

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

July 16, 2019

Present: Commissioner Richard D. Cimino, Commissioner District 1 - Chair  
Commissioner Merrit S. Linke, Commissioner District 2 – Acting Chair  
Commissioner Kristen Manguso, Commissioner District 3

Also Present: County Clerk and Recorder Sara L. Rosene  
County Manager Kate McIntire  
Interim County Manager Ed Moyer  
County Attorney Chris Leahy

Those present recited the Pledge of Allegiance.

Commissioner Manguso moved that Commissioner Linke to be acting chair with Commissioner Cimino being absent.

The motion passed.

Commissioner Manguso moved to remove the Blight Hearing and move the Executive Session to the end of Parks and Wildlife.

The motion passed.

Commissioner Manguso moved to approve the Meeting Minutes of July 9, 2019, of the Board of County Commissioners.

The motion passed.

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

Commissioner Manguso moved to exempt Unit 13, Lot 24, Coyote Creek at Winter Park for Austin Handley from the Affordable Housing Transfer Fee of 0.5 percent.

The motion passed.

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

County Manager Kate McIntire recognized the July anniversaries. Ronald Brynoff received special recognition of his 5-year anniversary with Road and Bridge.

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on July 17, 2019, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Manguso moved to approve the checks presented on July 16, 2019 for payment on July 17, 2019, for the Grand County Housing Authority.

The motion passed.

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on July 17, 2019, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Manguso moved to approve the vouchers presented on July 16, 2019, for payment on July 17, 2019, for the Grand County Board of Social Services.

The motion passed.

Commissioner Manguso moved to approve the wires payment and vouchers presented on July 16, 2019, for payment on July 17, 2019 for Grand County.

The motion passed.

Departmental Contracts, Comments, Issues

The Board gave Ms. Butler direction to proceed with the contract for the CRAFT grant.

Commissioner Manguso moved to authorize the purchase of a new refrigerator/freezer from Gambles as presented by Abby Baker for the Granby Nutrition site.

The motion passed.

Commissioner Manguso moved to approve and authorize the Chair to sign the Services Contract between Grand Futures Prevention Coalition and the Board of Commissioners in the amount of \$35,430.36.

The motion passed.

The Board agreed that the money retained in escrow for West Hillside Acres be used for seeding as it was originally intended.

Commissioner Manguso moved to approve the First Amendment of the Services Contract between Bowman Consulting, LTD formerly known Bowman Colorado Group LLC and the Board of County Commissioners for engineering consulting services through the end of 2019.

The motion passed.

Commissioner Manguso moved to approve out-of-state travel for Road and Bridge to perform the yearly salt run. There will be five drivers.

The motion passed.

Commissioner Manguso moved to approve and authorize the Chair to sign the Intergovernmental Agreement between Grand County and the Town of Fraser for the Fraser to County Road 5 US 40 Study in an amount not to exceed \$50,000 of that Grand County's portion is not to exceed \$25,000.

The motion passed.

Commissioner Manguso to authorize the Chair to sign and approve the grant award letter between the Colorado Department of Transportation, Aeronautical Board Division of Aeronautics and Grand County for the Kremmling Airport work. The local match amount is \$15,032.50.

The motion passed.

Manager & Attorney Items

County Manager Kate McIntire presented her weekly update.

Commissioner Manguso moved to make July 30, 2019, a Regular Board of Commissioner's meeting day as it is the 5<sup>th</sup> Tuesday.

The motion passed.

Consent Agenda

Resolution No. 2019HA-7-2, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, ACTING IN THE CAPACITY AS THE GRAND COUNTY HOUSING AUTHORITY BOARD, TO EXECUTE A WARRANTY DEED BETWEEN THE HOUSING AUTHORITY OF THE COUNTY OF GRAND AND THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO"

Resolution No. 2019HA-7-3, "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, AUTHORIZING ANY BOARD MEMBER TO EXECUTE NECESSARY FORMS AT GRAND MOUNTAIN BANK TO ESTABLISH WIRE CAPABILITIES FOR THE DOWN PAYMENT ASSISTANCE ACCOUNT"

