

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

May 11, 2021

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 Clerk and Recorder Sara L. Rosene  
County Manager Ed Moyer  
Assistant County Manager Micah Benson  
County Attorney Chris Leahy  
Assistant County Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

Commissioner Cimino moved to approve the Minutes of the May 4, 2021 Board of Commissioners meeting. The motion passed unanimously.

Housing Authority

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

Presented by Sheena Darland, Operations Manager/Director.

Mr. Teverbaugh has requested an amendment to the Restrictive Covenant for Miller's Inn. Per his request, the amendment would allow the Miller's Inn Home Owners Association (HOA) to be considered as an eligible buyer for the Balcony House unit #9 of the Miller's Inn project.

The current Restrictive Covenants states, "a Grand County, Colorado employer who owns or occupies the "Balcony House" Unit for use as rental housing for its employees and others. The Miller's Inn HOA is not a Grand County, Colorado employer, there for under the current Restrictive Covenant the HOA would not be considered eligible to purchase the Balcony House.

The Balcony House is the only rental property included in the Miller's Inn project. The Balcony House consists of 6 rental units and has been owned by Mr. Teverbaugh since it was established in 2002.

Per the Restrictive Covenant, the Grand County Housing Authority must consent to any amendments made. I am presenting this request to amend the restrictive covenant to the Housing Authority Board to allow the Board to decide rather amending the restrictive covenant to allow the HOA to be considered an eligible purchaser of the Balcony House based on the intent of the project and the covenant.

The Board agreed that if the County does not purchase it, it would support the HOA purchasing the property.

The Board gave direction to move forward with Mr. Teverbaugh drafting an amendment and Ms. Darland will bring back to the Board for approval of the amended Restrictive Covenants for Miller's Inn. That amendment will include the option of making the HOA an eligible purchaser of the Balcony House.

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

Employee Recognition

County Manager Ed Moyer presented May employee anniversaries:

Laura Parri	Public Health	1 year
Paul Mintier	Sheriff's Office	1 year
Christine Travis	Communications	1 year
Kay Borda	Road & Bridge Administration	2 years
Scott Lyles	Road & Bridge	2 years
"Jim" Riley, II	Road & Bridge	2 years
Iris Melendez	Human Services	2 years
Robert Davis	Community Development	3 years
Misty Overholt	Jail	8 years

Lance Schofield	Jail	11 years
Patty Brown	Clerk & Recorder	13 years
Rannette Bakke	Treasurer's Office	16 years
Sue James	Jail	18 years
Jill Hansen	Assessor's Office	24 years
Chris Baer	Road & Bridge	25 years

General Public Comments

Chris Michalowski of Mountain Parks Electric presented the Board with a check for retired capital credits. The years included in this check is 1996, 1999 and 2000 in the amount of \$8,800.

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on May 12, 2021, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the checks presented on May 11, 2021, for payment on May 12, 2021, for the Grand County Housing Authority.  
 The motion passed unanimously.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on May 12, 2021, 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 11, 2021, for payment on May 12, 2021, for the Grand County Department of Human Services.  
 The motion passed unanimously.

Commissioner Cimino moved to approve wire payment and vouchers presented on May 11, 2021, for payment on May 12, 2021, for Grand County.  
 The motion passed unanimously.

