

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

November 5, 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 L. Rosene
County Manager Lee Staab
Assistant County Manager Ed Moyer
Assistant County Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

Commissioner Cimino is not present at this time.

General Public Comments

Tabernash Resident Matt Sugar stated that there have been some recent reports regarding the Corona Pass/Rollins Pass Road. Mr. Sugar noted that there is a “hole” between the two wilderness areas that the County wanted. Mr. Sugar is concerned over the road being opened. As a long time Grand County citizen, Mr. Sugar stated that he is not enthusiastic over opening the road.

Mr. Sugar stated that he was on the Great Outdoors Colorado Board for eight years. Mr. Sugar stated that he wants to make sure the HTA funding stays in place. He supports a decision by the Board to keep that funding in place.

Finance Department

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on November 7, 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 November 5, 2018, for payment on November 7, 2018 for the Grand County Board of Social Services.

The motion passed.

Commissioner Manguso moved to approve the wires payment and vouchers presented on November 5, 2018, for payment on November 7, 2018 for Grand County.

The motion passed.

Commissioner Manguso moved to approve Resolution No. 2018-9-30, A RESOLUTION TO APPROVE THE 2ND AMENDED FINAL PLAT, AMENDED LOT 35A, NORTH SUNNYSIDE ADDITION TO GRAND LAKE, SITUATED IN SECTION 5, TOWNSHIP 3 NORTH, RANGE 75 WEST OF THE 6TH P.M., GRAND COUNTY, COLORADO”

The motion passed.

Amended Final Plat – Amended Lot 25A, Block 3 Alpine Park

PROJECT NAME: Amended Final Plat, Amended lot 25A, Block 3, Alpine Park
APPLICANT: Gregory K. Brown, Owner
LOCATION: Lots 25, 26, and 27, Block 3, Alpine Park, 218 County Road 873
ZONING: Forestry and Open District (F/O)
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Master Plan, Subdivision Regulations

EXHIBITS: A. Compliance with Regulations
B. Vicinity Map
C. Letter of Application and Narrative
D. Alpine Park Subdivision Plat
E. Amended Final Plat Lot 25A, Block 3 Alpine Park, dated 10.29.18
F. Title commitment

STAFF PLANNER: Richard Hubler

REQUEST: Approval of an Amended Final Plat to combine lots for the construction of additional structures.

I. STAFF COMMENTS AND ANALYSIS

The Applicant is proposing this lot combination with the intention of constructing a garage on existing Lot 26. The platted lots are 50' wide by 135' deep and are located in the Forestry and Open District within Rural Growth Area 1. Under current County Zoning Regulations, the minimum area of such a lot is two (2) acres and the minimum width is two hundred (200) feet. Even with the combination of these three lots, the applicant could not meet those minimum standards, but the proposal is decreasing the non-conformity to the maximum extent possible. Staff finds this proposal consistent with the applicable Grand County Regulations. The resultant lot is .465 acres or 20,255 ft². It is staff's opinion that while not meeting the two acre minimum, the land area is suitable for construction of a home and accessory structure without the need of any variance. Staff believes that the proposal is consistent with keeping low density where there are not public water or sewer services.

II. DISCUSSION

a. Background: Mr. Brown, the property owner, had the subject three lots transferred to him through Beneficiary Deed recorded at Reception No. 2016007503. The Applicant is proposing the construction of a garage on existing Lot 26, but would not be able to permit the structure because of the exceptional narrowness of the lot. Approval of this Amended Final Plat will further prevent the need for variances due to its non-conformity, by increasing the effective building area.

b. History: Alpine Park Subdivision was recorded in July 1959 at Reception No. 89818. The lots in this subdivision have dimensions of 50' x 135' equating to approximately .15 acres. Greater than half of the lots in the subdivision have dwellings constructed on them. Many other lots in this subdivision have been combined with a "Combination Deed," a procedure that ceased in the early 2000s because of the implications that Combination Deeds subverted the Subdivision Regulations.

III. PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed this application during the regular meeting on October 16, 2018. The Planning Commission had no major concerns about this application as the intention is to combine these lots and prevent future planning and zoning related issues. The Planning Commission unanimously recommended the approval of the Amended Lot 25A, Block 3, Alpine Park Subdivision, Being a replat of Lots 25, 26, & 27, Block 3, Alpine Park Subdivision with 13 conditions. The applicant addressed conditions related to plat language and the following conditions remain:

1. The existing well shall be re-permitted with the State once the Final Plat is recorded.
2. All applicable building and sanitation permits shall be obtained through the County prior to construction. Prior to the Recording of the Amended Final Plat:
3. The title of the Amended Final Plat shall be corrected to include "Conveyance to the owners recorded at 2017004351 & 2014007020.
4. Certificate for approval by the Board of County Commissioners shall be corrected to read as follows:
COMMISSIONER'S CERTIFICATE Approved and all public dedications accepted this ___ day of _____, 20__ by the Board of County Commissioners of Grand County, Colorado. Acceptance of this platted subdivision by the County of Grand does not constitute an acceptance of the roads and rights-of-way reflected hereon for maintenance by said County. Until such roads and rights-of-way meet County specifications and are specifically accepted for maintenance by Resolution of the Board of County Commissioners of Grand County, the maintenance, construction, and all other matters pertaining to or affecting said roads and rights-of-way are the sole responsibility of the owners of the land embraced within the subdivision. This approval does not guarantee that the size or soil conditions of any lot shown herein are such that a Building Permit may be issued. _____ Chairman Board of County Commissioners Grand County, Colorado
5. A statement of taxes that shows all taxes have been paid shall be submitted.
6. An electronic copy of the Final Plat shall be submitted.
7. Quit Claim Deeds to describe the amended legal description of the lots.
8. All recording fees are to be paid by the Applicant.

Commissioner Manguso moved to approve the Amended Final Plat, Amended Lot 25A, Block 3, Alpine Park as presented.

The motion passed.

Commissioner Cimino joined the meeting.

Grand County Sheriff's Lieutenant Jeff Bauckman presented the Board with a MOU between Grand County and the State of Colorado Department of Information Technology.

Commissioner Manguso stated that she was contacted by Eden Recor who has a 30-year lease with the BLM on SanToy. There is some language in the agreement that states that access is controlled by the County. Lieutenant Bauckman stated access into the County's building will be controlled by the County.

Commissioner Cimino moved to approve the Memorandum of Understanding between Grand County Board of County Commissioners and State of Colorado Governor's Office of Information Technology (OIT) Public Safety Communications Network (PSCN) for Shared Communication Sites.

The motion passed unanimously.

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

Human Services Director Deb Ruttenberg provided the Board with contracts.

Commissioner Manguso moved to approve the Intergovernmental Agreement #2 between Grand County Department of Human Services and the Colorado Department of Human Services regarding the Incredible Years Program and the Promoting Safe and Stable Families funding. There is no dollar amount attached to this contract. This is an agreement to comply with the grant.

The motion passed unanimously.

Commissioner Cimino moved to approve the Revised Intergovernmental Agreement between Grand County Board of Commissioners and Jackson County Board of Commissioners for Grand County to provide Human Services to Jackson County residents.

The motion passed unanimously.

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

Commissioner Manguso moved to authorize the Chair to sign the Notice of Termination of the Grand County Housing Authority and Senior Housing Options Agreement regarding Grand Living Senior Homes in Granby and Silver Spruce Senior Apartments in Kremmling effective January 1, 2019.

The motion passed unanimously.

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

Commissioner Manguso moved to approve the Memorandum of Understanding between Grand County and the Colorado Headwaters Land Trust for the Roy N. Enter Conservation Easement (this is 82.62 acres on County Road 14N) in the amount of \$57,200. This is a grant from the Open, Lands Rivers and Trails Committee.

The motion passed unanimously.

Commissioner Cimino moved to approve and enter into agreement with Colorado Aeronautical Board for paving at the Granby/Grand County Airport in the amount of \$12,222.

The motion passed unanimously.

Commissioner Manguso moved to re-appoint Marcus Davis and Kim Shepton to the Planning Commission for District 3.

Commissioner Cimino moved to approve Resolution No. 2018-11-1, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE APPOINTMENT OF DEBORAH FITCH AS DISTRICT II REPRESENTATIVE TO THE GRAND COUNTY PLANNING COMMISSION" with the term to expire on December 31, 2021.

The motion passed unanimously.

County Manager Lee Staab presented his weekly report.

Consent Agenda

Resolution No. 2018-10-20, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A CAFETERIA PLAN BETWEEN ROCKY MOUNTAIN RESERVE LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE GRAND COUNTY EMPLOYEE BENEFIT PACKAGE"

Resolution No. 2018-10-21, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN APPLICATION FOR AMENDED GROUP COVERAGE WITH CIGNA HEALTH AND LIFE INSURANCE COMPANY CONCERNING THE COUNTY EMPLOYEE HEALTH BENEFIT PACKAGE"

Resolution No. 2018-10-22, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE FRASER VALLEY METROPOLITAN RECREATION DISTRICT BOARD TO OWN OR OPERATE THE FOUNDRY CINEMA & BOWL"

