

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

May 24, 2016

Present: Commissioner E. Jane Tollett, Commissioner District 1 – Chair
Commissioner Merrit S. Linke, Commissioner District 2
Commissioner Kristen Manguso, Commissioner District 3
Clerk and Recorder Sara Rosene
County Attorney Hassler
Interim County Manager Ed Moyer

Those present recited the Pledge of Allegiance.

Commissioner Linke moved to approve the Meeting Minutes of March 15, 2016, with corrections.

The motion passed unanimously.

The Board convened a Special meeting of the Grand County Board of Social Services for the purpose of approving warrants.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on May 25, 2016, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Manguso moved to approve the vouchers presented on May 24, 2016 for payment on May 25, 2016 for the Grand County Board of Social Services.

The motion passed unanimously.

The Board convened a Regular meeting of the Grand County Board of Commissioners.

Finance Director

Finance Director Curtis Lange presented the wires, interfund, and vouchers for Grand County.

Commissioner Manguso moved to approve the wires and vouchers payments presented on May 24, 2016 for payment on May 25, 2016 for Grand County.

The motion passed unanimously.

Mr. Lange stated that there was approximately \$144,000 in warrants this week.

Commissioner Linke moved to convene a meeting of the Grand County Housing Authority.

The motion passed unanimously.

Housing Authority Coordinator Sheena Darland presented a request for a down payment assistance loan for Maggie and Christopher Dutt in the amount of \$6,125. The closing will be June 3, 2016. Ms. Darland asked that the loan be contingent on the appraisal. Ms. Darland would like to wire the funds on June 2, 2016.

Commissioner Linke moved to approve the down payment assistance loan for Maggie and Christopher Dutt in the amount of \$6,125 contingent upon appraisal.

The motion passed unanimously.

Commissioner Linke moved to close the Housing Authority meeting and reopen the Board of County Commissioner's meeting.

The motion passed unanimously.

Road and Bridge Update

Road and Bridge Superintendent Chris Baer stated that crews will be putting down magnesium chloride on County Road 1. Work will then move to County Road 3.

Mr. Baer reported that there are problems with regard to County Road 1 in the slough area. It dropped six or eight inches last week.

Mr. Baer presented the Services Contract with Mountain States Snow Cat for Corona Pass. Mr. Moyer stated that the cost came in at \$8,400. Mr. Moyer contacted the Town of Winter Park to see if they would share in the costs. The proportionate share of the road that is in the town boundary equates to \$1,292 to plow Corona Pass Road.

Commissioner Tollett stated that the Town of Winter Park feels that the road is pretty important. A concern was expressed that if the road is not plowed, it could be a public safety hazard. To close the road would be bad for tourism.

Mr. Baer stated that plowing the road opens it about two to three weeks earlier than opening due to melting. The County will continue to do maintenance on the road. Commissioner Manguso stated that the question is "do we want to pay \$7,000 to open the road two weeks early."

Commissioner Linke stated that the primary beneficiaries are the towns of Fraser and Winter Park. Commissioner Linke proposes that Grand County split and pay half with the other half being paid by Fraser and Winter Park.

Commissioner Tollett stated she believes that the towns were expecting the road to be open by Memorial Day. Commissioner Tollett stated that the County should not be asking for more money at this late time.

Commissioners Linke and Manguso would like to see if the two towns would pay half of the \$8,000.

Commissioner Linke noted that Grand County has paid the full amount for years.

Commissioner Tollett will follow-up with the Town of Winter Park.

General Public Comments

Peter Ralph stated that on April 19, the Board instructed the Attorney Hassler to provide an attorney certification with regard to the Executive Session that took place on April 15. Mr. Hassler had said that he would need some time in order to prepare that attorney certification.

Mr. Ralph stated that the attorney certification is to verify that the only matters that were discussed in the Executive Session were matters specifically allowed under subsection G of Section 4.1. Mr. Ralph is asking for that attorney certification. Mr. Ralph noted that it was clear that the Board discussed items at that meeting which were not covered by the section quoted.

Mr. Ralph asked the Board why it does not have the certification from Mr. Hassler as he was instructed to do.

Commissioner Tollett stated that she appreciated the comments and the Board will get back with Mr. Ralph on this issue.

Mr. Ralph stated that on April 21, he sent the Board a letter explaining to the Board that Mr. Hassler (contrary to the code of professional conduct laid down by the Colorado Bar Association) had secretly recorded a conversation with a citizen. Mr. Ralph asked the Board in the letter if it was aware of that fact. The Board has not replied to the letter and he would like to know if the Board is aware of the recordings.

Commissioner Tollett stated that the Board will get back with Mr. Ralph.

Mr. Ralph stated that he has asked for agenda time twice and has been ignored. Mr. Ralph stated that his letters have been ignored.

Mr. Ralph stated that it has been a year since he came before the Board to discuss governance issues. For the first three months, Mr. Ralph stated that he was treated with respect and consideration. The Board agreed to pay for a \$60,000 audit to address the crises in public confidence.

Mr. Ralph would like to be put on the agenda.

Commissioner Manguso stated that she is fine with putting Mr. Ralph on the agenda. She noted that she was not aware of the recording.

Commissioner Tollett stated that she is fine with talking but does not need to be interrogated.

Commissioner Tollett stated that she would like to discuss this further with the other commissioners. She added that she appreciated the comments.

Departmental Contracts, Comments, Issues

Grand County Economic Development Director DiAnn Butler presented grant requests.

Ms. Butler stated that the USDA grant that has been approved for the Destination Bootcamp needs to be signed for the automatic deposit.

Ms. Butler stated that this is the USDA grant that will support 18 businesses for the Destination Bootcamp with John Schallert. The full grant amount is \$26,710 and the County pays \$300.

Commissioner Linke moved to authorize the request for reimbursement from USDA for the Destination Bootcamp as presented in the amount of \$15,000.

The motion passed unanimously.

Ms. Butler stated that the Town of Grand Lake is applying for the REDI grant and would like a letter of support from the County. Mr. Moyer stated that he would like the Board to support Ms. Butler sending a letter from Grand County Economic Development. The Board is fine with the letter of support from Economic Development.

Ms. Butler presented the EDA Strategy Grant. Ms. Butler stated that Northwest Colorado Council of Governments (NWCCOG) is the lead applicant for Grand and Clear Creek Counties. Ms. Butler stated that she needs a resolution from the County or letter acknowledging that NWCCOG Executive Director is acting in cooperation with the officials of Grand County.

Mr. Moyer stated that he can prepare the resolution and the Board can sign on June 6, 2016. The Board is fine with that.

Community Development Director Bill Gray stated that he has been working on review comments for BLM Planning 2.0. Mr. Gray provided the Board with a final draft of the letter for the Board's approval. Mr. Gray sent this to each of the towns, Headwaters Trail Alliance, and interested citizens.

Mr. Gray stated that the substance of the letter talks about the process utilized by the BLM. The rule says that the purpose of the change is meaningful public involvement. Mr. Gray stated that it does not appear that the BLM has used that similar process in the adoption of this rule making. It seems that the BLM is trying to get this to the finish line as quickly as possible.

Mr. Gray stated that in order to go through 240 pages of rules and regulations and review how things are being done now and to make comments, the 60 days plus the 30-day extension is not enough time for Grand County to make good comments.

Mr. Gray stated that he believes the plan diminishes local analysis.

Commissioner Manguso moved to approve and authorize the Board to sign the letter to the BLM regarding Planning rules 2.0 as presented.

