

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

June 6, 2016

Present: Commissioner E. Jane Tollett, Commissioner District 1 – Chair
Commissioner Merrit Linke, Commissioner District 2
Commissioner Kristen Manguso, Commissioner District 3
Clerk and Recorder Sara Rosene
County Attorney Alan Hassler
Interim County Manager Ed Moyer
Road and Bridge Superintendent Chris Baer
Public Health Nurse Brene Belew-LaDue
Community Development Director Bill Gray
EMS Chief Ray Jennings
County Assessor Tom Weydert

Those present recited the Pledge of Allegiance.

Minutes

The Board convened a Special meeting of the Grand County Housing Authority for the purpose of approving minutes.

Commissioner Linke moved to approve the minutes of the Special meeting of the Grand County Housing Authority of March 22 and April 5, 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 minutes.

Commissioner Linke moved to approve the minutes of the Special meeting of the Grand County Department of Social Services of March 22 and April 5, 2016 with corrections.

The motion passed unanimously.

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

Commissioner Linke moved to approve the minutes of the Regular meeting of the Grand County Board of Commissioners of March 22 and April 5, 2016 with corrections.

The motion passed unanimously.

Road and Bridge Update

Road and Bridge Superintendent Chris Baer informed the Board that he has a contract with Mountain States Snow Cat to plow Corona Pass. Commissioner Linke remembered that the Board of County Commissioners offered to match funding for this project. Commissioner Tollett stated that Bob Franek called Department of Local Affairs (DOLA) to ensure that Conservation Trust Funds could be used for this purpose. DOLA approved the use of funds for plowing the pass under maintenance of public lands. Commissioner Tollett contacted Winter Park and Katherine Ross will write a grant for \$2,908. Commissioner Tollett added that the Board of Commissioners had said that Grand County would pay the other half which was \$4,000 and the Town of Winter Park is already committed to pay about \$1,200.

Commissioner Linke thought the County could be the fiscal agent but would only be committing to \$4,000. Interim County Manager Moyer suggested that the Board could note that as part of the approval of the contract. Mr. Moyer summarized by stating that the Town of Winter Park is contributing their original amount, the State has approved someone to apply for Conservation Trust Funds for the rest. The Winter Park Chamber of Commerce will make application to Grand County for Conservation Trust Funds. Commissioner Linke stated that the County could therefore approve the contract contingent upon other funding coming. Commissioner Manguso clarified that the County is only committing to \$4,000 out of General Funds and \$2,000 out of Conservation Trust Funds which might come out of Commissioner Tollett's portion.

Commissioner Linke moved to approve contract with Mountain States Snow Cat for plowing Corona Pass Road noting that Grand County will only commit \$4,200 out of General Fund and this contract is contingent upon receiving the balance of the funds from the Town of Winter Park and Conservation Trust funds.

Discussion: Commissioner Manguso asked why all of the money was not coming from the Conservation Trust. There was further discussion of the mechanics of changing the funding source. Commissioner Tollett stated that the Board has been talking about this since January and that changing funding at this point would complicate the situation. Commissioner Tollett suggested that they could look at funding next year.

Mr. Moyer added for clarification that the Board of County Commissioners is approving a contract in the amount of \$8,400 today contingent on Grand County paying 50 percent. Mr. Moyer noted that staff had been given direction to look into all of it coming from Conservation Trust funds. If it cannot, then the money would come out of General Funds. Commissioner Manguso noted that the Towns of Fraser and Winter Park also get their own shares of Conservation Trust Funds and that perhaps they could fund future plowing contracts with this money.

Commissioner Linke clarified his motion by stating that Grand County will approve the contract for a total of \$8,400. Grand County is committed to half that amount.

Commissioner Linke stated to Mr. Baer that the contract will be approved today and that he could schedule the work with the contractor.

The motion passed unanimously.

Mr. Baer next presented a contract with TWS Aviation Fuel for annual maintenance at the airports in Granby and Kremmling for maintenance, filter elements, and a new hose reel and hose for the “av gas” dispenser at Kremmling. He noted that they have checked into multiple contractors in the past and have found the TWS’ customer service and support to be much better than anyone else.

Commissioner Tollett noted that this is for mandatory annual maintenance. Mr. Moyer noted that the hose and the hose reel purchases would require release of capital.

Commissioner Manguso moved to approve the services contract between TWS Aviation Fuel Systems, LLC and Grand County in the amount of \$8,114.29 and to release capital in the appropriate amount for the hose.

Discussion: Commissioner Manguso noted that there were two propeller planes and five jets in Kremmling over the weekend. It was good to see the airport getting that much use. Mr. Baer noted that Granby Airport was also pretty busy the past weekend.

The motion passed unanimously.

