

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

July 12, 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 Ala Hassler
Interim County Manager Ed Moyer
County Assessor Tom Weydert
Social Services Director Glen Chambers
Public Health Nurse Brene Belew-LaDue
Sheriff Brett Schroetlin

Those present recited the Pledge of Allegiance.

Minutes

Commissioner Linke moved to approve the Meeting Minutes of the May 17, 2016 meeting of the Board of County Commissioners, the Department of Social Services, and the Grand County Housing Authority with corrections.

The motion passed unanimously.

Finance Director

County Finance Director Curtis Lange presented the vouchers for Grand County to be paid on July 13, 2016. Total was approximately \$161,000.

Commissioner Linke moved to approve the vouchers presented on July 12, 2016 for payment on July 13, 2016 for Grand County Department of Social Services.

The motion passed unanimously.

Commissioner Linke moved to approve the checks presented on July 12, 2016 for payment on July 13, 2016 for Grand County Housing Authority.

The motion passed unanimously.

Commissioner Linke moved to approve the vouchers, wire payments, and interfund transfers presented on July 12, 2016 for payment on July 13, 2016 for Grand County.

The motion passed unanimously.

Road and Bridge Update

Road and Bridge Superintendent Chris Baer stated that his crews are performing general road maintenance. He has no update regarding the gates on County Roads 606 and 609. Mr. Baer stated that he is trying to resolve the issues.

Mr. Baer reported seeing no new markings on County Roads 5 and 521.

Mr. Baer stated that crews are watering County Road 804.

Commissioner Manguso stated that the Fair Board made a request to get crusher fines from a private pit. The crusher fines are for a new event which is horse race at fair. Grand County does not have enough material so a local pit was asked to donate crusher fines.

Grand County Road and Bridge will move the crusher fines to the track, remove after the race, and store on the fairgrounds.

Commissioner Manguso noted that the Board strongly supports the fair.

Alan Summerfield who lives at 46 County Road 804 stated that he would like to review last year:

1. Last year was a challenge. From the perspective of someone who lives on County Road 804 during the construction process, he gave an "A" to the installation of the water line and for the drainage installation.
2. The paving was unfortunate.
3. The revegetation has been done very poorly.

Mr. Summerfield stated that he would like the County to look at the weeds that are growing in the area that should have been revegetated.

Commissioner Manguso stated that she would like DNR to go onto this private property to spray the weeds. She noted that the County did the work on the road and would like the County to take care of the impacts.

Paul Salem lives at 1148 County Road 865 in Grand County Village. The people in the subdivision are concerned over what is happening on Lots 4 through 9. This is located on the bottom of Red Dirt Hill by the Highlands. Mr. Salem would like to get on the agenda or have a special meeting to discuss the concerns.

Mr. Salem stated that the land has been filled in and excavated without permit or permission from Road and Bridge.

Commissioner Manguso stated that Grand County does not require grading permits. Mr. Salem stated that there are wetland concerns.

Mr. Salem stated that he understands that the owner is putting up a storage unit facility. The neighbors are opposed to that. Before a permit is granted, Mr. Salem would like to address concerns.

Community Development Director Bill Gray stated that the zoning for that property is tourist. Mr. Gray understands that the owner of the property does plan to build a mini-storage warehouse. This is a permitted use in tourist. All of the lots that front Highway 40 in Grand County Village are zoned tourist. Those lots have been zoned tourist since Grand County adopted zoning in the early 1970s. Mr. Gray stated that the grading has been a concern on that lot. Grand County does not have grading standards. There is nothing in the regulations that would require a grading permit prior to any movement of dirt.

Mr. Gray talked with the applicant about the movement of dirt. The owner of the property has an engineered grading plan. They implemented some temporary erosion control along the drainage way that runs along the highway. There is nothing the County can do with regard to the grading of that property.

Mr. Salem confirmed that he is concerned over mini-storage next to his house. Commissioner Tollett stated that the County can do nothing about what is currently being proposed for that property.

Mr. Gray stated that in the Tourist Zone, both a convenience store and a private home are permitted uses.

Interim County Manager Moyer stated that the only thing that could preclude the zoning would be any covenants enforced in the subdivision and the covenants prohibited that as a use.

Mr. Salem is not sure if the covenants are in place and he will do some research. Mr. Salem asked for guidance as to what the neighbors can do.

Mr. Salem stated that there is another lot in the subdivision that is being used for storage and for a home with no permitted structure, no water, no electricity, etc. Mr. Salem has complained about that situation to the Planning Department and nothing has happened.

Mr. Gray stated that the property being described is owned by Brinkman Associates. There has been a storage shed on that piece of property. Over the last two years, storage has been accumulating both inside and outside. He has received complaints that people have been living in that building. Mr. Gray cited that owner with a zoning violation and a building violation. That violation is in court right now.

Mr. Gray stated that Brinkman's appearance date is July 21st or 22nd. The resolution Mr. Gray proposed to Ms. Brinkman was that she could use the storage shed as a storage shed but everything needed to be stored inside. The travel trailer needed to be removed from the property. Mr. Gray stated that he has noticed that more things have been added to the property.

Commissioner Tollett stated that Mr. Salem will need to find the covenants and perhaps get a lawyer to see if those are enforceable.

Commissioner Manguso believes that there is a copy of the covenants in the file and she is sure that the covenants can be provided. The County cannot enforce the covenants.

Commissioner Manguso noted the frustration of going through the legal system on this, but the County does need to take the building and zoning violations to court.

Based on a question, Mr. Gray noted that the County has no hours of operation tied to commercial uses in the Tourist Zone. Mr. Gray added that if the owner wants to put in an office or caretaker unit, then water and sanitation would be a requirement.

Commissioner Tollett stated that the key thing is to find the covenants and sit down with Community Development and determine what rights Mr. Salem has.

Departmental Contracts, Comments, Issues

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

The motion passed unanimously.

Social Services Director for Grand and Jackson Counties Glen Chambers presented the Board with an Intergovernmental Agreement between Grand and Jackson Counties. This is IGA that is signed every year with the agreement between Grand and Jackson Counties stating that Mr. Chambers is the Director and Taunia Shipman is the supervisor. Grand County does the accounting and finances for Jackson County. Jackson County pays 20 percent of Mr. Chambers and Ms. Davis' salaries and 10 percent of Taunia's salary.

Commissioner Manguso moved to approve the Purchase of Service and Intergovernmental Agreement between the Board of County Commissioners of the County of Grand and the Board of County Commissioners of Jackson County as presented by Mr. Chambers.

Discussion: Commissioner Linke noted that Jackson County really appreciates this.

The motion passed unanimously.

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

The motion passed unanimously.

County Sheriff Brett Schroetlin stated that with regard to the fire restrictions, there was a slight change.

Sheriff Schroetlin stated that a couple of weeks ago, he and the County Fire Chiefs informally spoke about the fire conditions. Sheriff Schroetlin has been monitoring these over the last couple of weeks.

Sheriff Schroetlin held a meeting yesterday among the local partners; Emergency Management, fire departments, Forest Service, BLM, and Park Service. The meeting was held to determine where the fire conditions stand in the County.

Sheriff Schroetlin uses science to make determinations as far as how the County should proceed. The seven criteria used to make a decision with regard to fire conditions are:

1. Thousand hour fuel moisture levels
2. Three day mean energy release component average
3. Live fuel moisture content
4. Are fires affecting available resources around the region
5. Is the area receiving a higher than normal occurrence of human caused fires
6. Do we have drought indicators
7. Do we have adverse fire weather predicted to continue in our zone which is 213

Sheriff Schroetlin stated that yesterday this was scored with a yes to number 7, number 5, and a probable yes to number 4.

There are a number of fires in the region. The question is if there is enough resources in Grand County to do an initial attack and to take care of things until resources are available from outside. At this point, Grand County does have those resources.

Originally, Sheriff Schroetlin did not find that there were a higher than normal occurrence of human caused fires. Yesterday afternoon, the Forest Service, East Grand Fire Department, Granby Fire Department, the Sheriff's Office, and Winter Park responded to the Jim Creek area on a report of smoke. The Forest Service performed an investigation and found five fires in that area that were determined to be human caused. That is still under investigation. None of those turned into anything very serious and the fires were under control.

With those events, it was determined that conditions numbers 1 and 2 were not very high.

Sheriff Schroetlin recommends to not enter into restrictions at this time. He would like to put a weekly monitoring on this.

Sheriff Schroetlin stated that unfortunately last week there was an inmate who attempted suicide in the jail. That inmate passed away at St. Anthony's Hospital in Denver as a result of the attempt. The cause has been turned over the Coroner Bock.

Sheriff Schroetlin stated that suicides are tough in the jail environment. He is aware of the mental health facts that are plaguing the jails.

Commissioner Linke moved to adjourn the Board of County Commissioners meeting and convene as the Board of Social Services.

The motion passed unanimously.

Taunia Shipman of Grand County Department of Social Services stated that the Board was given draft copies of Memorandum of Understanding between Grand County and Prowers County and letter with the State Department of Social Services regarding the hotline.

Ms. Shipman stated that House Bill 13-1271 was signed into law in May of 2013 and over the next 18 months, the state guided the process to implement a statewide hotline.

Grand County is a State supervised County administered Department of Social Services in Colorado. Grand County receives guidance from the State and Grand County has some say in how to implement the process.

Grand County has maintained that it will keep the calls within Grand County and would take the hotline calls. The calls coming into the Grand County Department of Social Services are recorded and tracked. The State can review that information.

Ms. Shipman stated that some counties are utilizing the state hotline system which is now in Prowers County. Prowers County took the initiative to be the call center. Prowers County is taking the calls and directing to the appropriate county.

Ms. Shipman stated that she is requesting that after hours and holidays that the hotline take the referral information and then the hotline center would contact the on-call worker. During the afterhours and holidays, most of the calls come from law enforcement and dispatch. Ms. Shipman stated that Grand County Department of Social Services would continue to get those calls directly.

For the Grand County Department of Social Services to follow the plan, the Board of County Commissioners needs to approve this plan. There is no cost to use the call center at this time. According to the Grand County data, there would be fewer than 42 calls per year separate from dispatch or local providers.

Ms. Shipman feels that this will be good for Grand County.

The Board is fine with moving forward with Ms. Shipman's request.

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

The motion passed unanimously.

Grand County Public Health Director Brene Belew-LaDue presented the Board with a contract with All Clear. All Clear will provide an emergency preparedness exercise in the fall. Ms. Belew-LaDue put this out on informational RFP and sent to three companies. There are no companies in Grand County that provide this type of service.

Ms. Brene Belew-LaDue stated that this was signed in the Ebola contract in June 2015. This will be an infectious disease table top exercise.

Commissioner Linke moved to sign the All Clear contract in the amount of \$9,500

The motion passed unanimously.

Road and Bridge Superintendent Chris Baer came to provide a County Road 804 update.

Tim Gagnon of Bowman Consulting stated that the Board extended the contracts to July 31, 2016. Mr. Gagnon understands that Everist intends to hold to that. There are some stipulations from the Town of Fraser regarding when the town does not want work done due to the upcoming festival.

This work was delayed to July because Everist wanted to get the site to dry out as much as possible. There were areas of asphalt that needed to be replaced. Between the Town of Fraser, Ground Engineering, Road and Bridge, Everist, and Mr. Gagnon have taken the time to walk the site and come to conclusions about what areas need to be repaired before the final lift of asphalt is put down.

Mr. Gagnon stated that from Highway 40 to Safeway there was 4.5 inches of asphalt put down last spring. The Town of Fraser had some concerns and Everist agreed with the concerns. The portion from Safeway to Highway 40, Everist has agreed to removed 1.5 inches of final lifted asphalt and replace.

From Safeway to the County line, that area received a single lift of asphalt. There were significant failures on the east bound lane and Everist has agreed from Safeway to the County line to replace half of the road section.

From the County line to the top of the hill, there was some intermittent areas of obvious failures. Mr. Gagnon stated that it appears that there are problems with subgrade or the base course of the gravel beneath that.

