

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

February 13, 2018

Present: Commissioner Richard D. Cimino, Commissioner District 1  
Commissioner Merrit S. Linke, Commissioner District 2 - Chair  
Commissioner Kristen Manguso, Commissioner District 3

Also Present: Clerk and Recorder Sara Rosene  
County Attorney Alan Hassler  
County Manager Lee Staab  
Finance Director Curtis Lange

Those present recited the Pledge of Allegiance.

Commissioner Manguso moved to approve the minutes of the Board of Commissioners meeting of January 9, 2018, with corrections.

The motion passed unanimously.

Road and Bridge Update

Commissioner Cimino moved to approve the Fuel Systems Compliance Report as presented by Road and Bridge Superintendent Chris Baer.

The motion passed unanimously.

Commissioner Manguso moved to approve and authorize the Chair to sign the Amendment to Kremmling Airport Hangar Ground Lease between Grand County, Town of Kremmling and William Elliott for Hangar C at the Kremmling McElroy Airport.

The motion passed unanimously.

Commissioner Manguso moved to approve and authorize the Chair to sign the Letter of Agreement between Grand County and Bob Liddle for Hangar Number 1 at the Granby/Grand County Airport as presented.

The motion passed unanimously.

Commissioner Manguso moved to approve and authorize the Chair to sign the Letter of Agreement between Grand County and Brett Gingery for Hangar Number 3 at the Granby Grand County Airport as presented.

The motion passed unanimously.

Commissioner Manguso moved to approve and authorize the Chair to sign the Letter of Agreement between Grand County and Fly Ry Adventures, LLC for Hanger Number 4 at the Granby Grand County Airport as presented.

The motion passed unanimously.

Public Comment

Peter Ralph, resident on the Williams Fork and concerned citizen, stated that the Grand County Board of Commissioners voted to give \$5 million donation/rebate to Freeport McMoRan. Mr. Ralph sent a letter to the Board explaining his concerns with regard to this decision.

Mr. Ralph stated that he was invited by the commissioners to attend a meeting recorded and achieved on the County's website to explain his concerns. He showed up at that meeting with one objective and that was to get the Board to retract that illegal offer to Freeport. He noted that his was more successful than he anticipated, it became clear that the Board recognized its mistake and agreed to send a letter to Freeport to retract the offer.

Mr. Ralph was to meet with the County Attorney to prepare the letter to Freeport McMoRan.

Mr. Ralph stated this was the proposed change to the tax averaging from three years to five years. Commissioner Manguso stated that she was the single vote to go with five years instead of three years.

Mr. Ralph believes that the Board violated the Colorado Open meeting law and the Colorado Open Records Act.

Mr. Ralph would like to meet with the new County Attorney as soon as possible.

Mr. Ralph is not challenging the decision of the Board with regard to Freeport McMoRan. Mr. Ralph asked that the attorney do three things:

1. Determine how this was allowed to happen with no public input
2. Look at the County's liability
3. Have the Board acknowledge the hardship that the giveaway has caused Grand County

Mr. Ralph stated that he does not want a decision from the Board. He is only asking for an hour of the Board's time.

Commissioner Linke stated that the County did not give away \$5 million. Commissioner Linke stated that the Board will meet with Mr. Ralph next week at 1:30 p.m.

Mr. Hassler noted that the County complied with the Open Records Act with regard to Mr. Ralph's Open Records requests.

#### Departmental Comments, Contracts, Issues

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and Kremmling Preschool as presented by Public Health Nurse Brene Belew-LaDue.

The motion passed unanimously.

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and Fraser Valley Metropolitan Recreation District Program as presented by Public Health Nurse Brene-Belew LaDue.

The motion passed unanimously.

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and Granby Play Days Preschool as presented by Public Health Nurse Brene Belew-LaDue.

The motion passed unanimously.

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and Granby Recreation Department as presented by Public Health Nurse Brene Belew-LaDue.

The motion passed unanimously.

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and Little Sprouts Learning Center as presented by Public Health Nurse Brene Belew-LaDue.

The motion passed unanimously.

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and Eternal Hills Christian Preschool as presented by Public Health Nurse Brene Belew-LaDue.

The motion passed unanimously.

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and Grand Kids Child Care as presented by Public Health Nurse Brene Belew-LaDue.

The motion passed unanimously.

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and Fraser Creative Learning Center as presented by Public Health Nurse Brene Belew-LaDue.

