

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

August 21, 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: County Manager Lee Staab
County Attorney Robert Franek
County Assistant Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

General Public Comments

Grand Foundation Executive Director Megan Ledin presented an update on the 2018 Block Grants for the Grand County Commissioner's Fund.

For 2018, the Grand Foundation received \$225,000 grant from Grand County. The Grand Foundation received 29 applications and based on the Board's criteria, 16 of the organizations were eligible. The Foundation awarded out \$214,500 or 93.26 percent of the funding to health and human services and \$15,500 or 6.74 percent to education.

The Board will inform Ms. Ledin during the budget season on its decision to fund grants for 2019.

Finance Department

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on August 22, 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 August 21, 2018, for payment on August 22, 2018 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Manguso moved to approve the wires payments and vouchers payments presented on August 21, 2018, for payment on August 22, 2018 for Grand County.

The motion passed unanimously.

Departmental Contracts, Comments, Issues

Commissioner Manguso moved to approve the contract between Grand County Department of Human Services and the Grand County Rural Health Network for the use of TANF funds for dental services for children with acute dental needs as presented by Human Services Director Deb Ruttenberg.

Commissioner Manguso	aye
Commissioner Linke	aye
Commissioner Cimino	recused himself due to his membership on the Rural Health Network Board

The motion passed.

Deputy Sheriff Rick Liberali presented the Sheriff's work on the short term rental program. Deputy Liberali stated that he received 16 cases to complete and has closed 15 of the 16 cases. Notices of violation have been posted on properties and Deputy Liberali has been contacted by most of the owners.

Commissioner Manguso moved to approve Resolution No. 2018-8-18, "A RESOLUTION ALLOWING FOR A BULK TRANSFER OF ALL PROPERTY OWNED BY COYOTE CREEK DEVELOPMENT PARTNERS, LLC TO PIBB, LLC AND THEN FROM PIBB, LLC TO ABW REO'S, LLC WITHIN PHASE 2 AND PHASE 3 – COYOTE CREEK AT WINTER PARK SUBDIVISION"

The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2018-8-19, “A RESOLUTION AMENDING THE SUBDIVISION IMPROVEMENTS AGREEMENTS FOR PHASE 2 AND PHASE 3 – COYOTE CREEK AT WINTER PARK SUBDIVISION, CHANGING THE NAME OF THE DEVELOPER AND COMBINING THE PHASE 2 AND PHASE 3 SUBDIVISION IMPROVEMENTS AGREEMENTS INTO ONE SUBDIVISION IMPROVEMENTS AGREEMENT”

The motion passed unanimously.

Manager and Attorney Items

Commissioner Manguso moved to approve the thank you letters for volunteers who worked at the Middle Park Fair.

The motion passed unanimously.

County Manager Staab presented his weekly update.

Consent Agenda

Resolution No. 2018-8-15, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN INTERGOVERNMENTAL GRANT AGREEMENT BY AND BETWEEN THE COLORADO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO SUPPORT THE SHERIFF’S OFFICE TACTICAL PATROL UNIT”

Resolution No. 2018-8-16, “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 BITS N SPURS GYMKHANA”

Resolution No. 2018-8-17, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING AND DELEGATING THE GRAND COUNTY ATTORNEY THE AUTHORITY TO EXECUTE A CLASS ACTION OPT-IN NOTICE FORM CONCERNING U.S. COURT OF FEDERAL CLAIMS CASE KANE COUNTY, UTAH V. U.S., CASE NUMBERS 17-739C AND 17-1991 C”

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

Commissioner Manguso moved to appoint Commissioner Cimino as Grand County’s CCI Legislative representative.

The motion passed unanimously.

Commissioner Camino

Commissioner Cimino called into the NWCCOG meeting. There was a long conversation regarding fires in Colorado.

Commissioners Manguso and Linke attended the Demolition Derby. Commissioner Manguso stated that she attended the Historical Association Taste of History.

Commissioner Manguso attended a number of fire meetings.

Commissioner Linke attended the Windy Gap Connectivity Project meeting on Wednesday.

Commissioner Linke attended Club 20 meetings to discuss state ballot initiatives.

