

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

April 10, 2018

Present: Commissioner Richard D. Cimino, Commissioner District 1
Commissioner Merrit S. Linke, Commissioner District 2 – Chair (Absent)
Commissioner Kristen Manguso, Commissioner District 3

Also Present: County Attorney Robert Franek
County Manager Lee Staab

Those present recited the Pledge of Allegiance.

Commissioner Manguso moved to appoint Commissioner Cimino as acting Chair for today.

The motion passed.

Commissioner Manguso moved to approve the Board minutes of April 3, 2018 as presented.

The motion passed.

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on April 11, 2018, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Manguso moved to approve the checks presented on April 10, 2018 for payment on April 11, 2018 for the Grand County Housing Authority.

The motion passed.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on April 11, 2018, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Manguso moved to approve the vouchers presented on April 10, 2018, for payment on April 11, 2018 for the Grand County Board of Social Services.

The motion passed.

Commissioner Manguso moved to approve the wires payments and vouchers payments presented on April 10, 2018, for payment on April 11, 2018 for Grand County.

The motion passed.

Road and Bridge Update

Road and Bridge Superintendent Chris Baer stated Flying Heels will open this week.

The Road and Bridge Department has gone to a 4 – 10 schedule starting this week.

Mr. Baer warned people that rock slides are starting with the beginning of spring weather conditions. Areas of concern are the Trough Road (County Road 1), Byers Canyon, and Bethoud Pass.

Departmental Contracts, Comments, Issues

Commissioner Manguso moved to approve the Service Order and the related Broadband Service Agreement between Grand County and Visionary Broadband Services for the connection between Hot Sulphur Springs to Kremmling in the amount of \$1,039 per month as presented by Information Technology Director Kirk Magnusson. This is a 36-month contract.

Discussion: This is a dedicated network service. There has been a savings realized of \$800 to \$1,000 on Verizon bills. The County is paying less than before because of additional savings.

The motion passed.

Commissioner Manguso moved to approve and authorize the Acting Chair to sign the Memorandum of Agreement between the Board of County Commissioners and the Colorado River Water Conservation District in the amount of \$2,125 as presented by Water Quality Specialist Katherine Morris.

Discussion: This is for reimbursement for analysis of 17 phytoplankton samples. Those are done to accompany the water quality sonde instrumentation that is in the connecting channel. The data will be used as part of Grand County contribution to Northern's baseline water quality sampling and hydros. The County will be reimbursed \$2,125.

The motion passed unanimously.

Sheriff Schroetlin stated that he is in the middle of the jail and dispatch evacuations. The building will be vacated for the next two weeks. Staff will be working out of several different locations.

Commissioner Manguso moved to authorize the release of capital and authorize the Sheriff to purchase a communication vehicle in an amount of \$76,000 as presented by Sheriff Schroetlin.

Discussion: This amount includes vehicle and the outfitting the vehicle. This is coming out of the Dispatch Fund.

The motion passed.

Commissioner Manguso moved to approve and authorize the Chair to sign the Colorado Motor Vehicle Express Self-Service Terminal Participation Agreement as presented by the County Manager for the Clerk and Recorder.

The motion passed.

Commissioner Manguso moved to authorize the Rotary Club of Granby to use the Flying Heels Arena on June 2, 9, 16, 23, 30, July 3 and 4. Also allow the Rotary Club to use the old announcer's booth for the sale of liquor.

The motion passed.

Commissioner Manguso moved to authorize the Chair to sign and approve the Option Exercise of Lease Agreement for the Workforce Building at 469 E. Topaz, Granby, as presented by County Manager Lee Staab. The rent will remain at the current rate of \$600 per month. The term of the lease is July 1, 2018 through June 30, 2023.

The motion passed.

Manager and Attorney Items

County Manager Staab presented his weekly update.

Resolution No. 2018-4-3, "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 MILLER RODEO COMPANY AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE 2018 MIDDLE PARK FAIR AND RODEO"

Resolution No. 2018-4-4, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE "TASK ORDER B" AS AN ATTACHMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN ARMSTRONG CONSULTANTS, INC. AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2018-4-5, "A RESOLUTION RELATING TO A LEASE/PURCHASE AGREEMENT AND ESCROW AGREEMENT FOR CERTAIN EQUIPMENT TO BE USED BY GRAND COUNTY'S DEPARTMENT OF ROAD AND BRIDGE, AUTHORIZING THE EXECUTION OF THE ESCROW AGREEMENT EXHIBIT 3 AND EXHIBIT 4, AND AUTHORIZING OFFICIALS OF THE COUNTY TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT THE TRANSACTION CONTEMPLATED HEREBY"

Resolution No. 2018-4-6, "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 CORONA RESEARCH, INC. DBA CORONA INSIGHTS AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE COMPLETION OF A HEALTH CARE SERVICES NEEDS ASSESSMENT FOR GRAND COUNTY"

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed.