Resolution No. 2019HA-7-4, "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 A BOARD MEMBER TO EXECUTE A CASHIER'S CHECK”

Resolution No. 2019-7-5, “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 TO THE BUREAU OF LAND MANAGEMENT FOR FEDERAL ASSISTANCE TO MAP AND MANAGE NOXIOUS WEEDS”

Resolution No. 2019-7-6, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE AN AGREEMENT BY AND BETWEEN THE TOWN OF WINTER PARK AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO SHARE BUILDING INSPECTION SERVICES”

Resolution No. 2019-7-7, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO ACCEPTING THE PROPOSAL FROM GEORGE K. BAUM & COMPANY FOR THE PROVISION OF UNDERWRITING CONSULTING SERVICES AND AUTHORIZING THE COUNTY MANAGER TO SIGN APPLICABLE DISCLOSURES”

Resolution No. 2019-7-8, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A FIRST AMENDMENT TO THE FUNDING DISBURSEMENT AGREEMENT FOR THE COLORADO RIVER COOPERATIVE AGREEMENT ARTICLE III.E.14 FINANCIAL CONTRIBUTION TO INFRASTRUCTURE PROJECTS IN GRAND COUNTY”

Resolution No. 2019-7-9, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO AUTHORIZING THE GRAND COUNTY ECONOMIC DEVELOPMENT COORDINATOR TO TRAVEL OUT-OF-STATE”

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed.

Commissioner Manguso moved to convene an Executive Session at 9:27 a.m. citing Section 24-6-402, CRS, which states that local public bodies may utilize executive sessions for considering any of the following matters (specifically): (4)(b) Conferences with an attorney for the local public body for the purposes of receiving legal advice on a specific legal question. The topic of the meeting is employment policies. Present for the meeting was the Board including Commissioner Cimino by phone, County Manager, Assistant County Manager, County Attorney, Assistant County Attorney, and Human Resource Director.

The motion passed.

The Executive Session ended at 9:43 a.m.

I, Merrit Linke, hereby attest that the portion of the executive session during which no minutes were taken was confined to a topic authorized for discussion in an executive session.

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I, Chris Leahy, hereby attest that the portion of the executive session during which the Recorder was directed to take no minutes constituted a privileged attorney-client communication.

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Board Business/ Correspondence/ Calendar

Commissioner Linke participated in the Historic Ride over Cottownwood Pass for the Historical Association. Commissioner Linke attended the Club 20 Summer Policy meetings in Snowmass.

Commissioner Linke attended the Headwaters Water Museum grand opening. Commissioner Linke participated in chipping days.

- July 18 Elected Officials meeting at 7:30 a.m. at the Bait Shop Café  
July 18 Medical Director meeting at 11:00 a.m. at Middle Park Health – Commissioner Linke  
July 22 Needs Assessment Workshop 8:00 a.m. to 11:30 a.m. in the Board room – All three commissioners  
July 25 & 26 Club 20 meeting in Grand Junction – Leadership Call

### US Forest Service Quarterly Update

John Morrissey of the United State Forest Service presented an update.

The Blue Ridge Fire is a prescribed fires and they have burned approximately 500 acres. They are doing prep work for the fall burning season.

Strawberry Bench is 1700 acres of salvage cutting. Currently the Forest Service is asking for comments on the salvage cutting.

The East Grand Places 2050 is a visioning process between Winter Park Resort and the Forest Service. It is to look at the growth of recreation and the impacts associated with it.

### Water Protection Update

Presented by Assistant County Manager Ed Moyer and Water Quality Specialist Katherine Morris.

Colorado River Headwaters Connectivity Project:

#### NEPA Watershed Plan

- McMillan Jacobs- Draft Watershed Plan EA completed. Target EA Public Notice in August.
- NW contracted AECOM to complete additional NRCS required work/evaluations by mid-July: dam safety standards, dam breach assessment, sediment transport analysis / HEC-RAS model and updated flood hydrology of the CO and Fraser basins above/below WGap.
- These unforeseen NRCS requirement delayed the EA schedule by 6-8 weeks. Evaluation will be incorporated into the draft Watershed Plan - EA. Target date for the EA FONSI is late 2019 and worse case scenario March 2020.
- Overall Delay justifies a 6<sup>th</sup> Year Project Extension request, plus recent Farm Bill streamlined extension process.

