

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

August 5, 2019

Present: Commissioner Richard D. Cimino, Commissioner District 1 - Chair  
Commissioner Merrit S. Linke, Commissioner District 2  
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 Linke moved to approve the Meeting Minutes of July 30, 2019, of the Board of Commissioners.

The motion passed unanimously.

Commissioner Manguso moved to approve the renewal of the Hotel & Restaurant Liquor License with Optional Premises for Robert C. Munro, Owner/Manager of Grand Manor, LLC dba The Apothecary Bar and Lounge as presented by the Clerk and Recorder.

The motion passed unanimously.

Commissioner Manguso moved to approve the Grant Award Letter Summary of Grant Award Terms and Conditions from Electronic Recording Technology Board to Grand County in the amount of \$43,340.

The motion passed unanimously.

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

Housing Authority Director Sheena Darland stated that there was wind damage to the roof last year at Cliffview Assisted Living.

The deductible on the insurance at that time was \$50,000. Ms. Darland stated that replacement reserve account has about \$48,000 in the account.

Ms. Darland asked for a recommendation on how to handle this issue.

The Board agreed that staff is to use the \$48,000 out of the replacement reserve account and request that the insurance company move forward with getting the roof fixed.

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

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on August 7, 2019, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Linke moved to approve the checks presented on August 5, 2019 for payment on August 7, 2019 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 August 7, 2019, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Linke moved to approve the vouchers presented on August 5, 2019, for payment on August 7, 2019 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Linke moved to approve the wires payment and vouchers presented on August 5, 2019, for payment on August 7, 2019 for Grand County.

The motion passed unanimously.

#### Departmental Contracts, Comments, Issues

Road and Bridge Superintendent Chris Baer stated that Grand County suspended Road Hearings in 2015 because the County was and is not in the position to take on more roads. The people in Stagecoach Subdivision have asked the County to take over the roads in their subdivision.

Commissioner Manguso moved to approve and authorize the Chair to sign the Intergovernmental Cost Sharing Agreement for County Road 8 Bridge over the Fraser River as presented by Ed Moyer.

The motion passed unanimously.

#### Manager & Attorney Items

County Manager Kate McIntire presented her weekly update.

County Attorney Leahy stated that Grand Lake Fire has submitted an application for an ambulance service. Sheriff Schroetlin stated that he will be meeting with Grand Lake Fire, Dispatch, Middle Park Health, and the County Manager on this issue.

#### Consent Agenda

Resolution No. 2019-7-28, A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO ELECTRONICALLY EXECUTE A WORK ORDER BETWEEN COLORADO INTERACTIVE, LLC AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR PORTAL SERVICES”

Resolution No. 2019-7-29, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO AUTHORIZING THE GRAND COUNTY CLERK AND RECORDER TO HIRE OUTSIDE LEGAL COUNSEL FOR REPRESENTATION IN 2019CV030056”

Resolution No. 2019-7-30, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO AUTHORIZING THE GRAND COUNTY PUBLIC TRUSTEE TO HIRE OUTSIDE LEGAL COUNSEL FOR REPRESENTATION IN 2019CV030056”

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

Commissioner Manguso moved to convene an Executive Session at 10:16 a.m. pursuant to CRS 24-6-402, Sections (4)(e)(I), (4)(a), and (4)(b) – to determine positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators; for the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; And for Legal Advice (if needed) RE: Facility Needs Assessment

The motion passed unanimously.

The Executive Session ended at 10:34 a.m.

#### Board Business/Correspondence/ Calendar

Commissioners Linke and Cimino attended at tour of Wolford Reservoir.

Commissioner Cimino met with members of the Stagecoach Meadows Homeowners Association.

Commissioner Cimino met with the Assistant Medical Director for Grand County.

#### Calendar

August 7 Sagebrush meeting at 5:30 p.m.