**Pandemic and Fire Costs as of 5-11-2021**

	COVID-19	East Troublesome Fire		
		Paid	Unbilled but expected	Total Fire
2020 Cares Act/ETFire Reimbursement Allocation	\$ 701,883	\$ 20,388		\$ 20,388
Less:				
2020 Personnel costs	\$ 381,135	\$ 137,487		\$ 137,487
2020 Grand Foundation programs funded	\$ 230,000			\$ -
2020 Rural Health grant	\$ 10,000			\$ -
2020 Other operating costs	\$ 115,852	\$ 254,503	\$ 163,155	\$ 417,658
Total 2020 costs	\$ 736,987	\$ 391,990	\$ 163,155	\$ 555,146
Net 2020 (costs) after reimbursements	(\$ 35,104)	(\$ 371,602)	(\$ 163,155)	(\$ 534,758)
2021 Reimbursements Requested	\$ -	\$ -	\$ -	\$ -
Less:				
2021 Personnel costs	\$ 169,534	\$ -		\$ -
2021 Grand Foundation programs funded	\$ -			\$ -
2021 Rural Health grant	\$ -			\$ -
2021 Other operating costs	\$ 13,531	\$ 3,298		\$ 3,298
Total 2021 costs	\$ 183,064	\$ 3,298	\$ -	\$ 3,298
Net 2021 (costs) after reimbursements	(\$ 183,064)	(\$ 3,298)	\$ -	(\$ 3,298)
Total Costs after reimbursements	(\$ 218,168)	(\$ 374,901)	(\$ 163,155)	(\$ 538,056)

Unrestricted Fund Balance calculation	
2020 Operating Expenditure Budget	\$ 20,172,000
2019 Unrestricted Fund Balance	\$ 6,194,000
2020 estimated unrestricted funds increase	\$ 400,000
<b>Projected 2020 Unrestricted Fund Balance</b>	<b>\$ 6,594,000</b>
	<b>33%</b>

Departmental Contracts, Comments, Issue

Commissioner Manguso moved to approve the Tavern Liquor License for Trail Ridge Marina LLC dba Trail Ridge Marina as presented.

The motion passed unanimously.

Commissioner Manguso moved to authorize the Chair to re-sign the corrected Electronic Recording Technology Board grant application correcting the date of the grant.

The motion passed unanimously.

The Board reviewed the April 2021 revenue report for the Clerk and Recorder.

Commissioner Manguso moved to approve the 2020 Road Rehabilitation Projects Amendment #1 with Acord Asphalt, Inc. in the total amount of \$1,659,522.55.

The motion passed unanimously.

Commissioner Cimino moved to approve the Mountain Parks Electric, Inc. Membership Certificate and Application for Electronic Service for the Grand County Road 466 Communication Tower in the amount of \$33,583.

The motion passed unanimously.

Community Development Director Robert Davis requested permission for a full-time employee to change to part-time. This will help with the transition to new employees. The Board will consider later today.

Human Resource Director Colleen Reynolds provided an update on the Pay Plan work being performed by Evergreen.

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

Commissioner Cimino moved to approve the State of Colorado Department of Human Services Contract Office of Economic Security contract for the period of time of June 1, 2021 through May 31, 2022 in an amount not to exceed \$926.35.

The motion passed unanimously.

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

Commissioner Cimino moved to amend the prior motion to change the Liaison Officer from Ed Moyer to Micah Benson.

The motion passed unanimously.

Road and Bridge Wages

Road and Bridge Superintendent Chris Baer requested to use hire lag to increase the wages of current employees and raise the wage for starting salaries. The current hire lag is \$709,000 and he would like to use 20 percent of that to make changes.

Commissioner Manguso moved to approve the Road and Bridge Plan as presented.

The motion passed unanimously.

Grand County Board of Health

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

Public Health Director Abbie Baker presented.

As of this morning, the seven day cases total eight. The two week is 29 cases. There have been zero cases in the last three days.

The positivity rate in Grand County is 4.8 percent. Grand County is currently at 50.9 cases per 100,000. If there is a trend of 35 or less per 100,000 for seven days, the mask order for indoor spaces will be lifted for most places.

In Grand County, Safeway is the only provider of Pfizer vaccine. The Pfizer vaccine has been approved for 12 to 15 year olds by the FDA.

There are 20 people in Grand County who have had one of the variants.

Vaccines distributed in Grand County is 15,417. About 10 percent of the vaccines have been given to people with a Grand County zip code.

Approximately 60 percent of the Grand County population is considered immune.

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

### Treasurer's Report

County Treasurer Frank DeLay presented the Treasurer's monthly report as well as the Treasurer's Budget Report.