The motion passed unanimously.

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and Fraser Valley Elementary Preschool as presented by Public Health Nurse Brene Belew-LaDue.

The motion passed unanimously.

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and Intrawest/Winter Park Operations Corporation dba Early Education Center as presented by Public Health Nurse Brene Belew-LaDue.

The motion passed unanimously.

Commissioner Manguso moved to approve the Childcare Health Consulting Contract between Grand County and East Grand Preschool as presented by Public Health Nurse Brene Belew-LaDue.

The motion passed unanimously.

Commissioner Cimino moved to approve Resolution No. 2018-2-18, "A RESOLUTION APPROVING A CHANGE IN NAME OF THE PERMITTEE FROM R & R INC. TO R & R INK ELECTRICAL SERVICES CORP. PERMITTING A COMMERCIAL ELECTRICAL SHOP LOCATED AT THE E1/2 SW1/4 AND SE1/4R OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 77 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF GRAND, STATE OF COLORADO CONSISTING OF 2.63 ACRES" and authorize the Chair to sign the Special Use Permit.

Discussion: Commissioner Manguso noted that this is just a simple name change. The change is being done administratively.

The motion passed unanimously.

Commissioner Cimino moved to approve Lease between Grand County and Peak Performance Imaging Solutions in the amount of \$209.56 per month for the Department of Human Services as presented by Information Technology Director Kirk Magnusson.

Discussion: This is a dollar buy-out lease to replace the stop-gap copier that is currently being rented for that office.

The motion passed unanimously.

Commissioner Cimino moved to approve the Amendment to the Joint Funding Agreement with USGS to reduce the installation of the Sonde (the number of months that it is in connecting channel between Shadow Mountain and Grand Lake from eight to seven) in the amount of \$3,994 all of which is coming from Three Lakes Water Shed Association as presented by Water Quality Specialist Katherine Morris.

The motion passed unanimously.

Commissioner Manguso moved to approve the Intergovernmental Agreement between Grand County Clerk and Recorder and the Town of Granby for the County Clerk's Office to provide election services for the April 3, 2018 Municipal Election.

The motion passed unanimously.

Commissioner Cimino moved to approve the request Flying Heels Trust Fund for Conservation Trust Fund monies in the amount of \$26,303 to divide as equally as possible. Commissioner District 2 will pay the extra \$1.

Discussion: Commissioner Linke stated that his sister brought this forward but he does not get any personal gain from this. He has no personal interest in this.

The motion passed unanimously.

Commissioner Manguso moved to approve a the bid proposal from Managing Results LLC to conduct a strategic planning for Grand County in the amount of \$40,125 as presented by County Manager Lee Staab.

Discussion: This was the low bid.

The motion passed unanimously.

Commissioner Manguso moved to approve contract between Grand County and Managing Results LLC in the amount of \$40,125 and authorize the chair to sign. It does include the optional \$2,200.

The motion passed unanimously.

County Manager Staab presented his weekly report.

Kirk Magnusson presented an update regarding where the County is moving on T1 lines and phone lines for County government.

#### Consent Agenda

Resolution No. 2018HA-2-3, "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 BOARD, TO ENDORSE AN INSURANCE CLAIM CHECK"

Resolution No. 2018-2-4, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CYLINDER PRODUCT SALE AGREEMENT BETWEEN AIRGAS USA, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE PURCHASE OF INDUSTRIAL, SPECIALTY, AND MEDICAL GASES"

Resolution No. 2018-2-5, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, SITTING AS THE GRAND COUNTY BOARD OF HUMAN SERVICES, TO EXECUTE AN ADDENDUM TERMS & CONDITIONS AGREEMENT BETWEEN YTIME: NOW LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR A CUSTOMIZABLE PAYROLL AND BENEFIT JOURNAL ENTRY PROGRAM"

Resolution No. 2018-2-6, "RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, SITTING AS THE GRAND COUNTY BOARD OF HUMAN SERVICES, TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JACKSON, STATE OF COLORADO, ACTING IN THE CAPACITY OF THE COUNTY BOARD OF SOCIAL SERVICES, AND THE GRAND COUNTY BOARD OF HUMAN SERVICES FOR THE PROVISION OF ADMINISTRATION SERVICES TO THE JACKSON COUNTY SOCIAL SERVICES DEPARTMENT"