Discussion: Commissioner Manguso stated that Mr. Gray did a great job articulating the concerns of Grand County.

The motion passed unanimously.

County Clerk and Recorder Sara Rosene presented:

Maura McKnight, Corporate Treasurer/Secretary of Tabernash Food and Beverage Company dba Tabernash Tavern is requesting a modification of premise for their Hotel and Restaurant Liquor License. Their intent is to add an event/wedding tent will abut the building from June 16, 2016 to October 16, 2016. The only access will be from the building.

All fees have been paid to the State and to Grand County.

Ms. Rosene recommended approval of the modification of premise.

Commissioner Linke moved to approve the modification of premise for their Hotel and Restaurant Liquor License for Tabernash Food and Beverage Company dba Tabernash Tavern.

The motion passed unanimously.

Manager and Attorney Items

Mr. Moyer stated that with regard to the Tabernash Sewer Site Outright Exemption, Second Amended Final Plat, he reach out to the Tabernash Meadows Water and Sanitation District and they requested that the County hold off on the survey until September.

Mr. Moyer stated that the manhole project is completed and came in around \$7,000 over budget. That was something that is being worked out with the accountant. The County will reimburse payment.

Mr. Moyer stated that he sent permission to the Rotary Club of Granby Foundation to use the Flying Heels Arena for a Special Event Liquor License.

Mr. Moyer stated that he will put items on the "What Happened List" at the Board's direction and he will ask for a timeframe for completion.

The Board agreed to continue with the suggestion box and deal with the items left in the suggestion box.

In 2016, there was \$5,500 in the budget for fairgrounds for vanities and Mr. Moyer is obtaining bids. Mr. Moyer is looking at auto flush for the toilets. Commissioner Tollett stated that she would like a bid for both but does not want to spend the extra money.

Commissioner Manguso moved to release capital in the amount of \$5,500 for vanities at the fairgrounds.

Discussion: Staff agreed that it will stay in the \$5,500. Mr. Moyer will bring a contract. Commissioner Linke would like to consider the auto flush if it is close to the \$5,500.

The motion passed unanimously.

Mr. Moyer presented a Services Contract with Harrington Landscape to turn on the irrigation system. The maximum of the contract is \$600.

Commissioner Manguso moved to approve the Services Contract between Four Mile Ponds dba Harrington Landscapes in Grand County in an amount not to exceed \$600.

The motion passed unanimously.

Megan Ledin, Executive Director of the Grand Foundation stated that she had a workshop with the Board regarding the Block Grant process for 2016 and for 2017. It was requested by the Board and staff to look at a centralized process in which the Grand Foundation would manage the Block Grants in 2017 and any line items the County has.

Ms. Ledin understands that the Board of Commissioners would like the Grand Foundation to be the fiscal agent for the Block Grants and line items for non-profits except the Grand County Housing Authority.

Ms. Ledin stated that she will take this before her Board on June 14, 2016.

Stacy Starr is the Grants Resource Manager and she will help facilitate the entire process.

Commissioner Manguso stated that the Board is working on a philosophy of how it wants the funds spent.

Consent Agenda

Resolution No. 2016-5-16, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A CAPITAL RELEASE FROM THE PEACE OFFICER STANDARDS AND TRAINING GRANT TO PURCHASE A DRIVING SIMULATOR AND TOWING VEHICLE"

Resolution No. 2016-5-17, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A CAPITAL RELEASE FOR THE PURCHASE OF TWO VACUUM CLEANERS AND ONE LAWNMOWER"

Resolution No. 2016-5-18, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE RE-APPOINTMENTS OF RON LEWARK, JIM WARD AND DENNIS CARPENTER AS REPRESENTATIVES TO THE GRAND COUNTY AIRPORT ADVISORY BOARD"

Resolution No. 2016-5-19, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE APPOINTMENT OF MIKE RITTER AS A THREE LAKES ALTERNATE REPRESENTATIVE TO THE GRAND COUNTY TOURISM BOARD"

Resolution No. 2016-5-20, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING NOMINEES FOR APPOINTMENT TO THE 14TH JUDICIAL DISTRICT JUVENILE SERVICES PLANNING COMMITTEE"

Resolution No. 2016-5-21, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A TASK ORDER AMENDMENT #2 BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO CONCERNING THE LOCAL CHILD FATALITY REVIEW TEAM"

Resolution No. 2016-5-22, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE TASK ORDER AMENDMENT #4 BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR EMERGENCY PREPAREDNESS ACTIVITIES"

Resolution No. 2016-5-23, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN AGREEMENT BY AND BETWEEN JBLANCO ENTERPRISES, INC.; EVERIST MATERIALS, LLC; COMMERCIAL H.V.A.C.; DIAMOND EXCAVATING, INC.; DENVER ELECTRICAL CONTRACTORS; AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO SETTLE SUBCONTRACTOR CLAIMS CONCERNING A.I.P. PROJECT NO. 3-08-0075-10-2014"

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

Mr. Hassler presented Resolution No. 2016-5-24, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING WITHHOLDING THE SUM OF \$22,938.97 FOR LIQUIDATED DAMAGES FROM THE PAYMENT TO JBLANCO ENTERPRISES CONCERNING AIP CONTRACT NO. 3-08-0075-10-2014"

This was the Granby Airport Snow Removal Building Contract. JBlanco has yet to sign the agreement with subcontractors for Grand County to make direct payment. Mr. Hassler stated that he is still waiting to hear from the attorney for JBlanco. The Board can confirm the decision made last week to withhold the balance of the retainage.

Commissioner Manguso stated that if JBlanco has not signed the authorization for Grand County to payout the subcontractors, she does not understand why the Board would sign this.

Mr. Hassler stated that if JBlanco does not sign the subcontractor agreement, the County will tell the parties involved that the County needs to know how the money should be paid out.

Board Business/Correspondence/Calendar/Meetings Report

Commissioner Manguso stated that the Board received a Conservation Trust Fund request for the sound system at Flying Heels Arena in the amount of \$3,139.50.

Commissioner Linke moved to approve the authorization of the Conservation Trust Fund money for a sound system at Flying Heels Arena as requested by the Flying Heels Arena Association. From Districts 1 and 3, there will be a payment of \$1,000 each and District 2 will remit \$1,139.50.

The motion passed unanimously.

Mr. Hassler stated that each government is to provide to the Department of Local Affairs a name and address of a contact person so that when a person is suing the government they will know who to send the Colorado Governmental Immunity Act notification. Mr. Hassler stated that the Clerk and Recorder submitted the form as she has done in the past. If the Board is fine with the Clerk being the designee, the Board does not need to sign the form. The Board is fine with the designation.

Commissioner Tollett stated that there are four finalist for County Manager. The interviews will be June 15 and 16.

Calendars

May 24	Blue Valley Ranch/BLM Land Exchange Open House at Extension Hall at 4:00 p.m. State of the River meeting at Mountain Parks Electric in Granby at 5:45 p.m.
May 25	Department Heads meeting at 8:30 a.m. at County Administration Building
May 26	NWCCOG meeting at Glenwood Community Center at 10:00 a.m. Long term health care meeting at noon at the Hot Sulphur Springs Fire Department
May 27	Rocky Mountain National Park Trail Ridge Ribbon Cutting at the Alpine Visitor Center at 2:00 p.m.
June 1	Grand Lake Clarity Adaptive Management Kick-off meeting
June 2	IOG meeting at noon at a location to be determined. Social meeting training
June 3	Dedication of the hydroelectric power plant at 10:45 a.m.