Everist marked areas with paint that they believe need to be replaced. The County went out and marked areas that staff felt needed to be replaced. The County identified more areas than Everist.

Mr. Gagnon recommends to take out a large area of asphalt. After meeting, an agreement was made of the area that needs to be replaced.

The areas that are identified, Everist will bring in a milling machine and remove the first lift of asphalt. Then it will be proof rolled and a compaction test will be done. Areas that are failing with require a replacement of the base course and better gravel installed. The final goal is to do one final lift after all the corrections are made.

Mr. Gagnon asked Everist to extend its warranty. Currently there is a two-year warranty.

John Dall with Morrow and Sons thanked all involved for the meetings and coming to common ground. Those involved know where the road needs to be fixed and how. When the road was started, it was a team effort. Mr. Dall stated that the milling work needs to be done and then the overlay.

The mill work is on board for Thursday and it will take two days to mill that.

Mr. Dall stated that there were two reasons that the road needed to be fixed:

1. Subgrade issues
2. Surface striping due to water

Ty Shearer with Everist stated that from the bottom part to the light in, the work will be done on the 18, 19, and 20 so they will not affect the music festival. Mr. Shearer stated that they will need to work on the hill above Safeway during the music festival. The Board does not have an issue with that.

Mr. Dall stated that there will be no more cost for an extended warranty but would like to stick with three years. Mr. Dall believes that the degradation in the road is where it will go once those areas are patched. Mr. Dall does not believe there will be other areas. Mr. Dall believes that a four-year warranty is a bit much and will agree to go with three.

Mr. Dall stated that Morrow and Sons agree to make the additional payment to Ground and Bowman. Morrow and Sons is willing to pay its share. The part of the road that was already under contract, Mr. Dall disagrees with having to pay for that. Mr. Dall believes that there was a team effort. The decisions were made together to extend the project and now Morrow and Sons is being stuck with all the costs and that is not fair.

Mr. Dall stated that the work did not get done last year because it was delayed in the beginning because of redesign. The road was going to be reclaimed, but that did not work so redesign work had to be done. As time went on, then the weather set in. They were paving in weather that was 27 degrees.

Commissioner Manguso understood that the project got behind because Morrow and Sons was working on other jobs.

Mr. Dall stated that there were crews from Morrow and Sons on the project every day. Toward the end, they requested to work on Friday afternoons and Saturdays. It was not through lack of effort that the work did not get done.

Commissioner Manguso stated that the work was not done according to the contract.

Mr. Moyer stated that the usual County construction warranty is two years. Because of what has happened on the road, the County has asked for four years and Everist has come back with three years. Commissioner Tollett asked if Everist would go to four years if the County were to pay the full \$3,769.

John O'Hara, operations manager for Everist Materials, stated that Everist Materials was not able to participate in the design of roadway so he does not believe extending to four years would be appropriate. The reason that Everist is willing to add another year is to put its contribution into making sure this a quality road. If Everist had helped design or bid on a four-year warranty, it would be a different story. Right now, Everist is looking at ensuring that the repairs are done correctly. Mr. O'Hara believes that a three-year warranty is more appropriate.

Mr. Gagnon is not opposed to a three-year warranty.

Mr. Baer stated that there are multiple reasons that "things went south." Mr. Baer does not believe that fingers need to be pointed and everyone needs to move forward as a group. Mr. Baer is ok with a three-year warranty and he would like to move forward with the work and accept the three-year warranty.

The Board agreed with moving forward, accepting the three-year warranty, and splitting the cost of \$3,769 with Everist. The warranty will begin at the end of July 2016 when the work is done.

Community Development Director Bill Gray presented Resolution No. 2016-1-55, "A RESOLUTION APPROVING THE BUD WILSON FIRE STATION OUTRIGHT EXEMPTION A PARCEL SITUATED IN THE NE1/4 OF THE NE1/4 OF SECTION 16, TOWNSHIP 2 NORTH, RANGE 76 WEST OF THE 6TH P.M. COUNTY OF GRAND, STATE OF COLORADO"

Commissioner Manguso moved to approve Resolution No. 2016-1-55 and authorize the Chair to sign the plat.

The motion passed unanimously.

Community Development Director Bill Gray moved to approve Resolution No. 2016-5-31, "A RESOLUTION APPROVING THE 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 #2014006656 AND LOT 13, BLOCK 4, VAL MORITZ VILLAGE, FIRST FILING, RECEPTION #117337 COUNTY OF GRAND, STATE OF COLORADO"

Commissioner Manguso moved to approve Resolution No. 2016-5-31 and authorize the Chair to sign the plat.

The motion passed unanimously.

Community Development Director Bill Gray moved to approve Resolution No. 2016-2-40, "A RESOLUTION APPROVING THE DIVIDE MUSIC FESTIVAL TEMPORARY USE PERMIT TO BE HELD JUNE 22, 23 AND 24, 2016 AT COLORADO ADVENTURE PARK, 566 GRAND COUNTY ROAD 72, COUNTY OF GRAND, STATE OF COLORADO"

Commissioner Manguso moved to approve Resolution No. 2016-2-40 and authorize the Chair to sign the temporary use permit as presented.

The motion passed unanimously.

County Clerk and Recorder Sara Rosene presented:

Grand Lake Metropolitan Recreation District dba Grand Lake Golf Course, located at 1415 County Road 48, Grand Lake, has reported a change in its Board of Directors. Christopher Atencio is replacing William Correl as Secretary and William K. Appleby is replacing Don Summers as a member.

The Grand Lake Golf Course would also like to renew its Hotel and Restaurant Liquor License with Optional Premises. All fees have been paid to the State and to Grand County. The Sheriff's letter reflects no adverse action. Ms. Rosene recommended approval of both the Change of Corporate Structure and the renewal of the license.

Commissioner Linke moved to approve the Change of Corporate Structure and the renewal of the Grand Lake Metropolitan Recreation District dba Grand Lake Golf Course Hotel and Restaurant Liquor License with Optional Premises as presented.

The motion passed unanimously.

Manager and Attorney Items

Mr. Moyer stated that he provided the Board with the block grant philosophy that has been discussed for the Grand Foundation Donor Advised Fund.

The philosophy is to address the needs of health care, human services, and education. That would be the direction to the Grand Foundation Donor Advised Fund. Any secondary in the community needs to be funded when monies are available subsequent to first funding the primary needs.

The Board is fine with finalizing the philosophy and sending letters to the organization receiving block grants.

Mr. Moyer stated that the Board received a letter from the Colorado Division of Water Resources providing written instructions for implementation of the St. Judes ruling into the administrative and consultation duties.

The Board has authorized dollars for a lobbyist in the past that continues through 2016 and there will be a legislative change in 2017. The water counsel has not dug into this to see what this means to the County's conditional water rights, pending water cases, or agreements within the Windy Gap Firing Project and CRCA.

Mr. Moyer asked if the Board would like water counsel to review the documents from the Colorado Division of Water Resources.

Commissioner Manguso stated it is clear this is on private property. It almost has to be diverted out of the river on private property. Commissioner Manguso wondered how this would affect the County as the County is keeping in the main stream. The County is not diverting to private property. For right now, Commissioner Manguso would like to leave this alone.

Commissioner Tollett stated that it says it was not clear if it would be applied elsewhere. That would mean that recreation and piscatorial uses could still be protected.

Commissioner Linke stated that because the County has spent so much money and so much time in maintaining and preserving water rights in Grand County, he believes that it is worth it to have the water attorney give a short summary of what this means.

Commissioner Manguso is still against spending money on this and would like to "see it play out." There is nothing that can change for at least four years. She would like to see what the state engineer does.

Commissioner Tollett agreed with Commissioner Linke in that a couple of hours of legal time could clarify interpretations that are being made. The question is "should we do anything different."

Mr. Moyer suggested that he speak with Mr. Taussig letting him know that the County does not want to spend a bunch of money to review this, but would like to get a short summary on what this means to Grand County.

Mr. Hassler stated that he received a request from water counsel asking if Mr. Taussig should be involved in a legislative working group that is working on a water bill.

Commissioner Manguso does not see a need to spend money on drafting legislation.

Mr. Moyer will do investigation into who is participating in the drafting.

Mr. Hassler stated that water counsel asked if the Board would like to submit an amended application for Granby Water Well Water N. This is address concerns or comments by the water referee that indicated that the original application would not be recommended for approval by the referee. The changes would result in a change of priority date from 2006 to 2015. It is believed that this will not require re-publication and exposure of the total application to any objection.

Commissioner Manguso is concerned over how much money has been spent trying to augment a Granby Landfill well and how much money it will cost in the future to continue the augmentation. It is going from 2006 to 2015 which is nine years later as far as appropriation date. She wondered about the changes that would be made. She wondered what the original uses were.

Commissioner Manguso would like the County Attorney to report on the original uses, what the amended uses would be, and if it is worth spending money on this.

Commissioner Linke does not want to continue spending money on this if there will be no usage but does not want to shoot in the County in the foot for future potential uses.

Mr. Moyer will work on getting answers to those questions.

Mr. Moyer stated that with regard to the Jasper Mountain Public Safety site, the County has three alternatives to consider in order to obtain a perpetual easement to access the public communication site. Staff is looking at the special use permits that have been issued at that site to determine if one of the special use permits may have required that the permittee grant or obtain an easement for Grand County.

Mr. Moyer stated that the Board discussed marijuana sales and excise tax last week. Mr. Moyer suggested that be placed back on the agenda for further discussion. The Board needs to decide if it would like to certify anything for the November ballot.

Mr. Moyer presented the Board with a contract with Nick Garrison for the Middle Park Fair and Rodeo to provide live music and entertainment in an amount not to exceed \$4,500.

Commissioner Manguso moved to approve a Services Contract between Grand County and Nick Garrison for the Middle Park Fair and Rodeo to provide live music and entertainment in an amount not to exceed \$4,500.

The motion passed unanimously.

Mr. Moyer presented a Contract between Grand County Wildfire Council and Grand County to allow for temporary use of real property for a two-day slash chipping. This event will take place on August 6, 2016 at 51620 highway 40.

Commissioner Manguso moved to authorize the Chair to sign the Contract between Grand County Wildfire Council and Grand County to allow for temporary use of real property for a two-day slash chipping. This event will take place on August 6, 2016 at 51620 highway 40.

The motion passed unanimously.

Mr. Moyer stated that pursuant to the County's 404 Permit, Grand County is required to perform monitoring on at the Gore Canyon White Water Park for five years. Part of the condition of the 404 Permit is that there is adequate fish passage on the structure. The plans were approved by the Colorado Parks and Wildlife (CPW) as well as BLM and the Army Corps of Engineers.

The County had to do modeling and provide what the hydraulic calculations were to show that fish could pass. Through the first year of report by TetraTech, CPW has some concerns on the results of that and what species are allowed to go through the structure.

Mr. Moyer will be meeting with CPW very shortly with regard to the concerns and if the concerns can be mitigated. The County could be required to change some of the structure on the river right.

Mr. Moyer attended a fairgrounds walkthrough last night. The committees and superintendents are doing a great job.

Mr. Moyer stated that the Clerk and Recorder has identified problems with electrical outlets. Last summer, the Board authorized Mr. Moyer to bid this project for ten electrical outlets in the Treasurer's office and 15 electrical outlets in the Clerk and Recorder's Office. The total project was not to exceed \$10,000.

Ms. Rosene has raised the concern of the extension cords in the office once again. He believes it is prudent to move forward and add the outlets in the Clerk's Office.

The Board is fine with moving forward on getting a bid on the project.

Amended Final Plat, Amended Lot 32, Amended Lot 33, Lot 34, Lot 39, Lot 41, Winter Park Highlands Unit 1 & Utility Easement Vacations for the Ten Foot Easements at the Rear of Amended Lot 32, Lot 34, Lot 39 and Lot 41, Winter Park Highlands Unit 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 Hassler 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 July 12, 2016.

