

MINUTES – REGULAR MEETING GRAND COUNTY BOARD OF COUNTY COMMISSIONERS

February 9, 2016

Present: Commissioner Jane Tollett, Commissioner District 1 – Chair
Commissioner Merrit Linke, Commissioner District 2
Commissioner Kristen Manguso, Commissioner District 3
County Clerk and Recorder Sara Rosene
County Attorney Alan Hassler
Interim County Manager Ed Moyer
Road and Bridge Superintendent Ken Haynes
Public Health Nurse Brene Belew-LaDue
Juvenile Services Director Kelly Friesen
Interim Finance Director Cathy Henderson
Social Services Director Glen Chambers
Sheriff Brett Schroetlin
County Treasurer Christina Whitmer

Those present recited the Pledge of Allegiance.

Minutes

Commissioner Linke moved to approve the minutes of the Regular meeting of the Grand County Board of Commissioners of December 8, 2015, with a correction.

The motion passed unanimously.

Commissioner Linke moved to approve the minutes of the Regular meeting of the Grand County Board of Commissioners of December 15, 2015.

The motion passed unanimously.

Commissioner Linke moved to approve the minutes of the Special meeting of the Pole Creek Meadows Grand County Colorado Public Improvement District of December 8, 2015, as presented.

The motion passed unanimously.

Commissioner Linke moved to approve the minutes of the Special meeting of the Pole Creek Meadows Grand County Colorado Public Improvement District of December 15, 2015, as presented.

The motion passed unanimously.

Finance Director

Cathy Henderson, Acting Finance Director, presented the Warrant Register and Expenditure List to be paid on February 10, 2016, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Manguso moved to approve the vouchers and wire payments presented on February 9, 2016 for payment on February 10, 2016 for Grand County.

The motion passed unanimously.

Road and Bridge Update

Ken Haynes, Road and Bridge Superintendent and Micah Benson, Officer Manager for Road and Bridge came to the Board meeting.

Ms. Benson presented Letters of Agreement on Hangar #1 (Little) and Hangar #3 (Gingery) at Granby Airport. They are missing the agreement for Hangar #5. Hangar 2 was vacated at the end of January but they have a new tenant and should have an agreement by the end of next week.

Ms. Benson presented an amendment to the ground lease for the Kremmling Hangar #C that gives Mr. Elliott the right to do nightly rentals. The ground lease is a commercial amendment to their ground lease that allows them to do nightly rentals. This is the only hangar in Kremmling that does nightly rentals.

Ms. Benson stated that there is one hangar in Granby that is trying to have a ground lease but there is an issue with getting the correct insurance documents.

Commissioner Linke moved to approve the three agreements as presented by Micah Benson regarding hangar leases with two at Granby and one at Kremmling.

The motion passed unanimously.

Ms. Benson presented the Fuel Annual Compliance Packet for the state. There are six fuel systems; four motor fuel and two aviation fuel. The County has to prove to the state that we are checking the tanks for leaking, that they are being tested once a year for leaking, and every three years for cathodic protection.

Ms. Benson noted that the cathodic protection is only for underground tanks plus some piping at Parshall.

The Board is signing the packet as owner to acknowledge that the Board has seen the document.

Commissioner Linke moved to authorize the Chair to sign the Annual Compliance Package for facilities having both underground storage tanks and above ground tanks regarding compliance with the State and the State Division of Oil and Public Safety as presented by Micah Benson who manages the Grand County Airports.

The motion passed unanimously.

Road and Bridge Superintendent Ken Haynes updated the road reports.

Mr. Haynes stated that the fluctuation in weather temperatures have affected the snow packs. His department is cutting pack so there will more than likely be complaints about wind rows in driveways.

Mr. Haynes will work with CDOT about having safety and warning ahead of their equipment working along the highways.

Mr. Haynes requested that they enter into a service contract for safety items at Road and Bridge shop at Granby. For years there have been no exit lights on the conference room. There is a problem with the back stairs which is lit at the top but not in the middle toward the bottom and there is a wall plug that is pulled out.

Mr. Haynes is waiting for the proposals to come in for the work to be done. The costs will be within the budget.