### Manager & Attorney Items

County Manager Ed Moyer stated that the Board has a letter in opposition to the Fraser Valley Parkway.

Staff has been working with Denver Water on a number of things. Grand County owns the Benson Pit on County Road 5. The County leases 60 acres from Denver Water for the pit operation. Grand County needs to rework the Process Materials Agreement with Denver Water.

### Consent Agenda

Resolution No. 2021HA-5-3, "AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE GRAND COUNTY HOUSING AUTHORITY AND THE YAMPA VALLEY HOUSING AUTHORITY FOR ADMINISTRATION OF THE ROUTT COUNTY SECTION 8 HOUSING CHOICE VOUCHER PROGRAM"

Resolution No. 2021-5-4, "APPROVING A SERVICES CONTRACT BY AND BETWEEN TURN CORPS POLITICAL AND COMMUNICATIONS STRATEGIES, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2021-5-6, "APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDMENT / REVISION TO THE GRANT AND AGREEMENT (PROJECT 5085) FOR FEDERAL ASSISTANCE FROM THE U.S. DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE (NRCS)"

Resolution No. 2021-5-7, "APPROVING AND ADOPTING AMENDMENTS TO THE GRAND COUNTY PERSONNEL MANUAL, SECTION 8.08, "GROUP HEALTH AND DENTAL INSURANCE UPON SEPARATION / RETIREMENT" AND SECTION 10.03, "GROUP HEALTH INSURANCE"

Resolution No. 2021-5-8, "APPROVING AN AMENDMENT TO KREMMLING-MCELROY AIRFIELD GROUND LEASE FOR HANGAR C"

Commissioner Manguso moved to approve Consent Agenda.  
The motion passed unanimously.

### Board Business / Correspondence / Calendar

Commissioner Manguso moved to approve Resolution No. 2021-5-5, "OPPOSING BALLOT INITIATIVE 16 IN ORDER TO PROTECT OUR LIVESTOCK INDUSTRY AND PREVENT NEEDLESS ANIMAL SUFFERING" and authorize the board to sign.  
The motion passed unanimously.

The Colorado Off-Road Trail Defenders would like to open the Boulder Wagon Road.

The Board gave direction to:

1. Provide a letter of support to the Colorado Off-Road Trail Defenders

2. Work with attorney to research
3. Open up communication with Boulder and Gilpin Counties and the Forest Service

Commissioner Manguso attended TPR.

Commissioner Linke attended the Future of Ag in Colorado and Club 20.

### Calendar

May 12	Bureau of Land Management Resource Advisory Committee meeting from 10 am to 3 pm
May 13	Counties & Commissioners Acting Together (CCAT) Transportation Meeting via Zoom 8 to 9 am
May 13	National Association of Counties (NACo) National Membership Call via Zoom 2 to 2:30 pm
May 13	Peak Health Alliance Executive Health Committee meeting from 2 pm to 3 pm via Zoom
May 13	CCAT Wildfire Subcommittee Meeting via Zoom 4 to 5 pm
May 13	Sun Valley Lake Neighborhood Meeting via Zoom 5 to 6:30 pm
May 14	Colorado Association of Ski Towns (CAST) Tourism Meeting “Building Back Better” via Zoom 1 to 2 pm
May 14	CCAT Natural Resources & Environment Meeting via Zoom 1 to 2 pm
May 14	CSU Extension Office Small Animal Tag-In at Middle Park Fairgrounds 3 to 5 pm
May 14	STAC meeting
May 15	CSU Extension Office Small Animal Tag-In at Flying Heels Arena 8 to 10 am
May 17	Granby Landfill Site Visit 9 to 11 am
May 17	CCAT Governing Board 3:30 to 5 pm via Zoom
May 17	Board of Health Workshop RE: Operations w/ Public Health Director, as needed, BOCC Meeting Room, Hot Sulphur Springs, starting at 1:30 pm
May 17	Club 20 Executive Board retreat in Grand Junction
May 18	NACo Insights Along the Journey of I.T. Automation and Modernization, via Zoom 3 to 4 pm
May 19	Associated Governments of Northwest Colorado (AGNC) Board (hybrid) Meeting via Zoom and at the Craig Library, 9 am to 1 pm
May 19	CCAT All-Member Meeting via Zoom 1 to 2:30 pm

### Fire Recovery Update

Emergency Manager Joel Cochran presented.