- A. Letter of Application dated February 12, 2016
- B. Public Notice – Middle Park Times, June 23, 2016
- C. Proof of Publication – Middle Park Times, June 23, 2016
- D. Vicinity Map depicting as established by the Grand County GIS System
- E. Certified Mailings to all property owners within 500' as established by the Grand County GIS System
- F. Public Review Sheets (no names)
- G. Quitclaim Deed for Xcel Energy (Public Service Co.)
- H. Quitclaim Deed for Comcast Cable Co.
- I. Quitclaim Deed for Century Link Inc.
- J. Quitclaim Deed for Mountain Parks Electric Inc.
- K. Amended Final Plat
- L. Planning Commission Resolution No 2016-3-4
- M. Certificate of Recommendation dated July 12, 2016

PROJECT NAME: Amended Final Plat, Amended Lot 32, Amended Lot 33, Lot 34, Lot 39, Lot 41, Winter Park Highlands Unit 1 & Utility Easement Vacations for the Ten Foot Easements at the Rear of Amended Lot 32, Lot 34, Lot 39 and Lot 41, Winter Park Highlands Unit 1

APPLICANT: Cress E. Carter

LOCATION: Amended Lots 32,33 and Lots,34,39 and 41 (112, 170 and 222 County Rd. 8524 aka Elk Run AND 857 and 893 County Rd. 852 aka Bear Paw Dr.)

APPLICABLE

REGULATIONS: Zoning Regulations, Subdivision Regulations

EXHIBITS: Amended Final Plat, Quitclaim Deeds from Utility Companies, Vicinity Map

STAFF PLANNER: Brett Hanlon

REQUEST: The applicant is requesting an amended final plat that will combine five lots into two lots. To do this, he is proposing to vacate the necessary lot lines to combine Lots 32, 33 and 41, effectively creating an 8.42 acre parcel, and combine Lots 34 and 39 to create a 3.40 acre parcel. The applicant is also proposing to vacate the 10-foot utility and access easements that exist along the rear property lines of Amended Lot 32, Lot 34, Lot 39 and Lot 41. The utility easement along the rear property line of Lot 33 will remain because its vacation would serve no purpose.

I. DISCUSSION

The applicant is proposing an amended final plat to combine five lots into two lots. To accomplish this, the applicant is proposing to vacate the lot line that exists between Lots 34 and 39 in order to create a 3.40 acre parcel to be named "Lot 39A". The existing Lot 39 has a home on it and it is accessed off of County Road 852. Existing Lot 34 features a slope in excess of 40 degrees that makes it difficult to develop. The applicant has no plans to build on existing Lot 34. It will simply be added to Lot 39 to create a larger lot. Further, the applicant is proposing to vacate the lot lines that exist between Lots 32 and 33 and Lots 32 and 41. When these lot lines are vacated, a new 8.49 acre parcel, to be known as "Lot 41A", will be created. All three of these existing lots are vacant. Lots 32 and 33 are very steep and will be difficult to build on. If the proposal is approved, the applicant plans to build a new home just north of the current boundary of Lots 32 and 41.

The applicant is also proposing the vacation of the 10-foot utility easements that exist along the rear lot lines of Amended Lot 32, Lot 34, Lot 39 and Lot 41. This is being proposed so that there are not easements bisecting

the applicant's properties—which would be the case if this proposal is approved and the lot lines are vacated. Grand County does not have the authority to vacate these easements. However, it is being proposed to the BOCC today because the BOCC can vacate all of the County's interest, if any, in these easements. The easements in question are not platted and they were not dedicated to the public. They were established by the Winter Park Highlands Protective Covenants in 1969 (recorded at Book 164, Page 376) for utility service lines. These easements were reserved by Winter Park Highlands, Inc. Considering the fact that Winter Park Highlands, Inc. is no longer an active corporation, it is the County Attorney's determination that the easements can be vacated and removed from the plat, but only if quitclaim deeds are received from all relevant utility companies. Quitclaim deeds have been received from all relevant utility companies: Xcel Energy, Mountain Parks Electric, Comcast and CenturyLink. There are no water or sewer providers that service the Winter Park Highlands subdivision.

Further, there are three access easements on the applicant's property. The applicant has recorded a Termination of Easement with the Clerk and Recorder's Office to remove one of these access easements (Reception # 2016002405). This access easement will not need to be shown on the plat. The other two access easements will remain and they will need to be shown on the plat. This is a condition of approval to be met prior to the recording of the plat.

II. REGULATIONS

A. ZONING REGULATIONS

The zoning of the five parcels involved in this amended final plat is Residential.

(a) This zone allows for single family dwellings, so the existing and proposed uses of the lots is permitted.

(b) This zone requires 30' minimum front yard setbacks, 5' minimum side yard setbacks and 20' minimum rear yard setbacks. When these setbacks are applied, there will be buildable areas.

(c) The applicant's five parcels are not served by public sewer or public water. Therefore the minimum lot size is 30,000 square feet. The proposed new lots both meet this 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).

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.

The easements that are recorded at Reception No. 2006003449 and Reception No. 2008000748 need to be shown on the plat.

Pursuant to the Subdivision Regulations, 10-foot utility easements shall be established along the side lot lines of the proposed lots. These utility easements need to be platted because they will be established by this amended final plat. These easements may assist utility companies in the future. Rear lot line easements—which also are to be established pursuant to the Subdivision Regulations—do not apply in this situation because both properties have frontages and potential access from two rights-of-way. So, there are two front lot lines on each of the properties and no rear property lines.

(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:

The formatting error in the dedication statement shall be corrected.

(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 formatting error in the surveyor's certificate (need a space between "PlatAmended") shall be corrected.

(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 Winter Park Highlands.

(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 original Winter Park Highlands plat.

(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 will not need to be submitted. "Lot 39A" will have the address of 857 County Road 852. "Lot 41A" will have the address of 893 County Road 852.

(x) Statement of taxes due 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 Amended Final Plat, Amended Lot 32, Amended Lot 33, Lot 34, Lot 39, Lot 41, Winter Park Highlands Unit 1 and the vacation of all County interest, if any, in the ten foot (10') utility easements that run along the rear property lines of Amended Lot 32, Lot 34, Lot 39 and Lot 41 with the following conditions to be met prior to the recording of this amended final plat.

1. Add a plat note that states: The purpose of this amended final plat is to combine five lots into two lots and vacate the utility easements that exist along the rear property lines of Amended Lot 32, Lot 34, Lot 39 and Lot 41.
2. Show the easements recorded at reception # 2006003449 and reception # 2008000748 on the plat.
3. 10-foot utility easements along all side lot lines need to be shown on the plat. Pursuant to the Subdivision Regulations, these easements will be established by this amended final plat.
4. The title and the subtitle on the plat shall be different sizes to add clarity.
5. The dedication statement shall be amended (see (k) above).
6. Amend the surveyor's certificate (see (l) above).
7. Note of Relevance #1 shall be updated to reference the updated title policies for each lot.
8. A notary signature line shall be added under the lienholder's signature line.
9. Add lot and block information for the surrounding properties.
10. The easements to be vacated need to be consistently shown as dotted lines or solid lines. Currently both dotted and solid lines are used.
11. A statement of taxes showing that all current taxes have been paid shall be submitted prior to recording (see (x) above).
12. An electronic copy of the amended final plat shall be submitted prior to recording (see (y) above).
13. All recording fees are to be paid by the applicant.

[End of Staff's Certificate]

Mr. Hanlon confirmed that the existing easements will remain in place.

Commissioner Tollett requested and received no public comments.

County Assessor Tom Weydert asked if there is an HOA in that area. Mr. Hanlon stated that Winter Park Highlands, Inc. was the developer of the property, not the HOA.

Commissioner Linke moved to accept the recommendation for the Amended Final Plat, Amended Lot 32, Amended Lot 33, Lot 34, Lot 39, Lot 41, Winter Park Highlands Unit 1 & Utility Easement Vacations for the Ten Foot Easements at the Rear of Amended Lot 32, Lot 34, Lot 39 and Lot 41, Winter Park Highlands Unit 1 as presented.

The motion passed unanimously.

Commissioner Linke moved to close the public hearing.

The motion passed unanimously.

Consent Agenda

Resolution No. 2016-7-1, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CONSTRUCTION CONTRACT BY AND BETWEEN RUSTY BRANSTETTER DBA RUSTY PIPES PLUMBING & MECHANICAL AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE REPAIR OF BACKFLOW PREVENTERS IN CERTAIN COUNTY BUILDINGS"

Resolution No. 2016HA-7-2, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY, TO EXECUTE A LOAN AGREEMENT BY AND BETWEEN THE STATE OF COLORADO, DEPARTMENT OF LOCAL AFFAIRS AND THE GRAND COUNTY HOUSING AUTHORITY CONCERNING THE CLIFFVIEW ASSISTED LIVING CENTER LOCATED IN KREMMLING, COLORADO"

Resolution No. 2016-7-3, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN APPLICATION FOR FEDERAL ASSISTANCE TO THE BUREAU OF LAND MANAGEMENT FOR NOXIOUS WEED MAPPING AND MANAGEMENT"

Resolution No. 2016-7-4, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A GRANT AGREEMENT BY AND BETWEEN THE STATE OF COLORADO, DEPARTMENT OF LAW AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR LAW ENFORCEMENT TRAINING AND SAFETY COURSES"

Resolution No. 2016-7-5, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO SUSPENDING THE ACCEPTANCE OF REQUESTS FROM THE PUBLIC TO CONSIDER COUNTY ROAD DESIGNATION AND MAINTENANCE DURING THE 2017 COUNTY ROAD HEARINGS"

Resolution No. 2016-7-6, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN LEE A. STAAB AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE POSITION OF COUNTY MANAGER, EFFECTIVE AUGUST 29, 2016"

Resolution No. 2016-7-7, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO OPENING THE 2016 COUNTY BOARD OF EQUALIZATION HEARINGS"

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

Assessor's Reports on Personal & Real Property, and List of Protestors

Grand County Assessor Tom Weydert presented the Board with the preliminary numbers for the assessment of all taxable property, list of all people who have protested and the action taken by the Assessor's Office and a list of all persons late in filing or failed to provide personal property declarations, and a list of people who did not provide information and the Assessor had to go on best information available.

Mr. Weydert stated that this is what he thinks is the value of all the property in the County. Now he is in the process of individual property owners disputing values. Mr. Weydert stated that they will be in the protest period and will conclude by August. After that point, Mr. Weydert can provide a new certification of the abstract that has to be submitted to the state by August 25.

Mr. Hassler stated that state statutes allow the Board of Commissioners and Assessor to start accepting electronic documents from taxpayers for the Board of Equalization. Mr. Hassler stated that he does not know if the Assessor would like to do this.

Commissioner Manguso believes that decision is up to the Assessor.

Board Business

Human Resources Specialist Colleen Reynolds provided the Board with a memo with regard to the current Pay Plan.

Mr. Moyer stated that the Board had a discussion with regard to disparities in minimum entry on certain positions and salaries. The Board requested this information be provided.

Commissioner Tollett asked if the pay disparities is because the plan needs updating or if the County is not administering the plan properly.

Ms. Reynolds stated that the plan allows for pay increases. If people are put into those positions and are never moved from that position, the pay plan becomes stagnant. People can move within their range of pay dependent on the supervisor and the budget.

Mr. Moyer stated that there are departments that have trouble hiring at the minimum for the pay grade.

Commissioner Manguso stated that there were counties included in the survey such as Boulder, Eagle, Larimer, Summit, and Pitkin and she wondered why. She would like to pull in a new consultant and perform a new survey.

Commissioner Tollett asked if Grand County wants to pay comparable to other rural counties or to counties where we are losing employees.

Ms. Reynolds believes that the County has a base for range of salaries. If a pay plan is updated, she believes that any consultant would use similar information to come to comparable amounts.

Commissioner Tollett stated that if there is no money in the budget, it does not matter what the pay plan says.

Mr. Moyer stated that when there is a question about positions, the County can send that information back out to the consultants.