Mr. Haynes noted that he saw on 9 News that Ride the Rockies is scheduled for June 12, 2016 through June 17, 2016. The County will be impacted around June 15th and June 16th in Grand Lake.

Mr. Haynes noted there is another three day event which would impact County Roads 4, 41, and 49. He is not sure if it is a bicycle or running event.

General Public Comments/Issues by any member of the public wishing to address the Board

None

Departmental Contracts, Comments, Issues

Community Development Director Bill Gray reported that Live Nation is not coming to Grand County.

Social Services

Social Services Director Glen Chambers presented the Board with the Intergovernmental Agreement between Grand and Jackson Counties.

Some of the northwest counties have gotten together to do a pilot project which involves a technician for the economic security department who determines eligibility for food assistance or Medicaid. The County has a grant from the state to cover the northwest county pilot project that has an employee housed out of Garfield County. That is between the Colorado Department of Human Services and the Health Care Policy and Financing. The grant with the Colorado Department of Human Services has ended and Mr. Chambers is working on another grant to start that. This is the funding to sustain the program until Mr. Chambers can get the funding back. This request is in an amount not to exceed \$1,400 for each County.

Mr. Chambers suggested that Grand County pay \$1,000 and Jackson County pay \$400.

At this point, Jackson County has not needed this person but Grand County has needed this person.

Mr. Hassler stated that the Board needs to sit as the Board of Social Services.

Commissioner Linke moved to adjourn as the Board of Commissioners and reconvene as the Board of Social Services.

Commissioner Manguso	no
Commissioner Linke	yes
Commissioner Tollett	yes

The motion passed.

Board Business

Larry Banman stated there is a proposal to do an event at the Flying Heels Arena. Mr. Banman will present the Board with a rental agreement next week.

Mr. Banman presented the proposal presented to him by Pat Jacques and Joe Kelly with Power World. They want to put on an ADV (Adventure Women) Woman's Rally at Flying Heels Arena July 21, 2016 to July 24, 2016. This is an event to teach dirt bike safety and techniques on trails. The event would include tent camping, RV camping, a dining tent to cater food, and then some instructional areas. They will not add dirt to the arena but may use the arena to teach how to drive in deep sand. There will also be vendors. The target audience is families and women.

Mr. Banman talked with Interim County Manager Moyer and the County Attorney's office when he started on the rental agreement and they thought it might fall into the temporary use permit category. Mr. Banman reported that he determined that the property is in Accommodation Zoning which allows for outdoor recreation and Mr. Gray felt that this is a conforming use for Accommodation Zoning. Mr. Gray and Mr. Franek agreed that the rental agreement would be adequate. Mr. Banman believes the audience would be capped at 150 people.

Joe Kelly of Power World wants to work out the details along the way. This event was brought forward by Husqvarna Motor Cycles who was bought out by KTM.

Mr. Kelly noted that Pat Jacques in 1975 was the national women's champion. They want to teach riding skills and it is an event that Husqvarna will back substantially.

Mr. Banman noted that the arena is available for the dates proposed.

Commissioner Linke believes it is a good idea and a unique use of the facility.

Commissioner Manguso questioned allowing glass in the arena where the dining tent would be. She does not believe glass should be allowed in the arena because of the other uses of the arena.

Mr. Banman stated that they would like a fire pit but it is suggested that they check with Grand Fire 1. If alcohol is to be served, the caterer would get the appropriate liquor license through the County. It is a possibility they would like to use the hill to learn braking techniques.

The Board is good with this and Mr. Banman can move forward.

Juvenile Services Director Kelly Friesen presented a Contract Amendment creating a new line item within Senate Bill 94 Contract through the Division of Youth Corrections placing funds into on-call screening. The JSPC approved this last time. It is \$240 per screen. There is \$5,000 for the rest of this fiscal year and \$10,000 for next fiscal year. It is reallocating funds that have already been given.

Commissioner Manguso moved to authorize the Chair to sign the Contract Amendment that allows for a fee for service. It reallocates and establishes a new line item for Senate Bill 94 Funds.

The motion passed unanimously.

County Sheriff Brett Schroetlin presented the Grand Lake Municipal Services Contract for law enforcement services. The contract was presented to the Town of Grand Lake Town Board and Mayor Judy Burke signed.

