



Grand County

Colorado

SEPTEMBER 6, 2022

COMMISSIONERS Corner

News & Updates from Grand County's
Board of County Commissioners

Richard Cimino | District 1
Merrit Linke | District 2
Randy George | District 3



Photo courtesy the Town of Grand Lake.

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STAGE 1 FIRE RESTRICTIONS ENACTED

Based on a scientific fire restriction matrix, and in cooperation with Fire Districts and Federal partners, **Sheriff Brett Schroetlin** recommended that Grand County move into Stage 1 Fire Restrictions.

Commissioners approved enacting Stage 1 Fire Restrictions for 30 days effective 12:01 a.m. Thursday, September 8.

What is Allowed?	What is NOT Allowed?
<p>Open fires in developed campgrounds or picnic areas with permanently constructed fire grates and/or charcoal grills.</p> 	<p>Building, maintaining, attending, or using an open fire outside of a developed recreation site. This means NO dispersed campfires in forested areas and no burn barrels!</p> 
<p>Fires contained within liquid or gas fueled stoves, lanterns or heating devices, and approved wood pellet grills and stoves.</p> 	<p>Smoking, except within an enclosed vehicle or building, a developed campground or picnic area or while stopped in an area of at least three (3) feet in diameter that is barren of all combustible materials.</p> 
<p>Open fires at private residences within permanent or portable</p> 	<p>Welding or operating torches with open flame, except in an area of at least ten (10) feet in diameter that is barren of all combustibles.</p> 

Visit www.GCEmergency.com for the full list of what activities are and are not allowed during Stage 1.

BOARD BUSINESS

The BOCC appointed EMS **Chief Robert Good** to fill the vacant seat on the Foothills Regional Emergency Medical & Trauma Advisory Council (RETAC) Board. Commissioners thanked (recently retired) **Deputy Chief Allen Pulliam** for his service and his time serving on the Foothills RETAC Board. **Captain Erich Barber** is also currently serving on the Foothills RETAC Board, but will be stepping down in the upcoming months. The BOCC will entertain applications to fill Captain Barber's seat at that time. There are 10 RETACs throughout the state, each made up of multiple counties. Foothills RETAC includes Grand, Jackson, Clear Creek, Gilpin and Boulder counties.

Commissioners discussed HB 21-1117: Local Government Authority to Promote Affordable Housing Units. The act clarifies that the existing authority of cities and counties to plan for and regulate the use of land includes the authority to regulate development or redevelopment in order to promote the construction of new affordable housing units. BOCC directed staff to provide additional information about potential actions Grand County could take related to restrictive covenants under the bill. (See page 2 for an in-depth column from the Commissioners on this topic.)

Commissioners approved Thank You letters presented by Assistant County Manager **Micah Benson** to CSU Extension, Chris Baer, Troy Simons, Road & Bridge staff, the Fair Board, Junior Livestock Sale Committee, Barn and Show Superintendents and volunteers that contributed to the success of the Middle Park Fair & Rodeo and Junior Livestock Sale.



COMMISSIONERS CALENDAR

September 7 | Bi-Annual Update to Town of Fraser

September 8 | Utility Coordinating Committee (Java Lava Cafe)

September 9-10 | Club 20 Fall Conference

September 12 | Mayors/Managers/Commissioners Meeting (Winter Park)

September 13 | RiverBank Fundraiser (Denver Botanic Gardens)

September 14 | Department Head Meeting

September 15 | NACo West Region Regular Conference Call

September 15 | Peak Health Alliance Executive Committee Meeting (Zoom)

September 15 | CCAT Ad Hoc Committee Meeting (Zoom)

[Click here to view the BOCC's full calendar.](#)

MANAGER'S UPDATE County Manager Ed Moyer

County Road 522:

