

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

September 14, 2021

Present: Commissioner Richard D. Cimino, Commissioner District 1  
Commissioner Merrit S. Linke, Commissioner District 2  
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 remove the agenda item for Grand Lake Clarity.  
The motion passed unanimously.

Commissioner Manguso moved to approve the minutes of the Board of Commissioner's Meeting of August 17, 2021 with one correction.  
The motion passed unanimously.

Employee Recognition

County Manager Ed Moyer announced the September employment anniversaries and thanked the County employees:

Nolan James	EMS Operations	1 year
Tekoa Shalom	Public Health	1 year
Nathan Opsahl	Sheriff's Office	2 years
Kathleen "Kacey" Beres	EMS Operations	2 years
Dustine Weston	Sheriff's Office	3 years
Andrew Gross	Grand County Jail	4 years
Vicki Ellis	Community Development	5 years
Steven Hines	Sheriff's Office	6 years
Daniel Savage	Court Security	6 years
Andrew O'Neil	Information Systems	7 years
Art Aguilar	County Maintenance	8 years
Nicole Fuqua	Human Services	9 years
Carolyn Motz	Grand County Jail	12 years
Shannon McGill	EMS Operations	13 years
Mathew Williams	Road and Bridge	15 years
Teri Tanton	Treasurer Office	19 years
Bill Crouch	County Maintenance	23 years
Bryan Holley	Road and Bridge	43 years

General Public Comments

Eden Recor of Grand County Internet Services stated that he would be interested in working on the lease project with the Colorado Timber Resources.

Commissioner Manguso moved to approve and authorize the Chair to sign the Lease Agreement for a four-foot square of outdoor area located west of the Parshall Road and Bridge Shop including access to the electrical circuit breaker box of the building for lessee's antennae and associated equipment. The term of the lease is September 30, 2021 to December 31, 2022 in the amount of \$768 per year. This is subject to review by the County Attorney to determine if a non-compete clause is in the Agreement.  
The motion passed unanimously.

Finance Director

Finance Director Curtis Lange presented the Warrant Register and Expenditure List to be paid on September 15, 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 September 14, 2021, for payment on September 15, 2021, for the Grand County Department of Human Services.  
 The motion passed unanimously.

Commissioner Cimino moved to approve the checks presented on September 14, 2021, for payment on September 15, 2021, for the Grand County Housing Authority.  
 The motion passed unanimously.

Commissioner Cimino moved to approve wire payment, vouchers, and interfund transfers presented on September 14, 2021, for payment on September 15, 2021, for Grand County.  
 The motion passed unanimously.

**Pandemic and Fire Costs 9/14/2021**

	COVID-19	East Troublesome Fire		
		Paid	Unbilled by 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	\$205,974	\$44,592	\$250,566
Total 2020 costs	\$736,987	\$343,461	\$44,592	\$388,053
Net 2020 (costs) after reimbursements	\$(35,104)	\$(323,073)	\$(44,592)	\$(367,665)
2021 Reimbursements Requested	\$50,540	\$103,867	\$	\$103,867
Less				
2021 Personnel costs	\$266,395	\$118,563		\$118,563
2021 Grand Foundation programs funded				
2021 Rural Health grant				
2021 Other operating costs	\$17,231	\$299,721		\$299,721
Total 2021 costs	\$283,626	\$418,284		\$418,284
Net 2021 (costs) after reimbursements	\$(233,086)	\$(314,416)		\$(314,416)
Total costs after reimbursements	\$(268,190)	\$(637,489)	\$(44,592)	\$(682,082)
Unrestricted Fund Balance calculation				
2020 Operating Revenues		\$27,100,000		
2020 Operating Expenditures		\$21,176,000		
2020 Unrestricted Fund Balance		\$10,760,000		
% of operating revenues		40%		
% of operating expenses		51%		

Department Contracts, Comments, Issues

County Clerk and Recorder Sara Rosene presented the monthly report for August 2021.