Meeting Reports

Commissioner Linke Merrit attended the legislature breakfast in Idaho Springs. Commissioner Manguso stated that Clear Creek County is going for a medical mill levy increase.

Commissioner Linke and Mr. Moyer attended the 1177 Roundtable. The group is working on an 1177 Roundtable Legacy project. The goal is "To support a basin-wide legacy project in the Colorado River Basin in which all water users in the basin cooperate to meet the multiple objectives of preserving agriculture, improving stream flows and water quality, and helping water providers. The Colorado Basin Roundtable (CBRT) implementation plan promotes these objectives."

Commissioner Linke stated that agriculture is at risk of being replaced with subdivisions. West slope agriculture is at risk of being dried up due to the compact call. Recreation and environment could be improved with enhanced stream flows.

Commissioner Manguso stated that if this is a change of gears, she wondered if it would be a good time for Mr. Moyer to be the Grand County voting member since 1177 is doing the transition. Mr. Moyer stated that the Board had that discussion when Ms. Underbrink Curran was here last. Mr. Moyer stated that the Board may want to consider waiting until the new County Manager is on Board.

Commissioner Linke agreed and noted that the water plan was the primary focus. Every meeting had at least half of meeting that was dedicated to the water plan. Mr. Moyer stated that Grand County has good representation on 1177. Commissioner Manguso agreed with that and noted that the County wants to keep that, but a transition needs to happen sooner rather than later.

Commissioner Tollett agreed that this may be a good transition time but wants to make sure that it is done carefully.

Commissioner Linke put into the meeting file "How Diversion and Beneficial Use Affect the Value and Measure of a Water Right, Use or Loss." The document is put out by the Colorado Water Institute. It is Special Report Number 25 put out by the Colorado Water Institute and can likely be found online.

Mr. Hassler stated that the Board needs to determine how many people are going and when to the Colorado River Cooperative Agreement implementation meeting. The meetings are generally governmental decisions.

Mr. Hassler spoke with Ms. Green's partner and indicated that the agreement is past the environmental issues. Mr. Hassler suggested that the meetings are beyond water rights issues.

Ms. Green and her partner are not planning on attending the meeting tomorrow. Mr. Hassler will attend the meeting. The question is whether Mr. Taussig should still attend. The reason that Mr. Taussig might still be useful at this stage is that there has been a slight change in the orientation of the agreement that the County might be back to water issues. Mr. Hassler suggested that the Board authorize Mr. Taussig to attend. Who is attending will have to be piece meal from that point on. Mr. Hassler and Ms. Underbrink Curran will continue to attend.

The Board prefers that Mr. Taussig attend the meeting by phone.

Commissioner Tollett stated that she attended the transition of the Emily Warner Museum at the Granby Airport from the Experimental Aircraft Association to the Grand County Historical Association.

Commissioner Tollett talked to the Colorado Foundation for Water Education at the Water Leaders meeting. There was a discussion of the role of leadership and what is done by commissioners to advocate for water issues and what water leadership looks like at this level.

The people attending work for county governments, non-profits, etc. and are not in technical roles. Some of the people present are involved in doing policy. There was discussion on navigating change and how to do creative problem solving and what to do when budget is an issue.

There was a discussion on the roles that government serves in water management. It was also to find a way that the group can interact and collaborate in the future with other leaders.

Public Hearing – Vacation of Utility Easement, Amended Final Plat Columbine Lake, Lot 60 & 61 – Block 10 (combining 2 lots 1)

The public hearing scheduled to begin at 10:45 a.m. was called to order by Chairman Tollett at 10:47 a.m. County Attorney set the record.

The following is all or part of staff's Certificate of Recommendation to the Board as it was provided by staff for inclusion in the minutes of the meeting held on May 24, 2016.

- A. Application dated January 22, 2016
- B. Public Notice – Middle Park Times, May 12, 2016
- C. Proof of Publication – Middle Park Times, May 12, 2016
- D. Vicinity Map depicting as established by the Grand County GIS System
- E. Public Review Sheets (no names)
- F. Review comments from Xcel Energy
- G. Review comments from Comcast Cable
- H. Review comments from Mountain Parks Electric
- I. Review comments from Qwest Corporation
- J. Columbine Lake HOA Letter of Consent
- K. Amended Final Plat
- L. Planning Commission Resolution No 2016-2-1
- M. Certificate of Recommendation dated May 24, 2016

PROJECT NAME: Amended Final Plat, Lots 60 and 61, Block 10, Columbine Lake Subdivision
APPLICANT: Richard D. Sampson
LOCATION: Lots 60 and 61, Block 10, Columbine Lake Subdivision (1035 GCR 494 AKA Columbine Drive)

APPLICABLE

REGULATIONS: Grand County Zoning Regulations, Subdivision Regulations
EXHIBITS: Amended Final Plat, Letter of Application, Letters from Utility Companies, Letter from Columbine Lake HOA, Vicinity Map

STAFF PLANNER: Brett Hanlon

REQUEST: The applicant is requesting the approval of an amended final plat that would vacate the lot line and associated utility easement that currently bisect Lot 60 and Lot 61.

I. DISCUSSION

The applicant is proposing an amended final plat that would vacate the lot line that currently bisects Lot 60 and 61, Block 10, of the Columbine Lake Subdivision. The applicant is also requesting a vacation of the 5-foot utility easement that runs along each side of this property line. The utility easement to be vacated is not shown on the original recorded Columbine Lake Subdivision plat. It was established by the recorded Columbine Lake Declaration of Protective Covenants, Restrictions, Easements and Reservations (Rec. # 111196). This non-exclusive easement was then conveyed to the Columbine Lake Water District (Rec. # 176297) and the Three Lakes Water and Sanitation District (Rec. #176299) in 1980. Therefore, in addition to receiving letters of consent from all relevant utility companies and the HOA, letters from the Columbine Lake Water District and Three Lakes Water and Sanitation District stating that they have taken all formal actions to vacate their interest in the easement shall be provided. Staff has already received letters from the Columbine Lake HOA and all relevant utility companies besides the Columbine Lake Water District and the Three Lakes Water and Sanitation District. Staff has received verbal approval from both Columbine Lake Water District and Three Lakes Water and Sanitation District for the utility easement vacation, but has yet to receive letters. Therefore, receiving these letters has been made a condition of approval.

When the lot line is vacated, Lots 60 and 61 will be effectively combined. The new lot will be known as Lot 61A. Combining the two lots into one lot will facilitate the construction of a new single family home. Currently, there is a home that exists on top of the lot line. It is staff's understanding that a surveying error led to the construction of this house over the lot line and into the utility easement. This house will be demolished to make way for the construction of a new single family residence. When combined, Lot 61A will be .42 acres in size or 18,295 square feet and it will meet all zoning regulations.

II. REGULATIONS

A. ZONING REGULATIONS

The zoning of the two parcels involved in this proposal is Residential.

- (a) This zone allows for single family dwellings, so all of the uses on the property are in compliance with the Zoning Regulations.
- (b) This zone requires 30' minimum front yard setbacks, 5' minimum side yard setbacks and 20' minimum rear yard setbacks. The proposed amended final plat is consistent with these setbacks.
- (c) The applicant's lots have the ability to be served by both public water and sewer facilities. The minimum lot size on subdivided land that is served by public water and sewer facilities is 7,000 square feet. When combined the new Lot 61A will be 18,295 square feet and will therefore meet the Minimum Lot Size requirement.