- Manager and Assistant Manager met with a Pole Creek Valley community member last week, updating them on the project.
- Last week Manager provided the U.S. Army Corps of Engineers (U.S.A.C.E.) an update regarding the amended wetland mitigation site, financial guarantee and permit legal protections associated with the 404 Permit.
 - With regard to the amended wetland mitigation site, staff will be meeting with Red Hawk Ranch later today, and will update the BOCC next week.
 - BOCC requested a map of all wetland mitigation areas and the County Road 522 road profile.
- The county-owned property at the Tabernash Wastewater Treatment Facility is included as one of the Wetland Mitigation sites. Manager will be reaching out to specialists and the U.S.A.C.E. on the status of a portion of this property that was previously designated wetlands, and the possibility of including it in the wetland mitigation area.
- Manager provided BOCC an update of a recent Grand PLACES 2050 meeting. The next meeting is scheduled for October 21 at Granby Town Hall.
- Departmental Budget Meetings took place last week. Manager thanked departments for their time and effort preparing for these meetings. Several follow-up meetings are scheduled this week in preparation for budget hearings beginning Monday, October 3. (Budget Hearings are open to the public.)
- In response to decreasing water supply from the Colorado River, large water providers from across the Colorado River Basin signed an MOU committing to substantially expand existing efforts to conserve water, reduce demands and expand reuse and recycling of water supplies. *Click here for additional details.*

RESTRICTIVE COVENANTS & AFFORDABLE HOUSING TRANSFER FEES

This column originally appeared in the Sky-Hi News on September 2, 2022.

Like many mountain resort communities, here in Grand County, we've grappled with balancing the needs of our communities and an economy driven primarily by tourism. Our business owners have struggled to fill open positions, and many of us know individuals and families who were forced to abandon jobs here because they couldn't find housing.

As Commissioners, we're frequently asked by our constituents why the Housing Authority Board approves waiving affordable housing transfer fees that could help fund workforce housing initiatives. The short answer is the restrictive covenants allow for exemptions. If all of the conditions are met, the Housing Authority Board must approve waiving the transfer fee. Restrictive covenants and deed restrictions – also known as “inclusionary zoning” – have been used by communities for decades as a way to help maintain housing inventory for the local workforce. Simply put, restrictive covenants are voluntary agreements between the developer and the Housing Authority that place certain restrictions on housing developments.

Until recently, Grand County's Housing Authority Board couldn't require developers to provide restrictive covenants. A few landowners voluntarily entered into restrictive covenants for the benefit of the Grand County Housing Authority (GCHA), including Ranches at Devil's Thumb and Coyote Creek at Winter Park.

The restrictive covenants impose transfer fees payable to GCHA for its housing programs to benefit Grand County residents. When a developer purchases a homesite or unit located on one of these properties, a transfer fee of 0.5% of the purchase price is assessed on behalf of GCHA, however, the transfer may be exempt from paying the transfer fee.

The restrictive covenant determines when a transfer is exempted from the transfer fee. In order to receive the fee exemption, the developer must file an Application for Exemption from Affordable Housing Transfer Fee with GCHA, which then must be approved by the Housing Authority Board.

If the applicant is qualified (meaning they meet an Exemption from Transfer Fee set forth in the restrictive covenant), then the Housing Authority Board can't deny the request.

As long as the qualifications in the restrictive covenants are met, the transfer fee is waived for every ownership transfer until the first residential homebuyer purchases the property. (For example, many of the undeveloped Coyote Creek units have changed hands multiple times to date, with the new developer qualifying for the transfer fee to be waived.) Currently, 92 out of 120 units in Coyote Creek can be exempted from the Affordable Housing Transfer Fee. The Ranches at Devil's Thumb were re-platted in 2021; currently 14 out of 15 homesites could be exempt from the transfer fee.

Right now, very little revenue is generated from transfer fees. Over the last five years, GCHA has received \$4,110.00 in transfer fees from the Ranches at Devil's Thumb, and \$46,117.21 from Coyote Creek. These funds were deposited into the Housing Authority's General Fund to help cover the administrative costs of managing the covenants; applications for exemptions are processed and managed by the GCHA.

In the future, as more fees are collected (when the properties transfer from developer to homeowner and no longer qualify for exemptions), funds will be used for affordable housing programs. The hope with these restrictive covenants is that – over time – the transfer fees will be significant enough to have a true impact to affordable housing programs.