Commissioner Cimino moved to approve the Hotel and Restaurant Liquor License with Optional Premises for Fraser Valley Metropolitan Recreation District dba Bistro 28 at Pole Creek as presented.  
 The motion passed unanimously.

Commissioner Cimino moved to approve and authorize the Chair to sign the Services Contract between Grand County Board of Commissioners and Raven CLI Construction, Inc., to obtain the materials for the relining of the Granby Landfill no later than October 31, 2021 and to install the Granby Landfill cover over an expanded cap area to complete no later than October 31, 2022, in the amount of \$205,101.84.  
 The motion passed unanimously.

Commissioner Manguso moved to approve the Application for Federal Assistance for the Granby GNB airport in the amount of \$22,000.  
 The motion passed unanimously.

Commissioner Manguso moved to approve the Application for Federal Assistance for the Kremmling McElroy Airport in the amount of \$22,000.  
 The motion passed unanimously.

Commissioner Cimino moved to approve and authorize the Chair to sign the Services Contract between the Board of Commissioners and MAK Valuations, LLC to obtain analysis and valuation of all vacant, condominium residential and commercial real property parcels within Grand County at a cost of \$10,500 for 2021 and \$3,500 per month for 2022.  
 The motion passed unanimously.

Commissioner Cimino moved to approve the request for out-of-state travel request for Karen Crabb for the Department of Human Services.  
 The motion passed unanimously.

The Board agreed to allow the \$1 million limit for insurance for the cleaning of the Human Services Building.

Commissioner Manguso moved to authorize the Coroner to purchase a vehicle out of the 2021 budget and authorize the manager to sign the agreement.

The motion passed unanimously.

Commissioner Cimino moved to approve the request for out-of-state travel request for Alyssa Ingles for the Department of Emergency Management.

The motion passed unanimously.

Commissioner Cimino moved to approve the application for the DOLA grant after TABOR review by the County Attorney as presented.

The motion passed unanimously.

### Grand County Board of Health

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

Grand County Public Health Director Abby Baker stated that Grand County is at about 40 cases per week. Grand County has declined a little. Grand County had 105 cases in the last two weeks. That is a case rate of 274 per 100,000. That puts Grand County in the high transmission according to the CDC map.

There are eight current hospitalizations. That is approximately 6.5 percent of the current cases. There were two COVID deaths in the last week.

Ms. Baker stated that 17,729 vaccines were administered in Grand County.

With vaccinations and infection in the last 60 days, the community immunity is approximately 65 percent.

The Foothills RETAK Region is at 14 percent ICU bed availability which equates to 40 beds. The acute care beds are at 18 percent which is 200 beds available.

Ms. Baker stated that a third dose of the vaccine can be administered before to individuals who are immunocompromised.

Approximately three percent of fully vaccinated are being hospitalized.

### Manager and Attorney Items

Mr. Moyer stated that he has been working on a RFP with the Housing Authority with regard to the formation of a multi-jurisdictional housing authority.

There will be a meeting on September 16 at 5:00 p.m. at the Headwaters Center regarding a multi-jurisdictional housing authority.

### Treasurer Report

County Treasurer Frank DeLay presented the monthly Treasurer's Report.

Commissioner Manguso moved to approve Resolution No. 2021-9-12, "A RESOLUTION AUTHORIZING THE GRAND COUNTY TREASURER TO ABATE CERTAIN TAXES PURSUANT TO CRS 39-11-107 THAT ARE ERRONEOUS ASSESSMENTS"

The motion passed unanimously.

### Board Business / Correspondence / Calendars

Commissioner Manguso moved to approve and sign the letter to Colorado Park and Wildlife State Trails Program in support of the Town of Fraser's grant application for a non-motorized trails grant.

The motion passed unanimously.

Commissioner Manguso moved to approve the letter to the JBC regarding the East Troublesome Fire.