- August 7 CCAT received an invitation from Governor Polis to review legislative priorities for 2020 – Commissioner Cimino will attend
- August 7 Commissioner Cimino will be attending the Rural Health Network Board meeting at 6:30 p.m. in Granby
- August 9 Club 20 call at 8:30 a.m. – Commissioner Linke
- August 10 Commissioner’s Cookie Jar at the Middle Park Fair – All three commissioners
- August 10 Take tickets at the Easton Corbin Concert at 4:00 p.m. at the Middle Park Fair – All three commissioners

Grand County Board of Equalization - Referee Recommendations, Rulings

Commissioner Manguso moved to approve and authorize all three of the Boards’ signatures to be stamped on Resolutions 2019BOE 1 -106 and 108 – 111 including all resolutions with letters as well as numbers as presented.

The motion passed unanimously.

Public hearing – Proposed Blight Ordinance

The Public Hearing scheduled to begin at 1:00 p.m. was called to order by Chair Cimino at 1:00 p.m. County Attorney Chris Leahy set the record with the following exhibits:

- A Public Notice – Middle Park Times, July 25, 2019
- B Proof of Publication – Middle Park Times, July 25, 2019
- C Interested Parties Email List
- D Public Review Sheet
- E Proposed changes to Ordinance #6

The Community Development presented the reasons for the need to change the Blight Ordinance and discussed what was confusing for people and changes have been made to add clarification to the ordinance.

Commissioner Cimino asked for and received public comments.

Both Eden Recor and Rudolpho Perez identified some agricultural property that is a concern. Currently, agricultural property is exempt from the Blight Ordinance.

Commissioner Manguso moved to that Board approve the Proposed Blight Ordinance as presented with the removal of the last sentence under 1(A)(2) and put a period after the word “infestation.”

The motion passed unanimously.

Commissioner Manguso moved to amend the motion to approve the Ordinance Amendments for adoption with the changes as noted.

The motion passed unanimously.

Commissioner Manguso moved to close the public hearing and changes to the Ordinance will be read into the record later today.

The motion passed unanimously.

Legal Intern Presentation – TaLise Hansen

Legal Intern TaLise Hansen presented. Ms. Hansen interned with the County Attorney’s Office this summer.

EMS Intern Presentation – Ed Connolly

EMS Intern Ed Connolly presented. Mr. Connolly interned with Emergency Medical Services this summer.

Community Development/Building Department Intern Presentation – Charlie Multerer

Community Development Intern Charlie Multerer presented. Mr. Multerer interned with the Community Development Department this summer.

Grand Foundation – 2018 Report and Recommendations

Grand Foundation Executive Director Megan Ledin presented. Ms. Ledin provided the history of Grand Foundation.

In 2018, Grand Foundation awarded out \$347,229. There were 51 applicants that were awarded. There were 15 scholarships granted to graduating seniors. The scholarships were granted to West Grand High School, Middle Park High School, and Winter Park Christian Center with 41 percent health and human services, 27 percent education, 15 percent arts and culture, nine percent environment, and eight percent sports and recreation.

In 2018, the Grand Foundation had nine donor advised funds that awarded monies in the amount of \$632,024 for 392 applicants awarded. There were 207 lives impacted. The percentage breakdowns are 58 percent health and human services, 18 percent education, 12 percent arts and culture, 5 percent environment, and 7 percent sports and recreation.

Designated funds come into play when there is a need that is not being met in the community.

2019-2020 Goals for Grand Foundation

- Building awareness
- Continue raising funds for endowments
- Interns
- Add more nonprofit endowment funds
- Establishing new donor advised funds
- Seek outside funding
- Grand Volunteers.org
- Work with business, government and individuals in order to remain relevant to needs of the community
- Free capacity building classes
- Develop and implement a system of metrics of success
- Collectively Grand

Jeremy Kennel described the Collectively Grand program.

Mr. Kennel stated that approximately 15 percent of the employers in Grand County are non-profits.

Grand County Commissioner's Fund is a donor advised fund. Last year, the grants were due November 1. Ms. Ledin stated that the mission for the funds from the Commissioners was to be for health and human services and/or education. There were 23 applicants and 20 organizations received grants. Out of the 20 organizations, 89 percent were health and human services and 11 percent were education.

