

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

February 20, 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 Robert Franek
County Manager Lee Staab

Those present recited the Pledge of Allegiance.

Commissioner Manguso moved to approve the minutes of the Board meeting of January 23, 2018 as presented.

The motion passed unanimously.

Commissioner Manguso moved to approve the minutes of the Board meeting of February 6, 2018 as presented.

The motion passed unanimously.

Commissioner Linke announced that the Board is sitting as the Grand County Housing Authority.

Commissioner Manguso moved to approve the County contribution for the Housing Needs Assessment to be paid for from the Grand County Affordable Housing Fund.

Discussion: Winter Park and Fraser did not participate because they just had their needs assessment done. The Winter Park and Fraser assessments will be rolled into this final product. The consultants will work with the towns of Kremmling, Granby, Grand Lake and Hot Sulphur Springs.

Developers voluntarily contributed to the account over the years.

The motion passed unanimously.

Commissioner Linke announced that the Board is sitting as the Board of Commissioners.

Finance Department

Cathy Henderson presented the Board with the 2017 Fixed Asset Report.

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on February 21, 2018, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the checks presented on February 20, 2018 for payment on February 21, 2018 for the Grand County Housing Authority.

The motion passed unanimously.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on February 20, 2018, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the vouchers presented on February 20, 2018, for payment on February 21, 2018 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Cimino moved to approve the wires payments, interfund transfers, and vouchers payments presented on February 20, 2018, for payment on February 21, 2018 for Grand County.

The motion passed unanimously.

Commissioner Manguso moved to authorize the Chair to sign the Master Tax-Exempt Lease/Purchase Agreement between Grand County and U.S. Bancorp Government Leasing and Finance, Inc. as presented by Bill Clark.

Discussion: Because there are a number items to sign, Commissioner Linke will sign sometime during the day.

The motion passed unanimously.

Commissioner Cimino moved to approve and authorize the Chair to sign the Colorado Youth Detention Continuum Program report as presented by Juvenile Services Director Kelly Friesen.

The motion passed unanimously.

Commissioner Manguso moved to approve the authorization to select CenturyLink for the long distance carrier for the Coroner's Office as presented by Information Technology Director Kirk Magnusson.

The motion passed unanimously.

Commissioner Cimino moved to approve the Lease Agreement between Grand County and De Lage Landen Financial Services, Inc. for the purpose of Peak Performance Imaging Solutions providing copier services and devices to the County for the Sheriff's Office as presented by Information Technology Director Kirk Magnusson.

The motion passed unanimously.

Commissioner Linke announced that the Board is sitting as the Board of Human Services.

Commissioner Cimino moved to approve the Contract Amendment for employment verification services between Colorado Department of Human Services and Grand County Board of Human Services in the amount of \$5.75 per hit with a total minimum amount of \$544.88 as presented by Human Services Director Deb Ruttenberg.

The motion passed unanimously.

Commissioner Linke announced that the Board is sitting as the Board of Commissioners.

County Assessor Tom Weydert stated that because of additional work in his office, he would like to hire an additional appraiser. He has discussed this with the County Manager.

The Board is fine with Mr. Weydert moving forward with hiring another position.

Commissioner Manguso moved to authorize the Chair to sign the Equitable Sharing Agreement and Certification between the United States and Grand County in the event that Grand County receives any federally forfeited cash, property or proceeds as presented by Undersheriff Wayne Schafer.

The motion passed unanimously.

Undersheriff Schafer stated that he would like to move forward with a recording system for the Sheriff's Office. Undersheriff Schafer stated that he will be bringing forward a contract for this request.

The Board supports the request.

Commissioner Manguso moved to approve the Assignment of the Hangar Ground Lease from Charles and Elizabeth Living Trust dated February 7, 2014 to Robert Roppel for Hangar No. 3 located at the Kremmling-McElroy Airfield as presented by Assistant County Manager Ed Moyer.

The motion passed unanimously.

The Board reviewed the monthly fee report presented by County Clerk and Recorder Sara Rosene.

Commissioner Manguso moved to approve and authorize the County Manager to sign the fee waiver request for the Upper Colorado River Support Group to use the CSU Extension Hall on June 7, 2018.

The motion passed unanimously.

Commissioner Manguso moved to authorize the Chair to sign the grant request from the Grand County Veterans Service Office to the Colorado Department of Military and Veterans Affairs as presented.

The motion passed unanimously.

County Manager Staab presented his weekly update.

Kelly Oxley presented an update on the Short Term Rental program.