In 2021, Colorado's legislature passed HB21-1117, to allow local government the authority to promote affordable housing units. The act clarifies that local governments may regulate the development and use of land within their jurisdictions in order to promote the new development or redevelopment of affordable housing units.

Commissioners have asked that discussion on HB21-1117 be included in an upcoming meeting. While HB21-1117 isn't an immediate solution, it opens the door to towns and counties having more tools at their disposal to promote building affordable housing, and increase the number of workforce housing units over time.

ADDITIONAL BUSINESS

Accounting

Vouchers and wire payments presented for payment by Finance Director **Curtis Lange** were approved as presented.

Also approved (as a regular part of the annual audit process) was a letter designating fund balances as of December 31, 2021.

Clerk & Recorder

Clerk & Recorder **Sara Rosene** presented two items:

- Bistro 2 at Pole Creek Liquor License Changes | Approved.
- Roadhouse Bar & Grill Liquor License Renewal | Approved.

Airports

Airports Supervisor **Josh Schroeder** presented several items:

- A Services Contract with Grand Power & Plumbing to install LED tarmac lights at McElroy Field was approved as presented.
- A Services Contract with SWCA, Inc. dba SWCA Environmental Consultants to perform a cultural resource evaluation for the proposed Granby Airport Borrow Pit project was approved as presented.

Sheriff's Office

An amended Telecommunications License Agreement with Tri-State Generation and Transmission Association, Inc. presented by **Undersheriff Wayne Schafer** was approved as presented.

Human Services

Human Services Director **Deb Ruttenberg** presented the following:

- A Subscriber Agreement with TransUnion Risk and Alternative Data Solutions, Inc. (TRADS) to assist with locate information and information verification for child support and welfare services was approved as presented.
- An IGA contract amendment with the Colorado Department of Early Childhood to implement the Promoting Safe and Stable Families (PSSF) program was approved as presented.
- A request to amend the ARPA Expenditure Plan for specific activities to support the administration of the SNAP program through 2023 was approved as presented.



Undersheriff Wayne Schafer and **Lieutenant Bobby Rauch** rode with the Shield 616 Border to Border bike team this week.

Shield 616 provides all-day rifle protection for peace officers and first responders. GCSO and the Granby Police Department were recent recipients of potentially life-saving armor from Shield 616.

ADDITIONAL BUSINESS

Emergency Watershed Protection

Assistant Manager **Micah Benson** gave an update on Emergency Watershed Protection (EWP) projects:

- Alternative mitigation projects are being considered for Drowsy Water Ranch in response to damage caused by recent mudslides.
- Construction is scheduled to begin soon at the Landslide and East Fork Ditches.
- Culvert protection work at Corral Creek on County Road 21 is complete.
- Almost 7,500 acres of public lands in the East Troublesome Fire area were treated with aerial mulch in 2022.
 - All of the mulch used for this year's projects were from trees logged in Grand County.
 - Unlike last year's aerial mulching projects that focused on private land impacted by the East Troublesome Fire, this year's projects took place on public land; funding was provided by the U.S. Forest Service and the Bureau of Land Management.

PUBLIC HEARING

Oldcastle Gravel Pit (aka County Road 60 Kattenberg Pit) Special Use Permit Amendment to Renew & Transfer Ownership from ESCO Sand & Gravel to Oldcastle SW Group Inc. | Approved with conditions as presented.

COMMUNITY DEVELOPMENT

Resolution No. 2022-8-16, amendments to the Mountain Madness Special Use Permit | Approved as presented.

WORKSHOP | S.O. SALARIES

Following a discussion about Grand County Sheriff's Office salaries compared with neighboring agencies, **Sheriff Brett Schroetlin** and **Undersheriff Wayne Schafer** asked for direction regarding retaining Graves Consulting to perform a pay plan analysis specific to law enforcement agencies. GCSO deputies and staff are being actively recruited by neighboring agencies offering significantly higher salaries.

Commissioners supported the Sheriff's Office moving forward to contract for a law enforcement pay study.