

MEETING MINUTES
GRAND COUNTY BOARD OF COUNTY COMMISSIONERS
GRAND COUNTY DEPARTMENT OF SOCIAL SERVICES
GRAND COUNTY HOUSING AUTHORITY
May 1, 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 Cimino moved to approve the Board of Commissioner Minutes of the April 24, 2018, meeting as presented.

The motion passed unanimously.

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

Commissioner Cimino moved to approve a letter of support for Unicum Colorado, LLC for an affordable workforce-housing complex to be built in conjunction with the Town of Granby.

The motion passed unanimously.

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

General Public Comments

None.

Finance Department

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on May 2, 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 May 1, 2018, for payment on May 2, 2018, for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Cimino moved to approve the wires payments and vouchers payments presented on May 1, 2018, for payment on May 2, 2018, for Grand County.

The motion passed unanimously.

Departmental Contracts, Comments, Issues

Commissioner Manguso moved to approve out-of-state travel for Abby Baker, Health Educator and facilitator for Communities that Care to travel to Washington as presented by Public Health Nurse Brene Belew-Ladue.

Discussion: The cost of the travel and training is covered by the grant.

The motion passed unanimously.

Commissioner Manguso moved to approve Task Order Amendment Routing Number 19FHLA 108220 between Grand County and the Colorado Department of Public Health and Environment in the amount of \$107,551 as presented by Public Health Nurse Brene Belew-Ladue. This grant is for Communities That Care.

Discussion: This grant is an increase over last year. This is the third year of a five-year grant.

The motion passed unanimously.

Commissioner Cimino moved to approve the Contract for CORE Public Health Services between Grand County and Colorado Department of Public Health and Environment through the Office of Planning and Partnerships and Grand County in the amount of \$66,494 which includes \$15,683 for environmental health and \$2,000 for the Child Fatality Prevention Grant as presented by Public Health Nurse Brene Belew-Ladue.

The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2018-5-1, "A RESOLUTION AUTHORIZING THE GRAND COUNTY TREASURER TO DISBURSE FUNDS FROM THE ACCOUNT PAYMENT IN LIEU OF EAST GRAND SCHOOL LAND" as presented by County Treasurer Christina Whitmer.

The motion passed unanimously.

Information Technology Director Kirk Magnusson presented:

The virtual server environment change was a planned and budgeted 2018 capital expense. The total capital budget was \$255,000 and the year-to-date capital expense is \$19,750.60.

The capital request today is \$199,280.84.

This replaces and consolidates 14 serves with room for expansion.

The County RFP process was completed by posting on the County website, posting with bidnetdirect.com and advertising in the Middle Park Times on March 2, 2018. All questions were to be submitted by March 16, 2018. The RFP responses were due by 5:00 p.m. on March 23. Solution demonstrations occurred during the week of March 26, 2018.

There were five respondents and each were rated on RFP response, ability to meet General System Requirements, solution evaluation, and total cost.

All respondents provided professional responses. There was one HP solution, one Datrium solution, one Pivot3 solution and two Dell solutions.

Final pricing:

Final Quote after small technical revisions	\$114,961.04
Separate State Contract Microsoft costs through Insite	\$66,124.88
Additional switchgear (not included in original RFP)	\$18,194.92
Grand Total capital release request	\$199,280.84

This leaves \$35,968.56 in 2018 IT capital

This is a purchase (not a lease) and includes a 5-year warranty with installation, training, and software support.

Commissioner Manguso moved to approve and authorize the Chair to sign the Try and Buy Agreement between Grand County and Dell Marketing and Dell Canada as presented by Information Technology Director Kirk Magnusson.

The motion passed unanimously.

Commissioner Manguso moved to approve the Contract and authorize the Chair to sign the Logical Front Worldwide Services Statement of Work for Grand County in the amount of \$199,280.84 as presented by Information Technology Director Kirk Magnusson.

The motion passed unanimously.

Commissioner Manguso moved to approve the Contract and authorize the Chair to sign the Logical Front Worldwide Services Statement of Work for Grand County in the amount of \$199,280.84 and authorize the release of capital as presented by Information Technology Director Kirk Magnusson.

The motion passed unanimously.

Alex Taft of Grand County Community Development stated that Grand County is required to inspect the High Altitude Sports Ridership Club track each spring to determine that the track is dry enough to withstand motocross activities.

Mr. Taft stated that he inspected the track and it meets the requirement of Special Use Permit No. 2013-001384.