Board Business/Correspondence/Calendar

Commissioner Cimino attended a meeting of the Health Care Committee of CCAT. Two bills have been introduced.

Commissioner Cimino stated that he would like to know how many Grand County residents are enrolled in the individual market place. He would also like to know how many of the Grand County residents in the individual market qualify for the subsidy.

Only eight percent of Colorado's population participates in the individual market place.

Commissioner Cimino would also like to know the number of Grand County residents who are no insured.

Calendar

- April 11 Commissioner Manguso will attend the Middle Park Water Conservation Board meeting at 1:00 p.m. in Kremmling
- April 12 Commissioner Manguso will attend the UCC meeting at 7:30 a.m. at the Glory Hole
- April 12 Commissioner Manguso will attend the IOG meeting at noon at the Hot Sulphur Springs Fire District office
- April 12 Commissioner Cimino will attend the CCI teleconference
- April 16 Commissioner Cimino will have his interview regarding the strategic plan at noon
- April 16 Commissioner Cimino Commissioner 4-H Scholarship voting at in Kremmling at 6:00 p.m.
- April 16 All three Commissioners will attend Mayor and Manager at the Fraser Town Hall at 10:00 a.m.
- April 16 Commissioner Manguso will attend a meeting with the Strategic Planning Consultant
- April 20 Commissioner Manguso will attend the Statewide Transportation Advisory Committee meeting
- April 26 & 27 Commissioner Manguso will attend the QQ retreat in Eagle

Treasurer's Report

County Treasurer Christina Whitmer presented the monthly Treasurer's Report.

Ms. Whitmer reported that the interest earned to date is \$21,000. Last year at this time, the amount earned was \$8,800.

Colorado Counties Officials & Employees Retirement Association – Tom Krushensky, Director of Client Services

CCOERA is celebrating its 50th year. Grand County was a founding member of CCOERA.

The CCOERA Board is a seven-member board elected from its members.

Mr. Krushensky reviewed the type of accounts available to County employees.

Stillwater Small Tracts Amended Final Plat of Lots 30 & 31 – Vacation of Easement and County Road 4

The public hearing scheduled to begin at 11:00 a.m. was called to order by Acting Chair Rich Cimino at 11:13 a.m. County Attorney Franek set the record.

- A. Letter of Application, dated December 8th, 2017
- B. Public Notice- Middle Park Times dated March 23rd 2018
- C. Proof of Publication- Middle Park Times dated March 29th, 2018
- D. Vicinity map depicting the 750' notification buffer as established by the Grand County GIS system

- E. Mailing to all property owners within 750' as established by the Grand County GIS system
- F. Public Review Sheets (without signatures)
- G. Correction Memorandum from the Department of Community Development dated April 6th, 2018
- H. Grand County Community Development staff report dated April 10th, 2018
- I. Vicinity Map

APPLICANT: John and Loretta McShane, property owners
REQUEST: Plat amendment to vacate easement and a portion of ROW of County Road 4 to combine lots.

LEGAL

DESCRIPTION: Lot 30 and Lot 31, Stillwater Small Tracts
LOCATION: 1672 GCR 4 –5.25 acres approximately 1.75 miles northwest of the US34/GCR 4 intersection, Stillwater Small Tracts Subdivision, Lots 30 & 31
ZONE DISTRICT: R – Residential
AREA: Lots 30 and 31, totaling 5.25 acres
STAFF CONTACT: Alexander Taft, ataft@co.grand.co.us
ATTACHMENTS: 1) Vicinity Map
2) Stillwater Small Tracts, Unrecorded (Unofficial Plat)
3) Proposed Amended Final Plat
4) Letters from utility companies

Background

History:

Stillwater Small Tracts is an unrecorded subdivision that was defined under the Small Tract Law around 1882 and contains approximately 68 small tracts. Each small tract is just over 2.6 acres. Road and utility easements of 25 feet exist along the boundaries of each tract within this subdivision. There is also a right of way shown on the 1882 plat with prescriptive easements recorded in Book 136 Page 524 Reception book #10. The subdivided lots are required to be serviced by a well and septic.

Project Description:

The applicant is proposing an amended final plat to remove the common lot line of Lot 30 and Lot 31. A 25 foot utility easement exists along both sides of the common lot line, therefore a utility easement vacation is included with this application. Also, the roadway easement does not match existing road alignment. This plat will vacate and rededicate the right of way to match the centerline of the roadway. The easements along the outer lot lines will remain.