Consent Agenda

Resolution No. 2018-2-19, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A HOLD HARMLESS PROVISION FOR THE USE OF A PORTION OF THE FRASER VALLEY ELEMENTARY SCHOOL FOR THE PROVISION OF THE "INCREDIBLE YEARS" PARENT PROGRAM"

Resolution No. 2018-2-20, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN ANNUAL COMPLIANCE PACKAGE FOR COUNTY FACILITIES HAVING ACTIVE PETROLEUM STORAGE TANK FACILITIES"

Resolution No. 2018-2-21, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN AMENDMENT TO KREMMLING AIRPORT HANGAR GROUND LEASE BY AND BETWEEN WILLIAM ELLIOTT, THE TOWN OF KREMMLING, COLORADO AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO PERMIT NIGHTLY RENTAL OF HANGER #C"

Resolution No. 2018-2-22, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A LETTER OF AGREEMENT BETWEEN BOB LIDDLE AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE RENEWAL OF A GRANBY-GRAND COUNTY AIRPORT HANGAR LEASE"

Resolution No. 2018-2-23, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A LETTER OF AGREEMENT BETWEEN BRETT GINGERY AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE RENEWAL OF A GRANBY-GRAND COUNTY AIRPORT HANGAR LEASE"

Resolution No. 2018-2-24, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A LETTER OF AGREEMENT BETWEEN FLY RY ADVENTURES, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE RENEWAL OF A GRANBY-GRAND COUNTY AIRPORT HANGAR LEASE"

Resolution No. 2018-2-25, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN EQUIPMENT SALES ORDER BETWEEN PEAK PERFORMANCE COPIER & SUPPLY, INC. D/B/A PEAK PERFORMANCE IMAGING SOLUTIONS AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO AND RELATED DOCUMENTS FOR THE LEASE OF A SHARP MX-5070V"

Resolution No. 2018-2-26, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE TOWN OF GRANBY, COLORADO, THE TOWN CLERK FOR THE TON OF GRANBY, AND THE GRAND COUNTY CLERK AND RECORDER ONCERNING THE PROVISION OF CERTAIN ADMINISTRATIVE ELECTION DUTIES"

Resolution No. 2018-2-27, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE ELEVEN (11) CHILDCARE HEALTH CONSULTING CONTRACTS BY AND BETWEEN

VARIOUS SERVICE PROVIDERS AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO”

Resolution No. 2018-2-28, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING AN AWARD OF CONSERVATION TRUST FUND MONIES TO THE FLYING HEELS ARENA ASSOCIATION FOR ADDITIONAL BLEACHER SEATING FOR THE FLYING HEELS ARENA”

Resolution No. 2018-2-29, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO ACCEPTING THE BID PROPOSAL FROM MANAGING RESULTS, LLC FOR THE DEVELOPMENT AND IMPLEMENTATION OF A COUNTY STRATEGIC PLAN”

Resolution No. 2018-2-30, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CONTRACT BY AND BETWEEN MANAGING RESULTS, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE DEVELOPMENT AND IMPLEMENTATION OF A COUNTY STRATEGIC PLAN”

Resolution No. 2018-2-31, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A CONTRIBUTION TO THE WEST GRAND AFTER-PROM COMMITTEE IN AN AMOUNT NOT TO EXCEED TWO THOUSAND AND 00/100 DOLLARS”

Resolution No. 2018-2-32, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN AMENDMENT OF JOINT FUNDING AGREEMENT BY THE UNITED STATES GEOLOGICAL SURVEY, U.S. DEPARTMENT OF THE INTERIOR AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR WATER RESOURCES INVESTIGATIONS”

Resolution No. 2018-2-33, “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 ROBERT FRANEK AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR APPOINTMENT AND EMPLOYMENT AS COUNTY ATTORNEY, EFFECTIVE FEBRUARY 17, 2018”

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

February 14	Commissioner Cimino attended a meeting regarding the co-location of a building for Health and Human Services.
February 15	Commissioner Cimino attended a CCI Legislative Committee review. One of the items discussed was to consider using tourism tax to help for affordable housing, transit, etc.
February 16	Commissioner Cimino attended a CCAP meeting
February 16	Commissioner Linke attended the Grand County Board of Realtors meeting
February 16	Commissioner Linke attended the potluck for Alan Hassler

Calendar

February 21	The Board will attend a legislative breakfast at the Wildfire Restaurant in Idaho Springs at 8:00 a.m.
February 21	Commissioners Linke and Cimino will attend an Olympic Planning Committee meeting
February 22	Commissioner Manguso will attend the TPR meeting in Steamboat Springs at 10 a.m.
February 26	The Board will attend the Mayor and Managers meeting in Hot Sulphur Springs at 10:00 a.m.

Grand Foundation Executive Director Megan Ledin requested that the County partner with Colorado Opportunity Scholarship. There is no cost to the County.