Ms. Ledin stated that the three organizations that did not receive funds were because of mission mis-match.

Ms. Ledin stated that Grand Foundation requests guidance and commitment for the future.

The Board agreed will go forward with the Grand Foundation with a donor advised fund. The Board agreed that applications could be open on September 1, 2019.

Community Development – Reconsideration of Accessory Building Issue – Continuation of May 20<sup>th</sup> meeting

Community Development Director Robert Davis presented.

Though regulations state that accessory structures and uses are not allowed to be built on lots prior to the development of a single-family dwelling, Staff has been instructed to allow said development to take place until further development of new regulations.

At the May 20, 2019 Workshop, Staff requested direction from the BOCC and indicated that it would provide a follow-up discussion.

Today, we would like to present to you language for a Code amendment to allow garages on lots by themselves and a path toward moving forward.

- Summary of Issues Staff researched 14 other jurisdictions to find that roughly 79% of those jurisdictions require a primary structure/use to be developed on a lot prior to the development of an accessory structure/use....

- While roughly 21% **do not** require a primary structure/use to be developed on a lot prior to the development of an accessory structure/use provided restrictive regulations are adhered to prohibiting human habitation in the accessory structure.
- Moving forward, the Code should be amended to allow garages on lots by themselves. Staff will continue to monitor the Building and Fire Codes, water and sewer for the purposes of safeguarding the environment.
- At the May 20, 2019 Workshop, we discussed original premise was to store building materials while constructing a house (as reflected in Section 13.1 (g) Accessory Buildings and Uses).
- The allowance of the construction of garages, barns, sheds, etc., for the storage of snow mobiles, boats, etc. has alleviated complaints relative to blighting outdoor storage.
- An unintended consequence are people modifying permits after they are closed to create living spaces in the garages.
- Because of a lack of affordable housing, the conversion of garages to living spaces may be a future opportunity for increasing its supply.

Suggested language:

## SECTION XIII

### ACCESSORY BUILDINGS AND USES

#### 13.1 DESCRIPTION OF

- (1) An "accessory building and use" is a subordinate use of a building, other structure, or tract of land, or a subordinate building or other structure which:
- (a) Is clearly incidental to the use of the principal building, other structure or use of land;
  - (b) Is customary in connection with the principal building, other structure or use of land;
  - (c) Is ordinarily located on the same lot with the principal building, other structure or use of land;
- (2) "Accessory buildings and uses" may include, but are not limited to the following:
- (a) Occupations;
  - (b) A garage, outbuilding or shed to store building materials or recreational type equipment for non-commercial purposes may be allowed without a principal building under the following conditions:
    - I. The accessory use shall comply with all requirements for a principal use.
    - II. The primary use must be established or applied for prior to issuance of any building permit for accessory structures.
    - III. A building permit for an accessory structure of structures not exceeding 40% of lot coverage and /or 2000 square feet in size with an operable garage door.

The Board would like some additional work done on the definitions.

#### Executive Session

Commissioner Manguso moved to convene an Executive Session at 4:51 p.m. pursuant to CRS 24-6-402, Sections (4)(e)(I), (4)(a), and (4)(b) – to determine positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators; for the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; And for Legal Advice (if needed) RE: Facility Needs Assessment

The motion passed unanimously.

The executive session ended at 5:01 p.m.

Commissioner Cimino read the updated language to the Blight Ordinance.