Mr. Baer next introduced his letter to Everist. Mr. Moyer stated that this was a letter that the Board directed Road and Bridge to prepare in order to send it to the contractor regarding County Road 804. Mr. Baer stated that the only statement he had made to the contractor was that he was okay with waiting until it warms up and dries out because that was the best time to do asphalt. Mr. Baer expects work to begin in mid to late June and wrapping up in July.

Commissioner Manguso asked whether the County had anything in writing from Everist stating that they agreed to pay for the work. Mr. Hassler stated that there was nothing in writing but that the contractor has been on the scene and looked at the project and they verbally agreed to cover the costs. There is no specific demand letter required under the contract with Everist. Mr. Hassler believes the letter that Mr. Baer wrote was a polite way of bringing up a plan for reimbursement. Commissioner Manguso summarized by asking everyone involved whether they were comfortable that they will get the costs covered by Everist. Mr. Moyer stated that his point with this letter was to send a letter indicating that this is what Everist understood and the County will invoice Everis for that additional work that took place with regard to the County’s engineer and Geotech for the project.

Commissioner Manguso moved to approve the letter to Everist Materials, LLC attention John Dahl informing them that Grand County is going to proceed with finishing the County Road 804 project as quickly as possible and they will be invoiced for the costs incurred to bring the sections to contract standards that need to be repaired and make ready for the final pavement lift which will also be done this summer.

The motion passed unanimously.

Commissioner Tollett asked when the guard rail was going to be repaired. Mr. Baer believes Alan Green is working with the Sheriff's department as far as payment was concerned.

Mr. Hassler stated that the insurance company wrote a demand letter to the responsible party. The responsible party has been unresponsive; probably because it is an uninsured situation. Last week Road and Bridge completed the District Attorney Victim Impact and Victim Assistance Fund application. It is the County's next best hope to go through the criminal process so that if the person is found guilty, part of the penalty will be reimbursement to the County. Mr. Moyer stated that the guard rail is a safety issue and the County has already gotten bids on the work and the County should replace it regardless of whether the cost can ultimately be recovered. Commissioners Tollett and Linke agreed that the work needs to be done for safety reasons. Mr. Baer will pursue that work this week.

Mr. Baer next introduced the Grand County Road and Bridge asphalt and repair recommendations for 2016. He is asking for direction to proceed with some or all of it.

Commissioner Tollett stated that she appreciated the format and presentation of Mr. Baer's report. It helped to lay out the work that needed to be done that would not cause future problems. Commissioner Tollett felt the cost to repair County Roads 549 and 610 was reasonable. Mr. Baer continues to research what can be done on County Roads 858 and 22. Mr. Baer stated that the most important project will be crack sealing in order to keep the asphalt roads in good shape.

The Board of County Commissioners will schedule discussions regarding repairs as an agenda item for next week. Mr. Baer will prepare cost estimates for all of the work including possible work on County Road 5.

Mr. Baer next spoke to the hauling cost for salt. Mr. Baer made multiple contacts with trucking firms. Morrow and Diamond never replied. The only person that replied to him was Trout. It would cost approximately \$6,000 to \$6,700 for Trout to get it. It will cost the County approximately \$3,300 for the trucks, fuel, and labor and travel expenses. Commissioners Tollett and Linke agreed that the County should proceed with buying and transporting the sand in-house. Commissioner Manguso asked Mr. Baer to write up a cost comparison so there is a permanent record to support a motion for out of state travel.

As a road update, Mr. Baer stated that the crews are starting to blade roads and repair ditches and culverts. The crews will be placing magnesium chloride on County Road 3 between today and Thursday morning. The material should be in the ground for a week before the Ride the Rockies comes through on the 15th of June.

Commissioner Linke asked Mr. Baer to pass onto his crew that Flying Heels appreciated the help that Grand County provided with the arena groomer and the water truck. Brandon Antonio provided some good training on the water truck.

General Public Comments

Superintendent for West Grand School District Mike Paige presented a thank you card that read "Thank you for supporting West Grand Schools by allocating 100 percent of the Forest Reserve Fund to Grand County Schools." Mr. Paige stated that he is presenting this note on behalf of the entire West Grand School District.

Finance Department

Curtis Lange, Finance Director, presented vouchers for approximately \$160,000 for approval this week. He noted that the I.T. Department has been working on the Verizon bill and it is dropping. Commissioner Tollett heard that the bill is dropping by approximately 20 percent or \$1,200 per month.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on June 6, 2016, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Linke moved to approve the vouchers presented on June 6, 2016 for payment on June 8, 2016 for the Grand County Board of Social Services.

The motion passed unanimously.

Finance Director Curtis Lange presented the wires and vouchers for Grand County to be paid on June 8, 2016.

Commissioner Linke moved to approve the interfund transfers and vouchers payments presented on June 6, 2016 for payment on June 8, 2016 for Grand County.

The motion passed unanimously.

Mr. Lange next presented an inter-fund transfer of \$100,000 to allow the Department of Emergency Services to pay back the remainder of the amount they borrowed for cash flow.