The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2021-4-36, “A RESOLUTION CORRECTING A DUPLICATE RESOLUTION NUMBER FROM 2021-4-34 TO 2021-4-36 FOR RESOLUTION 2021-4-34 APPROVING THE AMENDED FINAL PLAT OF AMENDED LOTS 9, 10, 11, 12 AND 13 BLOCK 2, VAL MORITZ VILLAGE, BEING A REPLAT OF LOTS 9, 10, 11, 12 AND 13, BLOCK 2, VAL MORITZ VILLAGE, LOCATED IN PART OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 76 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF GRAND, STATE OF COLORADO”

The motion passed unanimously.

### Consent Agenda

Resolution No. 2021-9 -2, “APPROVING THE SERVICES CONTRACT WITH RIVER WORKS LTD. FOR WATERSHED RECOVERY COORDINATOR SERVICES”

Resolution No. 2021-9-3, “APPROVING THE MODIFICATION OF GRAND LAKE CLARITY STAKEHOLDERS’ MEMORANDUM OF UNDERSTANDING, DATED JANUARY 2016”

Resolution No. 2021BOH-9-4, “APPROVING THE PROFESSIONAL SERVICES AGREEMENT EXTENSION WITH DENVER HEALTH AND HOSPITAL AUTHORITY”

Resolution No. 2021-9-5, “APPROVING AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE TWO EMERGENCY FACILITIES AND LAND USE AGREEMENTS RELATED TO FIRE FIGHTING ACTIVITIES OF THE BLACK MOUNTAIN FIRE AND AUTHORIZING THE COUNTY MANAGER TO SIGN ALL FUTURE EMERGENCY FACILITIES AND LAND USE AGREEMENTS RELATED TO FIRE FIGHTING ACTIVITIES IN GRAND COUNTY”

Resolution No. 2021-9-6, “APPROVING AN AMENDMENT TO THE JUNE 2, 2005 AVIGATION, HAZARD & RPZ EASEMENT”

Resolution No. 2021-9-7, “APPROVING AND AUTHORIZING THE CHAIR TO SIGN THE GEOGRAPHIC NAME PROPOSAL RECOMMENDATION REJECTING THE CHANGE OF NAME OF THE GORE RANGE TO NUCHU RANGE”

Resolution No. 2021-9-8, “APPROVING THE LEASE AGREEMENT WITH COLORADO TIMBER RESOURCES LLC”

Resolution No. 2021BOH-9-10, “APPROVING AND AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, SITTING AS THE GRAND COUNTY BOARD OF HEALTH, TO EXECUTE THE ACCESS MANAGER CERTIFICATION FOR DESIGNATING AN ACCESS MANAGER TO ACCESS CMS COMPUTER SYSTEMS ON BEHALF OF GRAND COUNTY”

Resolution No. 2021HA-9-11, “APPROVING A SERVICES CONTRACT WITH ELEVATED TECHNOLOGIES, LLC FOR ELEVATOR AND LIFT MAINTENANCE AT SILVER SPRUCE APARTMENTS”

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

### OLRT – Spring 2021 Grant Cycle Update

Presented by Anna Drexeler-Dreis:

- Continental Divide Trail Coalition, “CDT Corridor Clearance & Fire Rehab”
  - Project Change: CDTC and HTA changed the work location for their planned project because access to their original project was closed due to mudslides on Highway 125. Instead, they will be working on the CDT that runs through Bowen Gulch into the Never Summer Wilderness.
  - Discussion: Funding amount and project scope remains the same. No change in MOU.
- Town of Fraser, “Lunch Loop Trail Reroute and Culvert Replacement”
  - Project Change: Trail reroute will move this section of the trail farther away that originally proposed (see map on next page), which will remove wetland impacts and increase the distance from the Fraser River. The new reroute does not require replacing the culvert, so the total costs are less (see table below).

	Total Project Cost	OLRT funds requested
Original application	\$25,585.50	\$14,385.50 (56%)
Revision	\$13,263.00	\$8,263.00 (62%)

- o Discussion: Project has stronger environmental benefits, costs less, and the percentage of OLRT funds requested to total project cost remains similar. Need an updated MOU to reflect new cost.