Commissioner Manguso moved to approve Resolution No. 2018-2-34, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO PARTNER WITH COLORADO MOUNTAIN COLLEGE (“CMC”) IN APPLYING FOR AND DISTRIBUTING THE

COLORADO OPPORTUNITY SCHOLARSHIP (“COST”) 2017-2-018 MATCHING FUNDS SCHOLARSHIP”

The motion passed unanimously.

BLM – Kremmling Field Office Update by William Mills, Acting Field Manager

Mr. Mills is at the Kremmling Field Office on a temporary basis until a new Field Manager is hired.

The BLM is working with Headwaters Trail Alliance for the trail improvement proposal for the Strawberry Special Recreation Management Area.

There will be maintenance and improvements along the Sidewinder Extreme Jeep Trail in the Wolford Recreation Area.

Mr. Mills stated that they will continue to cooperate with the Forest Service by hosting an ozone monitoring station at the BLM office.

The BLM will be monitoring the stream temperatures with three sensors on the Colorado River, one on Muddy Creek and two on Reeder Creek.

The BLM is replacing the culvert in Spring Creek on Dice Hill.

The Kremmling Field Office hopes to have two high school interns through the Rocky Mountain Youth Core.

There are three ongoing significant timber sales with two sales anticipated for 2018.

The BLM provided a \$50,000 grant for weed control for Grand County.

Under the minerals program, the BLM had two permitted materials pits. The pits are the Scholl Pit and the Inspiration Point Pit. The Inspiration Point Pit is undergoing the NEPA process.

Road and Bridge Quarterly Update

Road and Bridge Superintendent Chris Baer presented.

The 2018 current budget is \$7,369,192. The year to date spent is \$641,556.66 which is 8.71 percent spent.

The staff level at this time is:

- 4 administrators
- 3 mechanics
- 2 airport/fairground operators
- 4 district supervisors
- 26 equipment operators
- 2 DNR – 1 supervisor and 1 tech
- 3 crusher – 1 supervisor and 2 operators
- Total 44

Mr. Baer stated that because of the winter weather this year, it has been difficult to manage the schedule.

Mr. Baer stated that during the spring operations the crews will be working on signs and maintenance of bridges.

Mr. Baer will be preparing RFPs for asphalt, chip seal, magnesium chloride.

There is very little movement at the landfills. The water samples are coming out good.

Granby Airport is scheduled for asphalt maintenance, flog seal, and asphalt marking. Kremmling Airport is scheduled for routine maintenance of asphalt, lighting, and fuel system.

The pumps are aging and eventually will need to be replaced. When the changes are made, the County will need to be aware of the new regulations.

Mr. Baer stated that he will meet with some of the residents on Mulligan regarding the cost of paving.

Mr. Baer spoke with Dan Russin of Colorado Department of Transportation. Mr. Russin is concerned over the number of driveways onto Highway.

Commissioner Linke announced that the Board is sitting as the Grand County Housing Authority.

Housing Authority 1st Quarter Update

Sheena Darland presented:

Section 8 year end demographic review

233 Total people serviced	72 Grand County residents
137 household served	45 in Grand County
75 children under 18	26 in Grand County
67 percent disabled	60 percent disabled HH in Grand
28 percent senior head of household	16 percent senior HH in Grand
35 percent families	
72 percent female head of house	
28 percent mail head of house	
\$11,714 average annual income	

Section 8 end of year funding report

HUD provides landlords directly with funds that make up the difference between the contracted rent and the tenant rent portion.

\$721,332	HUD funds paid to landlords in 2017
\$198,048	HUD funds paid to Grand County landlords
\$523,284	HUD funds to Routt, Jackson, Summit, Gilpin, and Clear Creek Counties
\$51,235	HUD funds into GCHA in Administration fees

Down payment assistance year-end report

61	Total Grand County residents served
22	Households
2	New loans
6	Loans paid off
4	Interest differed loans
9	3 percent interest loans
9	5 percent interest loans
\$40.25	Average monthly payment
\$15,340	In 2017 new loans
\$144,329	Loans funds available

2017 Home Byers Education

69	People attended
50	Households
39	Grand County Households
16	Households purchased

Senior Housing Projects

- Cliffview Fire Suppression systems went live
- Clean cut tubs installed at Grand Living and Silver Spruce
- AC units installed at Silver Spruce
- 99 percent occupancy at Silver Spruce
 - 35 people on the waiting list
- 98 percent occupancy at Grand Living
 - 85 people on waiting list
- 94 percent occupancy at Cliffview

2017 Grant thank yous

\$8,100 purchase of clean cut step in tubs for Silver Spruce and Grand Living

\$600 purchase of AC units at Silver Spruce

\$2,179 purchase of automatic doors for Cliffview Assisted Living Center/Installation of Fire Suppression System

\$30,000 installation of Cliffview Fire Suppression System/Cliffview Health and Safety needs