Commissioner moved to approve an interfund transfer regarding the money that the County loaned to the Department of Emergency Services to be paid back in the amount of \$100,000 as presented by the Finance Department Director.

The motion passed unanimously.

Departmental Contracts, Comments, Issues

Grand County Public Health, Home Care and Senior Nutrition Director Brene Belew-LaDue presented an amendment to their previous immunization contract signed in December 2015. There is now \$3,072 that has been made available.

Brene Belew-LaDue stated that she will be working with the schools and day care facilities to help them with reporting immunization data.

The County received \$25,000 in vaccine in 2015. This is vaccine for children.

Ms. Belew-LaDue stated that her department gave 452 immunizations to kids under 18 in 2015.

The total cost to the County support is \$16,546.

Commissioner Linke moved to approve the amendment to the immunization contract as presented by Brene Belew-LaDue, Grand County Department of Public Health.

The motion passed unanimously.

Tina Strang presented an option letter (exhibit G) for state fiscal year July 1, 2016 through June 30, 2017. Last year, the County signed a 5-year master contract with the Northwest Colorado Council of Government and the Alpine Area Agency on Aging to provide senior nutrition programs in the Granby and Kremmling areas. The Option Letter Exhibit G would continue that program. The total amount of the contract funding is up to but not to exceed \$50,514.

Grand County will receive funds from the Older Americans Act Funds and Older Coloradoans Funds that are then given to the regional administrator of those funds which is the Alpine Agency on Aging. The funds are filtered down to the local provider. Commissioner Tollett noted that if the County was not in this program, the County would not be getting these funds to administer the program. Ms. Strang noted that \$50,514 is the State and Federal Title 3 funds that are presented in the budget. Ms. Strang originally thought the amount was \$37,000. Instead, the County is actually getting \$50,000 as an increase in funding.

Commissioner Linke moved to approve the Services Contract under the Older Americans Act for Option Letter Exhibit G as presented by Tina Strang of the Senior Nutrition Services up to but not exceeding \$50,514.

Discussion: Commissioner Manguso noted that the contract mentioned an Option Letter #1 that she did not see in Ms. Strang's presentation. Ms. Strang noted that all she was given this year was the Option Letter G. Any of the other attachments are part of the master contract that was signed last year.

The motion passed unanimously.

Director of Economic Development DiAnn Butler introduced Alana Robinson the new VISTA intern to the Board of County Commissioners.

Ms. Butler next presented for signature a letter of support from the Board of County Commissioners for the Economic Development Association assistance grant program.

Commissioner Linke moved approve the letter to Mari Sutton the Area Director for the Denver Regional Office of the US Department of Commerce for the Economic Development Association as presented by DiAnn Butler.

Discussion: The letter states that the County is in support of the grant in conjunction with Clear Creek County. The matching amount of \$100,000 would be coming from Freeport McMoRan. If approved, the total for the grant will be \$200,000.

The motion passed unanimously.

Emergency Medical Services Chief Ray Jennings presented a contract between Grand County and Health One Education Services. They are partners with Emergency Medical Services for providing education. This contract allows Emergency Medical Services to have an agreement with them to allow new emergency medical technicians and paramedics who are going through school to ride in the County's ambulances. The contract has already been reviewed by the County Attorney's office. Chief Jennings stated that they are providing the insurance. The contract also provides for a 30-day exit strategy for either side. Audrey Jennings will be the program coordinator.

Commissioner Tollett stated that she saw no disadvantages to this program. It allows the students to get some rural training and, when they graduate, hopefully Grand County will get some recruits.

Chief Jennings stated that this is the first contract between Emergency Medical Services and an agency out of the Denver area. The County has done this kind of program with Colorado Mountain College in the past. Chief Jennings also stated that there is no requirement for Grand County Emergency Medical Services to take patients to a Health One facility.

Commissioner Linke moved to approve the Education Affiliation Agreement through Emergency Medical Services for the clinical training of Health One students at Grand County EMS as presented by Ray Jennings, Emergency Medical Services Chief.

The motion passed unanimously.

Chief Jennings stated that he would back next week to discuss a grant that Emergency Medical Services received from Grand Foundations for approximately \$15,000 for educational materials.

Mr. Jennings congratulated Ms. Brene Belew-LaDue and her team for working with Emergency Medical Services to provide car seat safety training in the Lake Dillon area.

Mr. Moyer noted that the County has a request from the Kremmling Chamber of Commerce for a standby ambulance on June 18th for the Annual Cliff Golf Contest from 10 a.m. to 2 p.m. Mr. Moyer stated that in the past Commissioners have approved this, but he asked how this affects Chief Jennings's budget. Chief Jennings stated that this will mean a requirement for an additional ambulance because of the remoteness of the site. Chief Jennings is reviewing the schedule. This is not the only event that is going on at that moment. He will have more information next Tuesday.