Commissioner Cimino moved to approve the building permit fee waiver request in the amount of \$787.05 for a building permit submitted on April 26, 2018 for the replacement of the existing dock boards at Headwaters Marina as requested by the Town of Grand Lake as presented by Community Development Director Tom Leatherwood.

The motion passed unanimously.

Commissioner Manguso moved to approve and authorize the Chair to sign the Memorandum of Understanding between United States Department of Interior Bureau of Land Management Colorado State Office and Grand County for the development of the environmental analysis associated with the Colorado Greater Sage-Grouse Plan Amendment as presented by Natural Resource Foreman Amy Sidener.

The motion passed unanimously.

Commissioner Manguso moved to approve the Conservation Trust Fund Grant in the amount of \$1,500 for the Kremmling Community Gardens as presented by CSU Extension Agent Travis Hoesli. The \$1,500 grant will be funded by \$500 from each of the commissioner districts.

The motion passed unanimously.

Commissioner Manguso moved to approve the Conservation Trust Fund Grant in the amount of \$1,500 for the Hot Sulphur Springs Community Gardens as presented by CSU Extension Agent Travis Hoesli. The \$1,500 grant will be funded by \$500 from each of the commissioner districts.

The motion passed unanimously.

Commissioner Cimino moved to approve the Conservation Trust Fund Grant in the amount of \$1,500 for the Granby Community Gardens as presented by CSU Extension Agent Travis Hoesli. The \$1,500 grant will be funded by \$500 from each of the commissioner districts.

The motion passed unanimously.

Commissioner Cimino moved to approve the Services Contract between Warren Ward and Grand County to survey the Hangar Block 6 Pad and Hangar Q Pad at the Granby Airport in the amount of \$1,600 as presented by Assistant County Manager Ed Moyer.

The motion passed unanimously.

Commissioner Cimino moved to approve and sign the letter to CCI regarding the Bridge Grant on County Road 3.

The motion passed unanimously.

Commissioner Manguso moved to approve the fee waiver request from West Grand Middle School for the use of the CSU Extension Hall on May 24 for a student council dance as presented by County Manager Lee Staab.

The motion passed unanimously.

County Manager Lee Staab presented the weekly update.

Consent Agenda

Resolution No. 2018-4-14, "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 A CORE SERVICES PROGRAM CONTRACT BY AND BETWEEN BUILDING WARRIORS, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2018-4-15, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE WAIVER OF A BUILDING PERMIT FEE FOR THE FRASER VALLEY METROPOLITAN RECREATION DISTRICT"

Resolution No. 2018HA-4-16, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY BOARD, APPROVING A LOAN FROM THE GRAND COUNTY HOUSING AUTHORITY DOWN PAYMENT ASSISTANCE PROGRAM, AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE WIRE TRANSFER REQUEST"

Resolution No. 2018-4-17, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A BILL OF SALE AND THE ASSIGNMENT OF THE HANGAR GROUND LEASE FOR AIRPLANE HANGAR NO. 14 LOCATED AT THE GRANBY-GRAND COUNTY AIRPORT"

Resolution No. 2018-4-18, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE FOUR (4) AIRPORT IMPROVEMENT PROGRAM SPONSOR CERTIFICATIONS CONCERNING THE GRANT AGREEMENT BETWEEN THE FEDERAL AVIATION ADMINISTRATION AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR IMPROVEMENTS TO THE KREMMLING-MCELROY AIRFIELD"

Resolution No. 2018-4-19, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE GRANBY-GRAND COUNTY AIRPORT EMILY WARNER FIELD AIRPORT MASTER PLAN AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE APPROVAL OF THE AIRPORT LAYOUT PLAN"

Resolution No. 2018-4-20, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE COLORADO DEPARTMENT OF TRANSPORTATION AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE REPLACEMENT OF A COUNTY ROAD 3 CULVERT OVER WILLIAMS FORK RIVER"

Resolution No. 2018-4-21, "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 POWER TO THE PEOPLE, AN ELECTRIC SERVICE COMPANY AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE INSTALLATION OF ELECTRICAL OUTLETS IN THE GRAND COUNTY CLERK AND RECORDER'S OFFICE"

Resolution No. 2018-4-22, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A SERVICES CONTRACT BETWEEN GET-SMASHED, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR PROVISION OF EVENT SERVICES FOR THE 2018 DEMOLITION DERBY"