Resolution No. 2018-2-7, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A SERVICES CONTRACT BETWEEN COLORADO TIRE RECYCLING, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE REMOVAL AND DISPOSAL OF SCRAP TIRES"

Resolution No. 2018-2-8, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A RELEASE OF CAPITAL FUNDS TO PURCHASE A FIREWALL"

Resolution No. 2018-2-9, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE WAIVER OF THE USE FEE FOR THE USE OF THE CSU EXTENSION HALL BY KREMMLING PRESCHOOL"

Resolution No. 2018-2-10, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE WAIVER OF THE USE FEE FOR THE USE OF THE CSU EXTENSION HALL BY THE WEST GRAND FFA CHAPTER"

Resolution No. 2018-2-11, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE APPOINTMENT OF ROBERT GNUSE AS A DISTRICT I REPRESENTATIVE TO THE GRAND COUNTY PLANNING COMMISSION"

Resolution No. 2018-2-12, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE RE-APPOINTMENT OF RAY JENNINGS AND TODD HOLZWARTH TO THE GRAND COUNTY EMERGENCY TELEPHONE SERVICE AUTHORITY BOARD"

Resolution No. 2018-2-13, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A REQUEST FROM JUBILEE EVENTS, LLC FOR THE DONATION OF A STANDBY EMS PRESENCE AT THE WARRIOR'S SCRAMBLE ICE FISHING TOURNAMENT ON FEBRUARY 24, 2018"

Resolution No. 2018-2-14, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A CONTRIBUTION TO THE MIDDLE PARK HIGH SCHOOL AFTER-PROM COMMITTEE IN AN AMOUNT NOT TO EXCEED TWO THOUSAND AND 00/100 DOLLARS"

Resolution No. 2018-2-15, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN AGREEMENT BETWEEN THE GRAND FOUNDATION AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR ADMINISTRATION OF THE 2018 COUNTY BUDGETED GRANT PROCESS"

Resolution No. 2018-2-16, "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 THE COLORADO PARKS AND WILDLIFE IMPACT ASSISTANCE GRANT"

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

Commissioner Manguso moved to approve the Hold Harmless provision for the use of the East Grand School District facilities for the Incredible Years Parenting Class at Fraser Valley Elementary school as presented by Assistant County Manager Ed Moyer.

The motion passed unanimously.

Commissioner Manguso moved to approve the grant amount to the West Grand After Prom Committee in the amount of \$2,000.

Discussion: Commissioner Linke stated that he would like this to be a matching grant program.

The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2018-2-17, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING AND ADOPTING AMENDMENTS TO THE GRAND COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT BUILDING PERMIT FEE SCHEDULE"

Discussion: Commissioner Manguso stated that she is voting to pass the resolution but voted nay on the fees.

The motion passed unanimously.

Public Hearing - Colorado Angler's Club 1, Amended Final Plat Lot 12 & 13, Block 7, Easement and Vacation of Interior Lot line

The public hearing scheduled to begin at 10:15 a.m. was called to order by Commissioner Linke at 10:15 a.m. County Attorney Franek set the record.

- Exhibit A Letter of Application dated October 16, 2017
- Exhibit B Public Notice – January 16, 2018
- Exhibit C Proof of Publication in the Middle Park Times January 25, 2018
- Exhibit D Vicinity Map depicting the 750-foot notification buffer as established by the Grand County GIS
- Exhibit E Certified mailing to all property owners with the 750 feet
- Exhibit F Public review sheets with and without signatures
- Exhibit G Memo from the Department of Planning and Zoning dated December 21, 2017
- Exhibit H Staff report dated February 13, 2018
- Exhibit I Site map
- Exhibit J Letter from David A. Firmin from HindmanSanchez legal counsel to Rocky Mountain Estates Homeowners Association, dated February 2, 2018

**APPLICANT:** Todd R. Spain & Carol Elaine Tarkington  
**REQUEST:** Amendment to vacate easements and interior lot line to combine lots  
**LEGAL DESCRIPTION:** Lot 12 and Lot 13, Block 7, Colorado Angler's Club No.1  
**LOCATION:** 60 &72 County Road 4039 - Approximately .52 acres northwest of the US34/GCR 4 Intersection, Colorado Angler's Club No. 1  
**ZONE DISTRICT:** R- Residential  
**AREA:** Lots 12 and 13, Block 7, totaling 0.52 acres  
**STAFF CONTACT:** Alexander Taft, ataft@co.grand.co.us, 970-725-3105  
**ATTACHMENTS:** 1) Colorado Angler's Club No.1, Plat  
2) Proposed Amended Final Plat  
3) Vicinity Map  
4) PC Resolution 2017-11-1  
5) Letter from HOA

## Background

### History:

Colorado Angler's Club No. 1 Subdivision was platted in 1953 and contains approximately 83.2 acres in its entirety. Utility easements of 5 feet exist adjacent to all lot lines within this subdivision. Subdivided lots are service by Three Lakes Water and Sanitation District and require a well.