Assessor Weydert stated that if we make the assumption that the original salary survey was correct (and he believes that is a large leap of faith), his experience has been that County internally faces concerns over disparities that are not addressed.

Mr. Weydert questioned using the salary survey that was in place with the pay ranges that were available because he was totally shut down by the County Manager and he could not go any further. Mr. Weydert stated that there is no point having these discussions if we are all in that same mode.

Mr. Weydert stated that he tried to follow the rules that were in place at that time. Mr. Weydert stated that he was shut down and was not allowed to have further conversation about that.

Commissioner Manguso stated that she would like to see a new salary survey and have it worked through the County Manager.

Mr. Weydert stated that it makes no sense to have a salary survey if no raises will be available. In addition, he wants to make sure that the process for evaluation is fair for all.

Commissioner Manguso stated that she believes the salary survey will show that some the salaries are low and some are too high.

Mr. Weydert stated that he has some great concerns on some of the job descriptions that are not in line. Mr. Weydert stated that the starting building inspector salary in Grand County which requires state certifications is higher than what his appraisers (who also have state certification requirements) who have 10 years of experience. Mr. Weydert would like this addressed. If the Board is going to be open minded about this then he is open to discussion.

Commissioner Tollett stated that this is not something that can be done quickly. She would like the new County Manager here.

Commissioner Manguso stated that the County has some super low paid positions and some very high paid positions.

Commissioner Linke asked if there is a way to address the current plan with the consultant. Ms. Reynolds stated that there were several positions that have been reviewed and several new positions that were created. The consultant has charged nothing for the reviews.

Assistant County Attorney Franek stated that he can get the consultant to come to the County and explain how the survey was done. There will be a cost for that.

Treasurer's Report

County Treasurer Christina Whitmer provided the Board with the Treasurer's Report and the Treasurer's Semi-Annual Report. Ms. Whitmer stated that she needs a motion to publish the Semi-Annual Report and put on the County's website.

Commissioner Manguso moved to publish the County Treasurer's Semi-Annual Report for period ending June 30, 2016 and publish on the County web page.

The motion passed unanimously.

Ms. Whitmer stated that two securities were called after this report was done so there is another \$1 million in cash flow.

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

The motion passed unanimously.

Social Services Update

Social Services Director Glen Chambers presented:

CHILD SUPPORT SERVICES:

The caseload has increased slightly this year. November 2015 was 362 cases in Grand County with May, 2016 at 366 cases. We continue to do Child Support Enforcement for Jackson County with an additional 39 cases-the same as six months ago.

For the third year in a row, Grand County had collections of over a million dollars. Through 2015, the collection for Grand County was up 3% over 2014. The total collection was \$1,158,260.23. Our collections are down thus far in 2016.

We continue to receive the maximum incentives from the Federal and State government. This offsets the county's 34% share of funding for Child Support Services. In 2014, Grand County received \$16,216.21 in Federal incentives and \$12,478.02 in State incentives for a total of \$28,694.23. For 2015, we have received \$17,028.75 in Federal Incentives and \$12,385.73 in State Incentives for a total of \$29,414.48 total incentive funds.

SELF SUFFICIENCY:

Total Ongoing Cases: 559 June 2009

729 June 2010
816 June 2012
879 November 2012
869 October 2013
1,260 June 2014
1,390 October 2014
1,461 November 2014
1,561 June 2015
1,581 November 2015
1,574 June 2016

The ongoing caseloads continue to remain consistent. Much of the increase has been a result of the Affordable Care Act which started with open enrollment in the fall of 2013. The individuals on Medicaid in Grand County have increased as follows:

| | |
|------------|---|
| 11/30/2013 | 1027 |
| 11/30/2014 | 2071 – a 1044 increase |
| 11/30/2015 | 2228 – a 157 increase or 1201 increase in two years |
| 05/30/2016 | 2254 – 935 under age 21 & 1319 age 21 and over |

Medicaid spending in Grand County:

| | |
|---------------|--------------|
| October 2012 | \$165,506.77 |
| October 2013 | \$240,822.70 |
| November 2014 | \$365,919.17 |
| November 2015 | \$483,177.01 |

I have not received a report from CSHS since the last update.

New applications are continually coming in to be processed for eligibility. This is in addition to the ongoing caseload.

New applications for a household (not multiple programs):

43 August 2015
79 September 2015
64 October 2015
96 November 2015
152 December 2015
87 January 2016
60 February 2016
59 March 2016
46 April 2016
67 May 2016
52 June 2016

As of June 2016, there were 245 households receiving Food Assistance (down 35 since last report in November) and a total of 497 individuals (down 52 since November). Food Assistance issued in Grand County is as follows:

| | |
|---------------|-------------|
| January 2009 | \$23,588.00 |
| December 2009 | \$62,419.00 |
| November 2010 | \$66,161.00 |
| December 2011 | \$76,074.00 |
| December 2012 | \$69,889.00 |
| December 2013 | \$64,094.00 |
| November 2014 | \$74,917.00 |
| June 2015 | \$58,872.00 |
| December 2015 | \$63,252.00 |
| June 2016 | \$58,231.00 |

Employment First, a federally mandated program for Able Bodied individuals who receive Supplemental Nutrition Assistance Program (SNAP-Food Assistance), was to be implemented by January 1, 2016. It was

implemented during December 2015. There are currently 27 individuals in the program. To date we have received \$1,743 of enhanced funding and scheduled to receive another \$2,602.50 and another \$582.00 pending.

The staff continually receives training from CDHS and HCPF to maintain current practice and knowledge of the many programs they administer.

COLLABORATIVE MANAGEMENT PROGRAM (CMP)/HB 1451:

The CMP is a voluntary program. Grand County is the Fiscal Agent and the program is governed by the Intergovernmental Oversight Group (IOG). The funding is 100% pass through dollars. Funding for the CMP comes from a portion of Court fees from divorce filings. The Colorado Department of Human Services also received an additional \$1.5 million dollars in its budget proposal to the State Legislature for the CMP to go to individual CMP's. The funding is always flexible depending on divorce filings; number of counties participating statewide; additional legislative funding and us meeting the incentive goals.

The Annual Report has been submitted to CDHS for year 2015-16. As a result of the work and meeting all of our goals, \$81,682.50 was received in incentives for 2014-15. We anticipate about the same amount this year, which is the maximum amount. The program touched a total of 438 unduplicated children in Grand County. The case manager works with approximately 15 families consisting of 20 children at any given time. In addition, she continues to oversee the Incredible Years (Parenting Classes) held Granby, Fraser and Kremmling. The facilitators and classes are provided using Invest In Kids (IIK) grant funding, Promoting Safe and Stable Families (PSSF) grant funding, CMP funds and in-kind services from the school districts.

DAY TREATMENT ALTERNATIVE PROGRAM:

This is the third year that the DTAP has been in existence. This program is funded by the two school districts, CMP (\$15,000) and Social Services Core funds (\$75,000). The program serves youth in Middle and High School in both East and West Grand School Districts. It contains both educational and therapeutic components. The student and parent(s) receive therapy provided by Mind Springs. There were 17 youth in the program this past school year. This current school year, the DTAP has served 25 students.

Low Income Energy Assistance (LEAP):

We contracted with Goodwill in Colorado Springs for the second year to do this program during the LEAP season. It seemed to be working well. The State is planning to do a statewide RFP for one LEAP contract for 2016-17 season for counties who opt into the contract.

ADULT PROTECTION

As Adult Protection receives more media attention due to recent legislation and mandatory reporting, we are more involved with increased referrals. With some new legislation, it is anticipated that referrals will increase as more Intellectually Developmentally Delayed (IDD) clients are coming into this population. The Grand County Adult Protection staff continues to train the community regarding mandatory reporting; the definition of Adult Abuse/Neglect and services that we can provide.

CHILD CARE:

As in years past, we are overspending our Colorado Child Care Assistance (CCCAP) allocation. Our allocation does not meet the need of child care in Grand County.

At the present time there are 52 children from 28 households receiving CCCAP benefits. New Child Care legislation passed last year and new rules and regulations have been written accordingly. One huge change with new legislation and rule is that parental fees have been lowered which has added the cost to our allocation. Grand County and Grand Beginnings are collaborating to combine resources, especially in regard to infant care, which is a huge need in Grand County. We received \$5,000 in the HB 1291 grant to be spent on child care quality improvement.

CHILD PROTECTION:

The unit is staying consistently busy. We currently have two children in out of home placement. Four were adopted in December.

We have two licensed foster homes in the county.

The statewide Child Abuse Hotline has increased calls to our county.

The staff is continually receiving training as required by CDHS to maintain their certifications and remain current with practice and policy

BUDGET/FINANCE:

We are closing the books on the state 15-16 fiscal year.

Child Care: Allocation \$154,707.47 Spent \$251,202.94

We are going to be about \$125,000 overspent from our allocation; however, it does appear that we will be okay through closeout of state under expenditures for the year. If not, there are TANF reserves to cover the balance.

For the 16-17 FY we will be allocated \$180,052, an increase of \$25,345.

Colorado Works (TANF): Allocation \$160,942.02 Spent \$123,530.72

It appears that we will be about \$25,000 under spent of allocation. Some will go into our reserve bringing it to its maximum balance of \$100,000.

For the 16-17 FY we will be allocated \$170,470, an increase of \$9,528.

Child Welfare: Allocation \$589,513.00 Spent \$524,851

It appears that we will be about \$40,000 over spent in our allocation. We will be mitigated and made whole.

For the 16-17 FY we will be allocated \$648,362, an increase of \$58,849.

Core Services: Allocation \$120,944.13 Spent \$141,355.11

It appears that we will be about \$30,000 over spent in our allocation; however will be closed out due to statewide under spending.

For the 16-17 FY we will be allocated \$102,803, a decrease of \$18,141.

LEAP: Allocation \$5040.88 Spent \$4,379.84

It appears that we will be about \$660 underspent in our allocation.

We will not know what our new allocation is until the Federal FY in October 2016.

County Administration: Allocation \$216,145.90 Spent \$332,892.10

At the present, we are \$116,746.20 overspent. Administration is always underfunded statewide. We will have about \$8,000 unspent Adult Protection Administration Allocation to apply to the over expenditure. Last year, we were almost made whole through year end closeout.

For the 16-17 FY we will be allocated \$217,073, an increase of \$927.

[End of Staff's report]

Sandy Doudna asked if we are taking care of the kids and are they getting fed. She wanted to know if we are compassionate County.

Mr. Chambers believes that Grand County is taking care of the families that need help.

Ms. Doudna asked who is falling through the cracks. Mr. Chambers feels that his office is doing a good job.

Ms. Doudna stated that it seems that we have everyone covered but they just need to know where they can obtain services.

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

The motion passed unanimously.

Water Protection Update

Commissioner Tollett sent out a transition plan with regard to water. Commissioner Tollett stated that there is a concern for getting water expertise in the County. With Ms. Underbrink Curran gone and Commissioner Newberry gone, there needs to be a way to maintain the water expertise. One way to do that was to bring Ms. Underbrink Curran on as a consultant. It has taken awhile to get a new County Manager. The new County Manager will start on August 29. The goal is then to have Mr. Moyer picking up more projects. About two-thirds of the work can be taken up by Mr. Moyer in the next few months.

The items that will be hard to reproduce by County staff are:

1. CRCA implementation
2. Learning by Doing
3. Learning by Doing Leadership until there is better structure
4. Senate Bill 80 Clarity NEPA work
5. Windy Gap Bypass

Commissioner Tollett asked how much of Ms. Underbrink Curran's time these items take. The intent was to keep Ms. Underbrink Curran on until July on those projects.

Ms. Underbrink Curran stated that all of these projects take a good deal of her time. Ms. Underbrink Curran spends a lot of time on the phone and on emails on these projects. The projects have not made the switch to being able to chug along on their own.

Ms. Underbrink Curran stated that she knows what she knows on these projects. She has the relationships and the support that it takes to keep Grand County in the mix. The Board needs to decide if that is valuable to Grand County.