#### Project Final design-build RFP

- NW to public RFP in mid-July.
- NW to contract with a design engineer prior to issuance of a ROD and FONSI with NRCS approval.

#### Water Court Case

- Municipal Subdistrict sent final offer to downstream property owner. Mediation set for late July.
- Next status conference delayed until after mediation.

#### Fundraising (\$2M remaining):

- Updated Project Cost Estimates will be provided in July. Likely not public information, as we get closer to bidding the project.
- USACE 2019 Continuing Authorities Program (CAP) funding.
  - CAP team finalizing Federal Interest Determination (value and feasibility)
  - CAP must follow NRCS timeline.
  - NRCS authorization needed, and project components will be split (Res. Mod. vs. Channel)
  - Decision on CAP AFTER updated project cost estimates are provided.
- Anonymous \$1M Donor Challenge – TU has raised \$175K already!
- Grand County is discussing grant opportunities with GOCO. Project Tour late August.

#### Habitat Project (CPW)

- \$1M of the CPW Habitat Project at Kemp Breeze SWA will be completed as in-kind for RCPP funding on Connectivity Project (Construction 2021 and 2022).
- 30% design completed and on schedule! Out for internal CPW comments.
- 30%-100% Design will go out to bid. Northern Water is funding the design cost via IGA with CPW.
- Final Design: March 2020.
- Construction bid Spring 2020, and commence work as early as summer 2020.

#### Project Team Meetings

- Next Call – July 24

1177 Colorado River Basin Roundtable

#### Next Meeting – July 22

- TU – Granby Diversion Improvement Project

- \$50K Basin request. \$162,403.84 Statewide Account request.
- appears it will be approved by Next Steps Committee)

#### Grand County Mutual Ditch and Reservoir Company

- GCMDRC continues to work with CWCB and Colorado Water Trust on the Substitute Water Supply Plan as legal instrument for Pilot Project (2020 implementation).
- Creates additional in-stream flows in Fraser River for environmental water and other uses (R&B Op's for example).
- Accomplished by Denver Water diverting and using GCMDRC stored shared in Meadow Creek Res., then retiming and delivering same amount of water to upper Fraser River via the Moffat or Vasquez Collection System (Clinton delivery points).
- Team coordinating with Grand County Irrigated Land Company attorney and engineer to finalize CU and Net Depletion engineering. GCILC will need to formally approve Pilot Project.
- GCMDRC responsible for Net Depletions (lagged returns, etc.).
- Once approved by GCILC, GCMDRC will make formal application to CWCB; requires two Board Meetings for approval, including public notice and State Engineer approval.
- CWCB Program: 3 in 10 year Program
- Potential ISF compensation. Could be used to pay for engineering and leverage needed funding for Vail Ditch improvements to benefit all shareholder and GCILC.

#### Lease of Additional GCILC Shares –

- GCMDRC may lease additional shares in the GCILC.
- GCMDRC would sublease the shares.
- A portion of the subleased shares could be put to beneficial use on three County owned properties adjacent to the KGNB airport (that the County has historically leased for summer grazing), subject to an executed County lease agreement.
- In summary, these shares could ultimately help with the Pilot Project and the mission of GCMDRC.

#### [www.gcwin.org](http://www.gcwin.org)

- Membership fee increase proposed for 2020.
- Migration to Ambient Water Quality Monitoring System (AWQMS) database continues.
- Tiny Trouts program at Granby Play Days starts water literacy early!
- Weekly Grand Lake Adaptive Management calls depend upon Secchi, stream temp, & conductivity monitoring, weekly Learning by Doing Operations use stream temperature.
- Collaboration with East Grand Water Quality Board and Colorado Rural Water Association at Blues Fest.