First reading of Ordinance #6 to make changes to Resolution No. 2000-5-1:

#### Ordinance #6

##### I. CAUSES OF BLIGHT OR BLIGHTING FACTORS

A. It is hereby determined that the following uses, structures, and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. It shall be unlawful for any person to maintain or permit to be maintained any of the following causes of blight or blighting factors upon any property in unincorporated Grand County owned, leased, rented or occupied by such person:

- 1) **JUNK VEHICLES:** Any motor vehicle that is considered junk is non-repairable or is extensively damaged. Junk vehicle means a vehicle that is incapable of safe operations on the road and that has no resale value except as scrap or as a source for parts or is extensively damaged or lacks one of the following items, which is otherwise standard factory equipment: windshield, side or rear window, door, fender, headlamp, muffler, wheel, or inflated tires, or is no longer a vehicle because it has been destroyed, dismantled or changed, or is non repairable. A junk vehicle does not include a vehicle that qualifies as a collector's item as defined in C.R.S. §42-12-101 (2).
- 2) **JUNK RECREATIONAL VEHICLES:** Any inoperable or non-repairable recreational vehicles, including but not limited, camper trailers, camper coaches, snowmobiles, off highway vehicles, boats, and boat trailers that are extensively damaged, or are incapable of being utilized for their intended purpose.
- 3) **UNSAFE STRUCTURES:** Any building, dwelling or other structure, including but not limited to manufactured homes and mobile homes as defined by C.R.S. §38-29-102, (6), which presents a substantial danger or hazard to public health, safety, or welfare, or any dilapidated building of whatever kind which is unused by the owner, or uninhabited because of deterioration or decay, which condition constitutes a fire hazard, or subjects adjoining property to danger of damage by storm, soil erosion or rodent infestation.
- 4) **RUBBISH/JUNK/WEEDS:** The outside storage or accumulation of rubbish, junk, trash, garbage, weeds, brush or refuse of any kind. Domestic refuse stored in a closed container in such a manner as not to create a nuisance for a period not to exceed thirty (30) days shall be exempt from this section. The terms "rubbish", "junk", "trash", "garbage" and "refuse" shall include, but are not be limited to, parts of machinery or motor vehicles parts, and unused tires, whether on private property or County public right-of-way. Unused stoves or other appliances stored in the open, boxes, grass clippings, remnants of wood, metal, plastic, dilapidated signs, fences or retaining walls, waste food, or any other material or other cast off material of any kind, whether or not the same could be put to any reasonable use.
- 5) The causes of blight or blighting factors set forth in subsections (1), (2), (3) and (4), above are not unlawful if such uses of property are incidental to and necessary for the carrying out of any business or occupation lawfully being carried on upon the property in question and are permitted under the Zoning Regulations of Grand County applicable to that zone district.

#### Public Hearing – Facility Needs Assessment

Commissioner Cimino stated that the Board determined in its strategic planning that a new detention facility was necessary for the safety of employees, smooth operation of mission, and for the citizens of Grand County.

Architect Bob Johnson of Reilly Johnson Architects stated that his firm specializes in design of justice facilities.

The 20-year requirement needs twice as many square feet as the current building.

Mr. Johnson considered remodeling the current building for offices. Mr. Johnson considered the parking lot currently used for the impound lot. That area did not provide enough space. Mr. Johnson then considered the 6 acres east of town that is owned by the County. The slope of the land did not allow for everything including parking. The cost of water and sewer connections to that land was quite high.

The final conclusion and the focus for this evening is the south side of Moffat Avenue for the Sheriff's Office and detention facility and use the current location of the Sheriff's Office and Jail for parking. There will be garage space added to the current garage.

There will be an area for a mental health hold.

Alan Matlotz of George K. Baum stated that for counties there are two type of revenue options for County government – sales tax or mill levy.

There are three financial options:

Certificate of participation – lease purchase using county revenues with or without a tax increase

General obligation bonds – voted debt authorizing an increase in mill levy and bonds

Sales tax revenue bonds – voted debt authorizing an increase in sales tax rate bonds

The cost to borrow money using current rates:

| Project Scope                    | Project Amount | 20 year term Annual payment 3.0% Rate | 25 year term annual payment 3.2% rate | 30 year term annual payment 3.30% Rate |
|----------------------------------|----------------|---------------------------------------|---------------------------------------|--|
| New Detention, Dispatch, Sheriff | \$27,500,000   | \$1,848,432                           | \$1,614,667                           | \$1,457,980                            |
| Total Repayments over Term       | \$27,500,000   | \$36,968,640                          | \$40,366,675                          | \$43,739,400                           |

Commissioner Cimino noted that the Board is looking at additional properties to help meet the facility needs of the County.