### Project Description:

The applicant is proposing an amended final plat that will remove the common lot line between Lot 12 and Lot 13. A 5 foot utility easement exists along both sides of the common lot line, therefore a utility easement vacation is included with this application.

The applicant proposes to combine the two lots. The lots were purchased with the intent of building one single family residence across the common lot line.

## Planning Commission Review

Unanimously recommended for approval by Planning Commission with the added condition that a quit claim deed be recorded to combine the legal descriptions for the two lots.

## Recommendation

Staff recommends approval of Amended Final Plat, Lot 12A, Block 7, Colorado Angler's Club No. 1, A Replat of Lots 12 & 13, Block 7, Colorado Angler's Club No. 1, Reception No. 76812, and the consolidation of Lots 12 and 13, Colorado Angler's Club No. 1 with the following conditions:

1. The title of the plat shall be amended to read:

**AMENDED FINAL PLAT**

**LOT 12A, BLOCK 7, COLORADO ANGLER'S CLUB NO. 1**

**A REPLAT OF LOTS 12 & 13, BLOCK 7, COLORADO ANGLER'S CLUB NO.1, RECEPTION NO. 76812  
PART OF THE NE X, SECTION 27, TOWNSHIP 3 NORTH, RANGE 76 WEST, 6TH P.M., GRAND  
COUNTY, COLORADO OWNERSHIP RECORDED AT RECEPTION NO. 2017006676**

2. Statement by owner platting the property and dedicating the streets, rights-of-way, easements and any sites for public uses to be corrected as follows:

**KNOW ALL MEN BY THESE PRESENTS:** That Carol Elain Tarkington and Todd R. Spain are the owners of that real property situated in Grand County, Colorado, more fully described as follows:

Lot 12 and Lot 13, Block 7, Colorado Angler's Club No. 1, according to the plat thereof recorded under Reception No. 76812, County of Grand, State of Colorado

That they have caused said real property to be laid out and surveyed as Amended Final Plat, Lot 12A, Block 7, Colorado Angler's Club No. 1, and do hereby dedicate and set apart all the roads, streets, alleys and other ways and places shown on the accompanying plat for the use of the public forever; and does hereby dedicate those portions of said real property which are created as easements on the accompanying plat to the use of the public forever as easements for the purposes shown hereon, unless otherwise expressly provided thereon; and do hereby grant the right to install and maintain necessary structures to the entity providing the services for which the easements are established.

3. Surveyor's Certificate to be corrected as follows:

I, Warren Ward, a duly licensed land surveyor in the state of Colorado, do hereby certify that this PLAT of the Amended Final Plat, Lot 12A, Block 7, Colorado Angler's Club No. 1, truly and correctly represents the results of a survey made by me or under my direction, and that said PLAT complies with the requirements of Title 38, Article 51, Colorado Revised Statutes, 1973, and that the monuments, required by said statute and by the Grand County Subdivision Regulations have been placed on the ground.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

4. Planning Commission Certificate to be corrected as follows:

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by the Grand County Planning Commission, Grand County, Colorado.

\_\_\_\_\_  
Chairman

5. Board of County Commissioner's Certificate to be corrected as follows:

Approved and all public dedications accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by the Board of County Commissioners of Grand County, Colorado. Acceptance of this platted subdivision by the County of Grand does not constitute an acceptance of roads and rights of way reflected hereon for maintenance by said county. Until such roads and rights of way meet county specifications and are specifically accepted for maintenance by resolution of the Board of County Commissioners of Grand County, the maintenance, construction and all other matters pertaining to or affecting said roads and rights of way are the sole responsibility of the owners of the land embraced within the subdivision. This approval does not guarantee that the size or soil conditions of any lot shown hereon are such that a building permit may be issued.