#### Grand Lake Adaptive Management “GLAM” 2019 Final Operational Plan

- Manage trade-offs between east slope skim hydropower opportunities and the use of remaining Granby Reservoir storage. This is done by adjusting diversions through Adams Tunnel across flow rates smaller than its capacity during June and July. An ideal outcome will have Granby Reservoir storage peaking near capacity, and Olympus Tunnel running at or near capacity for several weeks. Various other considerations may tip the scales away from that ideal.
- A period for Grand Lake settling will be sought beginning in early July. This period is anticipated to end no later than July 15. Operations will target ongoing flows from Grand Lake to Shadow Mountain at a rate of 40 cfs. Coming on the heels of large natural inflows, defining the start and end of this period requires consideration of:
  - Remaining Granby Storage
  - East slope skimming opportunities
  - Shadow Mountain total inflows
  - Miscellaneous water quality parameters at Shadow Mountain Reservoir, Granby Reservoir and Grand Lake, which may include secchi, temperature, dissolved oxygen, and chlorophyll observations
- Near the end of the settling period, a brief flushing of the Farr Pump Canal may be performed. Pumped water will be combined with natural inflow to Shadow Mountain and released to the Colorado River and stored in Granby. The timing, magnitude and duration of this operation has not been determined.
- Following the settling period, Adams Tunnel diversions will resume with daily-averaged flows approximating 500 cfs for five days of the week (probably Tuesday – Saturday), 300 cfs on Sunday, and 355 cfs on Monday. The actual weekly pattern may evolve, if maintenance goals associated with reduced Monday flows are not met. Flow rates within any given day may vary depending on operational considerations, power values, etc. Flows at the various east slope facilities will vary both within a day and within a week to produce maximum benefit consistent with the Standard Operating Procedures.
- Farr Pumping will occur as needed to support Adams Tunnel diversions. The number of units run, and their start and stop times will continue to reflect economic efficiencies.

Northern Water has asked Reclamation to consider flushing Farr pump canal and “short circuiting” down Shadow Mountain Dam prior to moving water north. Farr pump canal contains 90 AF of water—trivial compared to volume of the C-BT system or even just SMR, however it may “seed” the reservoir with cyanobacteria and algae that grow in the canal during times of no pumping.

Strawberry Creek on 6/3/19: water contained lots of humic and fulvic acids giving it a tea-like appearance. This effect was common throughout the system, as organics that didn’t mobilize in 2018 were carried off in the abundant 2019 runoff.

Delivery of Northern’s new water quality buoys and multi-parameter sondes was delayed, but the units, which are partially funded by Reclamation, are now installed and undergoing testing. We’ve been without the 4-hour water quality profile data that we’ve had in prior years, but in the interim, GCWIN stepped up and has been taking some profiles.

[www.grand.countyLearningbydoing.org](http://www.grand.countyLearningbydoing.org)

Management & Technical Committee

Next Meeting: July 2018

- USGS Water Quality Presentation
- Headwater’s Project Update – CPW Monitoring and Research
- Monitoring RFP Update
- 2019 In-Season Op’s Update
- Hammond Ditch Fish Screen / Fraser River Diversion Update
  - Received 3 Proposals; higher priced than expected. Funding Shortfall
  - Interviews July 19. Ditch owners to attend.
  - \$27K Roundtable Grant Approved.
- LBD, Inc. – selection of bookkeeping service
- Beginning to research comprehensive reporting options. Would be contracted and generated only every 3-5 years.
- Monitoring RFPs for macroinvertebrates & sediment open currently. LBD has for now moved away from the annual monitoring and reporting that was being conducted by Tetra Tech, and the foundation for that work being based on brown trout habitat and spawning success.
- Continuing work on Aquatic Resource Monitoring Plan.

Moffat Firming

- Federal Energy Regulatory Commission (FERC) Permit Order Amendment to the Gross Reservoir Hydro Permit.
  - FERC issued Final EA with a Finding of No Significant Impact (FONSI).
  - EA was published.
  - Order pending issuance.
- Boulder County 1041 Permit-
  - Lawsuit: Denver Water filed suit appealing Boulder County 1041 permit decision.
  - Denver Water submitted 1041 Permit Application, pending court decision.
  - Boulder County declined to accept 1041 Application until court ruling.
- Enviro lawsuit filed December 19, 2019: NEPA and ESA challenge against USACE and USF&WS contesting the Final EIS - Purpose & Need and issuance of the 404 Permit.
  - No update

Gross Reservoir Expansion 41.8 KAF currently

- Raise Dam 131 Ft. to add 77KAF - accommodate current needs, growth projections, system flexibility.
- City of Boulder and Lafayette 5,000 AF environmental pool to enhance stream flow on 17 miles of South Boulder Creek, including stream restoration.