B. SUBDIVISION REGULATIONS – 4.3 Final Plat

The amended final plat shall contain or be accompanied by the following information:

- (a) Title (which shall include the phrase "Amended Final Plat"), bar scale, North arrow and date).

The title of the amended final plat shall be amended to read:

AMENDED FINAL PLAT

LOTS 60 AND 61, BLOCK 10, COLUMBINE LAKE SUBDIVISION

A REPLAT OF LOTS 60 AND 61, BLOCK 10, COLUMBINE LAKE SUBDIVISION

PART OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 76 WEST OF THE 6TH P.M.

COUNTY OF GRAND, STATE OF COLORADO

CONVEYANCE TO OWNERS RECORDED AT RECEPTION # 2009-003439

- (b) Legal description of property, together with a complete reference to the book and page of records of the County Clerk and Recorder where the conveyance to the applicant is recorded.
The legal description shall be written as follows:
Lots 60 and 61, Block 10, Columbine Lake Subdivision
- (c) Primary control points, or descriptions, and ties to such control points, to which dimensions, angles, bearings, and similar data on the plat shall be referred.
 This requirement has been met.
- (d) Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves with long chord bearings and distances.
 This requirement has been met.
- (e) Names and right-of-way width of each street or other right-of-way.
 This requirement has been met.
- (f) Location, dimensions and purpose of any easement, including reference by book and page to any pre-existing recorded easements.

- Label where all easements are recorded (Rec. # 176297, Rec. # 176299, Rec # 2016-001731).
- (g) Number to identify each lot or site and acreage of each site to nearest 1/100th of an acre
Add the physical address to the lot label. Label the lot "1035 GCR 494"
 - (h) Purpose for which sites, other than residential lots, are dedicated or reserved.
 This requirement has been met.
 - (i) Location and description of monuments.
 This requirement has been met.
 - (j) Current title commitment.
 This requirement has been met.
 - (k) Statement by owner platting the property and dedicating the streets, rights-of-way, easements and any sites for public uses, to be in substantially the following form:

A part of the Dedication Statement shall be amended to read as follows:

...that Richard D. Sampson, as Trustee of the Richard D. Sampson Trust dated November 12, 2008, is the owner of that real property situated in Grand County, Colorado, more fully described as follows: Lots 60 and 61, Block 10, Columbine Lake Subdivision. That he has caused said real property to be laid out and surveyed as Amended Final Plat, Lots 60 and 61, Block 10, Columbine Lake Subdivision, and does hereby dedicate and set apart all the streets, alleys, and other public ways and places shown on the accompanying plat for the use of the public forever, and does hereby dedicate those portions of said real property which are indicated as easements on the accompanying plat as easements.

...IN WITNESS WHEREOF Richard D. Sampson, as Trustee of the Richard D. Sampson Trust dated November 12, 2008 has caused his name to be hereunto subscribed this _____ day of _____, 20_____.

- (l) Certification by a surveyor insuring the accuracy of the survey and plat and certifying that he has complied with the requirements of Colorado Revised Statutes, 1973, Title 38, Article 51, and the requirements of these Regulations in the preparation of the final plat, to be in substantially the following form.

The surveyor's certificate that is required by the subdivision regulations shall be used on the plat.

- (m) Certificates for approval by the Planning Commission and the Board of County Commissioners.

The commissioner's certificate that is required by the subdivision regulations shall be used on the plat.

- (n) Certification by a qualified professional engineering, designing or planning firm, insuring compliance with the design standards and all other requirements of the Grand County Subdivision Regulations, as follows:

The insuring statement that is required by the subdivision regulations shall be used on the plat.

- (o) A two and one-half by three inch (2 1/2" x 3") vertical box in the lower right hand corner shall be provided for use by the County Clerk and Recorder.

This requirement has been met.

- (p) Documented proof of legal access.

Not applicable

- (q) A vicinity map.

This requirement has been met.

- (r) The subdivider shall provide storm drainage plans, property survey, proof of ownership, sanitary sewer plans.

Not applicable

- (s) The subdivider shall provide sites and land areas for schools and parks when such are reasonably necessary to serve the proposed subdivision and the future residents thereof.

This requirement has been met.

(t) No subdivision shall be approved until such data, surveys, analyses, studies, plans and designs as may be required by this section and by the County Planning Commission or the Board of County Commissioners have been submitted.

This requirement has been met.

(u) Major Activity Notice

Not applicable

(v) Each month the Board of County Commissioners shall submit copies of the notice of filing.

Not applicable

(w) An 11" x 17" plat with approved addresses and road number as required.

The physical address will be put on the plat, so this will not be required.

(x) Statement of taxes showing current taxes paid

A statement of taxes showing that all current taxes have been paid shall be submitted prior to the recording of this amended final plat.

(y) An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat. The drawing shall be based or transformed to a known coordinate system, not an assumed local coordinate system. If GPS Lat/Long is not used for this reference, the Geographic Coordinate Data Base should be used to obtain relative coordinates available from the BLM at www.blm.gov/gcdb. The drawing shall include either a data dictionary to explain the layers, or a self-explanatory layering system.

This will need to be provided prior to the recording of this amended final plat.

III. STAFF RECOMMENDATION

Staff recommends the approval of the Amended Final Plat, Lots 60 and 61, Block 10, Columbine Lake Subdivision with the following conditions to be met prior to the recording of the final plat.

1. The title of the amended final plat shall be amended (see (a) above).
2. The legal description shall be amended (see (b) above).
3. Label where all easements are recorded (see (f) above).
4. Add a physical address to the parcel's label on the plat in the form of "1035 GCR 494"
5. Amend the dedication statement (see (k) above).
6. Amend the surveyor's certificate (see (l) above).
7. Amend the commissioner's certificate (see (m) above).
8. An insuring statement shall be added to the plat (see (l) above).
9. Gray out the 10' utility easement that travels from the 20' Three Lakes WSD easement to the front property line, as this portion of the utility easement will remain per the request of Three Lakes WSD. This easement is recorded at Reception # 176299.
10. Only one 10' lot line utility easement should be shown as it runs from the 20' Sewer Easement to the front property line. Currently, two of these easements are shown.
11. The 20' Sewer Line Easement is recorded at Reception # 2016-001731. This needs to be labeled correctly on the plat.
12. A letter from the Columbine Lake HOA stating that they have no interest in the utility easement shall be provided (a letter received from the HOA only references the lot line).
13. A letter from Three Lakes Water & Sanitation District stating that they have taken the required actions to vacate their interest in the easement shall be provided.
14. A letter from the Columbine Lake Water District stating that they have taken the required actions to vacate their interest in the easement shall be provided.
15. The label of the utility easement shall say "Utility Easement Hereby Vacated by This Plat" instead of "Utility Line Hereby Vacated".
16. The blank box on the vicinity map shall be removed.
17. A statement of taxes that shows all taxes have been paid shall be submitted (see (x) above).
18. An electronic copy of the final plat shall be submitted (see (y) above).
19. All recording fees are to be paid by the applicant.

[End of Staff Certificate]

Commissioner Tollett asked for and received no public comments.

Commissioner Linke moved to approve the Amended Final Plat, Lots 60 and 61, Block 10, Columbine Lake Subdivision as presented.

The motion passed unanimously.

Commissioner Linke moved to close the public hearing.

The motion passed unanimously.