Mr. Cochran had a work session with Commissioners and FEMA. They are working to find eligible work that fits within the authorities of Grand County, fits within Grand County’s jurisdiction and makes sense on the ground.

They just started merging information with Grand Foundation with primary homeowner table. They came up with about 34 names of people who had not been captured yet in surveys or other means. There is a lot of work across most of the property.

Megan Ledin of the Grand Foundation stated that there are more people on the Individual Needs group.

Grand County Builders Association is applying for grants to help with building permit fees.

Grand County Wildfire Council will providing chipping days.

The Grand County Wildfire Emergency Fund has awarded Grand County Wildfire Council \$125,000 to help with chipping and future recovery and mitigation.

Ms. Ledin has been meeting with regard to the EWP fund.

The Grand County Wildfire Assistance Fund has awarded out over \$1 million at the \$3.8 million raised.

Commissioner Manguso moved to authorize staff to sign letters and access agreements to property owners for Emergency Watershed Protection Program.

The motion passed unanimously.

The owner of the air curtain burner has requested a letter stating that the burner will be used in a disaster area.

Commissioner Cimino moved to approve a letter to be drafted and signed by the signatory requested to be stamped in the interest of time and the letter submitted.

The motion passed unanimously.

#### Public Hearing – Rotary Club of Granby, Liquor License Special Events Permit

The public hearing scheduled to begin at 11:00 a.m. was cancelled due to receiving no remonstrance.

Commissioner Cimino moved to approve the Rotary Club of Granby Special Events Permit at the Flying Heels Arena on June 5, 12, 19, 26, July 3, 4, 10, 17, 24, and 31 from 4 p.m. to 10 p.m. to sell malt, vinous and spirituous liquor as presented.

The motion passed unanimously.

#### Amendment to Resolution 2021-1-29, Temporary Emergency Planning & Zoning and Permit Fees Relief for Homeowners Affected by Fire Damage to Their Homes Associated with the East Troublesome Fire Local Disaster Emergency Declared in Resolution Number 2020-10-22 – Proposed to Include Building Permit Fee Reduction for Commercial Structures

Community Development Director Robert Davis stated that he believes there are fewer than a dozen commercial properties in the burn area that are of concern.

Mr. Davis stated that the original resolution did not identify commercial uses. The Temporary Emergency Resolution only addressed residential property. Mr. Davis would like to the Temporary Emergency Resolution to apply commercial and accessory structures.

Commissioner Manguso moved to amend Resolution No. 2021-1-29 to include commercial structures and accessory structures to have the reduced fee to \$500. This applies to structures in the fire burn area. Staff is to refund \$500 to any commercial or accessory permit already issued.

The motion passed unanimously.

#### U.S. Forest Service – Updates on Sulphur Ranger District, Fire Recovery Effort, and Upcoming Recreation Season

Shoshana Cooper, Sulphur District Ranger presented.

The Forest Service will continue to use virtual services. There is expected to be increased use in the Forests.

There will be education provided to the public in regard to bears and how to recreate safely.

There will be a camping closure on along .25 mile on either side of Forest Service Roads 148 and 156 beginning at the Forest boundary. This will be for one year to allow the land to heal.

Wildfire prevention continues to be at the forefront of what the Forest Service is doing. The Forest Service intends to be in alignment with the County and neighboring land managers.

The closure order for the fire area was extended to the end of June.