Resolution No. 2018HA-4-23, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY BOARD, APPROVING EXEMPTIONS FROM THE AFFORDABLE HOUSING TRANSFER FEES OF THE RESTRICTIVE COVENANTS, COYOTE CREEK AT WINTER PARK SUBDIVISION, GRAND COUNTY, COLORADO"

Resolution No. 2018-4-24, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO AUTHORIZING OUT-OF-STATE TRAVEL FOR COMMISSIONER RICHARD CIMINO"

Resolution No. 2018-4-25, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE TWO (2) FEDERAL FINANCIAL REPORTS FOR THE 2017 RURAL BUSINESS DEVELOPMENT GRANT"

Resolution No. 2018-4-26, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A TRACK AGREEMENT BETWEEN WHEELER'S TRUCKING AND CUSTOM GRADING SERVICES INC. AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE SUBLEASE OF RAILROAD TRACK"

Resolution No. 2018-4-27, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE PUBLICATION AND SETTING FOR PUBLIC HEARING OF PROPOSED ORDINANCE NO. 19 FOR THE REGULATION OF OPEN BURNING IN UNINCORPORATED GRAND COUNTY, COLORADO"

Resolution No. 2018-4-28, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE PUBLICATION AND SETTING OF PUBLIC HEARING OF PROPOSED ORDINANCE NO. 20, ESTABLISHING FIRE RESTRICTIONS ON OPEN FIRES UNDER CERTAIN CONDITIONS, ESTABLISHING A RESTRICTION ON THE USE OF OTHER INCENDIARY DEVICES, ESTABLISHING A RESTRICTION ON THE SALE AND USE OF FIREWORKS, PROVIDING A PROCEDURE FOR INSTATING AND RESCINDING ANY OR ALL OF THE RESTRICTIONS HEREOF FROM TIME TO TIME BY RESOLUTION, ESTABLISHING CRIMINAL PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ALL PRIOR ORDINANCES IMPOSING FIRE RESTRICTIONS, BANNING INCENDIARY DEVICES AND BANNING FIREWORKS IN GRAND COUNTY, COLORADO"

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

Juvenile Services Program Update

County Manager Staab stated that the Board had a presentation from District Attorney Barkey regarding Juvenile Services.

After that presentation, Mr. looked at options and found three options that may work for Grand County:

1. Keep Juvenile Services as it is.
2. Change the program and follow the suggestions made by District Attorney Barkey
3. Move Juvenile Services to the Sheriff's Office

Option 1. There are two positions in the department and one position has been vacant for a period of four months.

Option 2. District Attorney provided Juvenile Services. That would be primarily for the Diversion Program.

Option 3. Juvenile Services as a Department under the Sheriff's Department.

County Sheriff Schroetlin stated that one of the voids he has as an agency is staying up on the Policy and Procedure Manual. It is extremely important to have a Policy and Procedure Manual.

Grand County contracts with a company that provides a basic template type policies for law enforcement. Sheriff Schroetlin stated that with his current staff, he does not have the resources to take on the constant review of the Policy and Procedure Manuals.

Sheriff Schroetlin looked at taking the Juvenile Services and Juvenile Diversion positions and putting those positions as a separate division under the Sheriff's Office. This would allow Sheriff Schroetlin to add an employee who has a master's degree in law enforcement and the continued workability with the Juvenile Services Division.

It makes sense to have Juvenile Services and Juvenile Diversion as a response agency under the Sheriff's Office.

Juvenile Services Director Kelly Friesen stated that she walked the idea through with the County Manager and Sheriff. She wants to make sure that this change would not impact the current services. Ms. Friesen stated that if she is able to shift data entry type work, she would be able to free up time to work on policies and procedures.

Sheriff Schroetlin stated that Ms. Friesen is a grant writer and he would appreciate getting those skills in his office.

Mr. Staab stated that he looked at putting Juvenile Services under Health and Human Services. Mr. Staab determined that Health and Human Services should incorporate three departments and Juvenile Services did not fit into that model.

If this Department moves under the Sheriff's Office, the Juvenile Diversion Division will remain under the direct supervision of Kelly Friesen. The cost will remain the same. The Diversion Officer will take on some additional Director admin responsibilities. The Diversion program will remain local.

The County will remain the senate Bill 94 coordinator unless Grand County makes changes that takes the program away from Juvenile Services.

Mr. Staab recommends that Juvenile Services be moved under the Sheriff's Department.

Commissioner Manguso suggested that Elder Abuse also be considered when moving the Department under the Sheriff's Office.