County Clerk and Recorder Sara Rosene provided the Board of County Commissioners with an update on an allowance in Senate Bill 138 for ATM type machines to issue tabs for license plates. The Department of Revenue has said they do not want individual counties to install these on their own. The Department wants a pilot program done with one request for proposal (RFP). The clerk in Arapahoe County offered to get the RFP together if counties would join Arapahoe County on this. There is a chance there will be costs because of data drops.

The kiosk allows a bar code to be used to bring up the vehicle information. The registrant pays with a credit card, an electronic check, or cash. The machine dispenses the tabs. This system would only renew plates during the plate's grace period which is between the month before and the month after the expiration date. Ms. Rosene stated that this is similar to what the Clerk and Recorder's Department currently does on line.

This is still in the pilot stage. Twenty-Five percent of the counties have been approved to do the pilot. Ms. Rosene stated that her goal is to put it in the east end of the county because of the distance required of people to travel to get their plates renewed. She later indicated she hoped to install the kiosk in a general location such as one of the grocery stores.

Ms. Rosene stated that she thinks this would be a real plus for the County. Right now, the goal is to work together on an RFP. Mr. Hassler indicated that the County could be part of Arapahoe County's RFP.

Ms. Rosene stated that the overall cost to the consumer would be the cost of the renewal plus the transaction fee plus a possible transaction fee for Colorado Interactive to process credit cards. The Clerk and Recorder's office would keep inventory and restock the machine.

Mr. Hassler stated that he thought the Board of County Commissioners could do at this point is to let the Clerk and Recorder know that they support the idea and then wait to see what documents get developed with respect to an RFP and an inter-governmental agreement.

Commissioner's Tollett and Linke indicated they were in favor of this program.

Manager and Attorney Items

Mr. Moyer presented a services contract with Bolan Cleaning and Maintenance, Inc. for cleaning the windows in the Judicial Building in an amount not to exceed \$875. Bolan was the low bid.

Commissioner Manguso moved to approve the services contract between Bolan Cleaning and Maintenance, Inc. and Grand County in the amount not to exceed \$875. This is for window cleaning.

The motion passed unanimously.

Mr. Moyer presented a construction contract with Rusty Branstetter, dba Rusty Pipes Plumbing and Mechanical in the amount not to exceed \$5,048.88 for the removal and replacements of toilets and urinals at the Middle Park Fair Grounds in the Extension Hall and the grandstands. Mr. Moyer asked that Commissioners sign this contract prior to being signed by the contractor because of the timing. Mr. Moyer would like to have the work completed prior to the start of Kremmling Days. Mr. Moyer assured the Board that the work would not proceed until the contractor signed the contract.

Commissioner Manguso moved to approve the construction contract between Rusty Branstetter, dba Rusty Pipes Plumbing and Mechanical and Grand County for the removal and replacements of toilets and urinals at Extension Hall and grandstands.

The motion passed unanimously.

Mr. Moyer stated that the County advertised for the position of an Airport Advisory Committee member appointment. The only request that was received was from Ryan Fosha. The Airport Advisory Committee is good with Mr. Fosha joining the committee.

Commissioner Linke moved to approve Mr. Ryan Fosha to be on the Airport Advisory Council through December 31, 2020 as per the request.

Discussion: Commissioner Tollett noted that he seems well qualified so the County is lucky to have such a good volunteer.

The motion passed unanimously.

Mr. Moyer next updated the Board with regard to a meeting he had with Colorado Department of Public Health and Environment (CDPHE) regarding the Granby Landfill. He will provide a follow-up synopsis because the County's consultants joined them later at the landfill. CDPHE also wanted to inspect Granby and Kremmling landfills on their own without anyone there. Once Mr. Moyer hears from CDPHE he will provide an update and follow-up.

Commissioner Manguso asked if anyone remembered why the Board of County Commissioners decided to close the Kremmling landfill. She remembers that the County was just going to "mothball" it and then suddenly it went into closure. No one indicated that they remembered why. Commissioner Linke noted that the landfill did have capacity left. He stated that it really didn't matter unless the County was willing to do something about that. If the County could open it back up, it would be worth investigating. The bigger question would be whether the County could reverse the closure plan.

Mr. Moyer noted that at this point the County has an approved the closure plan and the cap has been placed. It is closed. He will, nonetheless, research the issue. Commissioner Manguso stated that she would like to know why that decision was made because it was a real benefit for that side of the County. It also raised the cost of removing waste because it now has to be transported to Granby.

Mr. Moyer spoke to the staff meeting that Commissioners discussed having on June 20th at 1:00 p.m. Grand County Assessor also requested a workshop on abatements. Mr. Moyer stated that he thought it was appropriate to talk about the Board of County Commissioner's philosophy regarding block grants as the County is trying to move in that direction with Grand Foundation. Finally, the workshop would continue discussion on the Board of County Commissioner's budget strategies.