Campbell Outright Exemption & South Shore Place, Lots 12 & 13, Amended Final Plat (combining 2 lots into one, and dividing 1 other lot into 2 lots)

The following is all or part of staff's Certificate of Recommendation to the Board as it was provided by staff for inclusion in the minutes of the meeting held on May 24, 2016.

PROJECT NAME: Amended Final Plat Lot, 12 and Lot 13, South Shore Place and Campbell Outright Exemption
APPLICANT: Cathern L. Campbell, Richard C. Campbell and (Jerico Investments, LLC – Represented by Cathern L. Campbell (Board Manager) and Christopher A. Tarr (Registered Agent))
LOCATION: Lot 12 and Lot 13 South Shore Place AND M&B Tract in Lot 3, Section 8, Township 3 North, Range 75 West – If approved the addresses for the new parcels will be: 580, 582 and 584 GCR 697 (AKA Jericho Road).
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Subdivision Regulations and Outright Exemption Regulations
EXHIBITS: Amended Final Plat, Outright Exemption Plat, Letter of Application, Jerico Investments, LLC Corporation Summary, Vicinity Map
STAFF PLANNER: Brett Hanlon
REQUEST: The applicants are requesting the approval of an amended final plat that would combine Lot 12 and Lot 13, South Shore Place. Additionally, the applicants are requesting the approval of an outright exemption that would divide a .86-acre parcel into two .43-acre parcels.

I. DISCUSSION

The applicants are proposing an amended final plat that would combine Lot 12 and Lot 13, South Shore Place. Currently, Lot 12 is 0.11 acres in size and Lot 13 is .03 acres in size. When combined, Lot 12 and Lot 13 will be approximately .14 acres (6,026 square feet) in size and it will be known as Lot 12A.

In addition to the amended final plat, the applicants are proposing an outright exemption that would divide a .86-acre parcel into two .43-acre parcels, which will be known as Campbell Outright Exemption Lot 1 and Campbell Outright Exemption Lot 2.

Together, these two proposals will apportion the land to satisfy what is required by a divorce settlement.

Although, the amended final plat and the outright exemption will need to be recorded via two different plats, they are being reviewed together in this certificate of recommendation.

II. REGULATIONS

A. ZONING REGULATIONS

The zoning of all three new lots to be created is Residential.

(a) This zone allows for single family dwellings and boathouses, so all of the existing uses on the property are permitted.

(b) This zone requires 30' minimum front yard setbacks, 5' minimum side yard setbacks and 20' minimum rear yard setbacks. The proposed amended final plat and outright exemption are consistent with the Residential Zone District setbacks.

(c) The applicants' lots have the capability to be served by public sewer and public water. The minimum lot size in the Residential Zone District for land that is served by both public water and public sewer, is 7,000 square feet. The applicants are proposing one lot that is 6,026 square feet in size, and two parcels that are approximately 19,000 square feet in size. The parcel that is 6,026 square feet does not meet the minimum lot size of the Residential Zone District. This parcel will be created by combining the existing Lot 12 and Lot 13.

The existing Lot 12 and Lot 13 are approximately 4,500 square feet and 1,500 square feet respectively. These lots are currently considered pre-existing non-conforming lots as they were created before the adoption of the County's zoning regulations. The creation of this new parcel via the amended final plat process does not increase the non-conformity of the parcels—it actually creates a parcel that is larger than the existing parcels and therefore is closer to conforming to the requirement. It is staff's determination that this parcel can be created as a parcel that is non-conforming to the minimum lot area requirement of the Residential Zoning District.

B. SUBDIVISION REGULATIONS – 4.3 Final Plat

The amended final plat shall contain or be accompanied by the following information:

(a) Title (which shall include the phrase “Amended Final Plat”), bar scale, North arrow and date).

This requirement has been met.

(b) Legal description of property, together with a complete reference to the book and page of records of the County Clerk and Recorder where the conveyance to the applicant is recorded.

This requirement has been met.

(c) Primary control points, or descriptions, and ties to such control points, to which dimensions, angles, bearings, and similar data on the plat shall be referred.

This requirement has been met.

(d) Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves with long chord bearings and distances.

This requirement has been met.

(e) Names and right-of-way width of each street or other right-of-way.

This requirement has been met.

(f) Location, dimensions and purpose of any easement, including reference by book and page to any pre-existing recorded easements.

This requirement has been met.

(g) Number to identify each lot or site and acreage of each site to nearest 1/100th of an acre, and a statement that all lots shall be used for single-family residences only.

This requirement has been met.

(h) Purpose for which sites, other than residential lots, are dedicated or reserved.

This requirement has been met.

(i) Location and description of monuments.

This requirement has been met.

(j) Current title commitment.

This requirement has been met.

(k) Statement by owner platting the property and dedicating the streets, rights-of-way, easements and any sites for public uses, to be in substantially the following form:

This requirement has been met.

(l) Certification by a surveyor insuring the accuracy of the survey and plat and certifying that he

has complied with the requirements of Colorado Revised Statutes, 1973, Title 38, Article 51, and the requirements of these Regulations in the preparation of the final plat, to be in substantially the following form.

This requirement has been met.

(m) Certificates for approval by the Planning Commission and the Board of County Commissioners.

In the signature line, the signee's title should be labeled as follows:

Chairman
Board of County Commissioners
Grand County, Colorado

(n) Certification by a qualified professional engineering, designing or planning firm, insuring compliance with the design standards and all other requirements of the Grand County Subdivision Regulations, as follows:

This requirement has been met.

(o) A two and one-half by three inch (2 1/2" x 3") vertical box in the lower right hand corner shall be provided for use by the County Clerk and Recorder.

This requirement has been met.

(p) Documented proof of legal access.

Not applicable

(q) A vicinity map.

This requirement has been met.

(r) The subdivider shall provide storm drainage plans, property survey, proof of ownership, sanitary sewer plans.

Not applicable

(s) The subdivider shall provide sites and land areas for schools and parks when such are reasonably necessary to serve the proposed subdivision and the future residents thereof.

This requirement was met with the approval of the South Shore Place subdivision

(t) No subdivision shall be approved until such data, surveys, analyses, studies, plans and designs as may be required by this section and by the County Planning Commission or the Board of County Commissioners have been submitted.

This requirement was met with the approval of the South Shore Place subdivision

(u) Major Activity Notice

Not applicable

(v) Each month the Board of County Commissioners shall submit copies of the notice of filing.

Not applicable

(w) An 11" x 17" plat with approved addresses and road number as required. This requirement can be combined with the same requirement for the Outright Exemption. All three new parcels can be shown on one address plat.

This will not need to be provided. The address is labeled on this plat as "580 GCR 697"

(x) Statement of taxes due showing current taxes paid

Proof of taxes paid has been received.

(y) An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat. The drawing shall be based or transformed to a known coordinate system, not an assumed local coordinate system. If GPS Lat/Long is not used for this reference, the Geographic Coordinate Data Base should be used to obtain relative coordinates available from the BLM at www.blm.gov/gcdb. The drawing shall include either a data dictionary to explain the layers, or a self-explanatory layering system.

This will need to be provided prior to the recording of this Amended Final Plat.