The Board gave direction to move Juvenile Services as a Director under the Sheriff's Office. Staff will work on the details of moving the Department.

Town of Fraser Update

Fraser Mayor Philip Vandernail and Town Manager Jeff Durbin came before the Board to provide an update from the Town of Fraser.

The Town of Fraser created a mural program last year and it has been very successful.

The Public Arts Committee started a sculpture program. The committee has identified areas in the Town to incorporate art.

The Town will be spending approximately \$20,000 this year for the arts program.

The Town of Fraser has set aside \$500,000 for affordable housing.

The Town has finished its Land Use Code and the Open Space Plan for Cozens Ranch Meadow.

The consultants for the town have identified \$6.2 million of conceptual plans in the open space between Rendezvous and Safeway. They are looking to implement new trails, a bridge and a new amphitheater. This will allow for interaction with the ponds. The intent is to make the area ADA accessible.

The Town expanded summer routes for public transportation to go through Grand Park. The intent is to move the routes into the population area.

The Town is working on a recycle center. Trash will be pay as you throw and the recycle center will be free as long as people use the pay-as-you-throw trash program

The Town has a level 2 charging station for electric cars that will be put in this year. The Town received a grant for the charging station.

Mr. Vandernail stated that the Town is hoping to add a median and crosswalk this summer. It is a highway safety implementation program and safe routes to school program. The town received an \$800,000 grant from the State of Colorado. The Town will need to put \$300,000 into the project.

Sales tax and building permits are up in Fraser.

The Mill Avenue driveway conversation is on the Town Board agenda tomorrow.

Jeff Durbin expressed concern over congestion on Highway 40.

The Towns of Fraser and Winter Park are collaborating on a housing needs study.

The Town of Fraser is doing a short term rental registration program. There are around 40 properties that will be registered. The main reason for the registration is to assure that taxes be collected and remitted.

Board Business / Correspondence / Calendar

Commissioner Cimino met with the County Assessor on April 24.

On April 27, CCI had its last voting legislative meeting. Commissioner Cimino called into the meeting. The reinsurance bill is still being considered. CCI voted to take a position of support for the reinsurance bill HB18-1392.

Commissioner Manguso had lunch with Fraser Mayor Philip Vandernail.

Commissioner Manguso attended a going away for Tim Nicklas.

Commissioner Manguso attended QQ's Board retreat.

Commissioner Linke attended the Wildfire Council Steering Committee meeting. The Wildfire Research Team (WIRE) made a presentation. WIRE is a partnership between wildfire practitioners and researchers. They are proposing to do a wildfire assessment study in Grand County.

Colorado has the highest number of Firewise Communities in the United States.

Calendar

May 1	Commissioner Cimino will present the County's Strategic Plan to the Town of Winter Park
May 2	Commissioner Cimino will present the County's Strategic Plan to the Town of Fraser
May 2	Commissioner Manguso will present the County's Strategic Plan to the Town of Kremmling
May 2	Commissioner Linke will attend a Club 20 meeting with the Department of Interior in Grand Junction
May 3	Commissioners Manguso and Cimino will participate in Law Day
May 3	All three commissioners will attend the State of the River meeting at the Inn at Silvercreek
May 3	Commissioner Linke will attend the CPP (Community Partnership Panel) meeting with Freeport McMoRan
May 16	Fraser Flats Dedication at 4:00 p.m.

Commissioner Cimino moved to enter into an Executive Session pursuant to Section 24-6-402, CRS, which states that local public bodies may utilize executive sessions for considering any of the following matters: The topic of the meeting pursuant to 24-6-402(4)(a) is the purchase, acquisition, lease, transfer, or sale of real property owned by Grand County.

The motion passed unanimously.

Commissioner Cimino moved to reconvene the regular meeting 11:59 a.m.

The motion passed unanimously.

I, Merrit Linke, hereby attest that the minutes of this executive session were recorded in accordance with CRS 24-6-402 and confined to the topic authorized for discussion in the executive session.

County Attorney Franek stated the topic of the executive session was about the purchase, acquisition, lease, transfer, or sale of real property owned by Grand County. No decision has been made with regard to the property.

Climax Molybdenum – Henderson Mill Tailings Pond Dam Project Update

Marcus Hammond, Mill Manager for Henderson Operations, came to update the Board on projects that are upcoming.

Brandon Guite, Geotechnical Engineer at Henderson Mill, stated that he manages the tailings facility.