Mr. Moyer next spoke about an annual irrigator's meeting that is normally held with the meadow pumpers in the vicinity of Kremmling. They typically meet with Denver Water, Northern Water and the Bureau of Reclamation and the River District. Mr. Moyer received a request to schedule that meeting and he has sent out an email to those concerned. He also noted that there was some overlap of information that is conveyed at this

meeting and the State of the River meeting that is hosted by the River District. Commissioner Tollett noted that a lot of the irrigators do not go to the State of the River. The irrigators meeting allows the irrigators to bring up issues and concerns. It is also a more back and forth give and take than the State of the River meeting.

Mr. Moyer presented a memo regarding the independent referees and arbitrators for the 2016 Board of Equalization hearings. Mr. Moyer is requesting that the Board of County Commissioners appoint Stuart Thomson and Doug Doudna.

Commissioner Manguso moved to appoint Stuart Thomson and Douglas Doudna to serve as the referees and arbitrators for the 2016 County Board of Equalization (CBOE) hearings.

Discussion: County Assessor Tom Weydert stated that the CBOE referees can either be the Commissioners themselves or they can continue to do what they have in the past, which was contracted out with licensed appraisers who work in Grand County and who are familiar with Grand County. They sit as the hearing officers and then make a recommendation to the Board of County Commissioners that is either accepted or rejected by the Board. The rules for arbitrators are a little different.

Mr. Weydert also noted that the referees sit individually and hear different protests. He noted that they usually employed three referees in the past. He also noted that there are approximately 300 people who have initiated a protest this year, which is typical. His office will review all of those. Some they will agree with, some they will not. He does not know at this stage how many will go before the CBOE. He estimated that less than 100 protests proceed to the CBOE. Mr. Weydert stated that he did not think that it would be a problem for the referees to hear all of the protests. Mr. Weydert noted that the referees the Board of County Commissioners is looking at are very competent and experienced.

The motion passed unanimously.

Consent Agenda

Resolution No. 2016HA-5-24, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY, APPROVING A LOAN FROM THE GRAND COUNTY HOUSING AUTHORITY DOWN PAYMENT ASSISTANCE PROGRAM, AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE WIRE TRANSFER REQUEST”

Resolution No. 2016-5-25, “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 FOUR MILE FARMS, INC. D/B/A HARRINGTON LANDSCAPES AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR IRRIGATION SYSTEM MAINTENANCE”

Resolution No. 2016-5-26, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING AN AWARD OF CONSERVATION TRUST FUND MONIES TO THE FLYING HEELS ARENA ASSOCIATION”

Resolution No. 2016-5-27, “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 CONTRACT BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR IMPLEMENTATION OF THE “COMMUNITIES THAT CARE” MODEL”

Resolution No. 2016-5-28, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A REQUEST FOR REIMBURSEMENT TO THE U.S. DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT”

Resolution No. 2016-5-29, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A CAPITAL RELEASE TO PURCHASE NEW RESTROOM FIXTURES FOR THE CSU EXTENSION HALL AND FAIRGROUND GRANDSTANDS”

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

Mr. Hassler stated that with regard to snow removal equipment building at the Granby Airport, the contractor has so far declined to enter into a resolution with subcontractors. The Board of County Commissioners last heard a request from the contractor to reduce the mitigated damages to \$10,000, leaving the contractor with \$12,000. When that was presented to the Board last week, it was rejected.

The next step in the process under statute is to notify all parties that the County has pending claims and that the County will pay out the money 90 days from the April 29, 2016 last date to file a claim. The County will not pay the subcontractors. The County tried to pay the subs, but JBlanco would not agree to let the County pay the subs. The County will sit on the money and wait to see if the contractor and the subcontractors bring to the County a resolution or if any of the subcontractors sue the contractor. At the end of the 90 day period, the money is simply paid over to the primary contractor, JBlanco.

Last Friday, the attorney for JBlanco advised that there may be issues with the subcontractors. The County does not get into that dispute.

A resolution has been prepared and placed in the Board's drop box. The important parts are the two numbered parts which recite the County will simply go back under the statutory procedure for settling these kinds of claims. Mr. Hassler is asking the Board to pass this resolution that explains the circumstances up to this point where they attempted to handle the subcontractors' claims, that the County has its liquidated damages claims and that the liquidated damages claims exceed the total amount of the contract and subcontractor claims.

Commissioner Tollett noted that because J Blanco has refused to sign the original agreement and the subcontractors are still not getting paid which is a shame.

Mr. Hassler agreed. He stated that the subcontractors would be paid only when JBlanco is paid. JBlanco has to provide the County with final releases before it can pay them and those have not issued. The County also has notice of the other claims, so the County is not paying.