- August 22 Commissioner Cimino will attend a call-in meeting from 11 am to 12:00 pm of the County Commissioners Cimino will attend the County Commissioners Acting Together regarding Transportation
- August 22 Commissioner Cimino will attend a call-in meeting of CCI from 9 am to noon of CCI regarding initiatives
- August 22 Commissioner Linke is meeting with Patrick Brower of Grand Enterprise

August 23 Commissioner Manguso will attend Northwest TPR
August 23 Commissioner Linke will attend CCI Mountain District meeting in Poncha Springs
August 23 Commissioners Linke and Cimino will attend Bulls, Boots and BBQ at 5:00 at B Lazy 2 in Fraser (Fundraiser for the Rural Health Network)

Abstract of Assessment Grand County Assessor

County Assessor Tom Weydert presented the Abstract of Assessment.

The valuations of the property are as of January 1, 2018.

Commissioner Cimino moved to approve and authorize the Chair of the Board of Equalization sign the Abstract of Assessment as presented by County Assessor Tom Weydert.

The motion passed unanimously.

Juvenile Services Quarterly Update

Juvenile Services Director Kelly Friesen presented:

There are three programs within the Juvenile Services Department: Juvenile Diversion, Alternative to Sentencing Program, and Colorado Detention Continuum (Senate Bill 94).

Juvenile Diversion cases come from the District Attorney and cases are dismissed without prejudice. Upon successful completion, the case is dismissed. The County receives a grant for the program in the amount of \$48,387 which pays for service dollars and half of the diversion officer's salary.

From January 1 through today, the program has served 32 kids and are at 100 percent of achieving outcome goals.

Alternative to sentencing program is based on referrals from Diversion or from Probation. This is a reparative justice model.

From January 1 through today, the program has served 29 kids and are at 86.67 percent of achieving outcome goals.

Colorado Youth Detention Continuum (formerly Senate Bill 94) is District wide. They serve two sets of kids - pre-adjudicated and sentenced.

The 14th Judicial District has three detention beds located in Grand Junction. There are temporary holding facilities in Grand and Moffat Counties.

There are 20 kids signed up for referrals. There are 14 kids in alternative sentencing program.

There is one kid receiving Marijuana Tax Revenue money.

Sheriff's Office - Fire Restrictions Discussion

County Sheriff Brett Schroetlin recommended that Grand County stay on Stage 1 Fire Restrictions.

Commissioner Manguso moved to approve Resolution No. 2018-08-20, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO DECLARING THE CONTINUATION OF A STATE ONE FIRE BAN/RESTRICTION, EFFECTIVE TUESDAY, AUGUST 21, 2018 AT 4:00 P.M., PURSUANT TO ORDINANCE NO. 20"

The motion passed unanimously.

Road & Bridge Quarterly Update

Road and Bridge Superintendent Chris Baer presented.

There are 42 Road and Bridge employees in four districts.

The Road and Bridge budget is 52.33 percent spent to this date.

The 2018 chip seal will begin soon.

Magnesium chloride will be applied to 140 miles of road. The budget for next year will increase for magnesium chloride.

The twin culvert work on County Road 3 will begin in September.

The Department of Natural Resources herbicide giveaway continues through September 29.

Road and Bridge had 138 labor hours on the Grand Lake Fire. The work done by the community was an excellent show of force.

Housing Authority Quarterly Update

Housing Authority Operations Manager Sheena Darland presented.

Housing Needs Assessment and Strategic Plan

- Completed in June
- Study area – four towns and Grand County
- Provides baseline data for strategy and policy goals

Existing needs - 35 unfilled jobs, 70 Rental Market

Keep up – new jobs 170

Total housing units needed through 2023 – 275

0% rental homes currently vacant!

Market is currently only supplying for AMI over median income levels

People under 60 – 80% need the most housing help

Goal is to fill 85% of those gaps by 2023

Key dynamics

- Only 46% of homes are occupied year round - most of the rest are million dollar homes, mostly second homes
- 72% of occupied homes are owned
- Seniors make up 15% and is growing
- 75% households do not have children
- Wages and incomes are very low compared to the state
- 76% of housing inventory is single family or townhomes
- Only 5% of the housing inventory has been built since 2010
- Rental vacancy is near zero
- Currently only about 1.5 months of for sale inventory 150% AMI \$358,000

Challenges

- Low wages - little new housing
- Housing prices are on the rise
- Lack of housing hurting employees and employers
- Second home buyers are consistently out bidding year round local residents for homes

Strategic Plan

- Currently in draft
- 24 member working group
- Two workshops
- Seven conference calls
- Seeking your feedback!!