Ms. Underbrink Curran stated that it is not appropriate to bargain her worth at the table. It is not what the Board does on any other contract and she is not willing to do that. Ms. Underbrink Curran is willing to consider doing these things and will consider talking with someone about the amount of time these items take.

Commissioner Linke stated that this is supposed to be a water protection update.

Ms. Underbrink Curran makes sure that Grand County does not lose anything that has been bargained for by the County. Ms. Underbrink Curran stated that her reputation precedes her and it allows the County to move forward.

Ms. Underbrink Curran noted that Windy Gap ByPass is one of the most important things to improve the river.

Commissioner Tollett stated that she wants the expertise in Grand County and the Board wants to transition to Mr. Moyer. The projects listed are key.

Lurline:

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The Roundtable meets every other month in Glenwood Springs. It will meet July 25, 2016. Commissioner Linke and I will be attending.

Shoshone Outage Protocol

It appears that the River District and Northern/Subdistrict have worked out the issues on Shoshone Outage Protocol. Peter Fleming is waiting for Paul Bennington (Attorney General Office) and Alan Martellaro to approve the latest version. They had previously approved the May 16th version. As soon as Peter receives confirmation, the River District is ready to sign. Grand County is not a signatory, but the document affects the CRCA and Windy Gap IGA. Grand County will be provided a copy of the executed document.

Windy Gap Firming Project

The River District, who was battling clean-up on the WGFP IGA, No Waiver Agreement, and Northern LBD Agreement are also ready to sign these agreements. With the Shoshone Outage Protocol settled, the River District Board will be asked for approval and signature.

There is an issue with regard to the WGFP IGA conforming to the language in the Carriage Contract with regard to the elevation of the Granby Reservoir/Adams Tunnel Inlet. Northern has suggested a side letter stating that the language in the IGA means what the language in the Carriage Contract says. David Taussig has expressed his concurrence with this approach and I assume the County Attorney will make a recommendation as to his opinion to the BOCC. If the West Slope parties agree, the River District will follow this path.

If the River District executes the WGFP IGA prior to August, 2016, I believe that Grand County would be eligible for one half of the unused portion of the Middle Park water. This is under Paragraph III.F.2. (a-d) This reads as follows:

- 2) Grand County Interim Transfer Water and Grand County Transfer Water
 - (a) Grand County Transfer Water is any of the Middle Park Water Apportionment received by Middle Park which is transferred to Grand County on August 1st of each year pursuant to Paragraph III.E.1(c) and Paragraph III.E.3.(d).
 - (b) Commencing on the first day of August, but no less than 12 months after the execution of this WGFP IGA, the Subdistrict shall make available for Grand County's use 50% of any of the Middle Park Water Apportionment that is unused from the previous year (the Grand County Interim Transfer Water). Upon WGFP Completion the Grand County Interim Transfer Water shall vest as 100% of the water provided by Paragraph III.E.1)(c) and Paragraph III.E.3)(d). In the alternative, the Subdistrict's provision of the Grand County Interim Transfer Water will cease upon notice pursuant to III.B.2) that the Municipal Subdistrict does not intend to proceed with the WGFP.

The question is whether Middle Park received any water because Windy Gap has not pumped. That question has been asked of Middle Park by David Taussig. Regardless, I believe the BOCC should draft a letter to the Subdistrict after the River District executes the WGFP IGA and ask for the Middle Park Water to which Grand County is entitled according to the WGFP IGA.

Temperature

I contacted Northern with regard to their efforts on the temperature issue. It appears that the WQCC denied their request for further consideration but did agree they could put together a working group to address their concerns and bring them back to the WQCC later. This was not vetted with Learning By Doing. However, Peter Nichols will come to the next LBD meeting to explain Northern's concerns (as I understand it they want to address South Platte temperature issues) but as Barb Green emphasizes, temperature standards, if adopted, are State Standards. NWCCOG has been asked to participate on the working group.

Windy Gap Bypass

Received word that we did not get the Water Smart Grant and we did not fit the criteria. Trout Unlimited contacted our legislative representatives on behalf of the west slope group to urge them to support the Regional Conservation Partnership Program (RCPP) application that has been submitted in cooperation with Irrigators Living in the Vicinity of Kremmling (ILVK). If successful, we will be asked to submit a full application. Trout Unlimited is arranging a conference call with Department of Agriculture to discuss any questions they may have.

There is also a possibility of a Great Outdoors Colorado (GOCO) grant and the group will be working through the application process for this grant.

Of the \$1.5M in the Carriage Contract for improvements on Colorado River below Granby Reservoir, the BOCC will be asked to execute a joint letter to the BOR asking that if necessary \$1M of that money be moved to the Bypass. CPW has agreed that the bypass would make marked improvements to the section of the Colorado above Windy Gap.

CRCA Implementation

This matter is ongoing and is a negotiation. The County Attorney is keeping the BOCC apprised of the steps that are being taken in this matter in executive session.

LBD

We are waiting to hear if the Fishing for Fun Grant was approved for the Fraser River Project. If we do not get all of the funds requested, the group will be looking for other funds so that the project can go forward in 2017. We did not receive the Cabela grant.

As previously stated, Northern will be presenting information to LBD on their efforts on temperature standards. LBD Governance will then decide how or if LBD should participate in any way.

Grand Lake Clarity Operations

The BOR adopted the low and slow operations plan for 2016. Of course, this could change depending on weather and need on the Front Range. A weekly call with the BOR is scheduled. The information that is gathered this year will be valuable in making decisions on a final solution to Grand Lake Clarity.

Grand Lake Clarity Technical Meetings

The group is starting to work on the Purpose and Need Statement for the National Environmental Policy Act (NEPA) process. The BOR has sent out their first draft and Barb Green is reviewing. A copy of the first draft has been included with this update for your information. A meeting was scheduled for July 20th, changed to July 11th, and then because of confusion, postponed until August 17th. Barb Green will attend this meeting for Grand County.

Big Lake Ditch

Denver Water staff will go over its PASCAM model results on the Big Lake Ditch on July 12th. I was invited to attend this staff meeting and asked that Paul Bruchez also be invited due to his knowledge of the irrigation system. Paul has indicated he will attend. It is hoped that after this meeting we will be able to schedule a meeting with all of the ditch users/owners and have a solution for this issue.

Moffat Firming

Denver has received the 401 certification and is hopeful that the Corps will issue the ROD for the permit in the near future. The Governor has supported the issuance of the ROD and Permit. Denver is hopeful they will have the ROD and Permit by the end of 2016.

Hitchhikers Guide

Now that the Shoshone Outage Protocol and associated agreements have been settled, it is hopeful Peter may have some breathing room and can complete that portion of the guide.

Grand County RICD

It is my understanding that CPW has concerns about fish passage through the RICD based on Tetra Tech's report. The report did not have physical information, but relied on information gathered from similar sources. I have sent an email to CPW asking for a sit down meeting. I would like to ask CPW to do tagging study on this feature so that any comment can be based on factual and not antidotal information. Grand County could be asked to help fund this study, and if so, I feel it would be more cost effective than a remodel of the structure on river right. I have not received a reply to the request for the meeting.

Katherine:

Upper Colorado River Watershed Association

Shadowcliff was awarded a WaterSMART grant of \$100,000 to establish an Upper Colorado River Watershed Association. The press release is in your dropbox. Mr. Ken Fucik is working with Geoff Elliott as project scientist, and Shadowcliff Director Hillary Mizia for community outreach, among others. Mr. Fucik has been invited to speak at the next Learning by Doing governance committee meeting.

GCWIN

GCWIN is taking over sample collection at four Riverwatch sites in an effort to maintain data continuity on sites that were originally funded between the state and EPA's dubbed "Healthy Headwaters" sites. Macroinvertebrates and a suite of chemical and physical parameters are collected at these sites. Macroinvertebrate work will continue under contract with Learning by Doing, with much of the sample analysis funded by BLM's "Buglab" in Utah. GCWIN's director is looking for grant funding to continue the other four Healthy Headwaters sites.

GCWIN continues with temperature and electrical conductivity monitoring in the 3 Lakes area, and temperature monitoring in area rivers. National Atmospheric Deposition Program monitoring continues, and Grand County received the \$4,000 from BLM to continue monitoring through September, at which time Northern Water, BLM, and RMNP will take over contracting with GCWIN for the site.

GCWIN also continues with secchi monitoring in Grand Lake and Shadow Mountain Reservoir. This year Northern Water has purchased a boat for GCWIN to use to accommodate the increased frequency required with the Grand Lake Clarity adaptive management. That will be stored at a slip on Shadow Mountain Reservoir paid for by the Three Lakes Watershed Association. US Forest Service has contributed to the secchi monitoring program in previous years by allowing use of their boat and captain in-kind each year. They came to the rescue for early secchi monitoring again this year when Northern ran into difficulties with permitting their boat, which was purchased off Craig's list.

Water Management Operations

As you know, Grand County is being kept up to date about water management operations through HUP calls, LBD Coordination calls, and Grand Lake Clarity adaptive management calls.

This week marked the first ever Grand Lake Clarity adaptive management call, which is exciting! Three of five targets are being met currently. Clarity is below the 3.8m secchi target, at 3.7 right now, so stopping or batch pumping would help, but % saturation for DO is also above 100%, which would argue for continued pumping. Bottom DO, pH, and minimum secchi are all in safe territory right now. Reclamation will not be taking any action to change pumping plans in response to 3.7 meter secchi depth because they're trying to protect yields

after spilling this season, so they say there is no flexibility right now. Reclamation anticipates continuing pumping at current rates through the weekend, then stepping down 50 cfs every other day to hit 250 cfs by July 22nd. Pumping occurs at night, during “off peak” energy hours, and stops by 6:00am each morning. They expect to stick to this plan for the next two weeks. This response seems reasonable considering how close we are on the heels of the spill. Reclamation just stopped bypassing/spilling water from Granby Reservoir on July 8. Reclamation is trying to follow the operations plan that was outlined in June, but diversions down the Adams Tunnel appear to be about half of what was planned. I was in Grand Lake over the weekend, and the water does look good right now. The call report packet, which is produced by Northern, is in your dropbox. Reclamation and Northern will be “evacuating” Willow Creek to 8,120 feet to replace an emergency backup generator. Full pool is 8,128 feet, so this is about an 8 foot drawdown. They have been bypassing flows (currently 18 cfs) since the third week of June, and will be pumping to Granby Reservoir for this action as well

Fraser River Source-water Protection Planning

This group heard about Mines and Abandoned Mines from Allen Sorenson with the Colorado Division of Reclamation Mining and Safety, and about Stormwater Management from Kevin Vecchiarelli, with JVA Engineering and East Grand Water Quality Board’s erosion control specialist for several years. Climax mine and the Henderson Mill were not discussed. The mine brought to the group’s attention was the abandoned Bobtail Mine, on Bobtail Creek above Denver Water’s diversion in the Williams Fork area. The mine has a small continuous discharge to Bobtail Creek that is contaminated with manganese and zinc. It is estimated that the associated pyritic mine dump may contain about 1,185 cubic yards of material, and does slightly acidify the discharge. Dilution of this discharge through collection with the three other creeks in the Williams Fork diversion system, and then again on Vasquez Creek is likely substantial, and this water is picked up again in the Moffat Tunnel diversion.

Union Pacific Railroad

Union Pacific Railroad had a compliance schedule report due in April. I have obtained a copy of this report, minus an attachment, but have not yet had time to review the report.

Three Lakes Model Work Session

I participated in a meeting between Northern Water, Hydros, and Reclamation on July 8th to decide on responses and appropriate actions to comments on the Three Lakes Model Documentation Draft (161pages). Comment resolution will result in a new Scope of Work from Hydros and perhaps as much as 6 more months of work. This will have to be a 2017 budget item. Reclamation reported that they expect to establish in 2016 the peer review team that will review both the water quality and hydrodynamic models, but that actual peer review won’t occur until 2017. Some benefits to delaying the finalization of model documentation include incorporation of 2015 pulse pumping operations and 2016 expanded Granby Reservoir water quality profiling to more accurately characterize what are thought to be significant impacts of internal loading in that reservoir. It is not clear what effect this delay will have on the NEPA process.