The amount of the contract is on an annual basis for \$121,800 and a vehicle in alternating years.

Commissioner Linke moved to authorize the Chair to enter into a contract between Grand County and Grand County Sheriff with the Town of Grand Lake to provide law enforcement services as presented by the County Sheriff Brett Schroetlin.

The motion passed unanimously.

Sheriff Schroetlin stated that his department has \$600 in their evidence unit in found money that has been unclaimed for approximately ten years. He would like the Board's permission to do a \$300 contribution to each high school for the purposes of their prom. Middle Park High School sent a letter to request \$300 to help offset the costs of Grand County Rec employees and some cleaning fees for their after prom. West Grand High School requested \$300 to assist with serving a meal which will keep it safer for their students for post prom.

County Attorney Hassler stated that these things may fall under the state's unclaimed property statute which requires payment of the money over to the state treasurer. He believes it should be investigated before the Board authorizes the money.

Commissioner Manguso asked when the money becomes unclaimed after what period of time.

Sheriff Schroetlin said it was his understanding it is a period after thirty days but he would defer to Mr. Hassler or Mr. Franek.

Commissioner Linke moved to provide the money as described by the County Sheriff for \$300 to each post prom event for East Grand High School and West Grand High School contingent upon statutory interpretation by the County Attorney.

The motion passed unanimously.

Undersheriff Schafer asked for a capital release for the purchase of Sheriff's office vehicles, equipment, and graphics. This is vehicle replacement and he would like the release of \$171,000 after March 1, 2016.

Commissioner Linke moved to allow the Sheriff Department to release capital in the amount of \$171,000 for the purchase of vehicles, which is in their approved budget, to be spent in March as revenues come in.

Discussion: Commissioner Manguso wanted it specified that even though the County is in a budget situation, the Sheriff still needs vehicles to do their job safely. This is not out of the ordinary. They need to replace vehicles every five years.

The motion passed unanimously.

Grand County Public Health, Home Health, Home Care, and Senior Nutrition Director Brene Belew-LaDue presented an agreement with North West Visiting Nurse Association to enter into an agreement for them to take patients in Home Health for existing long term patients. There are ten individuals starting February 13, 2016. There is an amount of \$25,000 plus \$50,000 for seed money. If NWNVA terminates the contract or discharges patients the \$50,000 will be prorated over the next ten months.

Ms. Belew-LaDue noted that in #6 Termination, 6B "in addition this agreement shall automatically be terminated if NWNVA fails to maintain its' CMS qualification for a period of thirty calendar days." CMS is the Center for Medicaid and Medicare Services. This has not been approved yet but hopefully this will go through. NWNVA has been approved the Hospice.

Interim County Manager Moyer added that the agreement also includes in-kind services up to \$12,600 and that entails office space and providing internet. There is also the prorated reimbursement which is approximately \$5,000 per month through the end of the year should they not provide services required.

Mr. Moyer stated that with regard to the termination, CMS would not receive seed money during the period of getting certification.

Mr. Moyer stated that Northwest Visiting Nursing Association is a non-profit.

VNA can take more patients if they chose.

Assistant County Attorney Franek stated that the issue is the wording of “any and all.” It means that if any patient goes off the program the County gets a refund. They changed the wording from “any” to “all.”

They are going to have overhead regardless of how many patients they have and they are on call.

Commissioner Manguso is not concerned with the change of wording.

Commissioner Tollett agrees with Commissioner Manguso because VNA is helping us. The Board wants to encourage VNA to take on more patients.

Mr. Franek would like to get the authority to have the commissioner’s sign outside the meeting. He wants to make it clear in the agreement that come February 13, 2016, the County is no longer responsible for any of the patients.

Commissioner Manguso moved to authorize the Chair to sign the agreement between Northwest Colorado Visiting Nurse Association, which is a Colorado non-profit corporation, and Grand County to provide home health care services subject to amendments Mr. Franek will make to the agreement as described, and sign outside the meeting.

The motion passed unanimously.