Field Trip, September 23

- We will meet off CR-128 to hike 4 miles (round trip) to see Jim Creek. HTA received OLRT funds to restore this trail (\$12,250 in Spring 2021 and a portion of the \$26,500 in Fall 2020) due to the massive derecho wind events that destroyed the trail.
- We want you to come! We will be hiking from 3-5pm and then have a potluck at Wolf Park afterwards.

Commissioner Cimino moved to approve the proposed changes to the OLRT projects as presented. The motion passed unanimously.

Calendar

- Sept. 15 Counties & Commissioners Acting Together (CCAT) Transportation Committee Meeting via Zoom 11 am to noon
- Sept. 15 Northwest Colorado Council of Government Water Quality / Quantity Committee (“QQ”) Meeting via Zoom 10 am to 3 pm
- Sept. 16 CCAT Natural Resources 2022 Policy Priority Planning Meeting via Zoom 9 to 10 am
- Sept. 16-17 Health Insurance Affordability Board Retreat in the Pine Room at The Vintage hotel in Winter Park, 10 am Sept. 16 thru noon Sept. 17
- Sept. 16 National Association of Counties West Region Conference Call, starting at 2 pm
- Sept. 22 Monthly Legislative Breakfast Meeting via Zoom 8 to 10 am
- Sept. 23 Open Lands, Rivers and Trails Field Trip in east Grand County 3 to 5 pm

Commissioner Linke attended Club 20 and the Wolf Technical Working Group.

Public Hearing – Grand Gravel, Kremmling, CO Special Use Permit Renewal Amendment

The public hearing scheduled to begin at 11:15 a.m. was called to order by Chair Linke at 11:15 a.m. County Attorney Leahy set the record as follows:

- A. Public Review Sheet
- B. Grand County Development Application
- C. Grand Gravel Mined Area Plan
- D. Grand Gravel Night Work Request
- E. Map of Adjacent Property Owners within 1000 feet, Notified for Board of County Commissioners Meeting on September 14th, 2021
- F. List of Adjacent Property Owners as determined by GIS within 1000 feet, Notified for Board of County Commissioners Meeting on September 14th, 2021
- G. Memo sent to Property Owners as determined by GIS within 1000 feet, Notified for Board of County Commissioners Meeting on September 14th, 2021
- H. Public Notice Sign on property
- I. Public Notice dated July 7th, 2021
- J. Proof of Publication in July 15<sup>th</sup>, 2021 issue of Middle Park Times
- K. Resolution no. 2010-11-19. Grand Gravel Special Use Permit
- L. Certificate of Recommendation dated September 14th, 2021
- M. Letter from Frank and Jodi Docheff Received August 13th, 2021
- N. Email from CDPHE Dated August 17th, 2021 regarding Grand Gravel

PROJECT NAME: Grand Gravel Pit Special Use Permit Amendment  
 APPLICANT: Richard, Thomas and Marilyn Curry  
 LOCATION: SE4SE4SE4 of Section 1 and NE4NE4 of Section 12, Township 1 North, Range 80 West of the 6th P.M., near Kremmling

APPLICABLE REGULATIONS: Grand County Zoning Regulations Section XI, Section 11.8 Special Use Permits, Grand County Master Plan

ZONING: Forestry& Open

ATTACHMENTS:  
 A. Application

- B. Grand Gravel Request and Map of Mined Area
- C. Grand Gravel Objections and Concerns dated August 13, 2021
- D. Grand Gravel Interested Parties Notice
- E. Resolution 2010-11-19

STAFF: Robert C. Davis, AICP, SMP, Director  
REQUEST: The Applicant is requesting a Special Use Permit Amendment.

#### DISCUSSION

The Special Use Permit approved for mineral extraction in 2010 does not allow for extended hours or night work. The applicant states that CDOT has started specifying night work on their projects for safety, traffic and efficiency reasons. The proposal is requesting:

- Modify Hours of Operation to allow for extended hours or night work upon 24 hours' notice to the County in order to accommodate public funded projects including CDOT, Airport, County Road and Bridge, municipalities and Metro District construction projects, etc.
- Amending Special Use Permit to allow for Special Projects and Emergency Situations.
- Increase production rates to accommodate portable plant capabilities.
  - a) Including Hot Mix Asphalt (HMA) from 200 tons to 250 tons per hour
  - b) Screening and crushing gravel rock, etc., from 250 tons to 500 tons per hour.