Commissioner Manguso stated that she liked the resolution. She quoted the resolution: "Pursuant to article 4, JBlanco agrees to pay as liquidated damages the sum of \$1,400 for each calendar day" for 315 days.

Commissioner Tollett stated she is sorry it has gotten to this, but JBlanco did not do a good job. Commissioner Linke noted that the County gave them the easy opportunity to settle this in a non-confrontational way and they chose not to do that. Commissioner Manguso noted it was also financially beneficial to JBlanco.

Mr. Moyer stated that the next step in the process will be that, with respect to the two grants with the Federal Aviation Administration and the State Division of Aeronautics, the County will be processing a final reimbursement request. The remaining retainage money of approximately \$14,000 that is due to the subcontractors will come in to the County. Mr. Moyer will also send a letter to the State showing that the remaining dollars of the \$22,000 that the County is assessing as liquidated damages. Any monies above and beyond that will come from the contractor's bond if the County chooses to go after that. This way the grants will be closed out.

Commissioner Manguso moved to approve Resolution No. 2016-6-1, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO CONCERNING JBLANCO ENTERPRISES, INC. AND A.I.P PROJECT NO. 3-08-075-10-2014"

Discussion: Mr. Hassler stated that the County has been in contact with JBlanco's counsel and with the subs on a regular basis. Mr. Hassler will let JBlanco's counsel know that the Board has passed this resolution.

The motion passed unanimously.

Board Business/Correspondence/Calendar/Meeting Reports

Mr. Moyer stated that Commissioners received a letter from the Colorado Commission on Higher Education. This was a resolution that came to the Colorado Commission from Grand Foundation on behalf of them in applying for a grant with Chaffee County through Colorado Mountain College Foundation. This letter is stating that Grand County was successful in being approved for \$20,011. Mr. Moyer sent an email to Megan Ledin to ask who administers this and where the matching funds come from. Mr. Moyer is not sure how the money is split between Grand and Chaffee Counties. Commissioner Tollett noted this was another nice program started by the Grand Foundation.

Mr. Moyer stated Reid Armstrong put out a press release regarding the new Sulphur District Ranger, John Morrissey. Mr. Moyer will be inviting Mr. Morrissey to a Board meeting sometime in July to introduce himself.

The Board received three thank you letters regarding a recent marijuana application.

The state ruled on two properties with regard to tax exemptions. The properties were Granby Club for Alcoholics Anonymous and Shekinah Ranch, a religious retreat location for Christian pastors to spend a weekend.

Grand County was in receipt of a \$20,500 veteran assistance for the next fiscal year.

Mr. Moyer reported that the Board has been provided updated building permits and revenue. At the end of May, the County is tracking approximately \$7,000 ahead of last year. Commissioner Manguso noted that this was only one-single family home ahead of last year. Commissioner Linke summarized by stating that inspection numbers are up and also evaluations of the projects are up by almost 15 percent. Mr. Moyer noted that the County has 22 permits ready to be issued and they are also working on another 14. It was noted by commissioners that, while it is an increase, this is not a business boom. Commissioner Linke stated that he is fine with not having a boom because it is always followed by a bust.

Mr. Moyer next presented a letter to Creative Industries Division, through the Colorado Office of Economic Development and International Trade. It is a letter of support for the County for Grand County Concert Series and its grant to the Colorado Office of Economic Development.

Commissioner Manguso moved to approve the letter to Creative Industries Division of the Colorado Office of Economic Development and International Trade in support of the Grand County Concert Series Colorado Creates Grant.

The motion passed unanimously.

Calendar Items:

June 6, 7 & 8 CCI annual summer conference in Steamboat
June 13 Mayor, Managers, Commissioner's meeting at the Town of Grand Lake at 10:00 a.m.
June 15 Meet and Greet at Mountain Parks Electric at 5:00 – 7:00 p.m.
June 17 Water Attorney meeting at 11:00 a.m. with Dave Taussig
June 27 Annual town hall meeting with Grand Lake at 7:30 p.m.
June 16 County Manager Interviews

Commissioner Manguso hopes the Board of County Commissioners will wait at least a week before making a final decision on who to hire for the position of County Manager. Commissioner Manguso would also like to make the Board available to the citizen's group to further express to the Board thoughts they might have a day or two after the interviews. Mr. Hassler stated there was no problem with waiting until Tuesday to make the final decision. Mr. Hassler stated that the County had to wait 14 days past the public notice before they can extend any offer. Commissioners Tollett and Linke agreed that the next regular meeting would be the appropriate date to make the decision. They also agreed that it should be an agenda item to finalize a manager discussion.