Wild & Scenic Monitoring Subcommittee

This committee meets July 12 discuss selecting a site for a new temperature and flow gauge, and to discuss putting together a macroinvertebrate monitoring white paper.

Regional Stream Management Plan

QQ asked for help for the Colorado Basin Roundtable in compiling data and studies depicting fish or macroinvertebrate conditions, or stream flow measurements for fish, flushing flows, and channel maintenance needs from most watersheds in the Colorado Basin. I have been sending off the relevant reports that I have, including our Stream Management Plan.

Three Lakes Projects and Stream Management Plan Funding Agreements

We finally resolved the Grand County internal details for our funding agreement with Northern Water for Three Lakes Projects. The draft agreement is now in Northern’s hands.

The Stream Management Plan funding agreement has been vetted by all parties, so I’m just waiting for signatures before I can bring it back to you along with the GCWIN and Tetra Tech contracts.

Learning by Doing Monitoring Subcommittee

I am working on a matrix for LBD to identify all of the monitoring requirements that Northern and Denver have to implement.

CPW is also helping me to develop a comprehensive list of all stream projects within the last five years in LBD project area streams.

Kirk Klanke, president of the Headwaters Chapter of Trout Unlimited, stated that he is one of the representatives at the Learning by Doing meetings. Mr. Klanke came to emphasis to the Commissioners how it

was Ms. Underbrink Curran's political savvy that got everyone going down the road of Learning by Doing. It is her political savvy that continues to move Learning by Doing forward. Learning by Doing is in its formative years. Someday Ms. Underbrink Curran's political savvy will not be needed because scientists will be monitoring the river and moving forward with projects based on science not politics. Right now, Ms. Underbrink Curran is really key to keep things motivated. There are a lot of bureaucratic entities in one room without a lot of motivation. Grand County is extremely well represented. Mr. Klanke would like the Board to keep Ms. Underbrink Curran for participation in Learning by Doing.

Bud Isaacs, manager of Chimney Rock LLC, stated that he formed the Upper Colorado River Alliance. He appreciates the opportunity to be here with the Board.

Mr. Isaacs spoke with Tony Kay of Trout Unlimited in trying to recognize the problem that Windy Gap has caused to the river. Mr. Kay told Mr. Isaacs that if he had to do any project, he would love to have Ms. Underbrink Curran as his right-hand person. Ms. Underbrink Curran knows how to cut through the politics and listen to all parties and bring all together.

Ms. Isaacs stated that everyone is in a positive mode with regard to fixing the river. The river is broken. Mr. Isaacs stated that the river was 60 degrees this morning and he understands Ms. Underbrink Curran's garden froze last night. Mr. Isaacs stated that he can go into Drowsy Water and the water temperature in Drowsy Water is 57 degrees.

Mr. Isaacs stated that it is extremely important to maintain Ms. Underbrink Curran for the project.

Board Business

Commissioner Manguso moved to approve the Grand County facility use fee waiver request from Rocky Mountain Farriers Association a non-profit for use of the fairgrounds from July 21 through July 23.

The motion passed unanimously.

The Board noted receipt of newspaper articles provided by Donald Daily from 1928 and 1971 regarding the Library.

Calendars

| | |
|--------------|--|
| July 13 | Special meeting with the Library District Blowing in the Wind at 2:00 p.m. Ethics meeting Planning Commission meeting |
| July 14 | UCC meeting Small group meeting regarding the Fire Code at Java Lava |
| July 21 & 22 | Club 20 Workforce meeting |
| July 27 | Department Heads meeting Learning by Doing |
| July 28 | NWCCOG TPR meeting |

Public Hearing Igadi Ltd dba Igadi Renewal of six Marijuana licenses and four modification of premise –
Renew Retail Marijuana Store
Renew Medical Marijuana Center
Renew Retail Marijuana Cultivation Facility
Renew Medical Marijuana Optional Premise Cultivation
Renew Retail Marijuana Products Manufacturer
Renew Medical Marijuana – Infused Products Manufacturer

The public hearing scheduled to begin at 3:00 p.m. was called to order by Chairman Tollett at 3:05 p.m.

Commissioner Linke moved to consider the licenses together.

The motion passed unanimously.

County Attorney Hassler set the record.

| | |
|------------|--|
| Exhibit A | Cover Letter |
| Exhibit B | State Renewal Applications |
| Exhibit C | Trade Name Registration |
| Exhibit D | Certificate of Good Standing from Colorado Secretary of State |
| Exhibit E | Entity Documents |
| Exhibit F | Documents Showing Legal Possession |
| Exhibit G | Diagram of Premise |
| Exhibit H | Financial Documents (Notes, Security Notes, Financial Obligations, Funding Sources) |
| Exhibit I | Copies of Inspections, Violations, Orders to Show Cause, Summary Suspensions, Administrative Holds |
| Exhibit J | Current Colorado Sales Tax Licenses |
| Exhibit K | Security Plan, Burglar Alarm and Contract |
| Exhibit L | County Fees Submitted to State |
| Exhibit M | County Submitted Fees |
| Exhibit N | Grand County Marijuana Business License Application, Memorandum of Understanding, Owners and Managers Form, Affidavit of Lawful Presence |
| Exhibit O | Grand County Department of Community Development Marijuana License Review |
| Exhibit P | Letter from Applicant regarding Previous Marijuana Licenses |
| Exhibit Q | Supplemental Information Provided to the State |
| Exhibit R | State of Colorado Marijuana Licenses |
| Exhibit S | 1000 Foot Buffer Map and Land Use within 1000 Foot Buffer |
| Exhibit T | Map of 2-Mile Radius - the "Neighborhood" |
| Exhibit U | Grand County Assessor's Property Record and Schedule Number |
| Exhibit V | Proof that Property Taxes Are Paid |
| Exhibit W | Applicants Marijuana Management Plan |
| Exhibit X | Marijuana License Applications and Badges for Current Employees |
| Exhibit Y | Notifications |
| Exhibit Z | Public Comments |
| Exhibit AA | Petitions |
| Exhibit BB | Initial Review, Response to Initial Review, Review of Supplemental Materials Provided in Response to Initial Review and Attachments, Clerk's Reviews |

The Clerk and Recorder has designated the two mile radius for the neighborhood.

Commissioner Linke moved to set the neighborhood as a two-mile radius.

The motion passed unanimously.

Clerk and Recorder, Sara Rosene, explained that she grouped like licenses together for the review. Unit B is the retail marijuana store and the medical marijuana center. Unit C is the retail and medical marijuana cultivation. Unit D is the retail and medical marijuana infused products.

To: Grand County Board of County Commissioners
From: Sara L. Rosene, Grand County Clerk and Recorder
Date: July 12, 2016
Re: Retail Marijuana Store (the term "retail marijuana" is commonly known as "recreational marijuana")
Medical Marijuana Center
Retail Marijuana Cultivation facility
Medical Marijuana Optional Premise cultivation
Retail Marijuana Products Manufacturer
Medical Marijuana-Infused Products Manufacturer
Applicant: IgadI, Ltd. dba IgadI
David Salturelli, Owner
Location: 72399 US Highway 40, Units B, Tabernash, CO 80478
Zone District: Business
Applicable Regulations: Resolution No. 2014-1-26, Ordinance #14, and Ordinance #14-1
Request: The Applicant is requesting renewal of Retail Marijuana Store and Medical Marijuana Center Licenses.
Discussion:

Grand County Board of County Commissioners passed Resolution No. 2014-1-26, Ordinance #14, and Ordinance #14-1 to exercise the authority of the County of Grand to allow state licensed marijuana establishments to exist in unincorporated Grand County in accordance with applicable state laws and regulations as well as the additional local licensing requirements and other restrictions. This regulation and ordinances were adopted pursuant to constitutional and statutory authority as well as the county's authority under its police power in order to preserve the public health, safety, and general welfare.

There are six licenses in the building located at 72399 US Highway 40. Each license stands on its own, but I am asking the Board to consider similar licenses together. In this case, the similar licenses are a Retail Marijuana Store and Medical Marijuana Center.

The applicant stated that he will use Unit B, 72399 US Highway 40, Tabernash for both a Retail Marijuana Store and a Medical Marijuana Center. Because the applicant has declared that he will not sell to individuals under the age of 21, a virtual wall is sufficient for that use.

The applicant for this Retail Marijuana Store is IgadI, Ltd. dba IgadI. David Salturelli is the Owner. The current location is in the old Highland Lumber building at 72399 US Highway 40, Unit B, Tabernash, CO 80478. The building is owned by Highland Investment, Co. LLC and is leased to IgadI, Ltd. The lease expires September 1, 2019.

The applicant for these Retail Marijuana Cultivation Facility and Medical Marijuana Optional Premise Cultivation Licenses is IgadI, Ltd. dba IgadI. David Salturelli is the Owner. The current location is in the old Highland Lumber building at 72399 US Highway 40, Unit C, Tabernash, CO 80478. The building is owned by Highland Investment, Co. LLC and is leased to IgadI, Ltd. The lease expires September 1, 2019.

The applicant for these Retail Marijuana Products Manufacturer and Medical Marijuana-Infused Products Manufacturer Licenses is IgadI, Ltd. dba IgadI. David Salturelli is the Owner. The current location is in the old Highland Lumber building at 72399 US Highway 40, Unit C, Tabernash, CO 80478. The building is owned by Highland Investment, Co. LLC and is leased to IgadI, Ltd. The lease expires September 1, 2019.

Applications for renewal of Marijuana Licenses are submitted to the State of Colorado Marijuana Enforcement Division. Once the State review is complete, only the conditional license is remitted to the local authority.

During the review process, the County Clerk's Office makes courtesy notification to all landowners, taxing districts, hospitals, and towns within 1,000 of the proposed license location.

After the final review, the Clerk and Recorder schedules a public hearing to be heard by the Board of County Commissioners.

"Retail Marijuana Store" has the same meaning as defined in section 16(2)(n) of article XVIII of the state constitution. "Retail marijuana store" means any entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers."

"Medical marijuana center" means a person licensed pursuant to article 43.3, title 12, C.R.S. to operate a business as described in section 12-43-3-402 that sells medical marijuana to registered patients or primary caregivers as defined in section of article XVIII of the state constitution, but is not a primary caregiver.

"Retail Marijuana Cultivation Facility" has the same meaning as "marijuana cultivation facility" as defined in section 16(2)(h) of article XVIII of the state constitution. "Marijuana cultivation facility" means an entity licensed to cultivate, prepare, and package marijuana and sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers."

"Optional premises" means the premises specified in an application for a medical marijuana center license with related grow facilities in Colorado for which the licensee is authorized to grow and cultivate marijuana for a purpose authorized by section 14 of article XVIII of the state constitution.

"Optional premises cultivation operation" means a person licensed pursuant to article 43.3 title 12, C.R.S., to operate a business as described in section 12-43.3-403"

"Retail Marijuana Products Manufacturer" has the same meaning as "marijuana product manufacturing facility" as defined in section 16(2)(j) of article XVIII of the state constitution. "Marijuana product manufacturing facility" means an entity licensed to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers."

“Medical marijuana-infused products manufacturer” means a person licensed pursuant to article 43.3, title 12, C.R.S. to operate a business as described in section 12-43.3-404.

The items required on Renewal Application are reviewed below and the Exhibits, Comments, and Petitions can be found at <http://www.co.grand.co.us/720/Applications-in-Process>.

Exhibit A: Cover Letter: The cover letter shall give an overview of the business plan for the license. It should describe the products and services to be provided by the business including an indication of whether or not the applicant proposes to engage in the retail sale of food for human consumption (including marijuana infused products). The cover letter for renewal applications shall also include a written description of any changes in the business plan, the marijuana management plan, the security plan, or the waste disposal plan since the previous application.

The letter has been provided and the following are necessary to complete this requirement:

1. Correct license plates for the water truck that hauls the water from Grand Lake. (The incorrect plate type was issued by Grand County Motor Vehicle.)
2. Proof that waste is removed by a certified waste disposal company.