Sara Rosene, Grand County Clerk presented:

There was a discussion about placing 24-hour drop boxes for the election starting with the Primary Election in 2016. This will replace having judges sitting in those locations. The cost savings, in not only the judge’s salaries but the staff time to find the judges, to train, etc. In the long term they will save money. Ms. Rosene has talked to a couple of the towns and they are working on conditions. She is asking that she be allowed to move forward to find the boxes appropriate for the needs and locations for them.

Commissioner Manguso moved to release capital not exceed \$12,500 to allow purchase of drop boxes by the Clerk and Recorder.

Commissioner Linke asked Ms. Rosene about Senate Bill 16-074 that is in regard to this.

Ms. Rosene stated that it would allow for mail ballot exemption for someone who did not want a ballot mailed to them, they would not be mailed a ballot and they would vote in person. There was also funding for one drop box set up per county.

The motion passed unanimously.

Manager and Attorney Items

Interim County Manager Moyer presented a first amendment between Grand County and Tetra Tech that extends the time to complete the Phase One work for Windy Gap Bypass. It extends the date to September 30, 2016. This is paid for through a funding agreement between Grand County, Upper Colorado River Alliance and the River District. It was supposed to be completed the end of February and this will extend to December.

Commissioner Manguso moved to authorize Chair to sign the First Amendment, amending the current Services Contract between Tetra Tech Incorporated and Grand County by and through its Board of Commissioners. There are additional funds, it is amending the times.

The motion passed unanimously.

Interim County Manager Moyer was directed last week to draft and send a letter to Representative Esgar and Senator Garcia regarding support of Senate Bill 16-60. It is the state fiscal responsibility for providing courts.

Interim County Manager Moyer stated there is a letter to Representative Pabon and Senator Jahn regarding Senate Bill 16-100. It is the county road and bridge tax reduction requirement. It is a letter opposing the proposed Senate Bill.

Commissioner Manguso stated that Senate Bill requires towns to approve reduction in road and bridge funding.

Commissioner Manguso moved to authorize signature for letter opposing Senate Bill 16-100.

Commissioner Linke would like the letter sent to Jenny Pengano, the lobbyist, because she is working on the bill.

The motion passed unanimously.

Interim County Manager Moyer presented information regarding Freeport McMoran Henderson. He did speak to the deputy assessor today. The new notice of valuation goes out May 1, 2016 and he believes there needs to non-disclosure statements signed that FMI is requesting.

County Attorney Hassler stated that there is a request from Freeport McMoran Henderson to enter into a confidential agreement. When they provide information about their internal operations to the Assessor that information, by law, is confidential. That law does not extend to providing that same information to the Board of County Commissioners and they have asked to enter into a non-disclosure agreement. Attorney Hassler has reservations about the enforceability of non-disclosure agreements and would like direction from the board.

The Board is in agreement that County Attorney Hassler enter into a non-disclosure agreement.

Consent Agenda

Resolution No. 2016-2-3, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A SERVICES CONTRACT BETWEEN BISHOP-BROGDEN ASSOCIATES, INC.AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR WATER RESOURCES CONSULTATION SERVICES”

Resolution No. 2016-2-4, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CHILDCARE HEALTH CONSULTING CONTRACT BY AND BETWEEN THE TOWN OF GRANBY RECREATION DEPARTMENT AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO”

Resolution No. 2016-2-5, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE WINTER PARK RANCH WATER AND SANITATION DISTRICT AND THE GRAND COUNTY CLERK AND RECORDER, BY AND THROUGH THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, FOR THE PROVISION OF CERTAIN ADMINISTRATIVE ELECTION DUTIES”

Resolution No. 2016-2-6, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN AGREEMENT BY AND BETWEEN THE COLORADO JUDICIAL DEPARTMENT AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR RECEIPT OF COURT SECURITY GRANT FUNDS”

Resolution No. 2016-2-7, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND,STATE OF COLORADO APPROVING A CONTRIBUTION TO THE WEST GRAND WGH SCHOOL AFTER-PROM COMMITTEE IN AN AMOUNT NOT TO EXCEED ONE THOUSAND TWO HUNDRED FIFTY DOLLARS”

Commissioner Manguso moved to approve the consent agenda as presented.

The motion passed unanimously.

County Attorney Hassler noted that the Human Resources Manual changes that were discussed last week have been submitted to the personnel committee for their consideration.