Freeport McMaRon puts safety above all else. One of the biggest safety hazards they have is mobile equipment interaction. Training of operators and people on site is very important. A risk assessment is performed before any large scale project.

There will be two main projects this summer that will impact the county roads and stakeholders.

The dam grading and material re-location is a large project that will be undertaken this summer. Freeport will be grading material from the Number 1 dam. Some of the upper benches tend to store water and that causes erosion in the spring during runoff time.

Freeport will be relocating the material that is graded from the Number 1 dam to the Number 3 storage facility. It will provide reinforcement to the Number 3 dam.

The project will require the purchase and hauling 27,000 tons of C33 concrete sand.

The annual haul road maintenance will be performed this year. This is usually done with the on-site gravel pit. Freeport will be purchasing and hauling from an off-site vendor. That has not yet been awarded. That will be 30,000 tons of material that will be hauled.

To move the material will take eight to ten 20-ton end dumps daily to get the work done. This will be done mid-May to the end of July. It is up to 40 loads per day.

The haul routes will use County Road 3 and Highway 9.

There is a concern for dust control. Freeport has an annual dust suppression program that it implement on the tailings dam regardless of construction. In addition to that, it will be using water trucks throughout the haul routes. Freeport will also be using magnesium chloride on the general haul routes.

Miguel Hamerate, Environmental Manager for Henderson Operations, presented information on a cattle study that will be started soon. The study will determine effects of molybdenum in the drinking water for cattle.

Henderson has engaged Colorado State University to do a second study regarding the effects of molybdenum in the drinking water for cattle.

The two-year study will be done using cattle that are located in the summer by Henderson. The study will use local hay and local cattle.

Amended Final Plat of Lot 33, Parsons Outright Exemption

PROJECT NAME: Parsons Outright Exemption, Lot 33 – Amended Building Envelope
APPLICANT: Krystyna and Zbigniew Sobon, represented by Michael Sobon
LOCATION: Parsons Outright Exemption, Lot 33, Part of Sections 5, Township 3 North, Range 75 West of the 6th P.M., Grand County, Colorado

APPLICABLE REGULATIONS: Zoning Regulations, Subdivision Regulations, Master Plan
ZONING: R – Residential district

ATTACHMENTS:

- a) Sketch Plan (Plat)
- b) Application and Narrative letter
- c) Title commitment
- d) Building Elevations
- e) Preliminary Plan – Amended Final Plat
- f) Vicinity Map
- g) Parsons Outright Exemption Final Plat

STAFF PLANNER: Alexander Taft, Planner I
REQUEST: The Applicant is proposing an amended building envelope to construct a single family dwelling.

PROPOSAL

The applicant is proposing an amended building envelope with the intent of constructing a new single family residence. The property will be served by a household only use well (Permit No# 157569) and proposed on-site wastewater treatment system (OWTS). Previous owners have been subject to inclusion in Three Lakes Water & Sanitation District.

- The applicant shall secure a building permit prior to construction.
- The applicant shall be subject to the regulations set forth by Section 14.5 Three Lakes Design review area. A note on the final plat shall be included.

BACKGROUND

a. History –

The parcel in question has a history that dates back to 1953. The subdivision recorded at Reception #77000, North Sunnyside Addition to Grand Lake contained 19 lots, including Lot 33, showing an acreage of 3.86. Prior to the Planning Commission meeting in October 1996, the first amended final plat was requested by Judy Hartman Bertrand. Ms. Bertrand, who purchased the property with the intent of constructing a home on the cliff, had hired a local contractor to review the survey stakes on the site. The contractor informed Ms. Bertrand that the survey was incorrect. The applicant then contacted the adjacent property owners to amend the final plat, resulting in a revised acreage for Lot 33 of approximately 4.36 acres.

In the early 2000's, Clark and Beverly Parsons owned Lot 33 and the adjacent 40 acre Metes and Bounds parcel to the east. The Parsons requested an outright exemption and subdivision exemption to subdivide into two lots. The outright exemption combined a portion Lot 33, with the 40 acre parcel and also separated a 2.9 acre parcel. This subdivision exemption is recorded at Reception #2003000794 (Attachment E).

PLANNING COMMISSION REVIEW

This application was recommended for approval with the removal of language on the plat pertaining to any building envelope and height restrictions that were previously by shown on plat. The property on recording of a final plat shall comply with current zoning regulations.