C. OUTRIGHT EXEMPTION REGULATIONS

COMPLIANCE/NONCOMPLIANCE WITH GRAND COUNTY OUTRIGHT EXEMPTION REGULATIONS

1. Outright Exemption Regulations Section 1.4.1—Jurisdiction

Outright exemptions allow the division of land when such division may not qualify for Grand County Subdivision Regulations or Grand County Subdivision Exemption Regulations. An outright exemption is used in the following circumstances:

- (a) Adjustment of tract boundaries to establish/determine a boundary when substantial evidence of a bona fide dispute.
- (b) Adjustment of a tract boundary to eliminate an existing encroachment of a substantial structure upon the real property of another.
- (c) Acquisition of access from one parcel of property through another.
- (d) Involves other unusual circumstances which are deemed by the Board of County Commissioners to justify such a grant.

Staff considers the Campbell Outright Exemption to be justified as an outright exemption under item (a). This outright exemption will allocate land to resolve a dispute.

2. Outright Exemption Regulations Section 2.2—Tracts, Parcels, Lots

- (1) As a minimum requirement, dimensions shall conform to applicable zoning or other land use requirements and have a minimum area of five (5) acres.

The Campbell Outright Exemption is creating two parcels that are .43-acres in size. Neither of these parcels will meet the 5-acre minimum lot size requirement outlined in Section 2.2(1) of the Grand County Outright Exemption Regulations. Staff recommends the approval of two variances to the Outright Exemption Minimum Lot Area requirement for these parcels because both of these parcels will comply with the Grand County Zoning Regulations and all other land use requirements.

3. Outright Exemption Regulations – 3.2 Plat

The final outright exemption plat shall contain or be accompanied by the following information:

- (a) Title (which shall include the phrase “Outright Exemption”), bar scale, North arrow and date.

This requirement has been met.

- (b) Legal description of property, together with a complete reference to the book and page of records of the County Clerk and Recorder where the conveyance to the applicant is recorded.

This requirement has been met.

- (c) Primary control points, or descriptions, and ties to such control points, to which dimensions, angles, bearings, and similar data on the plat shall be referred.

This requirement has been met.

- (d) Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and

property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves with long chord bearings and distances.

This requirement has been met.

(e) Names and right-of-way width of each street or other right-of-way.

This requirement has been met.

(f) Location, dimensions and purpose of any easement, including reference by book and page to any pre-existing recorded easements.

This requirement has been met.

(g) Number to identify each lot or site and acreage of each site to nearest 1/100th of an acre, and a statement that all lots shall be used for single-family residences only.

This requirement has been met.

(h) Purpose for which sites, other than residential lots, are dedicated or reserved.

This requirement has been met.

(i) Location and description of monuments

This requirement has been met.

(j) A recent (within 6 months) title commitment for the property.

This requirement has been met.

(k) Statement by owner platting the property and, if required by the Grand County Board of County Commissioners, dedicating the streets, rights-of-way, easements and any sites for public uses, to be in substantially the following form (dedication language may be omitted if not required by the Board of County Commissioners)

This requirement has been met.

(l) Certification by a surveyor insuring the accuracy of the survey and plat and certifying that he has complied with the requirements of Colorado Revised Statutes, 1973, Title 38, Article 51, and the requirements of these Regulations in the preparation of the final plat, to be in substantially the following form.

This requirement has been met.

(m) Certificate of approval by the Board of County Commissioners as follows: (If public dedications are included, the certificate shall be in the form required by the Board of County Commissioners for approval of subdivision plats.)

This requirement has been met.

(n) Certification by the applicant's attorney, the professional engineering, designing or planning firm, if any, and a statement by the owner insuring compliance with the design standards and all other requirements of the Grand County Outright Exemption Regulations and the statement of requirements issued by the Board of County Commissioners.

This requirement has been met.

(o) A two and one-half by three inch (2 1/2" x 3") vertical box in the lower right hand corner shall be provided for use by the County Clerk and Recorder.

This requirement has been met.

(p) Vicinity map

This requirement has been met.

(q) Documented proof of legal access.

This requirement has been met.

(r) Documented proof of the availability of sewer and water supply. Proof of adequate water supply for any proposed development shall be submitted pursuant to C.R.S. § 29-20-103.

Currently Lot 12 and Lot 13, South Shore Place both have the ability to receive well permits from the State Division of Water Resources. The applicants are currently combining Lot 12 and Lot 13 parcels through the amended final plat process and are thereby giving up the right to receive one well permit—as they will now only be able to receive one well permit because there is only one parcel. Staff has determined that the applicants can apply their existing right to receive a well permit to the westernmost parcel in this outright exemption—Campbell Outright Exemption Lot 1. This will serve as the applicants' proof of water.

(s) Statement of taxes due showing current taxes paid.

This requirement has been met.

(t) An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat.

As long as there are no required revisions, staff has the final version on file.

III. STAFF RECOMMENDATION

Staff recommends the approval of Amended Final Plat, Lot 12 and Lot 13, South Shore Place with the following two conditions to be met prior to the recording of the plat. Staff recommends the approval of the Campbell Outright Exemption and two variances to the Outright Exemption Minimum Lot Area Requirement with no conditions to be met prior to the recording of the plat.

Amended Final Plat Lot 12 and Lot 13 South Shore Place Subdivision Conditions of Approval

1. The commissioner's certificate shall be amended (see (m) above).
2. An updated electronic version of the plat shall be submitted (see (y) above).

[End of Staff's Certificate]

Cathern Campbell stated that Lots 11, 12, and 13 are on the shore. When you drop down from Lot 13 to 12, it is a wedge. Combining the lots together keeps the density correct.

Commissioner Linke moved to approve the Amended Final Plat Lot, 12 and Lot 13, South Shore Place and Campbell Outright Exemption with staff's condition.

The motion passed unanimously.

Board Business

Mr. Hassler stated that Mr. Moyer has been in contact with the contractor on the Granby Airport Snow Removal Equipment Building. The owner is trying to open some negotiations. If the Board wishes to discuss this, it can be done in Executive Session.

Mr. Moyer stated that the Board authorized a subcontractor payment agreement in order for Grand County to be able to pay the retainage that it was holding on the Granby Airport Snow Removal Equipment Building.

Mr. Moyer stated that JBlanco had a representative that attended a Board of Commissioners meeting that agreed to the subcontractor payment agreement. Everyone has signed the agreement except JBlanco. Mr. Hassler has been in contact with the attorney for JBlanco.

Mr. Moyer stated that he spoke with the President of the company and was told that JBlanco will not sign the agreement unless the liquidated damages are noted as part of the agreement. JBlanco disagrees with the \$22,938.97.

Mr. Moyer noted to the President of JBlanco that the County could request liquidated damages in an amount that is well over \$100,000 but has agreed to accept \$22,938.97.

Mr. Hassler stated that the Board may want to stick with \$22,938.97 and if JBlanco does not agree, the County may want to move forward on the full liquidated damages.

Commissioner Linke stated that Grand County has been very accommodating on the project. The County did not select this contractor.

Mr. Moyer stated that Grand County has been trying to ensure that the subcontractors on the job are paid in full.

The Board agreed to go for the full liquidated damages. Before moving forward with full liquidated damages, the Board will give JBlanco until Friday to sign the agreement.

2nd Amended Final Plat – Val Moritz Village, Lot 16, Block 4 (combining 2 lots into 1)

The following is all or part of staff’s Certificate of Recommendation to the Board as it was provided by staff for inclusion in the minutes of the meeting held on May 24, 2016.