Resolution No. 2018-10-23, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING THE 14TH JUDICIAL DISTRICT ATTORNEY'S REQUEST FOR A 2.9% INCREASE TO STAFF SALARIES"

Resolution No. 2018-10-24, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING GRAND COUNTY SEARCH AND RESCUE TO CONSTRUCT A RESCUE TRAINING TOWER AT THE GRAND COUNTY ROAD AND BRIDGE FACILITY LOCATED AT 350 COUNTY RD 5103"

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

OLRTAC Discussion and 15% Trail Funding Limitation

Commissioner Cimino proposed that the 15 percent limit for trail maintenance was clearly stated in the resolution that created the ballot question. Commissioner Cimino stated that the ballot language did not reflect the 15 percent cap and it did not reference the resolution number in the question.

Commissioner Cimino agrees with the County Attorney's recommendation to apply the cap as it was described in the resolution.

The Town of Fraser obtained a legal opinion that does not support imposing the 15 percent cap on trails.

Commissioner Cimino stated that he would like to make a motion in the near future that in light of a legal opinion, the County will move forward without any cap on any function with regard to 1A funds.

Commissioner Linke stated that he has been informed by voters that they did know about the 15 percent cap.

Commissioner Manguso suggested that the use of the money may need to go back to the voters to make the use very clear.

Commissioner Linke would like to leave everything the way it is now and would like a ballot question next year.

Craig Healey suggested a ballot question in 2020 for trails.

Commissioner Cimino met with the HTA Board in 2017. Commissioner Cimino thought that the 15 percent could use for administrative costs. Commissioner Cimino found out that information was incorrect. Projects can include administration as part of the grant. The HTA has indicated that cannot fund administration through projects only.

Commissioner Linke supports HTA and would like to put a line item into the budget for HTA for 2019. During 2019, Commissioner Linke would like to see a different funding source found for HTA.

Commissioner Manguso stated that HTA provides a huge source of economic development for Grand County. Commissioner Manguso supports HTA outside the donor advised fund through Grand Foundation.

Commissioner Manguso would like to see HTA funded under economic development. Commissioner Manguso stated that she supports putting \$75,000 into the County budget in 2019 for HTA.

Brene Sullivan with HTA stated that HTA does not own any land or trails. HTA advocates to get as many users as possible on any trail while minimizing multiple user conflict.

Grand Foundation Executive Director Megan Ledin stated that if the Board funds HTA in 2019, she requests that it not go under the Grand Foundation. The Grand Foundation supports all non-profits and the Grand Foundation is doing a service for the County. It would not be appropriate for the Board of Commissioners to name a specific organization in the donor advised fund.

Diana Lynn stated that when HTA was formed, Grand County was considered a leader in the state with regard to trails. Now, most counties have permanent funding for trails. Grand County does not.

Grand County Historical Association Executive Director Shanna Ganne stated GCHA was a line item with the County and that was taken away so GCHA has lost 90 percent of its funding. Ms. Ganne stated the museums are an economic driver in the County and should be funded in a similar manner as HTA.

HTA Board Member Dan Nolan stated that Grand County has been providing HTA financial assistance for 23 years. He noted that the County provided financial support to GCHA for many years as well.

Mr. Nolan stated that if the County stopped providing assistance to HTA, it will send the wrong message to the other governmental agencies with regard to funding HTA.

HTA Treasurer Scott Ledin stated that a need for a dedicated funding source is why HTA came to the Commissioners. The 1A funds have been a great help to the organization to get projects done. Many counties in Colorado have invested thousands of dollars in county government to drive trail maintenance and construction because of the economic impact.

Commissioner Cimino stated that he is against providing line-item funding for HTA for 2019. Commissioner Cimino noted the HTA funding from Grand County by year:

2014	\$46,500	
2015	\$48,000	
2016	\$30,000	
2017	\$31,500	
2018	\$133,050	(includes 1A funds)
2018	\$22,500	(Donor Advised Funds)
2018	\$20,620	(Shortfall provided to HTA)
2018	\$61,501	(Proposed distribution from 1A funds – has not yet been approved)

The total for 2018 is \$237,671.

Commissioner Cimino is opposed to using general fund dollars for HTA when the voters approved 1A.

Both Commissioners Linke and Manguso agree that funding for trails may need to go to a vote of the people.

Commissioner Cimino supports trails being a part of the County Road and Bridge Department.

Commissioner Manguso moved to approve the operating budget for the District Attorney for the 14th Judicial District.

The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 9:36 a.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this ____ day of November 2018.

Merrit Linke, Chair

Attest:

Sara L. Rosene, Clerk and Recorder