Exhibit B: Copy of State Application: For new retail applications the state will forward a copy of the application to the Local Authority. For new medical applications, the applicant must submit a copy. For all renewals, the applicant must submit a copy. The State Application has been supplied and the Community Development Department provided a review regarding the modification premises. Please see Exhibit O.

Exhibit C: Trade Name Registration
The requirement has been satisfied.

Exhibit D: Certificate of Good Standing from the Colorado Secretary of State
The requirement has been satisfied.

Exhibit E: Entity Documents (by-laws, articles of incorporation, operating agreement, partnership agreement, as applicable)
The requirement has been satisfied.

Exhibit F: Documents Demonstrating Legal Possession of Property: Please include the deed and/or lease for the property. If the property is leased, include written consent of all owners to lease property to a marijuana establishment)
The lease has been provided. It appears in Item No. 33 of the lease that “upon abandonment of the premises, Landlord may, without being obligated to do so and without terminating the Lease, take possession of the Premises.” If there is any marijuana product on the premises, the Landlord cannot enter without an individual who has a valid badge from the Marijuana Enforcement Division.

It is also noted that the units in the building have been renumbered. There is no longer a Unit A and it is now referred to as Unit D.

Exhibit G: Diagram of Premise: Floor plan of the proposed premise drawn to scale on 8-1/2” x 11” paper, showing the layout of the establishment and the principal uses of each section of the floor area. Please include dimensions, security cameras, and separate pages for each floor/level. Limited access areas and restricted access areas should be labeled as such.
This requirement has been satisfied and it is noted that additional cameras have been added to the building.

Exhibit H: Financial Documents: Include copies of notes, security instruments, and financial obligations. Provide an explanation of the funding sources that will be used for the business. Provide a list of operating and investment accounts at financial institutions.
This requirement has been satisfied.

Exhibit I: Copies of any Inspections, Violations, Orders to Show Cause, Summary Suspension or Administrative Hold issued by the Local Authority or Marijuana Enforcement Division in the last 12 months (for renewals only) as well as an explanation as to how any issues have been resolved.
The Grand County Community Development Department made contact with Mr. Michel by phone, email, and letter requesting removal of a “snow fence” and engineered plans for any fabricated enclosure on the rear of the building. It is not clear if this requirement has been met.

Exhibit J: Current Colorado Sales Tax License: For renewals, the applicant shall include a letter from the Department of Revenue or other evidence that all applicable excise taxes and/or sales taxes have been paid during the previous license term.

Information provided but clarification is needed with regard to which type of sales or excise tax license is need for each type of marijuana license.

Exhibit K: Security Plan indicating how the establishment will comply with requirements related to monitoring and securing the licensed premise as required by law. Please include a copy of the Burglar Alarm Monitoring Contract.

This requirement has been satisfied.

Exhibit L: Copy of Application Fees Submitted to the State for the County
Not applicable.

Exhibit M: Copy of Application and License Fees Submitted to the County
The requirement has been satisfied.

Exhibit N: Grand County Marijuana Business License Application, Memorandum of Understanding Form, Owners and Managers Form and Affidavit of Lawful Presence Form.

The requirement has been satisfied but need additional clarification as identified in Exhibit J.

Exhibit O: Grand County Department of Community Development Marijuana License Review: An update will be required if it is over six months old.

Project Name: Highland Investment Co. LLC (IgadI)
Construction Code: Type III B
Occupancy Code: F1
Code Requirement: Reference 903.2.4 Group F-1

An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exists:

1. A Group F-1 fire area exceeds 12,000 square feet.
2. A Group F-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.

Allowable Building Heights and Areas (without fire suppression system) – Reference 504.1 (2009 IBC)
Area, Building Definition – The area included within surrounding exterior walls (or exterior walls and fires walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above. Reference 502.1 (2009 IBC)

Allowable Height: 55 ft.
Allowable Area: 12,000 sq. ft. per story
Current building occupancy by IgadI (exclusive of Trestle Tools)
Height: 34 ft. –Peter Rempel, Grand County
Level 1: 9,402 sq. ft. – Highland Investment application figure
9,153 sq. ft. – Peter Rempel, Grand County

Level 2: 1,998 sq. ft. – Highland Investment application figure
1,962 sq. ft. – Peter Rempel, Grand County

Proposed building occupancy by IgadI (inclusive of space formerly leased to Trestle Tools)
Level 1: 11,852 sq. ft. – Highland Investment application figure
11,603 sq. ft. – Peter Rempel, Grand County
Level 2: 1,998 sq. ft. – Highland Investment application figure
1,962 sq. ft. – Peter Rempel, Grand County

Notes: Openings shall have a minimum dimension of not less than 30 inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior. Reference 903.2.11.1

When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet from such openings, the story shall be equipped throughout with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of the story. Reference 903.2.11.2

The existing third level is designated as attic space. This level is not allowed for habitable space or storage in this occupancy. Peter Rempel, Grand County Plan Analysis on Dec. 10, 2014.

Analysis: The proposed expansion of IgadI to include the space currently leased by Trestle Tools will include the entire building, as it exists presently. That expansion will increase the square foot of the building area (as defined by IBC 2009) to 11,852 sq. ft. (Highland Investment) or 11,603 sq. ft. (Peter Rempel, Grand County).

The expanded area is less than the 12,000 sq. ft. minimum which would trigger the requirement for an automatic sprinkler system.

Recommendation: Based on the initial review of the proposal by IgadI to increase its operation on the first level to 11,852 sq. ft. it does not appear that an automatic sprinkler system will be required. (2009 International Building Code)

From the information that we have, it does appear that a building permit will be required to make the proposed changes, including the increased utilization of space by IgadI. It is our request that Highland Investment (IgadI) present a complete and final set of floor plans, as prepared by an architect. This set of floor plans shall include the additional space and uses as well as a new code analysis that includes all of the proposed changes and uses for the entire building.

Initial Analysis by Peter Rempel and Larry Banman

From Interim County Manager Ed Moyer:

Grand County and Tabernash Meadows Water and Sanitation District (TMWSD) jointly own the Tabernash Water Treatment Facility (WWTF) pursuant to an intergovernmental agreement. TMWSD operates and maintains both the WWTF and the Community Collection System, which is subject to their District Rules & Regulations. TMWSD required both IgadI and RM Concepts install monitoring manholes, pursuant to said Rules & Regulations, which would be inspected quarterly by TMWSD thereafter. The construction of the monitoring manholes was a requirement and condition that was made part of their building permits/initial licensure process.

TMWSD inspects said manholes at least quarterly and said inspection costs are billed and paid by Grand County. Therefore, Grand County must bill IgadI and RM Concepts to recapture these costs.

Exhibit P: Letter from Applicant Detailing Previous/Current Marijuana Licenses Held: If the applicant has held previous licenses, include a letter from the Marijuana Enforcement Division or other evidence stating that the applicant has not violated any State Regulations during any previous licensed term at any establishment owned or operated by the applicant or any of its affiliated business entities. If the applicant has violated any State or Local Regulations during any previous term, the applicant shall provide a detailed description of all violations and how the applicant has satisfactorily corrected and mitigated any such violations. If the applicant has not held any previous licenses, a letter stating such will be accepted.

This requirement has been satisfied.

Exhibit Q: Copy of Supplemental Information Provided to the State. If the state did not require supplemental information, the applicant shall submit a letter stating such.

This requirement has been satisfied – no supplemental documentation.

Exhibit R: State of Colorado Conditional Marijuana License

This requirement has been satisfied.

Exhibit S: Map of 1000 foot buffer around the proposed premise. The applicant will need to indicate the land use for each property within the 1000 foot buffer. This should include a letter stating that there are no schools, churches, child care establishments, or alcohol/drug treatment facilities within the 1000 foot buffer. The letter should indicate the proximity of the property to the nearest school, church, child care establishment, alcohol or drug treatment facility as well as to any other marijuana establishment.

This requirement has been satisfied.

Exhibit T: Map of the 2 Mile Radius. Please indicate any marijuana establishments already licensed within the 2-mile radius.

This requirement has been satisfied.

Exhibit U: Grand County Assessor's Property Record and Schedule Number
This requirement has been satisfied.

Exhibit V: Proof of Property Taxes Paid
This requirement has been satisfied. The 2015 taxes are paid.

Exhibit W: Applicant's Marijuana Management Plan. This should detail the training program for employees and staff that shall contain, at a minimum, educational and operation standards on the prevention of sale or distribution of marijuana products to anyone under the age of twenty-one (21) years old. Such plan should detail any efforts being made or proposed to be made by the applicant to educate the community or otherwise participate in community outreach regarding the topic of underage marijuana use. In addition, the plan should outline the waste disposal plan for the business.
Applicant has agreed to assist the Clerk and Recorder in creating inspection checklists for six marijuana license types. The goal is to create a detailed inspection list for each license.

Applicant has sponsored a number of events in the community.

See Exhibit A for requirement regarding waste disposal plan.

Exhibit X: Copy of Marijuana Occupational License Applications provided to the State and Copies of Badges and valid ID for Current Employees (including Affidavit of Lawful Presence for each owner). Applications, badges and IDs must be submitted for new employees within 30 days of employment. All employees must be fingerprinted by CBI.

All badges provided have been verified with the Marijuana Enforcement Division of the Colorado Department of Revenue.

It is not clear how many employees are working at IgadI. The Clerk and Recorder must be provided a complete list.

Comments

The Grand County Clerk and Recorder has received most of the documentation required by Grand County Resolution No. 2014-1-26 and Ordinance Nos. 14 and 14-1. The fees required by law and statute have been remitted.

All standard language and conditions of the Grand County Resolution No. 2014-1-26 and Ordinance Nos. 14 and 14-1 shall be made part of any approved license.

Recommendation

If, after taking testimony at the public hearing, the Board of Commissioners approves the license, the Clerk and Recorder recommends that a license be issued after the following items have been completed:

1. Correct license plates for the water truck that hauls the water from Town of Grand Lake. (The incorrect plate type was issued by Grand County Motor Vehicle.)
2. Clarification is needed with regard to which type of sales or excise tax license is need for each type of marijuana license.
3. Based on the initial review of the proposal by IgadI to increase its operation on the first level to 11,852 sq. ft. it does not appear that an automatic sprinkler system will be required. (2009 International Building Code) From information provided, it does appear that a building permit will be required to make the proposed changes, including the increased utilization of space by IgadI. The Community Development requests that Highland Investment (IgadI) present a complete and final set of floor plans, as prepared by an architect. This set of floor plans shall include the additional space and uses as well as a new code analysis that includes all of the proposed changes and uses for the entire building.
4. Any and all Tabernash Meadows Water and Sanitation District (TMWSD) fees billed to Grand County in conjunction with required services or inspections performed for IgadI, be paid in full within 30 days of being invoiced and any current outstanding invoices be paid in full to Grand County prior to issuance of any marijuana license or license renewal.
5. Evidence that applicant is in Compliance with Marijuana Rules M307 and R307 regarding the disposal of any marijuana waste.
6. Provide a complete list of current employees (including contract employees) and update the list throughout the year to the County Clerk and Recorder.

7. Provide compliance with the requirements of Grand County Community Development regarding the “snow fence.” If the fence has been removed, confirmation must be provided by Community Development. If a fabricated enclosures will be added, evidence of that from Community Development must be provided.

Mr. David Michel stated that he was before the Board a little over a year ago and the sky has not fallen with marijuana coming to Grand County. In fact, Mr. Michel believes that the County is much improved. Mr. Michel believes that IgadI is an asset to Grand County. IgadI is a unique marijuana facility where they took what was only for industry insiders and made it available to everyone to see the farm to table concept, to watch the grow cycles, and to look into the kitchen seeing chefs making the edibles. This creates a trust facture.

Mr. Michel stated that he believes that IgadI has brought tourism to the County. It has been a good positive thing that fulfills a need in a very classy, sophisticated, and educational realm.