County Attorney Hassler asked the Board to consider adopting the Pay Now Policy.

Ms. Rosene presented her case for needing Pay Now for mailing ballots which averages \$1,500.

Interim County Manager Moyer believes that putting a “not to exceed” amount is not necessary.

The Board agreed that there should be no cap.

Commissioner Manguso moved to approve Resolution No. 2016-2-40, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO ESTABLISHING A POLICY AND PROCEDURE PURSUANT TO C.R.S. §30-11-107(1)(aa) FOR APPROVAL OF EXPENDITURES AND ISSUANCE OF PAYMENTS OUTSIDE THE ORDINARY COURSE OF BUSINESS”

The motion passed unanimously.

Commissioner Manguso moved to amend her motion to make it Resolution No. to 2016-2-8.

The motion passed unanimously.

Commissioner Linke moved to adjourn as Regular Board of Commissioners and sit as the Housing Authority.

The motion passed unanimously.

Board Business

Interim County Manager Moyer stated the board received a letter from Indian Peaks Charter School notifying the commissioners that they have applied to the Charter School Institute of Colorado in order to become a new school district. A meeting will be held on February 17, 2016 at 5:00 p.m. at the Indian Peaks Charter School.

Calendar

- February 10 Commissioner Manguso has a JSPC meeting at 9:30 a.m. in Steamboat Springs
Elected Officials meeting at 4:00 p.m.
Budget workshops at 1:30 p.m. and 2:30 p.m.
- February 11 Department Heads meeting at 8:30 a.m.
Commissioner Tollett Winter Park Business Meet & Greet at 4:30 p.m.
- February 12 Commissioner Linke has CCI in Denver
- February 17 Legislative Breakfast
- February 18 Commissioner Linke Associated Governments of Northern Colorado to review the Sage Grouse Proposal at 1:00 p.m.

Board Business

Commissioner Linke attended the Rural Health Network on February 3, 2016. The main discussion was Home Health but there was also a survey done on health equity advocacy in regard to barriers to health care services in Grand County.

Commissioner Linke attended the Community Partnership Panel that Freeport McMoran hosted on February 4, 2016. He learned that Freeport McMoran funded some of the local organizations and that molybdenum was up to \$5.70 a pound.

Commissioner Linke participated in a conference call February 5, 2016 for Associated Governments of Colorado to discuss the sage grouse proposals that he sits on the review committee

Commissioner Linke attended a Town Hall meeting that Representative KC Becker hosted at the Granby Library. Commissioner Tollett discussed the limitations of TABOR with Representative Becker.

Commissioner Linke attended Mayor/Managers February 8, 2016 in Hot Sulphur Springs. There was a proposal from the Wildfire Council to work on getting standardization for house numbers. There was an introduction of Sam Mamnot from CML.

Commissioner Manguso attended the Kremmling Town Hall meeting.

Commissioner Manguso attended an IOG meeting that was the collaboration for House Bill 1451. They make sure that groups/agencies do not duplicate services. The State people were there doing an audit for 1451. They like our coordinator Deb Ruttenberg.

The mandatory participants in the IOG are the schools, mental health, probation, juvenile services, Grand Beginnings, Judge Hoak

Commissioner Manguso asked that the three commissioners discuss the CCI legislative report before Commissioner Linke attends the weekly meeting so they are in agreement at to the Board's stance on issues.

Commissioner Linke would like the department heads and elected aware of the CCI legislative report so they can also make comments.

Treasurer's Report

County Treasurer Christina Whitmer presented Resolution No. 2016-2-9, "A RESOLUTION DIRECTING THE GRAND COUNTY TREASURER TO DISBURSE FUNDS FROM THE ESCROW 'COLORADO RIVER CA ESCROW' ACCOUNT" based on a request from Winter Park Water and Sanitation District for payment of work completed by URS Corporation in the amount of \$5,806.

Commissioner Manguso moved to approve Resolution No. 2016-2-9 as presented.

The motion passed unanimously.

Commissioner Tollett asked what the difference was between a call date and a maturity date.

Treasurer Whitmer stated that Bonds will have a call date so they can call a bond if the rates fluctuate.