\_\_\_\_\_  
Chairman,  
Board of County Commissioners  
Grand County, Colorado

6. Quit Claim deed shall be recorded in Owners' names to combine legal descriptions.
7. All property taxes shall be paid prior to recording. A Certificate of Taxes shall be provided to meet this condition.
8. A correct, final plat Mylar is submitted.
9. All recording fees shall be paid prior to recording of the plat.

Surveyor Warren Ward on behalf of the applicant stated that the applicant has no comments or reservations on the staff requirements.

Commissioner Linke asked for and received no public comments.

Commissioner Manguso moved to approve Colorado Angler's Club 1, Amended Final Plat Lot 12 & 13, Block 7, Easement and Vacation of Interior Lot line with the nine conditions.

The motion passed unanimously.

Commissioner Manguso moved to close the public hearing.

The motion passed unanimously.

Treasurer's Report

County Treasurer Christina Whitmer presented the Treasurer's Report.

Ms. Whitmer stated that the invest rates are starting to go up some. Most of the increases are in long term investments.

### Economic Development Quarterly Update

Economic Development Director DiAnn Butler stated that there is a lot going on with regard to economic development.

The Create Here program is moving forward. Grand Mountain Bank is willing to put money toward that program.

A committee is working on identifying the local product that is being produced in Grand County. They are looking at branding into a local campaign.

The lumber cluster development group is looking at launching an advocacy group that is a stronger voice with the Forest Service.

The local industry diversification group is looking at the long term projects that have been identified.

The anchor employers attended a recent meeting. That group has jumped on the opportunity to start working together. There will be a human resource meeting on Wednesday and some of the things they are working on are to looking at the gap in the workforce. They are looking at a depository or website where entities can go and get the information. There will be job postings and housing opportunities.

There will be a job fair on March 6, 2018.

EDA is working on the student career opportunity initiative sponsored by Daniels Fund. Ms. Butler has been meeting with the Grand County Higher Education and superintendents from both school districts. It is a pathway and a framework for programs.

Ms. Butler stated that she is getting grant funds for many of the outside programs. The entrepreneur camp for middle schoolers early high schoolers is being brought back this summer.

Ms. Butler is working on student internships with employers.

The Orton Foundation has contributed \$6,000 toward her budget for the Orton Heart and Sole program in Grand Lake.

Commissioner Linke feels like the work being done in economic development has been successful. Commissioner Linke stated that he spoke with a contractor that believes industry wide there is a need for more skilled labor.

Commissioner Linke would like to see more involvement from the Workforce.

Commissioner Cimino requested a report on two SMART goals from each focus area at the next quarter.

### Water Protection Update

Water Quality Specialist Katherine Morris and Ed Moyer presented the water protection update.

Windy Gap Reservoir modification and connectivity channel  
Project Partner Call and Update on January 30, 2018

- Bureau of Reclamation/Army Corps of Engineers/Department of Justice filed responses. Subdistrict filed motion to intervene. State also discussing doing this. Grand County and West Slope may need to join in an amicus brief. River District obtained authorization to do so.
- Northern provided Draft RFP for Watershed Plan. Partners to review/comment by Feb. 9 prior to NRCS submittal. Estimated one year timeline to complete watershed plan. Grand County will assist consultant with Public Outreach.
- Northern working on Categorical Exclusion (CatEx) request on NEPA portion.
- Northern may be nearing final negotiations with downstream property owner.
- CPW/TetraTech working on diversion structure updates to better fish passage.
  - Updated design: (2) 20' radial gates, 7' opening, and smaller Obermeyer gate.
  - Include rock armoring in channel near radial gates to decrease velocity on bottom to allow juvenile brown/sculpin passage.
- WG Amended Decrees and Connectivity Channel Water Rights Application submitted to Water Court by Northern Water and Colorado River District.
  - Grand County entered into the case as a friendly objector.



- Only two outside objectors not party to or a project partner. Good news considering.
- Water Court Case – Status Update. All parties agreed to keep in front of referee. Objectors had 45 days to comment.
- CPW finalizing project monitoring plan (fish and aquatic invertebrates) by April for review. This was required in NRCS RCPP Funding as in-kind match.
- Total project cost: \$15.6M no change as of 1/30/18. (Construction \$14.2 + \$1.4M NEPA, Permitting, Monitoring and Admin.) \$5.055M shortfall, less CO Water Plan CWCB Grant - \$325K approved for final design and engineering of bypass (TU fiscal agent).
- Fundraising Update: US Army Corps of Engineers – Sacramento, CA Office is interested in funding through their Continuing Authorities Program (CAP). \$2-\$3M possible. TU working on letter of request to initiate appropriation to fund feasibility analysis (, to complete prior to full funding. Project Partners also strategizing public components of the project to make application for Grand County 1A (OLRT) Funds.
- Next Project Partner Call – Wed. February 21.