Grand County / CRCA Implementation Triggers are contingent on Moffat Project Permitting or Gross dam Construction:

- LBD Cooperative Effort
- Grand County 1,000 AF Fraser River Bypass flow,
- 1,000 AF Williams Fork,
- Grand County Water Users - 375 AF, Clinton Bypass Water, Snowmaking water, etc.
- USFS 1,500 AF Fraser Bypass flows,
- \$3.95M in Project Funding - WPWSD and WPRA
- \$2M Water Quality Funding,
- \$3M LBD Aquatic Habitat Enhancement,
- \$1M LBD or Aquatic Habitat Mitigation (Denver Water using \$984K for Mitigation on Williams Fork River per CRCA)
- \$1M for Windy Gap Pumping, etc.
- 12.5% surcharge for West Slope Fund (Grand County and Summit County split 20%) – funding to LBD.

- Shoshone Outage Protocol
- No West Slope Water Rights Development

#### Wild and Scenic Stakeholders Group

##### W&S SG Governance Committee – June 21 Meeting in Glenwood

- Fishing and Floatboating ORV Indicator confidence intervals (cont.)
- Use of Resource Guides in the SG Plan discussion (cont.). This continues to be a point of contention between stakeholders and will be discussed at next W&S Meeting on Aug.28.
- Approval of 2018 Annual Report and Monitoring Report

ACM attending W&S Executive Committee on July 25

#### Windy Gap Firing Project (WGFP)

##### WGFP Lawsuit

- Judge ruled on administrative record and its now finalized. West Slope partners are entering a joint amicus brief to outline the WGFP IGA and other negotiated enhancements.

##### WGFP IGA

- Discussion re: public access and open space, as well as discussing processed materials agreement.

##### WGFP 1041 Permit conditions:

- Staff continues to meet with Municipal Subdistrict to address Conditions 22 and 30.
- Next Meeting - August 7

#### 448 Condos Amended Final Plat

PROJECT NAME: 448 Condominiums, Amended Final Plat  
APPLICANT: Virga Corporation represented by Dan Gile and Jerry Ashback  
LOCATION: 448 GCR 834 (Cranmer Ave.)  
ZONING: A- Accommodations District  
APPLICABLE  
REGULATIONS: Grand County Zoning Regulations, Grand County Master Plan, Subdivision Regulations  
ATTACHMENTS:  
A. Vicinity Map  
B. Letter of Application and Narrative  
C. Winter Park Ranch Second Filing Final Plat Rec. No. 103408  
D. The Ridge at Meadow Ridge Rec. No. 149967  
E. Proposed Plat Survey  
F. Architectural Footprints and Elevations  
G. Construction Documents (Civil Engineering)  
H. Phase III Drainage Stormwater Report  
I. Review comments to serve letters from:  
1. East Grand Fire Protection District  
2. Bowman Consulting Engineers, Tim Gagnon  
3. Response Letter from JVA Consulting Engineers  
4. Colorado Geologic Survey  
5. CenturyLink  
J. Articles of incorporation  
K. Declaration and Covenants  
L. Association Bylaws  
M. Title Commitment  
N. Architectural Site Plan  
STAFF PLANNER: Alexander Taft, LEED Green Associate  
REQUEST: Approval of an Amended Final Plat to construct a nine (9) unit condominium building.

#### I. BACKGROUND

##### a. History:

Second Filing of Winter Park Ranch recorded at Reception No. 103408 Lot 17 Block 1 was platted as part of 111 lots on approximately 112 acres. Many of these lots now contain multi-family subdivisions creating densities of 3 to 7 dwelling units per acre.