Mr. Michel stated that he has 36 people that work for IgadI in different capacities. It makes them one of the largest employers in the County. The jobs are not seasonal. The jobs are year round. IgadI provides health insurance and 401Ks. These are blue collar jobs as well as professional jobs. They have two attorneys on staff, an engineer, chemists, and people with degrees in soil science. IgadI has attracted a lot of talent to County. IgadI has also hired a lot of people within the County. Mr. Michel noted that of the 36 people, only two do not reside in the County.

Mr. Michel stated that the sales tax numbers have been very good. All told, between taxes and fees, IgadI has shelled out about \$78,308 to the County. If you include the landlord with property taxes and building permit fees, you can add about \$35,000 on there. From the beginning of the IgadI project, the County has received revenue of \$109,679.

Mr. Michel stated that IgadI has gone above and beyond the promises that were made.

Mr. Michel stated that odor was a big issue. He noted that IgadI does not smell. IgadI uses a system designed by Data Air. It is a recirculating system so there is no exhaust. The system won an award for the 2014/2015 HVAC project of the year. The runner-up for that award was the new construction on the World Trade Center in New York City.

Mr. Michel stated that noise is not an issue. The train makes far more noise than IgadI does.

Traffic has not been an issue. There is not a high traffic volume. The deliveries are infrequent at best.

Mr. Michel understands that lights have been a concern. Only one light has been added and it is on the exterior sign. All the lights are hooded and downward facing. The lighting is essential for security on the property. It is dark sky compliant.

There have been no security incidents.

IgadI has received recognition as far as concentrates being created and edibles being created. IgadI has received an award from THC magazine for the cleanest concentrates tested in the state.

IgadI has not sold to minors. If people do not provide proper ID, they do not get past the reception area. All the people who work in the reception area are trained in accepting ID.

IgadI purchases its water from Grand Lake. According to the permit, IgadI is allowed 9,000 gallons. For every 1,000 gallons taken after that, there is an additional \$4. It has been effective and meets the needs.

IgadI purchased 5-acre feet of water and they are about to file a petition through water court. IgadI has the opportunity to purchase an additional 2.5-acre feet if need. They have an option that extends out 5 years for an additional 14.99 acre feet.

There is new leadership at Tabernash Meadows Water and Sanitation District and it may be possible to get water from that district. IgadI may be allowed to put runoff into the sewer system. Right now, the runoff from the plants is put into holding tanks and then taken to Denver.

IgadI is growing a brand. This is real industry for Grand County.

Mr. Michel stated that IgadI is outgrowing the lab. IgadI is punching a door through the wall into the former Trestle Tool location. In terms of the grow, they are taking down a wall. Mr. Michel does not want to be

required to get an architect to add the door or take down the wall. Mr. Michel asked that the Board approve the modification of premises.

The building permit should only be applied to the modification of premises.

Mr. Michel stated that they just got a bill on May 31, 2016 for the sewer fees. Mr. Michel stated that a manhole bill came yesterday and it was paid yesterday.

Mr. Michel stated that he does not believe that paying the sewer bill should be a condition of the renewal.

Mr. Michel stated that trash was an issue before but felt that it had been addressed. Mr. Michel stated that he believes that the issue that is being raised is an interpretation unique to this jurisdiction.

Mr. Michel stated that they take the trim (it has a little THC) and extract the THC. That is how they create the concentrate. The value of that product went from \$300 to \$500 per pound.

Mr. Michel stated that according to the code, waste must be made unusable and unrecognizable prior to leaving the licensed premises. IgadI mulches the waste and mixes with 50 percent non-marijuana based trash.

After the waste is made unusable and unrecognizable, the licensee shall not dispose of retail (or medical) marijuana waste in an unsecured waste receptacle not in possession or control of the licensee. The waste is then disposed of at a solid waste site that has a certificate of designation from a local governing body, compost facility that has a certificate of designation from the Department of Health and Environment, or compost on site by the facility owned by the generator of the waste and operated in compliance with regulations pertaining to solid waste sites and facilities.

IgadI makes the waste unusable and unrecognizable. They put it into a locked dumpster on the facility. The Trash Company mixes that waste with the waste already in the truck and it is taken to the transfer station. It is then put in a larger truck and taken to the City of Erie landfill.

Mr. Michel stated that Marijuana Enforcement let him know that the waste has to be unusable and unrecognizable, put in a locked dumpster, and sent to a facility with a certificate of designation. All of this is happening.

The issue from the Clerk is that the waste is not locked while at the transfer station in Granby.

Mr. Michel stated that he does not believe he needs to provide a list of employees to the County. He does not like how information is handled by the County. Everything is published on the website until it is asked to be taken down. The request is unreasonable.

Glo Starks stated that she lives at 10 County Road 526 and she is the community. Ms. Starks provided a photo of the facility taken from her house and it shows how bright the lights are. Ms. Starks would like something done about the lights.

David McKnight owns Tabernash Tavern and three other businesses in Tabernash. He is the biggest employer in Tabernash. He has over 56 employees. They are ecstatic over the great job that IgadI has done in improving the commercial feel and vibrantness of Tabernash. IgadI has done an excellent job.

The people that go to IgadI are grown adults that visit our community and spend money.

Mr. McKnight believes that the Board should renew the license.

Becky Arnold lives at 344 County Road 522 stated that Mr. Michel told the Board that IgadI would have a security person. It seems that IgadI decided that they did not want one. Ms. Arnold asked how the County is responding to not having the security.

Ms. Arnold finds the business embarrassing.

Richard Zieff stated that he is present representing himself. Mr. Zieff has lived in Grand County 35 years and has had his own business for 34 years. Mr. Zieff does not see this business as a detriment to the community. Mr. Zieff asked the Board to approve.

Ms. Starks stated that there is more traffic. When it is dark, the business increases at IgadI. There is excess traffic on her road.

Ms. Starks stated that the road she lives on is the only one that has full view of the facility. Ms. Starks added that there is a change in the community.

Ms. Arnold asked how and by whom the decision will be made to put waste water into the wastewater system.

Commissioner Manguso stated that Tabernash Meadows Water and Sanitation District will make that decision.

Clerk and Recorder Sara Rosene stated that items offered by the applicant last year were only offers. Those items cannot be enforced by the County.

With regard to the proper disposal of waste, the regulations stated that licensee shall not dispose of medical or retail marijuana or marijuana waste in an unsecured waste receptacle not in possession and control of licensee. The issue is after the waste leaves the facility.

With regard to employees, Ms. Rosene noted that the marijuana industry is regulated differently from every other industry. There are different requirements for liquor and for marijuana.

Mr. Michel stated that IgadI is in the business zone and it has the broadest spectrum of uses. There are lights on the building and are for security purposes. The lights are no different from the ones that were on Highland Lumber. Mr. Michel stated that he can have a discussion with the community regarding the lights and when the lights are on. Mr. Michel does not believe there should be any restriction on the ability to operate due to the light concerns.

Mr. Michel stated that IgadI had a security guard to start. It cost \$10,000 per month and a business decision was made that it was not needed.

Mr. Michel stated that they did not want to go overboard with signage. Mr. Michel stated that he is considering additional signs.

Mr. Michel believes that IgadI complies with the requirements of the regulations regarding waste.

Commissioner Tollett asked if there was any other way to move the trash. Mr. Michel does not want to compost on site. There are waste haulers in Grand County.

IgadI weighs all the waste. IgadI makes the waste unusable and unrecognizable. IgadI mixes marijuana waste with regular waste. The waste finally ends at a facility with a certificate of designation.

Mr. Michel stated that the only waste going through sewer right now is the toilets.

Mr. Moyer understood that IgadI purchased 5-acre feet from the Valley at Winter Park. Mr. Moyer stated that the Valley at Winter Park does not have an approved augmentation plan to sell the water. Mr. Michel stated that he still has to file his petition. Mr. Michel stated that Grand County has the ability to approve this as well.

Mr. Moyer stated that he understands that the County Accounting Department has received payment for Tabernash Meadows Water and Sanitation District. Mr. Moyer stated that part of the requirement is not for the quarterly service fees. The requirement is for items over and above the service fees. The County receives a bill from Tabernash Meadows Water and Sanitation District and then the County has to bill IgadI.

Mr. Moyer stated that when the Board crafted marijuana regulations, the County Attorney told that Board that the County did not need specific regulations for marijuana businesses in a business zone district. Mr. Moyer stated that a good neighbor clause may be a good idea.

Mr. Moyer stated that there have been multiple complaints about the lighting in the last year. Mr. Moyer noted that the lighting is hooded but it is not directed down. It boils down to being a good neighbor.

Commissioner Manguso stated that she wants to make sure that it is clear that there have not been "multiple" complaints about the lighting. There certainly have been some, but not "multiple."

Mr. Michel stated that he is happy to work with the community.

Mr. Hassler stated that the issue with regard to trash is a poorly written state regulation. There appears to be an assumption by the state that all trash goes immediately to a facility with a certificate of designation. That is not true in Grand County.

Commissioner Manguso understands that Mr. Michel will speak with the neighbors with regard to the lights. She believes that IgadI wants to be a good neighbor.

Commissioner Manguso asked if the state requires a list of employees. Ms. Rosene stated that every employee is required by the state to have a card and she has asked for that list in order to verify with the state.

Ms. Rosene stated that the state does not have an opinion on whether the County should require a list of employees. The state does not support the local authority.

Mr. Michel stated that if the County has the list of employees, it is subject to the Colorado Records Act.

Mr. Michel stated that the code requires that the badges be prominently displayed.

Commissioner Manguso would like to see what comes out from the Department of Revenue with regard to the waste. Commissioner Manguso stated that she would like a year to work out the issues on the license.

Commissioner Linke stated that he sees no reason for IgadI to provide the list of employees.

Mr. Hassler stated that if the list of provided, it should be identified as trade secret or privileged information. The other option would be that at the time of the inspection, the list is provided to the inspector.

Mr. Michel stated that he has a book at the facility that shows everyone that is or has been working at the facility. Mr. Michel stated that he is audited on that requirement.

The Clerk requested that the list be identified as a trade secret and continue to get this.

Commissioner Linke stated that he believes that the lighting may need to be addressed. He does not know if the lights look different if there is a hardware store behind it or if there is a marijuana shop behind them. He does not see a difference in the lights from five or six years ago.

Commissioner Linke would like IgadI to work with the neighbors while keeping the building safe.

Commissioner Linke does not see a problem with how the waste is handled.

Commissioner Tollett would like IgadI to work with the community on a solutions for the lights. She likes that there is a solution for the employees. Commissioner Tollett would like a final decision from the Department of Revenue on the waste handling. Commissioner Tollett would like the wastewater treatment plant to treat the waste.

Commissioner Manguso moved to approve the renewal of the retail marijuana store license for IgadI Ltd.

Discussion: The waste will continue to be handled the way it is now and will not affect the renewal. The County will get a determination from the Department of Revenue. For now, the list of employees will be provided quarterly.

The motion passed unanimously.

Commissioner Manguso moved to approve the renewal of the medial marijuana center license for IgadI Ltd.

The motion passed unanimously.

Commissioner Manguso moved to approve the renewal of the retail marijuana cultivation facility license for IgadI Ltd.

The motion passed unanimously.

Commissioner Manguso moved to approve the renewal of the medial marijuana optional premise cultivation license for IgadI Ltd.

The motion passed unanimously.

Commissioner Manguso moved to approve the renewal of the retail marijuana products manufacturer license for IgadI Ltd.

The motion passed unanimously.

Commissioner Manguso moved to approve the renewal of the medial marijuana infused products manufacturer license for IgadI Ltd.

The motion passed unanimously.

Commissioner Manguso moved to accept all four modification of premise request as presented for IgadI, Ltd.

The motion passed unanimously.

Commissioner Linke moved to close the public hearing.

The motion passed unanimously.

There being no further business to come before the Board, the Regular meeting was adjourned at 4:53 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this _____ day of August 2016.

E. Jane Tollett, Chair

Attest:

Sara L. Rosene, Clerk and Recorder