#### Contracts and Agreements

- In the pipeline: MOU with the River District for phytoplankton sample analyses to accompany new sonde parameter in the connecting channel.

#### Grand County Mutual Ditch & Reservoir Company

- Last meeting Feb. 8
- Pilot Project update: retain 89.5 shares (190 AF) of total 115.5 shares of the Vail Ditch stored in Meadow Creek Reservoir and make available to Denver in late summer in exchange for direct delivery of the water in the fall when there are low flows on the upper Fraser River.
- Will be working with current lessee of 85.5 shares, Denver Water, Grand County Irrigated Land Company and State Engineer's Office.
- Goal is for current lessee of the 85.5 shares to still irrigate with early season water through mid-late June.
  - Discuss potential partnership with Colorado Water Trust and CWCB in order for water to be compensated as an instream flow lease. This could also be available to GCILC shareholders.
  - Revenues could be used for ditch improvements.

#### Grand Lake: NEPA

- Ed, Katherine, West Slope Partners attended recent pre-NEPA Cooperative Agency Meeting on January 31, 2018.
- Cooperative Agencies discussed Pro's/Con's of each Alternative.
- Several Alternatives eliminated by group discussion.
- Bureau of Reclamation agreed to further evaluate two Alternatives and pay to take them to 10% Engineering.
- Environmental Assessment (EA) / Public Scoping still likely Summer of 2019 based on new Secretary Order.

#### Grand Lake

##### Adaptive Management

- 2017 Adaptive Management Final Report (expected last November) has been delayed due to issues regarding reconciliation of comments.
- Three Lakes Technical Committee
  - Reclamation is proposing substantial changes to the format and content of the annual 3 Lakes Reports, reconciliation of these issues is holding up the start of work on the 2017 report

[www.grandcountyLearning.bydoing.org](http://www.grandcountyLearning.bydoing.org)  
Management Committee

#### LBD Technical and Management committee meeting January 18 in Frisco.

- Fraser Flats: "public dedication" on May 16, 2018 at 4:00 p.m.
- Articles of Incorporation and Bylaws approved by all partners to form LBD, Inc. in order to carryout the legal business at the direction of LBD in an efficient manner.
  - Working on MOU between LBD and LBD, Inc. prior to LBD passing a consensus Resolution creating the entity, approving the Board of Directors and filing the Articles and Bylaws.
- Discussed PPP river restoration funding guidelines/matrix. Continue to finalize.
- Working on 2018 planning document.

- Finalizing 2018 LBD Final Report and Operations Report.
- 2018 Project: Cabin Creek AOP “live bottom” culvert. This is a cutthroat fishery project contingent on verification of natural fish barrier at a downstream cascade location.

The March 22 meeting will include:

- A 2017 temperature data presentation with comparison to standards.
- 2018 draft monitoring programs for
  - Macroinvertebrates,
  - Temperature,
  - Threatened and Endangered streams,
  - The Fraser Flats project,
  - CPW Fish Monitoring, and
  - CPW monitoring associated with ILVK and the RCPP.

Existing monitoring programs by several entities were evaluated for gaps, which will be proposed for coverage by LBD.

UPRR: Class V Injection Well Permit Application

UPRR withdrew their application for a class V injection well permit after EPA requested additional information on the permit. From EPA correspondence:

- *“The Moffat Tunnel West Portal Water Treatment Facility Class V disposal system is currently ‘authorized by rule’ in accordance with 40 CFR Sections 144.24 and 144.84(a) that allows UPRR to operate the Class V disposal system without a full permit...”*
- *“This Class V disposal system is also subject to periodic compliance inspections, which may include sampling and analysis of...fluids.*
- *“Please be advised that this rule authorization pertains solely to the UIC Program and does NOT relieve UPRR from satisfying any other federal, state, or local regulations that may apply.*
- *“UPRR is not allowed to discharge industrial waste into the septic/leach field at this location, unless they get a UIC Class V Permit from us.”*

UPRR Moffat Tunnel Discharge Permit CO0047554

Reminder of progress since 2007

Working with the state through the public process our (Grand County, East Grand Water Quality Board, Town of Winter Park, and others) comments have resulted in:

- Separate west and east portal discharges into 2 permits, so Grand County now receives permit notices.
- Correct west portal flows and fees.
- Implementation of a compliance schedule to address metals and total suspended solids violations.