Treasurer Whitmer noted that there was a Personnel Committee meeting where a letter was presented that the Board wants changes. She would like to know about the personal leave change. The change that is being presented would mean that any employee that lowered hours by an hour and a half, or went to 36 hours a week, would lose their personal leave benefit. She was of the understanding that was not going to happen.

Interim County Manager Moyer noted that the intent was for employees to accrue and use their personal leave time based on the number of hours they are regularly scheduled to work.

Treasurer Whitmer stated that that was not the intent of the manual. It was two days a year and it was their sick time.

The Board agrees that there should be two work days of leave a year regardless of the hours worked.

County Attorney Hassler requested an executive session concerning water issues.

Commissioner Linke moved to convene an Executive Session at 11:15 a.m. citing Section 24-6-402, CRS, which states that local public bodies may utilize executive sessions for considering any of the following matters (specifically): (4)(b) Conferences with an attorney for the local public body for the purposes of receiving legal advice on a specific legal question. The topic of the meeting is the specific legal questions that will be presented concerning water issues that legal staff needs direction. Interim County Manager Moyer will attend the executive session.

The motion passed unanimously.

Commissioner Linke moved to reconvene the regular meeting at 11:33 a.m.

The motion passed unanimously.

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

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

County Attorney Hassler presented an update on House Bill 1109 that is a bill proposed by Representative Becker and others that would direct the state water engineer not to regulate or control federal bypasses. Grand County's concern that was raised is to protect bypass flows that the County has negotiated. The water obtained

from other sources and the water releases are supposed to be shepherded down the river so that they arrive and if there is excess water in a ditch or river others have the right to pick up that excess water. The County needs the state engineer's assistance to make sure water is not regarded as excess water so other people cannot pick it up but allow the water to continue the flow.

The purpose of the bill is for the benefit of ski areas and other people holding federal leases that would be requested by the US Forest Service and other federal leasing agencies to turn over state water rights.

The bill and its provision regarding the state engineer would be to make it clear that state water laws are supposed to control this issue and it is a property right.

As of now, they are in the middle of trying to negotiate the meaning of the bypass language and the extent of statement of water law in property rights.

County Attorney Hassler stated that Eagle County's attorney is proposing language that the county water council is waiting on before taking a position on the bill. There is likely to be additional language or a new proposal from the Attorney General's Office because that office likes some of the proposals being put forward by conservation groups.

Commissioner Linke stated that the language in the bill needs to respect historic Colorado water laws.

Northwest Enterprise Zone and Jump Start Program

Bonnie Peterson, Executive Director of Associated Governments of Northwest Colorado and Maria King, Executive Administrator of Associated Governments of Northwest Colorado is present to talk about the re-mapping of the Northwest Colorado Enterprise Zone & Jump Start.

The following individual introduced themselves and identified each of his/her business:

Diann Butler, Economic Development Coordinator for Grand County
Rob Taylor, Mountain Parks Electric
Wendy Wyatt, Canyon Liquors
Mark Templeton, Manager Town of Kremmling
Jeremy Kennell, Winter Park/Fraser Chamber
Penny Cox, Aircraft Technical Book Company
Robert Cox, Edward Jones Fraser

The Enterprise Zone did a re-map this year. The Enterprise Zone has sixteen zones by state law and it began around 1986. It provides a variety of tax credits for businesses in qualified areas. With the re-designation this year all of Grand County is included in the Enterprise Zone. Only areas that meet specific criteria are included. The criteria is based on less than the state average growth rate of 1.45 percent, less than state average per capita income and the unemployment rate.

We are considered a rural enterprise zone which may not contain more than 150,000 residents within the zone. The Northwest Enterprise Zone is made up of seven counties.

The agency is a mechanism to help distressed areas of the state to stimulate business growth as well as to promote non-profits that enhance the quality of life, drive tourism, and encourage growth. They look at the business side and then nonprofits.

It is critical to keep the enterprise zone because it is one of the most critical economic drivers for the region. It provides tax credits to existing and new businesses encouraging them to purchase property, expand, buy new equipment, hire and train employees, and provide insurance. It also gives tax credits for donors.