The Ridge at Meadow Ridge Subdivision was originally recorded on September 23, 1977 at Reception No. 149967.

This Plat contemplated an additional 12 units that span Lots 15, 16, and 17.

##### b. Proposal:

The Applicant proposes nine (9) units in one building similar to buildings within Cozens Pointe at Grand

Park which is another project completed by the Applicant. This is consistent with “The Ridge at Meadow Ridge” Plat recorded in 1977.

The subject parcel is surrounded by other condominium complexes such as:

- The Ridge at Meadow Ridge
- Grandview Townhomes I & II
- Acadia Condominiums
- Meadow Ridge Lodges
- Pines At Meadow Ridge

## II. STAFF COMMENTS AND ANALYSIS

The property has been subject to several different proposals consisting of nine (9) units. Most recently, Panorama Townhomes was approved on July 17, 2012 but never recorded. Panorama Townhomes received recording extensions yearly and recently sold the project to Virga Corporation. Staff was approached in December 2018 about this proposal as a townhouse plat which was not workable for the Applicant. Condensing the units into one structure keeps a consistent theme with many of the adjacent developments along this ridge. Since the June Planning Commission meeting, Staff has been closely working with the Applicant on completing items to satisfy Colorado Geologic Survey and Grand County Consulting Engineer. At the time of this report, Staff has received email from Colorado Geologic Survey that they will be revising the letter with no further concerns. When Staff receives a letter from the Grand County Consulting Engineer, it will be included with the Resolution as an Exhibit.

## III. RECOMMENDATION

During the regular meeting May 8, 2019 Staff presented this application, there was a questioned raised by the Commission about soils and slope setback on site as referenced in the review from CGS. Due to this and the absence of the Applicant, Staff requested the item be tabled to wait on further information and clarification on the concern raised by the Commission.

During the regular meeting June 12, 2019, the Application was reviewed with the recent soils report as requested by CGS, Grand County Consulting Engineer, and Planning Commission. Most of the concerns that were raised were mitigated with the soils report information. Staff made clear that the additional information had been sent back for review by those referral agencies. Additional discussion took place regarding the condition for a contribution to affordable housing. It was mentioned that the County should look at amendments that require it.

Planning Commission unanimously recommended the approval of the Amended Final Plat, 448 Condominiums with the following to be addressed prior to any approval by the Board of County Commissioners:

1. Review and approval subject to conditions listed within the memo provided by the Grand County Consulting Engineer under Construction Plans and Soils Investigation Report shall be addressed prior to Board of County Commissioners.
2. The soils study will be reviewed by the Colorado Geological Survey prior to the presentation to the BOCC. The following conditions to be met prior to the recording of the Amended Final Plat:
3. All these conditions are subject to review and approval by the Grand County Consulting Engineer prior to recording the Amended Final Plat.
4. The Applicant is encouraged contribute to an affordable housing fund with the County.
5. Any proposed monument sign shall have a dedicated easement and comply with 13.3 Sign Standards.
6. The applicant shall remit \$20,151 for school impact fees pursuant to Section 5.7.
7. The Applicant shall comply with addressing signage as referenced in Section 5.8.
8. The title shall be corrected and conveyance to the subdivider recorded at Reception No. 2019001587 note shall be added to the title (7.3 (2) (a)).
9. GCR 834 shall be added in front of the road names on the Final Plat (7.3 (2) (e)).
10. The executed original of the Restrictive Covenants and Articles of Incorporation and Bylaws of any owners' association showing filing of the Articles in the office of the Secretary of State of Colorado shall be reviewed by the County Attorney's office prior to recording the Final Plat. (7.3 (2) (n)).
11. A statement of taxes that shows all taxes have been paid shall be submitted (7.3 (2) (p)).
12. An electronic copy in AutoCAD.dwg or AutoCAD.dxf of the Final Plat shall be submitted (7.3 (2)(r)).
13. The applicant shall enter into a Water Quality Agreement with the County and remit \$4,500 for water quality impact fees (7.3 (3) (f)).
14. Applicant shall comply with all requirements listed within the provisions listed Section 7.4 As-Built Plats and Maps.
15. All recording fees are to be paid by the Applicant.
16. All applicable building and sanitation permits shall be obtained through the County prior to construction.