The end result is a treatment facility that is staffed 24/7 to remove metals and uranium!

UPRR Moffat Tunnel Discharge: Comments on 3<sup>rd</sup> public notice of proposed revisions to permit CO0047554

Permit Highlights

- Requires time series (every 4 hours) monitoring of influent turbidity, and testing for total suspended solids when NTUs exceed 175.
- Requires development of a BMP plan for tunnel maintenance activities.
- Puts numeric limits on metals and other contaminants.

Comment Highlights

- Require monitoring of diesel range organics, motor oil, and semi-volatile organic carbons, triggered by either disclosure of tunnel maintenance activities, or exceedance of 175 NTU turbidity measured continuously.
- Utilize the most recent macroinvertebrate, fish, and water quality data to make their determinations. Several entities have spent a lot of money to collect this data...
- Include some means of determining whether the oversize septic field is being used to accept discharges (and bypassing the plant entirely) during tunnel maintenance activities.
  - This could possibly be achieved by accounting for flows when continuously monitored discharges fall to zero.
- Revise upstream water quality calculations to correctly assess flow: the state’s calculation does not consider Denver Water diversions.

Grand County’s Representative to the Colorado River Water Conservancy District Mike Ritschard stated that the District authorized an individual to be on Learning by Doing, Inc.

Mr. Ritschard stated that there are water issues in the Yampa Basin regarding irrigation season length and waste of water.

There will be work done on Wolford Mountain Reservoir this summer.

Board Business

Human Services Director Colleen Reynolds stated that when a County employee moves to an exempt position, the employee is paid out any accrued vacation time.

Mr. Hassler suggested that Mr. Franek be identified as a key employee.

Commissioner Manguso moved to appoint Robert J. Franek as the County Attorney effective February 17, 2018 and authorize the Chair to enter into a contract with Robert J. Franek as was discussed today.

The motion passed unanimously.

The County will advertise for the Assistant County Attorney position.

- February 7 Commissioner Cimino attended the Rural Health Network Board meeting at the Mountain Parks Electric Building. There was a discussion on a single geographic rating.
- February 8 Commissioner Linke attended the Business for Breakfast meeting sponsored by the Granby Chamber
- February 8 Commissioner Linke attended the Freeport Community Partnership Panel at the Extension Hall in Kremmling. Freeport was able to reduce debt in 2017. Freeport is the second largest cooper company in the world. Commissioner Linke stated that molybdenum is up \$12 per pound. They had a record year in safety.
- February 9 Commissioner Linke attended a Club 20 Conference call

Commissioner Manguso attended QQ last week. One of the interesting things is the Powderhorn Ski Area is nine feet short of snow. There was a conversation over the molybdenum changes being requested by Freeport. It was reported that Lake Dillion's temperature is up 4.5 degrees since 1991. The Gold Medal status has been removed from the Blue River.

Commissioner Manguso attended the Airport Advisory Committee. There is 300-foot runway safety zone at the end of the runway at the Kremmling Airport. The Airport Advisory Committee would like to extend the safety zone to 500 feet. If the FAA approves, it would allow more jets to land at Kremmling.

In 2020, there is \$2.5 million going into pavement in Kremmling. The hope is that if the County can get a change in the plan, the County could possibly do an airport extension.

Commissioner Manguso stated that people want to build more hangars at the Granby Airport.

Calendar

- February 15-16 CCI and CCAP review of Legislative items (Commissioner Cimino)
- February 16 Wildfire Council meeting with the Board of Realtors at the Roofing Company in Granby at 9:30 a.m. (Commissioner Cimino)
- February 21 Legislative Breakfast at the Wildfire in Idaho Springs at 8:00 a.m. (Commissioners Manguso and Cimino)
- February 21 Olympic Planning Committee at the Vintage Hotel in Winter Park from 3 p.m. to 5 p.m. (Commissioners Cimino and Linke)
- February 21 Colorado Workforce Call-in meeting (Commissioner Linke)

There being no further business to come before the Board, the meeting was adjourned at 1:11 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this \_\_\_\_\_ day of February 2018.

---

Merrit Linke, Chair

Attest:

---

Sara L. Rosene, Clerk and Recorder