Guiding Principles

- Increase housing supply
- Focus development
- Consider proximity to transportation
- Balance opportunities
- Cultivate and engage employers in housing solutions
- Increase housing for the 60% AMI folks that need rentals at a max of \$910 per month.
- Increase housing for the elders – this population is growing and there isn't housing for them to transition to.

Collaboration is a must at this point

Ms. Darland stated that the goal is to have a one-stop show website to assist with collaboration and joint resources.

There is a discussion to facilitate the creation of a uniform deed restriction to serve the study area and make this program sustainable.

There is a need to establish sustainable funding and governance of the Grand County Housing Authority. The next steps are to gather feedback and move forward with a strategic plan.

Commissioner Cimino suggested discussion and implementation of immediate obvious changes to obvious restricted policy and building codes to facilitate some immediate attraction of builders this winter.

Ms. Darland stated that with regard to Cliffview, she would like to start moving away from Senior Housing Options to Middle Park Medical Center.

Ms. Darland will be meeting with Senior Housing options regarding the “shortfall” letter.

Ms. Darland will be asking Senior Housing Options to provide a copy of the budgets for the facilities managed by Senior Housing Options. The Housing Authority will take over Silver Spruce and Senior Solar on October 1, 2018.

Ms. Darland stated that she may need an additional employee after taking over the facilities.

Marijuana Sales & Excise Tax, SB-152 Broadband Telecommunications Ballot Question

County Attorney Franek summarized the ballot question. There will be a 3.033 percent for a vendor fee for collection.

The text of the ballot question is as follows:

SHALL GRAND COUNTY INCREASE TAXES BY \$310,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED THEREAFTER AS AUTHORIZED BY COLORADO REVISED STATUTES 29-2-115 THROUGH THE IMPOSITION OF AN ADDITIONAL SALES TAX OF 5%, COMMENCING JANUARY 1, 2019, UPON ALL SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS WITHIN GRAND COUNTY, WITH SUCH REVENUES TO BE DEPOSITED INTO THE GENERAL FUND AND THE ROAD AND BRIDGE FUND AND BE USED AS DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO FUND PUBLIC SAFETY, ROAD CONSTRUCTION, GENERAL GOVERNMENT PURPOSES, AND ANY OTHER LAWFUL PURPOSE, AND SHALL SUCH EARNINGS THEREON BE COLLECTED, RETAINED, AND EXPENDED AS A VOTER-APPROVED REVENUE CHANGE WITHOUT LIMITATION OR CONDITION UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW?

Commissioner Manguso moved to approve Resolution No. 2018-8-21, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO REFERRING TO THE REGISTERED ELECTORS OF GRAND COUNTY, COLORADO, A BALLOT QUESTION REGARDING WHETHER THE COUNTY MAY IMPOSE AN ADDITIONAL COUNTYWIDE SALES TAX ON ALL SALES OF RETAIL MARIJUANA AND RETAIL MARIJUANA PRODUCTS IN GRAND COUNTY”

The motion passed unanimously.

County Attorney Franek read the ballot question for the excise tax:

SHALL GRAND COUNTY, COMMENCING JANUARY 1, 2019, INCREASE TAXES BY \$155,000.00 ANNUALLY IN THE FIRST FULL FISCAL YEAR AND BY SUCH AMOUNTS AS ARE RAISED THEREAFTER AS AUTHORIZED BY COLORADO REVISED STATUTES 29-2-114 THROUGH THE IMPOSITION OF AN EXCISE TAX OF 5% OF THE AVERAGE MARKET RATE, AS DETERMINED BY THE COLORADO DEPARTMENT OF REVENUE, ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY LOCATED WITHIN UNINCORPORATED GRAND COUNTY, WITH SUCH REVENUES TO BE DEPOSITED INTO THE GENERAL FUND AND THE ROAD AND BRIDGE FUND AND BE USED AS DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO FUND PUBLIC SAFETY, ROAD CONSTRUCTION, GENERAL GOVERNMENT PURPOSES, AND ANY OTHER LAWFUL PURPOSE; AND SHALL SUCH EARNINGS THEREON BE COLLECTED, RETAINED, AND EXPENDED AS A VOTER-APPROVED REVENUE CHANGE WITHOUT

LIMITATION OR CONDITION UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR ANY OTHER LAW?