Meetings Reports

Commissioner Linke spoke to the hydro dedication that he stated was a very positive event. It shows the cooperation between some of the water companies and what they can do to work with Grand County entities to provide hydroelectric power at minimal impact. It provides electric power for almost 400 homes. Each turbine runs 36 cfs for a maximum of approximately 75cfs. In winter time they only run one turbine. The minimum flow required to make power is about 20cfs. Commissioner Linke noted that with hydroelectric power, once infrastructure is there, there is very little cost. The Board discussed the complicated technology involved in protecting river flows and delivering and receiving power from the grid. Commissioner Tollett noted that this was a \$5.7 million investment in Grand County by Northern Water.

Commissioner Manguso phoned in on the Northwest Colorado Council of Governments meeting. She noted that the State Demographer's presentation did not give much hope on growth in population in Grand County. Jackson County is also dropping in population. Summit County is growing. Commissioner Tollett stated that she wondered how much of the cause is due to rural health care issues. She also noted that some cannot get jobs. Broadband is also an issue. Commissioner Tollett spoke to some who said if they cannot get broadband, they will have to move and when they do, they will look for something they can buy and sell easier.

Commissioner Manguso stated that broadband was also discussed at the NWCCG meeting. At that meeting it was reported that Summit and Pitkin Counties have 80 percent coverage.

Grand County is number three for broadband availability in all of northwest Colorado. Commissioners noted that broadband is in fact in Grand County and the County should be promoting that more. Commissioner Tollett noted that if you tell a realtor you are looking for a house that has top of the line broadband they can show you quite a few houses. Of course, if you live in a house that does not have coverage, that is more of an issue.

Mr. Moyer noted that Martin Woros verified that the CAF2 funding is going to include Ice Box Estates.

Public Health – Board of Health, Onsite Wastewater Treatment System variance Amended Lot 25, Trail Creek Estates Subdivision

Commissioner Linke moved to sit as the Board of Health.

The motion passed unanimously.

The public hearing scheduled to begin at 10:45 a.m. was called to order by Chairman Tollett at 10:51 a.m.

Community Development Director Bill Gray presented:

Daniel Clark, owner of Amended Lot 25, Trail Creek Estates submitted an Onsite Wastewater Treatment System (OWTS) application, final design and variance request. One of the variances being considered requires consent from an adjacent property owner. In an attempt to keep the OWTS permitting process for this owner moving forward the public hearing was scheduled with the hope that the consent would be received. Unfortunately, Mr. Clark did not receive the consent as had been anticipated. The Board of Health is prohibited by the County's adopted OWTS regulations to grant a variance without such consent. The Applicant has asked that the hearing be closed and re-noticed once the consent is obtained. It is Staff's recommendation to the Board of Health to close the public hearing at this time.

Commissioner Manguso moved to close the public hearing.

The motion passed unanimously.

Commissioner Linke moved to convene as the Board of County Commissioners.

The motion passed unanimously.

Panorama Townhomes – Recording Extension

The following is all or part of staff's Memorandum to the Board as it was provided by staff for inclusion in the minutes of the meeting held on June 6, 2015.

Elizabeth and Mark Spiegel ("Applicant") are requesting a final plat recording extension for Panorama Townhomes at Winter Park Ranch. A written request for a one (1) year extension was submitted by the Applicant on May 27, 2016. The PLAT was conditionally approved by the Board of County Commissioners ("BOCC") on July 17, 2012. Recording extensions for this subdivision have been granted in 2013 and 2014. It is the goal of the Applicant to complete final plat recording conditions and begin development in late summer of 2016.

Section 7.3 (3) (e), Subdivision Regulations, state that ") "...Approval of any final plat shall expire after one (1) year if not recorded in the Office of the Grand County Clerk and Recorder following the date of the Board of County Commissioners Final Plat approval. One (1) year extensions may be requested in writing by the developer and will be considered by the Board of County Commissioners."

Staff recommends that the BOCC approve the request to extend the recording date for Panorama Townhomes for one (1) year or until July 17, 2017.

Mr. Gray presented Resolution No. 2016-6-2, "A RESOLUTION GRANTING A ONE (1) YEAR EXTENSION TO THE RECORDING REQUIREMENT FOR THE FINAL PLAT OF PANORAMA TOWNHOMES AT WINTER PARK RANCH"

Commissioner Manguso moved to approve Resolution No. 2016-6-2 as presented.

The motion passed unanimously.

Rowley Park License Agreement & Access Easement

Mr. Moyer stated that the Board of County Commissioners discussed this in February. Commissioners directed that he look into the matter to determine how to move forward with making Rowley Park accessible to the public. There is a lot of information concerning Rowley Park and the history in the drop box.

At one point, there was a license agreement in draft form that appears to have come from Denver Water. Mr. Moyer stated that if the Commissioners wish to move forward then the County needs to get back to Denver Water and try to finalize that.

Mr. Moyer did not see a requirement to fence the property. He thought that if it is not a requirement, it might be best to simply establish corners and boundaries. Mr. Hassler stated that Road and Bridge has offered to set T-posts as pins to help preserve the lines from an earlier survey provided by the County Surveyor.