The application is to combine the two lots, which were purchased to construct a single family residence. As stated in the application letter, the topography creates difficulty in building within required setback and easements. GCR 4 passes through Lot 30, reducing the buildable area. With legal access being from GCR 4, staff supports this request to combine lot 30 and lot 31 to increase the buildable area and still provide for access. This amended final plat will allow for a safe building site and access.

Planning Commission Review

Planning commission reviewed this application at the regular meeting held on January 17th, 2018. They requested that letters of review of the plat by all utility companies be provided for the easement vacation. At this time comments have been received by Mountain Parks Electric (January 6, 2017), Three Lakes Water & Sanitation District (January 10, 2017), and Comcast (December 28, 2016). They requested the Right-of-Way and Transmission line easements be shown on the final plat. Finally, they requested Quit Claim Deeds be recorded to combine legal descriptions of the lots. The application was approved with these conditions.

Recommendation

Staff recommends approval of Amended Final Plat, Lot 30A, Stillwater Small Tracts, A Replat of Lots 30 & 31, Stillwater Small Tracts, Unrecorded, and the consolidation of Lots 30 and 31, Stillwater Small Tracts with the following conditions:

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

AMENDED FINAL PLAT
LOT 30A, STILLWATER SMALL TRACTS
A REPLAT OF LOTS 30 & 31, STILLWATER SMALL TRACTS, UNRECORDED

PART OF THE SE ¼ OF NE ¼ OF THE NE ¼ OF, SECTION 22, TOWNSHIP 3 NORTH, RANGE 76 WEST, OF THE 6TH P.M., GRAND COUNTY, COLORADO
OWNERSHIP RECORDED AT RECEPTION NO. 2016004467

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 John and Loretta McShane are the owners of that real property situated in Grand County, Colorado, more fully described as follows:
Lot 30 and Lot 31, Stillwater Small Tracts, Unrecorded, County of Grand, State of Colorado

That they have caused said real property to be laid out and surveyed as Amended Final Plat, Lot 30A, Stillwater Small Tracts, 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, Scott A. Pulling, a duly licensed land surveyor in the state of Colorado, do hereby certify that this PLAT of the Amended Final Plat, Lot 30A, Stillwater Small Tracts, 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.

4. An easement of 42'x20' for Mountain Park Electric, Inc shall be included on the final plat.

5. All property taxes shall be paid prior to recording. A Certificate of Taxes shall be provided prior to recording to meet this condition.

6. Quit claim deeds shall be recorded vacating the existing Right-of-Way, easements, and combining the legal description of the two lots.

7. A correct, final plat Mylar is submitted.

8. All recording fees shall be paid prior to recording of the plat.

All legal documents required in conjunction with the final approval of this request are subject to the review and acceptance of the County Attorney.

Commissioner Manguso moved to approve the Amended Final Plat of Lot 30 and 31, Stillwater Small Tracts and the vacation of the utility easements as shown on the amended final plat and rededication of County Road 4 in its current location with a 60-foot right-of-way with staff conditions.

The motion passed.

Commissioner Manguso moved to close the public hearing.

The motion passed.

Water Protection Update

Jon Ewert, Fisheries Biologist of Colorado Parks and Wildlife provided the Board an update.

Mr. Ewert stated that stone flies are valuable food for fish.

Mr. Ewert noted that CPW found a bug study of the Colorado River (from 2008) that was done prior to the building of Windy Gap Reservoir.

Colorado River Fish Monitoring Overview

Management (Jon Ewert)

- Year-to-year standard fish population monitoring

- Information used to inform management decisions (e.g., stocking, special regulations, commercial use, etc.)
- Ongoing: No definite beginning, no definite end
- Information also used to assess overall ecological health of the body of water
- Inform water management decisions
- Self-publish information

Research (Eric Fetherman, Matt Kodratieff, Dan Kowalski and Eric Richer)

- Projects that focus on answering specific questions that may be applicable statewide (e.g., fish passage at whitewater parks; habitat needs of giant stonefly; performance of certain strains of rainbow, etc.)
- Higher degree of scientific rigor (peer-review publishable)
- Defined beginning / end date of projects

Water Quality Specialist Katherine Morris and Assistant County Manager Ed Moyer presented the Water Protection Update.

Windy Gap Reservoir Modification and Connectivity Channel:

Update from Project Partner Calls on March 21, 2018:

- Bureau of Reclamation/Army Corps of Engineers lawsuit -No update.
- Municipal Subdistrict of Northern Water received 5 Watershed Plan –Environmental Assessment proposals (deadline was March 26). Interviews will be on April 13. NRCS involved with selection of contractor. 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.
- WG Amended Decrees and Connectivity Channel Water Rights Application by Municipal Subdistrict of Northern Water and Colorado River District.
 - Water Court Case –Status Update. All parties agreed to keep in front of referee. 2 Objectors had 45 days to comment. Only 1 comment received.
- Next Project Partner Call –Monday April 16.