PROJECT NAME: Amended Final Plat, Second Amended Lot 16, Block 4, Val Moritz Village, First Filing
APPLICANT: Richard Messer and Ann Douden
LOCATION: Lot 13 (Unaddressed) and Amended Lot 16 (2179 County Road 88), Block 4 Val Moritz Village, First Filing
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Subdivision Regulations
EXHIBITS: Amended Final Plat, Vicinity Map
STAFF PLANNER: Brett Hanlon
REQUEST: The applicants are requesting the approval of an amended final plat that would vacate the lot line that currently bisects Lot 13 and Amended Lot 16, Block 4, Val Moritz Village, First Filing, effectively combining the two lots. The 10-foot utility easement that runs with this lot line will remain.

I. DISCUSSION

The applicants are proposing an amended final plat that would vacate a lot line, thus combining Amended Lot 16 and Lot 13, Block 4, Val Moritz Village, First Filing. The applicants are the current owners of both of these lots. In 2014, the applicants had an amended final plat approved that combined Lot 14, 15 and 16, Block 4, Val Moritz Village, First Filing—creating what is now known as Amended Lot 16. There is a house that exists on Amended Lot 16. This lot is 2.84 acres in size. Lot 13 is 0.88 acres in size. When combined, the new lot—which will be known as Lot 16A—will be 3.72 acres. The 10-foot utility easement that currently bisects Lot 13 and Lot 16 will remain in order to service potential future utilities.

II. REGULATIONS

A. ZONING REGULATIONS

The zoning of the two parcels involved in this proposal is Residential.

- (a) This zone allows for single family dwellings. All of the existing uses on the two parcels are permitted in this zoning district.
- (b) This zone requires 30’ minimum front yard setbacks, 5’ minimum side yard setbacks and 20’ minimum rear yard setbacks. The proposed amended final plat creates no issues with these required setbacks.
- (c) The applicants’ lots do not have the capability to be served by public water and public sewer. The minimum lot size on subdivided land not served by public water and public sewage facilities is 30,000 square feet. When combined, the new lot, Lot 16A, will be 3.72 acres and it will exceed the minimum lot size in the Residential Zone District.

B. SUBDIVISION REGULATIONS – 4.3 Final Plat

The amended final plat shall contain or be accompanied by the following information:

- (a) Title (which shall include the phrase “Amended Final Plat”), bar scale, North arrow and date).

The title of the amended final plat shall be amended to read:

AMENDED FINAL PLAT
SECOND AMENDED LOT 16, BLOCK 4, VAL MORITZ VILLAGE, FIRST FILING
BEING A REPLAT OF AMENDED LOT 16, BLOCK 4, VAL MORITZ VILLAGE, FIRST FILING,
RECEPTION NUMBER 2014006656 AND
LOT 13, BLOCK 4, VAL MORITZ VILLAGE, FIRST FILING, RECEPTION # 117337
COUNTY OF GRAND, STATE OF COLORADO
OWNERSHIP VESTED AT RECEPTION # 2014006657 & 2016002739

The address should be taken out of the title.

- (b) Legal description of property, together with a complete reference to the book and page of records of the County Clerk and Recorder where the conveyance to the applicant is recorded.

This requirement has been met.

(c) Primary control points, or descriptions, and ties to such control points, to which dimensions, angles, bearings, and similar data on the plat shall be referred.

This requirement has been met.

(d) Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites, with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves with long chord bearings and distances.

This requirement has been met.

(e) Names and right-of-way width of each street or other right-of-way.

This requirement has been met.

(f) Location, dimensions and purpose of any easement, including reference by book and page to any pre-existing recorded easements.

This requirement has been met.

(g) Number to identify each lot or site and acreage of each site to nearest 1/100th of an acre, and a statement that all lots shall be used for single-family residences only.

The address label on the parcel should be changed to the following, "2179 GCR 88".

(h) Purpose for which sites, other than residential lots, are dedicated or reserved.

This requirement has been met.

(i) Location and description of monuments.

This requirement has been met.

(j) Current title commitment.

This requirement has been met.

(k) Statement by owner platting the property and dedicating the streets, rights-of-way, easements and any sites for public uses, to be in substantially the following form:

This requirement has been met.

(l) Certification by a surveyor insuring the accuracy of the survey and plat and certifying that he has complied with the requirements of Colorado Revised Statutes, 1973, Title 38, Article 51, and the requirements of these Regulations in the preparation of the final plat, to be in substantially the following form.

This requirement has been met.

(m) Certificates for approval by the Planning Commission and the Board of County Commissioners.

This requirement has been met.

(n) Certification by a qualified professional engineering, designing or planning firm, insuring compliance with the design standards and all other requirements of the Grand County Subdivision Regulations, as follows:

This requirement has been met.

(o) A two and one-half by three inch (2 1/2" x 3") vertical box in the lower right hand corner shall be provided for use by the County Clerk and Recorder.

This requirement has been met.

(p) Documented proof of legal access.

Not applicable

(q) A vicinity map.

This requirement has been met.

(r) The subdivider shall provide storm drainage plans, property survey, proof of ownership, sanitary sewer plans.

Not applicable

(s) The subdivider shall provide sites and land areas for schools and parks when such are reasonably necessary to serve the proposed subdivision and the future residents thereof.

This requirement was met with the original platting of the Val Moritz Village, First Filing.

(t) No subdivision shall be approved until such data, surveys, analyses, studies, plans and designs as may be required by this section and by the County Planning Commission or the Board of County Commissioners have been submitted.

This requirement was met with the approval of the Val Moritz Village, First Filing.

(u) Major Activity Notice

Not applicable

(v) Each month the Board of County Commissioners shall submit copies of the notice of filing.

Not applicable

(w) An 11" x 17" plat with approved addresses and road number as required. This requirement can be combined with the same requirement for the Outright Exemption. All three new parcels can be shown on one address plat.

This will not need to be provided. The address for Lot 16A will be 2179 GCR 88 and it will be labeled on this plat.

(x) Statement of taxes due showing current taxes paid

This requirement has been met.

(y) An electronic copy of the Final Plat in AutoCAD.dwg or AutoCAD.dxf format shall be provided prior to any recording of any Final Plat. The drawing shall be based or transformed to a known coordinate system, not an assumed local coordinate system. If GPS Lat/Long is not used for this reference, the Geographic Coordinate Data Base should be used to obtain relative coordinates available from the BLM at www.blm.gov/gcdb. The drawing shall include either a data dictionary to explain the layers, or a self-explanatory layering system.

This will need to be provided prior to the recording of this amended final plat.

III. STAFF RECOMMENDATION

Staff recommends the approval of the Amended Final Plat, Second Amended Lot 16, Block 4, Val Moritz Village, First Filing, with the following conditions to be met prior to the recording of the amended final plat.

1. The title of the plat shall be revised (see (a) above).
2. Label the physical address on the plat as "2179 GCR 88" (see (g) above).
3. Val Moritz Village, First Filing shall be written without parentheses throughout the plat in order to remain consistent.
4. An electronic version of the plat shall be submitted (see (y) above).
5. All recording fees shall be paid by the applicant.

Commissioner Linke moved to approve the Amended Final Plat, Second Amended Lot 16, Block 4, Val Moritz Village, First Filing as presented.

The motion passed unanimously.

Clerk and Recorder – April Fee Report

Grand County Clerk Sara Rosene presented the April report of the fees collected year-to-date.

Commissioner Linke stated that it looks to be up year-to-date but it appears that April is down.

Ms. Rosene stated that Specific Ownership Tax is up. Specific Ownership Tax is based on the value of the vehicle and the age of the vehicle. The newer the vehicle the higher the ownership tax.