Mr. Hassler noted that this was a gift from the Marv Rowley estate. In the estate the title went to a trust. The next document that he has is the trustee in his personal capacity making the gift to the County. At the time this was done, the state statutes on how trusts conveyed land were ambiguous. Mr. Hassler stated that he cannot determine whether the gift is from the trust or from Gerald Rowley's own personal gift. The restriction required that within 12 months from the date of the deed there would be a sign posted (which has been done). The deed would revert to the trust only if the land is not used for public recreation. There is no time limit for that.

Mr. Moyer noted that this property is located south of the east boat ramp on Williams Fork Reservoir. It is north of Lock n Vale and south of Williams Peak and Denver Water property. Mr. Hassler noted that there is no public access south from the boat ramp road to this property. The Denver Water Board road going to the Denver Water Board campground south of the boat ramp would be a way to gain access. That is the agreement that was drafted up from Denver.

Commissioner Tollett noted that the County has three options:

1. The County gets an easement to the property from Williams Peak Ranch and Denver Water and develop the land into a public recreation area
2. The County does nothing and the property reverts back to the original grantor
3. Get an easement from Denver Water to develop it as a recreation area. This development can be loosely interpreted. This would be an easement to extend a road to beyond where Denver Water currently allows the public to access their property.

Commissioner Tollett noted that Denver Water wrote the Board of County Commissioners in August 2, 2010 stating that they are not in a position to develop and maintain it, but they are willing to grant access to the property for recreational purposes.

It was agreed by commissioners to pursue something with Denver Water to get some kind of permanent access first. Grand County could determine at a later date how much development to pursue in the area.

The Board gave the County Manager's office direction to try and keep the property and work with Denver Water to get the right-of-way so that people can access it from the boat ramp west of Lock n Vale. Commissioner Linke noted that this site could qualify for Conservation Trust Fund monies to develop it into a campsite.

Sandy Doudna asked what Commissioners were looking forward to attending at the CCI Conference. Several sessions will be occurring at the same time, so Commissioners Linke and Manguso and Ed Moyer will try and split up so that all issues can be covered by Grand County.

Commissioner Linke stated that he and Commissioner Tollett also attended the Long Term Health Care Solutions meeting that Rural Health Network had. It was a very positive meeting. The Rural Health Network had its facilitator hired and is working toward finding solutions for the top issues that people want to see in a long term health care solution. They tried to narrow down a long list of things that were brought up to what people want. Commissioner Tollett noted it was helpful to have the hospital at the meeting and she appreciated them being there.

Commissioner Manguso stated that one of the topics of the CCI meeting was meeting the challenges of Colorado's aging population. They spoke to how the older people effect economically where they choose to live at retirement. She stated they bring in money, but they are not are in the position to drive the economy with work and children. Grand County is a middle retirement community. When younger retirees grow old enough to require really good health care, they move to Denver.

Three Lakes Water and Sanitation District – Lift Station Site Application

The following is all or part of staff’s Memorandum to the Board as it was provided by staff for inclusion in the minutes of the meeting held on June 6, 2015.

Three lakes Water and Sanitation District has submitted a Site Application for the replacement of Columbine lake lift Station #1. The County is required to review the site application in accordance with Colorado Department of Public Health and Environment - Regulation 22. Regulation 22 is the state regulation that requires CDPHE review and approval of site location and design for any domestic wastewater treatment work. Regulation 22 is applicable to lift stations designed to receive 2,000 gpd or greater. However, any lift station funded with State Revolving Fund or federal funds is required to receive CDPHE design approval regardless of size.

The construction of Columbine lake lift Station #1 due to size and funding makes it subject to Regulation 22 and requires County review. As a review agency we are to review the site application for consistency with local plans, regulations and rules.

- The County Master Plan support development in unincorporated Grand County where adequate infrastructure is in place. The proposed replacement of Columbine lake lift Station #1 addresses end of life cycle for the existing lift station and a 20 year planning horizon. Furthermore, the plan promotes protection of water quantity and quality. This project is consistent with the policies of the Master Plan.
- A main issue identified in the 208 water quality plan is point source problems. TMWSD was established to address this issue. The project is part on an on-going effort of the district to repair and upgrade their existing system to ensure that wastewater is being collected and treated to appropriate water quality standards and also addresses I&I issues within the service area of the District. The proposed project is consistent with the 208 Water Quality Management Plan.
- Grand County has adopted 1041 Permit regulations for water and wastewater project. The proposed project is not subject to the County's 1041 regulations

Staff recommends the BOCC sign the site application for Columbine lake lift Station #1.

Commissioner Manguso moved to authorize the chair to sign the Water Quality Control Division Certification authorizing site application for the lift station replacement for Columbine Lake.

The motion passed unanimously.

There being no further business to come before the Board, the Regular meeting was adjourned at 11:32 a.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