. Said deposit shall be held in escrow by the Board to defray any expenses which may be incurred to enforce the conditions of any permit granted or remove any mobile home which is not removed by the owner or applicant upon termination of the permit. If no permit is granted or if the permit terminates and all conditions thereof are complied with, then and in that event, the two hundred fifty dollars (\$250.00) deposit shall be returned to the applicant.
 - (e) No permit shall be granted or renewed if the Board of County Commissioners determines that the proposed occupancy is for temporary employees rather than permanent employees.
 - (f) No permit shall be granted until applicant has provided evidence, satisfactory to the Board of County Commissioners, that adequate water and sanitation facilities are available at the site selected by the applicant for location of the mobile home.

Standard special use permit conditions include:

- Compliance with State and Federal Rules, Regulations and Statutes
- Off-site Impacts
- Rehabilitation of Site
- Limitation of Liability
- Alteration Terms and Conditions
- Binding Contract
- Right to Enter Site
- Violation of Terms and Conditions
- Termination
- Not Transferable

II. PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends approval of the Special Use Permit under the following five (5) conditions:

1. Applicant shall provide proof of water availability for the new mobile home and applicant should provide proof of sanitation or septic system for the same prior to the issuance of a building permit.
2. The applicant submit a deposit of \$250 to be held in escrow by the Board of County Commissioners to defray any expenses incurred regarding the enforcement of the Special Use Permit.
3. The permit be granted for a period of five (5) years, renewable annually for an additional five (5) years as long as all the conditions of the permit are met.
4. The applicant provide a site plan illustrating the location of all existing structures including the subject mobile home, well(s) and septic system(s).
5. The old mobile home will be disposed of properly. Proof of water and sewer disconnections must be shown for the old mobile home prior to the new mobile home being installed and the new mobile home is to be maintained in good repair and integral to agricultural operations.

Community Development is still matching up septic and wells to existing home and mobile home and how the new home will be fed water and sewer.

Commissioner Manguso states to remove condition #3 for permit to be granted for a period of 5 years.

Commissioner Manguso moved to approve the Baker/Linke Cattle Ranch Agriculture Mobile Home SUP with four conditions because number 3 is to be removed.

The motion passed unanimously.

Budget Rebuttal Hearings

Grand County Sheriff

Sheriff Schroetlin stated that he has been under budget every year he has held office (over 5 years). His office voluntarily cut over \$300,000 from the 2020 budget. Sheriff Schroetlin then heard the Board cut another \$165,000 without discussion.

In 2019 alone, the Sheriff will have \$575,000 in hiring lag.

The public depends on the Sheriff to save them on their worse day. If he does not have the people and the vehicles to do that, it cannot happen.

Sheriff Schroetlin needs the vehicles.

It is important to know that County Manager Lee Staab and Sheriff Schroetlin created a vehicle plan upon the request of the Board. The Sheriff has been trying to follow the plan. The Sheriff is asking for the plan to continue.

Sheriff Schroetlin presented two options:

1. Purchase the vehicles requested
2. Lease the vehicles and spend \$65,000 to lease five vehicles

Commissioner Manguso stated that it looks like a new fleet.

Undersheriff Schafer identified how the Sheriff manages it fleet. It is not unusual to put 400 miles on a vehicle every day.

Commissioner Cimino clarifies the Board is not asking the Sheriff to decommission any vehicles or layoff staff.

Commissioner Linke supports the Sheriff's Department budget to lease at a cost of \$56,500 over the next five years.

Commissioner Cimino stated that his position has changed and extends a thank you and has been convinced as the importance of the vehicles requested. Commissioner Cimino agrees to the lease plan as presented.

The Board is likely to approve the Sheriff's department budget to approve lease in the amount of \$56,500 over the next 5 years.

Sheriff Schroetlin would like to present a workshop to help the board better understand the department's procedures.

Grand County Assessor

County Assessor Tom Weydert stated that his rebuttal is about people.

The Board recognized that there was a problem with salaries. The County spent quite a bit of money for a salary plan.

Mr. Weydert stated that the Assessor's staff was way below market. The Board recognized that it will take time to catch up. The Assessor is 30 percent below market. Politically, it would be difficult to move that many people up 30 percent. The agreement was to increase salaries in steps. Mr. Weydert would like the Board to follow the agreement.

Commissioner Cimino stated that the County Manager is going to conduct another salary survey for 2020 and there has been money allocated to that survey.

Allen Pulliam came to Board to reinstate \$53,955 into his budget that was already obligated. The Board will reinstate the \$53,955.

The Board agreed to allocate \$56,500 for sheriff for leasing.

The current surplus recognized for 2020 is \$412,000.

There being no further business to come before the Board, the meeting was adjourned at 4:35 pm. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 12th day of November 2019.

Richard Cimino, Chair

Attest:

Sara L. Rosene, Clerk and Recorder