Commissioner Manguso moved to approve 448 Condominiums, Amended Final Plat as presented.



The motion passed.

### Lasater Subdivision Exemption, Sketch Plan

PROJECT NAME: Lasater Subdivision Exemption- Sketch Plan  
APPLICANT: Denis Lasater represented by Alan Hassler, Hassler Law, P.C.  
LOCATION: A parcel of land located in Tract 87 and Tract 78, Township 1 South, Range 82 West of the 6th P.M. Grand County, Colorado.

APPLICABLE REGULATIONS: Zoning Regulations, Subdivision Exemption Regulations, Master Plan  
ZONING: F– Forestry and Open District  
ATTACHMENTS:  
a) Application and Narrative Letter  
b) Sketch Plan (Plat)  
c) Vicinity Map  
d) Title Commitment  
e) Recorded Property Transfer Deeds  
f) Mineral Rights Notification  
g) State Well Permit  
STAFF PLANNER: Alexander Taft, LEED Green Associate  
REQUEST: The Applicant is proposing a Subdivision Exemption to divide a single parcel from a 48 acre tract of land.

## I. BACKGROUND

### a. PROPOSAL

Approximately 48 acres owned by Denis Lasater, herein referred to as the Applicant, is requesting his property be split into two lots consisting of 9.234 acres and 35.638 acres through the process of Subdivision Exemption. The property currently contains an agricultural residence constructed by the owner in 2005-6 and maintains agricultural operations.

### b. HISTORY

Original tract of land was a 160 acre parcel created by Book 17 Page 356 as a portion of an original homestead tract issued by the Federal General Land Office dating back to 1929. The Applicant purchased the property in 1984 and conveyance of the 48 acre parcel as described Warranty Deed Recorded in Book 352 and Page 484 with water rights from ditches that run through or terminate on the property. The access through the property is County Road 11 created by Book 157 and Page 589. County Road 11 connects to County Road 1, also known as Trough Road, to Radium.

## II. STAFF ANALYSIS

The parcel lies near the boundary of Grand County and Eagle County and approximately 12 miles, straight line distance, from the Town of Kremmling. It's well outside any Growth Area Boundaries, the closest being Kremmling Growth Area Boundary at approximately 11 miles. The subject parcel is surrounded by large acreage parcels owned by the State Land Board and Bureau of Land Management.

Radium is a location known in the County for being a hub that grants access to recreational opportunities along the Colorado River. The additional lot that this creates opens opportunity for future recreational related development with necessary permitting.

In review of the State issued well permit the subject property appears to have water to serve three (3) households and 1 acre of outdoor irrigation for livestock or crops. Staff will be sending the application for referral to the Colorado State Division of Water Resources.

## III. PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed this application during their regular meeting July 12, 2019. Discussion was had surrounding extension of electrical service to the property. The extension of service was clarified because there is no or uncertain development for the adjacent parcel. Concern was raised about the Parcels B, C, and D and their inclusion to the Parcels 1 and 2. It was decided that the identified Parcels B, C, and D shall be removed from the Plat and shall be included into the legal description of Parcel 1.

Planning Commission unanimously recommends the approval of the Lasater Subdivision Exemption Sketch Plan with the following conditions to be met prior to submitting an application for Final Plat approval:

1. All extensions of utilities shall be placed underground where not already existing, a note to this effect shall be added to the Final Plat [§2.2 (1-14)].
2. The proposed Plat will be referred for comment by utility companies including: Yampa Valley Electric, Xcel, CenturyLink, and Comcast to verify if additional easements shall be dedicated [§2.2 (1-14)].