Colorado County Officials & Employees Retirement Association (CCOERA) – Plan Review Presentation

Jacob Kuijper, Executive Director of CCOERA stated that it has been four years since he has been to a Board of Commissioners meeting.

Mr. Kuijper stated that CCOERA is all about accumulation, preservation, and eventual distribution of retirement plan assets. Each employee take care of his or her own retirement.

Mr. Kuijper stated that the CCOERA Board has authorized a fee waiver for the third quarter of 2016. The Board of CCOERA prefers to do a fee waiver and maintain control of the budget rather than cutting the quarter of one percent annual asset fee that each participant pays. When CCOERA comes in under budget and there is enough money in bank, the Board agreed to do a fee waiver.

Mr. Kuijper stated that the big change that is coming is that they are changing from risk based portfolios to target date portfolios. It will be more dynamic and age based asset allocation strategy. People in any of the five portfolios will automatically be converted at the end of June. As always, people can change to any portfolio.

There are no fees changed on any assets over \$175,000. There are 30 plus employees who benefit from the structure.

Upon retirement, employees can obtain dental insurance through a Delta Dental Plan.

Mr. Kuijper stated that year-to-day, the S&P is up 1.2 percent, the Dow is up 1.1 percent, and NASDAQ is down about 3 percent.

Mr. Kuijper stated that the CCOERA is a seven member board and five come from counties.

Mr. Kuijper stated that in retirement, 63 percent of current retirees say that Social Security is their major source of income. That is not a good place to be.

Mr. Kuijper stated that around 25 percent of Grand County's participants put money into the voluntary 457 Plan.

Mr. Kuijper stated that 42 percent of the assets are held in the age group of 55 to 65.

Mr. Kuijper stated that Road and Bridge employees stay on the job for the longest period of time.

Mr. Kuijper stated that employees can borrow against his/her retirement plan. The interest is paid back to the employees' retirement plan.

Mr. Kuijper stated that the Employee Benefit Research Institute found in an annual survey that workers over the age of 55, 43 percent of that class of people have less than \$25,000 saved in any source.

Mr. Kuijper stated that 57 percent of all workers have less than \$25,000 saved. Mr. Kuijper added that 33 percent of retirees get 90 percent of their income from Social Security.

Public Health – Communities That Care, Marijuana Prevention

Public Health Nurse Brene Belew-LaDue introduced Julie Hines who is the health educator at Public Health. Ms. Hines is presenting information about Communities that Care Marijuana Prevention grant.

Ms. Belew-LaDue stated that the scope of work for the grant is two years and the budget covers one year.

Ms. Belew-LaDue stated that last year Ms. Hines as a health educator in child health and adult health outreach, spent 1,183 hours doing outreach and health education. That was about 65 percent of her time and equates to \$38,000 paid to Ms. Hines for health education. The budget for this grant is \$50,000.

Ms. Belew-LaDue stated that public health is about prevention. It is about getting out and working on prevention programs. The big push has been evidence based prevention.

Ms. Belew-LaDue used an analogy to describe the job of public health. Ms. Belew-LaDue stated that there were some people fishing. The people started finding bodies floating the river. The bodies were unresponsive and the people started calling EMS. The EMS started taking people to the emergency room. The bodies kept coming down the stream. The people went up the stream and they found more bodies and those people were still alive and they were conscious and EMS was called.

Ms. Belew-LaDue stated that the people went further upstream and found people trying to cross the river and they fell in the river and went downstream.

Ms. Belew-LaDue stated that public health is all about keeping people from falling in the river and floating downstream. It is about building a bridge.

Public health is about prevention. It is sometimes difficult to identify what is actually prevented.

Ms. Belew-LaDue stated that the County has nurse family partnership. It has Incredible Years - a parenting program. It has Creating Lasting Families. These are all evidence based prevention programs.

Ms. Hines stated that Communities That Care is an evidence based public health prevention model. It is a road map that helps a community work through the process of identifying and addressing a specific health outcome. In this instance, it is about youth substance abuse.

Ms. Hines stated that she would spend the first year to 18 months to develop a coalition to identify the key stakeholders and the agencies and individuals. The people in the community that are already doing this work will be involved in the coalition. Once they have identified the key stakeholders and they build the coalition, then the group will look at data (either primary or secondary) and then the group will look at an adoption plan.

Ms. Hines stated that marijuana is in the forefront of consideration because it is prevalent in our community and on a statewide level there is an increase in use and a decrease in perception of risk associated with marijuana.

This will use the resources already in place in the community so it is a sustainable program.

If there is a desire to choose an implementation plan in the future, it will be an evidence based program that has been vetted.

Commissioner Tollett noted the survey that showed marijuana use has decreased 4 percent nationally but among youth 12 to 17, marijuana has gone up 20 percent in Colorado. Ms. Belew-LaDue stated that marijuana use has gone up across all age groups in Colorado. Colorado has the highest use in the nation.

Ms. Hines stated that now that it is legalized, the youth are confused. The perception of risk has decreased.

Commissioner Manguso stated that it appears that the first year is data collection. Commissioner Manguso understood that there was a model of this in Kremmling from 2003 to 2008.

Ms. Belew-LaDue believed that was more for violence prevention.

Ms. Hines stated that this is really a framework that can be used to bring the community together to address the specific issues.

Commissioner Manguso asked if the County can build on that work done in Kremmling. Ms. Belew-LaDue stated that the program in Kremmling was not countywide.

Jen Fanning, Executive Director of Grand County Rural Health Network, stated that this conversation continues to come up at the Health Care Professional Society and the Health and Human Resource Coalition. Both groups support this program.

Commissioner Manguso asked for confirmation that there will not be more staff requested. She does not want to see more people added in two years. Ms. Belew-LaDue confirmed that there will be no additional staff.

Commissioner Linke does not see a downside to this. Ms. Belew-LaDue stated that this is funding for one year but believes that she will be able to obtain the second year funding.

Commissioner Linke moved to approve the contract for the Communities That Care Marijuana Prevention as presented by Public Health Nurse Belew-LaDue as presented.

The motion passed unanimously.

Commissioner Manguso appreciated getting the additional information.

County Attorney Hassler stated that he spoke with David Taussig regarding the CRCA and meetings coming up that Mr. Taussig believes that he needs to attend. Mr. Taussig believes that there are items that are at a critical juncture that should be decided within the next two meetings about the CRCA and the application with regard to in-stream flow rights. Mr. Hassler asked the Board to consider authorizing Mr. Taussig to attend tomorrow's meeting. Mr. Hassler suggested that the Board set up a meeting with Mr. Taussig to go over some of points he is concerned about through the process.

Mr. Hassler stated that there is some slip among the water attorneys in the group about at what point and who should participate in the in-stream flow right applications. The other divergence of opinions is on what level and to what extent the Colorado Water Conservation Board should be involved in the process.

Mr. Hassler stated that Mr. Taussig seems to be charging most of the time for meetings only, not for travel time.

Mr. Hassler stated that Mr. Taussig's standing and expertise in the water area is important. Mr. Taussig is one of the best water attorneys in the state.

Based on what Mr. Hassler has stated, the Board is fine with Mr. Taussig attending.

Commissioner Manguso stated that when Mr. Taussig is meeting with the Board, she would like it to be at a time he is already coming to Grand County. It could maybe be on the phone or the Board could go to Mr. Taussig's office.

There being no further business to come before the Board, the Regular meeting was adjourned at 2:49 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this _____ day of July 2016.

E. Jane Tollett, Chair

Attest:

Sara L. Rosene, Clerk and Recorder