Project Budget & Fundraising Update:

- Total project \$15.4M (\$12.3 Construction + \$1.8M Final Engineering + \$1.3M NEPA, Permitting, Monitoring and Admin.).
- \$10.5M committed funding. \$4.9M shortfall.
- Project Partners met with US Army Corps of Engineers –Sacramento, CA Office on March 23 regarding project funding through the USACE Continuing Authorities Program (CAP). USACE very interested in funding project and are performing an internal evaluation to determine if already completed engineering alternatives, as well as current NRCS NEPA process, can be utilized and incorporated into their feasibility and environmental requirements.
- Grand County (Applicant) and Joint Project Partners submitted a Grand County Open Lands, Rivers and Trails Funding Application on March 15. Total request: \$3M (\$1.8M by 2020 and \$1.2M by 2021).

Comments were sent regarding Climax’s new Molybdenum and Cattle Study from:

- Middle Park Stockgrowers Association
- Middle Park Conservation District
- Pete and Carol Peterson
- Jim Yust
- Diana L. Matheson, DVM
- Grand County
- Dr. Jenifer Heath on behalf of the following members of the West Slope Stakeholders Group, including:
 - Grand County
 - Copper Mountain Consolidated Metropolitan District
 - Copper Mountain Resort
 - Clinton Ditch and Reservoir Company
 - Eagle River Water and Sanitation District
 - Upper Eagle Regional Water Authority
 - Eagle Park Reservoir Company
 - Summit Water Quality Committee

The proposed study will best contribute to protection of cattle in our state and in the Grand County and Williams Fork areas if it reflects the most vulnerable cattle in the area based on real, on-the-ground cattle management practices. This would include, but not be limited to, using local hay (to the extent that supply will suffice) and forage, zero copper supplementation, food with copper: molybdenum ratios that reflect the poor end of what is known to occur in the area in combination with a molybdenum concentration in drinking water that is high enough to support decision making, keeping cattle at Henderson year ‘round, and evaluating the

implications of composition of the hay/forage that happens to be available during the study in comparison to historical data that have been collected in the area in the past...-Jenifer Heath, Ph.D,

Grand County Mutual Ditch and Reservoir Company

GCMD&RC Members met with Grand County Irrigated Land Company Board on March 16 to discuss the proposed Pilot Project.

- 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.
- Goal is for current lessee of the 85.5 shares to still irrigate with early season water through mid-late June.

Next Steps:

- Providing additional engineering information requested by GCILC Board and their Engineer in order to address concerns raised at the March 16 Board Meeting and document and demonstrate the pilot project will not injure shareholders.

www.grandcountyLearningbydoing.org

Management Committee

LBD Technical and Management committee met on March 22 in Frisco. LBD Management Committee approved:

- River Restoration funding guidelines/matrix,
- 2017 Annual Report,
- 2018 Aquatic Resource Monitoring Plan,
- 2018 LBD Operations Plan,
- Subdistrict Fish & Aquatic Invertebrate Monitoring Plan
- Continue working on draft 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.
- Comments submitted on the Draft 2017 Stream Management Plan Annual Report
- Next meeting will concentrate on planning for next year's SMP SOW.

Snowpack / Water Outlook

From USDA/NRCS:

Snowpack for Middle Park and the upper Colorado River Basin stands at 89%. We were at 103% last year and only 58% back in the drought year of 2012. Lack of snowfall and warm weather during March, which is usually our snowiest month, has melted all of the valley snow and most of the mid-elevation snow up to 8,500 feet. Snow density is averaging 30%, which means that for every foot of snow there are 3.6 inches of water and that's about normal for April 1st.

Water quality monitoring

- Preliminary results from the additional water testing of the dirty water sample from the Fraser below Vasquez do not look promising.
- Slides from GCWIN/Northern Water/Denver Water presentation to LBD

Wild and Scenic: Monitoring Subcommittee

- Working on
 - 2017 Draft Monitoring Report
 - Stream temperature issues

Dates to Remember

- May 3rd State of the River Meeting at the Inn at Silver Creek
 - Refreshments at 5:30
 - Program begins at 6:00
- May 16, 4:00 pm dedication of the Fraser Flats River Habitat Project
 - Waders or rain boots will be necessary to walk to the ceremony site in the meadow!

There being no further business to come before the Board, the meeting was adjourned at 12:16 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this _____ day of April 2018.

Merrit Linke, Chair

Attest:

Sara L. Rosene, Clerk and Recorder