Sheriff Schroetlin stated that integrating mental health areas into the facility is a priority. Sheriff Schroetlin stated that he is not looking for a large increase for the jail. He is looking to increase safety.

Sheriff Schroetlin stated that one of his statutory mandates is to operate a jail.

Sheriff Schroetlin stated that the biggest issue at the facility is safety and security.

Sheriff Schroetlin stated that recently one of the staff members was assaulted. The radio system in the building is poor. There are security issues in the building. There are doors and cameras that fail. There are walls and mechanical systems that fail. There are times that there is sewage in the jail that is ankle deep. They have had human feces floating in the halls.

The mental health standards are very different today in comparison to when the building was originally built. The new building will provide solutions for persons needing mental health services.

Commissioner Cimino stated that the County could ask the voters for a new sales tax:

- A .1 percent sales tax could generate \$515,000
- A .2 percent sales tax could generate \$1,030,000
- Could pay a portion of the cost of Public Safety Facility debt with existing revenues
- Could sunset in 20 years after debt is scheduled to payoff

Eden Recor stated that he would like the County to ask for a sales tax. A portion of the new sales tax could be used for mental health services.

Hot Sulphur Springs Mayor Bob McVay asked if the County could consider a “bed tax” as part of the financing. This would allow the tourist to help pay for some of the costs.

The Board confirmed that there were be segregated areas for males and females.

Mr. McVay stated that he wants to make sure that the County allocates money toward mental health.

Hot Sulphur Springs Resident Mike Crosby lives on Moffat Street where the new sidewalk will be installed.

Mr. Crosby stated that the jail is not good. He understands the need for improvements. Mr. Crosby stated that he does not like the idea of the tunnel because an overpass would work and save money. The new facility would affect his quality of life.

Rhonda Myers stated that she understands the need for a new jail. Ms. Myers stated that mental health and law enforcement do not go together.

Chris Sammons stated that if the Sheriff says he needs the facility, the public needs to accommodate the need. Ms. Sammons wants the Board to consider the safety concerns.

Liz Mathew lives on Moffat Avenue and she wants the Board to understand that people will park on the street in front of her house. This will affect her quality of life and her safety.

Granby Police Chief Jim Craker stated that the Sheriff’s Office does not stand alone on this issue. The Granby Police Department supports this effort.

Tally Gray agrees with the bed tax.

Grand County Resident Andy Miller stated that there may be a better way to make the jail site work. He noted that social services is getting the short straw. Mr. Miller stated that Grand County’s mill levy is quite low. He

would like the Board to consider a mill levy increase. Mr. Miller added that Winter Park has the highest sales tax in the state.

The Board has not had the opportunity to review a bed tax and for that reason will not be considering it.

Commissioner Linke stated that the people that are buying items in the stores (from out of town) are the people creating the problems. The local residents are not causing the problems.

Commissioner Cimino stated that the County could renovate the current building but it is quite degraded. There are a number of problems that cannot be resolved.

The County and the Town may want to consider vacating Moffat Avenue directly south of the judicial building.

Commissioner Manguso stated that she does not want the ballot question to include mental health.

Louise Power stated that if the Board decides to do this, the County needs to have a good strong education campaign.

The Board gave staff direction to prepare ballot language for the November 2019 Coordinated Election Ballot. .

If the ballot question passes,

- the Board will be putting money away for capital items
- It will be an increase of 0.2 percent sales tax countywide
- Purpose is to partially fund the detention facility

Commissioner Manguso moved to approve and authorize the Board to sign the 2020 Budget Preparation Letter.

The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 7:55 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 13<sup>th</sup> day of August 2019.

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Richard Cimino, Chair

Attest:

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Sara L. Rosene, Clerk and Recorder