There are different investment tax credit categories:

- Equipment purchases tax credit – 3%
- Commercial vehicle purchases tax credit– 1.5% (there is a weight restriction)
- Job training tax credit – 12% of qualified training expenses
- New employee tax credit - \$1,100 per net new job
- Agricultural processor new employee tax credit – \$500 per new job
- Employer sponsored health insurance tax credit - \$1,000 per covered employee
- Research and development tax credit – 3%

- Vacant building rehabilitation tax credit - 25% of rehab expenditures – building must be vacant for two years and twenty years or older.
- Contribution tax credits – 25% cash or 12% of in-kind contributions.

Ms. Peterson stated that they are not tax advisors and it is important for businesses to contact a CPA. It is important for businesses to take advantage of these tax credits but they will need to pre-certify.

There is a need to pre-certify but if you do not use the credits that is acceptable. The requirement is to pre-certify annually. These are credits against income taxes and if the credit is higher than paid in income tax it can be carried forward. She understands it is a five-year carry forward. To pre-certify you can go to advancecolorado.com.

Ms. Peterson stated that they do a contribution project. In order to be in that, you have to be a non-profit. The applications are reviewed four times per year. Some of the projects are hospitals, lift-up, battered women shelter, arts, daycare, etc. Once those are approved, the donor is given a 25 percent tax credit.

Rob Taylor, Mountain Parks Electric, wondered if there were preferences between existing or new businesses.

He was told there were not preferences given but The Department of Revenue is the final decision maker. If a non-profit is collecting contributions for a project, that project has to have some tie to economic development.

A member of the public asked if she could monetize how much the state has given in these tax credits in prior years.

He was told that information should be on the AdvanceColorado.com website.

A few years ago the legislature looked at the Enterprise Zone program and found how important it was across the state because small businesses and agriculture uses it. The legislature did put a cap on the amount that can be used in a year.

There is a new program that is directed toward assisting businesses in distressed areas of the state. This was passed by the legislature in 2015 and was modeled on a program that New York started.

There is a need to jump start Western Colorado because it is lagging because they have not recovered from the recession. They have met with Governor Hickenlooper to see if they would be interested in a Jump Start Program.

The idea is to bring businesses into Colorado that is not competitive with any other business in the State of Colorado. Those businesses would get an advantage of not paying income taxes for a period of time.

The program provides a tax free environment for qualifying businesses for as long as eight years. It starts out by having a business get started, moves to Colorado and they are not competing with any other business in Colorado and they have a nexus with an institution of higher education they could potentially receive relief from incomes taxes in Colorado for four years. At the end of that four years they can apply to extend it another four years. They would also get relief from the state and use tax, relief from county business personal property tax, and municipal business personal property taxes. Their employees could also have the same period of time not to pay state income tax.

The Office of Economic Development and International Trade is the organization that will oversee the program. Once the bill was passed Office of Economic Development and International Trade (OEDIT) had to develop criteria to determine which counties are distressed, what that criteria looks like, and determine how to roll the program out. There are 46 counties out of 64 counties in Colorado that are deemed distressed and can qualify. It is important that there is a nexus with our economic development and potential businesses with an institution of higher education because the institution of higher education is the one that is going to apply for the Jump Start Colorado opportunity.

There will only be three counties approved this year so the county must apply to OEDIT and be approved. It is critical for the county to have businesses in the pipeline with an education institution. They will look at that to see if there is enough going on to approve in 2016.

Mesa County has been approved as the first distressed county in Colorado to qualify for Jump Start program. If a business is going to qualify for Jump Start they cannot compete with any business in Colorado.

Ms. Peterson stated that she is willing to work with and help anyone interested in participating.

Board Business

County Attorney Hassler presented information on the \$600 of found money in Sheriff's possession from money in a coin purse and money from an illegal immigrant. The Sheriff's office contacted the State Unclaimed Property Administrator and since there is no potential identification of the owner(s) of the cash that money does not go to the State Unclaimed Property Fund. Therefore that money can be released to the schools for their after prom.

There being no further business to come before the Board, the Regular meeting was adjourned at 2:25 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this _____ day of April 2016.

E. Jane Tollett, Chair

Attest:

Sara L. Rosene, Grand County Clerk and Recorder