3. State Well Permit shall be updated following the recording of the Plat [§2.5 1-3].
  4. Referral letter from Colorado State Engineers, Division of Water Resources office for a referral on an exemption parcel so the existing well permit parameters are clearly defined before a Final Plat is presented [§2.5 1-3].
  5. A note shall be added to the Plat limiting the Parcel 2, a 35 acre parcel, to no greater than two (2) lots resulting in a total of three (3) parcels [§2.5 1-3].
  6. The Applicant shall be responsible to pay any impact fees prior to recording the Final Plat associated with this application including but not limited to: School Impact and Fire Impact Fees [§2.10 1-6] [§3.3(3) (f)].
  7. Names, addresses, and telephone numbers of the subdivider and other parties involved shall be added to the Final Plat [§3.2 (2) (c)].
  8. The Final Plat shall include a scale of not less than 1"= 100' [§3.2 (2) (d)].
  9. The Final Plat shall include the width of adjacent County Right-of-Way [§3.2 (2) (f)].
  10. The Applicant shall enter into a Water Quality Agreement with the County [§3.3 (3) (g)].
  11. The title and legal description shall be reviewed by the County Attorney.
  12. The Final Plat shall include the width of adjacent private and County Right-of-Way [§3.3 (2) (f)].
  13. Statement of taxes due showing current taxes paid. This shall be provided prior to recording of the Final Plat.
  14. The Applicant shall meet all Final Plat requirements.
  15. Parcels B, C, and D shall be eliminated as separately identified parcels creating a Plat that only identifies the creation of 2 parcels.
- All legal documents required in conjunction with the final approval of this request are subject to the review and acceptance of the County Attorney.

It will be clarified in the approval that no domestic well permit can be issued on the remaining lots without an augmentation plan.

Commissioner Manguso moved to approve the Lasater Subdivision Exemption- Sketch Plan as presented with the additional language regarding a domestic well permit.

The motion passed.

#### Board Business

Mr. Moyer stated that a few years ago and prior to our 404 Permit expiring on County Road 522 (Fraser Valley Parkway), he wrote a letter to the Corps of Engineers requesting an extension. Part of the process is to go back to the state historical preservation officer. The County has to perform archeological and cultural studies in those areas prior to the impact happening.

The County is now required to have a new programmatic agreement. The state wants jurisdiction over the entire project instead of just part of it.

The Corps of Engineers is working diligently working on this.

Commissioner Manguso moved to convene an Executive Session at 1:28 p.m. citing Section 24-6-402, CRS, which states that local public bodies may utilize executive sessions for considering any of the following matters (specifically): (4)(b) Conferences with an attorney for the local public body for the purposes of receiving legal advice on a specific legal question. The topic of the meeting is for personal property law advice regarding the Board of Equalization. Present for the meeting are Commissioners Linke and Manguso, Assistant County Manager, County Manager, County Attorney, Assistant County Attorney and County Paralegal.

The motion passed.

The executive session ended at 1:42 p.m.

I, Merrit Linke, hereby attest that the portion of the executive session during which no minutes were taken was confined to a topic authorized for discussion in an executive session.

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I, Chris Leahy, hereby attest that the portion of the executive session during which the Recorder was directed to take no minutes constituted a privileged attorney-client communication.

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GC Rural Health Network – Community Mental Health Crisis Update

Jen Fanning, Executive Director of the Rural Health Network presented.

On June 19, 2019, Mind Springs Health announced that they were terminating mobile mental health crisis response in their 10-county catchment area.

Ms. Fanning stated that Mind Springs has two scopes of work – daily work during office hours and therapist who respond to mental health emergencies. The line of work being terminated is the mental health emergencies.

The Office of Behavioral Health is realigning their districting.

Rocky Mountain Health and Mind Springs Health will continue negotiating.

Colorado Parks & Wildlife Update and Natural Resources Roundtable Proposal

Lyle Sidener, Area Wildlife Manager for Colorado Parks and Wildlife presented.

Mr. Sidener would like to propose a Natural Resources Roundtable quarterly meeting with the Commissioners to keep an open dialogue. The Board would like to change to that format.

Mr. Sidener stated that there was a confirmed wolf sighting in Jackson County.

Blight Hearing, 1800 GCR 85 / Elk Horn Drive (Leviker) - Cancelled

There being no further business to come before the Board, the meeting was adjourned at 2:50 PM. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 23<sup>rd</sup> day of July 2019.

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Merrit Linke, Acting Chair

Attest:

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Sara L. Rosene, Clerk and Recorder