STAFF RECOMMENDATION

Staff recommends the approval of the Parsons Outright Exemption Amended Lot 33 with the following conditions to be met prior to submitting an application for final plat approval:

1. The applicant shall be subject to the regulations set forth by Section 14.5 Three Lakes Design review area. A note shall be added to the Final Plat that reads:
This property is located within the overlay district of the county known as the Three Lakes Design Review Area and is subject to all design criteria of the overlay district.
2. Title on the Final Plat shall be corrected to read:
Parsons Outright Exemption Amended Lot 33
Part of Sections 4 and 5
Township 3 North, Range 75 West, 6th P.M.
County of Grand, State of Colorado
Ownership recorded at Reception No. 2017004775
3. The Applicant shall include on the Final Plat the access easement recorded at 2005009227.
4. The Applicant shall include on the Final Plat Number acreage of each site to nearest 1/100th of an acre.
5. The Applicant shall include on the Final Plat documented proof of legal access with reference to their recording book and page.
6. The applicant shall secure a building permit prior to construction.
7. Statement of taxes due showing current taxes paid. This shall be provided prior to recording of the Final Plat.
8. 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.
9. Such additional information as may be required by the Grand County Board of County Commissioners.
10. The applicant shall meet all final plat requirements.
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 33, Parsons Outright Exemption with staff recommendations.

The motion passed unanimously.

Weber Subdivision Exemption – Extension of Final Plat Recording

PROJECT NAME: Weber Subdivision Exemption – Final Plat
APPLICANT: Joel Weber
LOCATION: 2-miles west of Grand Elk off of CR 566, Tract 11 – Orr Tracts, being a part of the S1/2 of Section 13, Township 1 North, Range 77 West, Grand County
APPLICABLE REGULATIONS: Subdivision Exemption Regulations
EXHIBITS: Letter of Request to Extend Final Plat Approval dated February 11, 2018
STAFF PLANNER: Alexander Taft, Planner I
REQUEST: An additional one (1) year extension to record Weber Subdivision Exemption Final Plat

I. DISCUSSION

Joel Weber is requesting a one year extension of the final plat for Weber Subdivision Exemption. The subdivision exemption was granted final plat approval with conditions on March 2, 2010. Weber Subdivision Exemption is one-lot subdivision exemption that subdivides a 17.07 acre lot from Orr Tract 11. The subdivision exemption is located west of the town of Granby on County Road 566.

This request represents the 8th extension for this application. In recent years the Applicant has had health issues that have made completing this development a low priority in his life. In addition, he has cited financial and tax

liabilities as reasons for not recording the final plat. Mr. Weber's health related issues are a legitimate reason to grant the requested extension. Furthermore, the applicant should not be penalized for insufficient communication that led to this late request.

II. RECOMMENDATION

Staff recommends approval of the one year extension request for Weber Subdivision Exemption – Final Plat with the following conditions:

1. The final plat shall be recorded by March 2, 2019.

Commissioner Cimino moved to approve the additional one year extension to record Weber Subdivision Exemption Final Plat to May 1, 2019.

The motion passed unanimously.

Amended Final Plat of Lots 3 & 31, Stillwater Small Tracts, and Vacation of Easement and Grand County Road 4

The public hearing scheduled to begin at 3:15 p.m. was called to order by Commissioner Linke at 3:15 p.m. County Manager Staab 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
- E. Mailing to all property owners within 750' as established by the Grand County GIS
- 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
- J. Memorandum from the Department of Community Development dated April 18th, 2018
- K. Grand County Community Development staff report dated May 1st, 2018
- L. Staff Power Point dated May 1st, 2018
- M. Scanned pages of correspondence from Carleta Harty, owner of Lot 32, dated April 19th, 2018

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 shall 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
AMENDED 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 78
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, Amended 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, Amended 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.

Carlleta Harty asked about the encroachment on the leach field. Mr. Taft stated that the encroachment of the end of the leach field is about five feet.

Ms. Harty asked where gas or water would be run to the property. Mr. Taft stated that it would be run through the right-of-way for the road.

Commissioner Manguso moved to approve the Amended Final Plat, Lots 30 and 31, Stillwater Small Tracts and vacation of easement and Grand County Road 4 with staff conditions and an added condition that a Quit Claim Deed designating a 60-foot right-of-way from County Road centerline out for County Road 4 is provided.

The motion passed unanimously.

Commissioner Manguso moved to close the public hearing.

The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 4:36 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this _____ day of May 2018.

Merrit Linke, Chair

Attest:

Sara L. Rosene, Clerk and Recorder