Moving into 2018 (Projects)

- Formed 2017 yearend report to be placed around the county for community education and information guide.
- Housing Needs Assessment
 - RFP closed Monday, February 12, 2018
 - Received two proposals (sent to Towns, County Manager, and Economic Development Director for review and selection)
 - Hoped to be presented to GCHA Board at February 27 BOCC meeting
- Wrap up of Cliffview Projects
 - Replace concrete
 - Install automatic door locking system
 - Final inspection dry out door system

Moving into 2018 (Goals)

- Establish long term plan for senior housing projects to encourage more proficient and self-sustaining projects.
- Established methods for tracking expenses more effectively not only for budgeting but also to prepare for Section 8 presentation.
- Present to Routt, Gilpin, Summit, Clear Creek Counties for contribution to cover expenses for Administration Section 8 Housing Choice Voucher Program
- Form a Grand County Housing Authority Board

Grand Foundation Executive Director Megan Ledin stated that the Winter Park Housing Assistance Fund awarded \$50,000 to 18 households for rental assistance. There was one down payment assistance.

Ms. Ledin stated that someone making \$10.20 per hour can afford only to pay \$547 in rent.

Henderson Mine / Freeport McMoRan Discussion – Peter Ralph

County Attorney Bob Franek stated that on November 3, 2015, Climax requested a change from 5-year averaging to 3-year averaging. Then on February 26, 2016, Climax amended the request from 3-year average to a no-year averaging. On March 8, 2016, there was an executive session with Climax in which confidential information regarding the property, mineral interest, and production from Climax was disclosed. On March 15, 2016, Climax again amended its request to go to a 3-year to a no-year averaging. On March 16, 2016, the Board made a decision. Statute states that the applicant is to have a request in 45 days prior to the April 15 deadline. Any decision has to be made 30 day prior to the April 15 deadline.

Peter Ralph stated it may be necessary for him to meet with Mr. Franek.

Mr. Ralph stated that the County does not require his help to decide whether the County has legal exposure. He is quite prepared to offer it if Mr. Franek would care to take it.

Mr. Ralph stated that he is not talking about the Henderson Mill. Henderson Mill have been great neighbors.

Mr. Ralph stated that he would like to know how this deal was allowed to happen. How did the Board of Commissioners in a time of across the board budget cuts give away \$5 million of public money with no public input?

Mr. Ralph wants to know how the public can be assured that this will not be allowed to happen again.

Mr. Ralph stated that given the many irregularities concerning the way this decision was taken, he wondered if the County has significant legal exposure going forward. If so, does the County have any strategies to minimize this exposure?

Mr. Ralph would like to know the budget impact on the County and other entities. He wondered what services has been cut as a result of the decision.

Mr. Ralph contended that the Board had a meeting where a decision was made and no minutes were taken.

Mr. Franek stated that the Board did nothing illegal with regard to the decision made on the Freeport McMoRan issue. Mr. Franek will defend the County's action.

General Manager of the Henderson Mine and Mill Stuart Tescher stated that he is an employee of Freeport McMoRan. Mr. Tescher stated that it appears that Mr. Ralph is not knowledgeable on mine by proceeds taxes statutes.

Mr. Tescher stated that Freeport pays taxes based on the land owned, taxes on the equipment owned and taxes based on production. The statute requires that they look at the previous calendar year and determine if they had production. If they had production, they owe mine by proceeds taxes. If there is an averaging agreement, that is used to calculate the taxes paid.

Mr. Ralph stated that the tax averaging statute cannot affect the amount of money owed. It can only affect when the tax is paid.

Mr. Ralph asked what the deal cost the County in the current budget year.

County Assessor Tom Weydert read CORA request no. 4 from Mr. Ralph:

What is the total amounts of the reduction in tax revenues to Freeport McMoRan caused by the BOCC agreeing to change the tax averaging?

Mr. Weydert stated that the answer to that question is “zero.”

Mr. Weydert stated that the County uses a 3-year average. The County does not have the third year. On the first year, the total revenue reduction to the County (as a whole) is \$594,000 for budget year 2017. For budget year 2018, it is \$424,922.

Mr. Weydert stated that it took his office approximately five hours to respond to the request from Mr. Ralph. Mr. Weydert suggested that Mr. Ralph not be charged for the work performed by his office but any lengthy requests in the future will be charged.

Mr. Weydert stated that Freeport has nine separate accounts and in 2017, they paid a little over \$2.5 million.

Mr. Franek stated that the County has done nothing illegal with regard to Freeport McMoRan.

There being no further business to come before the Board, the meeting was adjourned at 2:54 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this _____ day of March 2018.

Merrit Linke, Chair

Attest:

Sara L. Rosene, Clerk and Recorder