#### Public Hearing – Minor Subdivision Regulations

The public hearing scheduled to begin at 11:30 a.m. was called to order by Chair Linke at 11:40 a.m. County Manager Moyer set the record as follows:

- A Public Notice – Middle Park Times, dated April 15, 2021
- B Proof of Publication – Middle Park Times, dated April 30, 2021
- C Interested Parties Email List
- D Colorado Revised Statute 30-28-133
- E Email from Steve Vandas to Community Development Staff and others, dated October 13, 2020
- F Minor Subdivision Regulations Draft, dated May 6, 2021
- G Community Development Certificate of Recommendation, dated May 11, 2021

PROJECT NAME: Minor Subdivision Regulations  
APPLICANT: Grand County Community Development Department

LOCATION: Unincorporated Grand County

APPLICABLE REGULATIONS: Title 30, Article 28 C.R.S., Grand County Master Plan

EXHIBITS: Proposed Minor Subdivision Regulations

STAFF PLANNER: Alexander Taft, LEED Green Associate

REQUEST: Community Development is requesting approval to adopt the proposed Minor Subdivision Regulations.

## I. DISCUSSION

This proposal is a new process for the review and approval of Minor Subdivisions resulting in three (3) single family lots in Urban Growth Areas which are also served by public water and sewer. Staff feels that this section below best summarized these regulations:

These Regulations shall apply to the division of lands within the unincorporated areas of Grand County which also is located within an Urban Growth Area as defined in the Master Plan and served by Public Water and Sanitary Sewer.

To simplify the language and efforts of creating a new body of regulations, Staff started with the current Subdivision Exemption Regulations and portions of the Subdivision Regulations to create the Minor Subdivision Regulations.

These Minor Subdivision Regulations will fall under the statutory jurisdiction of C.R.S. 30-28-133, which grants Grand County the ability to approve regulations which review divisions of land under 35 acres. These land divisions are required to submit studies and analysis related to the adequacy of services and the feasibility of construction on the proposed parcels.

### a. Changes from Subdivision Exemption

The big changes include the following, separating review procedure and notice requirements in one section at the beginning of the regulations. Additions to the Minor Subdivision Regulations also included clarifying the Purpose, Authority, and Jurisdiction.

#### Review Procedure

The review procedure which has been drafted is intended to follow these steps:

- Administrative Sketch Plan Review conference
- Preliminary Plan and Final Plat Application
- Preliminary Plan and Final Plat Review by referral agencies and Staff
  - o Preliminary Plan Staff recommendation
- Review by Planning Commission
- Review by Board of County Commissioners
- Production of documents for signatures and Recording if approved

Staff would estimate these processes as proposed would take approximately 90-120 days. Much of that time, being approximately sixty (60) days, is utilized by referral agency reviews.

The Minor Subdivisions will be subject to both fire protection and school impact fees related to C.R.S. 29-20-104.5 and C.R.S. 30-28-133 (4.3). These impact provisions to help to offset the impacts created from the additional density of an approved subdivision to schools and fire. They ensure the continued function of those public benefits at a higher level of service.

## II. PLANNING COMMISSION REVIEW AND RECOMMENDATION

Following the Staff presentation of this material, the Planning Commissioners began asking questions and making comments. A comment was made about Section 3.8 Slash Removal/Disposal, it was mentioned that a more fire wise practice should be the requirement but this could be reviewed further and more widely applied in the future.

Commissioners also had some comments on minor typographical and grammatical items which have since been addressed by Staff. Additional discussion was generally positive and included ideas that we may want to consider for revisions to these regulations in the future after seeing how well they work as presented.

Planning Commission unanimously recommended the approval of the Minor Subdivision Regulations with a two-meeting review procedure. Staff requests that the Board of County Commissioners follow and approve the proposed Minor Subdivision Regulations.

Commissioner Cimino moved to adopt the proposed Minor Subdivision Regulations pending legal concurrence. 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 11:49 a.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 18<sup>th</sup> day of May 2021.

---

Merrit Linke, Chair

Attest:

---

Sara L. Rosene, Clerk and Recorder