Commissioner Manguso moved to approve Resolution No. 2018-8-22, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO REFERRING TO THE REGISTERED ELECTORS OF GRAND COUNTY, COLORADO, A BALLOT QUESTION REGARDING WHETHER THE COUNTY MAY IMPOSE AN EXCISE TAX ON THE FIRST SALE OR TRANSFER OF UNPROCESSED RETAIL MARIJUANA BY A RETAIL MARIJUANA CULTIVATION FACILITY LOCATED IN GRAND COUNTY"

The motion passed unanimously.

County Attorney Franek read the proposed ballot question:

Without increasing taxes, shall the citizens of Grand County, Colorado, permit, but not obligate, the Board of County Commissioners of Grand County, Colorado, to provide to potential subscribers, including telecommunications service providers, residential and commercial users within Grand County, all services restricted since 2005 by Title 29, Article 27 of the Colorado Revised Statutes, including "telecommunication services", "cable television services" and "advanced services" which is defined as high speed internet access capability in excess of two hundred fifty six kilobits per second both upstream and downstream (known as "broadband") including any new and improved bandwidth services based on future technologies, utilizing any existing network and/or developing additional infrastructure, either directly or indirectly with public or private sector partners?

Eden Recor asked the Board if it wants to go into the broadband business. Mr. Recor believes that government should not be going into internet service.

Rich Rosene stated that he believes that the County should make this question available to the voters. By passing this question, it does not mean that the County will go into the internet business.

Commissioner Manguso moved to approve Resolution No. 2018-8-1, "A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, CONCERNING THE SUBMISSION TO THE REGISTERED ELECTORS OF GRAND COUNTY, COLORADO, OF A REFERRED BALLOT QUESTION PURSUANT TO TITLE 29, ARTICLE 27 OF THE COLORADO REVISED STATUTES, PERMITTING BUT NOT OBLIGATING THE COUNTY OF GRAND, STATE OF COLORADO TO PROVIDE CABLE TELEVISION SERVICE, TELECOMMUNICATIONS SERVICE, AND HIGH SPEED INTERNET SERVICE, OTHERWISE KNOWN AS ADVANCED SERVICE, EITHER DIRECTLY, OR INDIRECTLY WITH PUBLIC OR PRIVATE SECTOR PROVIDERS WITHIN GRAND COUNTY, COLORADO, AND CERTIFYING THE QUESTION TO THE GRAND COUNTY CLERK AND RECORDER FOR INCLUSION ON THE BALLOT FOR THE NOVEMBER 6, 2018, GENERAL ELECTION"

Discussion: Commissioner Manguso stated that last week she asked that this be put off for one week. It was a simple request. It turned out to be insulting. The public has a right to speak before the Board. It does not matter if the Board members agree or not. Commissioner Manguso stated that she will continue for allowing the public to speak. She does not know why this ballot question became such an issue. It was important to allow the public to speak. Commissioner Manguso stated that she will never be in favor of this County being involved in internet. It is not a County service. There are ISPs in this County. It is a private enterprise and should continue to be. Commissioner Manguso added that she will always defend the right of the voters. It does not matter what her personal opinion is. If something goes to the ballot, voters need the chance to speak. She will defend that with regard to debt. She has made that clear. She added that she will be against any debt for the jail or anything else without a vote of the people. She supported the marijuana in the same vain. That is her philosophy. The voters have the right to speak. Commissioner Manguso encouraged Mr. Recor to lobby voters with regard to his opinion. Voters need to have their say.

Commissioner Linke agrees with what Commissioner Manguso said with the exception of saying "never" with regard the County participating in the internet business. There might be a time in the future that the County may want to partner with Grand County Internet for example. Commissioner Linke has no desire or motivation to get Grand County into the internet business. The County does not want to be in the internet business. Maybe a future Board wants to be in the internet business. This is the people's decision whether to give the County the option to

partner, encourage or support by opting out of Senate Bill 152. Commissioner Linke encouraged Mr. Recor to let the voters know his position on this issue.

Commissioner Manguso	aye
Commissioner Linke	aye
Commissioner Cimino	abstain

The motion passed.

There being no further business to come before the Board, the meeting was adjourned at 3.37 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this day of September 2018.

Merrit Linke, Chair

Attest:

Sara L. Rosene, Clerk and Recorder