Grand Gravel ("Permittee") has a gravel pit operation located on 21.21 acres in Sections 1 and 12, Township 1 North, Range 80 West. The gravel operation is located approximately five miles east of Kremmling and approximately one mile north of U. S. Highway 40 on Grand County Road 2 and has been in operation since 1999. The Permittee is requesting renewal of the Special Use Permit.

Following is a brief history of the pit:

1998-2001:

Grand County issued a Special Use Permit for the gravel pit (Resolution No. 1999-3-3 recorded at Reception No. 99006037), with a specified permit period of May 19, 1998 to May 19, 2001.

2001-2006: The Special Use Permit for the gravel pit was renewed (Resolution No. 2001-5-21 recorded at Reception No. 2001007011), with a specified permit period of May 19, 2001 to May 19, 2006.

2005-2010:

The Special Use Permit was amended to increase the size of the pit by 9.57 acres for a total of 19.57 acres and the Permit was also renewed (Resolution No. 2005-6-6 recorded at Reception No. 2005006246), with a specified permit period of June 14, 2005 to June 14, 2010.

August 2005:

Permittee was approved for nighttime hours to operate for a period from August 9, 2005 to September 9, 2005 for a CDOT paving project. (Resolution No. 2005-8-2 recorded at Reception No. 2005009090).

September 2005:

Permit was amended to correct the legal description and acreage of the property from 19.57 acres to 21.21 acres (Resolution No. 2005-9-11 recorded at Reception No. 2005010852), with a specified permit period of September 6, 2005 to September 6, 2010.

November of 2005:

Permittee converted their State Mining and Reclamation Permit from an 110c to an 112c permit.

The uses permitted at the gravel pit are:

- One (1) rock crushing plant
- Two (2) screening plants with a capacity not to exceed two hundred fifty (250) tons per hour average
- Four (4) loaders
- Portable scale and scale house
- Asphalt plant with a capacity of two hundred (200) tons per hour average with dust control
- Concrete batch plant
- Miscellaneous equipment to be used on occasion, such as dozers, scrapers, haul trucks, skid loaders, track hoes, water trucks and motor graders.

November 2010

There would be no limitation on the hours of operation for the pit, including no limitation on truck traffic to and from the pit with the exception of the crushing operation which shall be limited to the hours of 8am-6pm, Monday through Saturday (Resolution 2010-11-19).

August 2021 The Special Use Permit was renewed and is set to expire on September 6, 2030.

## PUBLIC NOTICE

Public notice was made in the August 26th, 2021 edition of the Middle Park Times as required. All property owners within 1000 feet were notified.

## STAFF COMMENTS

The request for crushing work at night has implications of noise and night lighting impacts. According to the applicant, CDOT new regulations with regard to I-70 only allows night-time work. The hours of operation for non-crushing activities is unlimited Monday through Saturday with an exception that night crushing work will be allowed under the following conditions:

- “Jake braking ‘on County Road 2 will be eliminated by requiring truckers to not use their jake brakes at night.
- With regard to lighting, all fixtures will be pointing downward and away from neighboring residential areas and to avoid being pointed at adjacent residential areas.

The Special Use Permit has standard language regarding noise and dust:

- Noise and Dust–Permittee shall not allow noise and dust to create a nuisance to adjoining properties.

The following language relative to Emergency Use and Special Jobs will also be added to the SUP:

### Emergency and Special Projects:

- a. Emergency Situation is defined as:  
Non-routine situation which requires prompt action to protect the welfare of the public from potential hazardous incidents and damage to property. A person who, through no fault of his or her own, is placed in a sudden emergency, is not chargeable with negligence if the person exercised that degree of care which a reasonably careful person would have exercised under the same or similar circumstances.
- b. Projects Outside Required Hours of Operation-Procedure Any Special Use Permittee, prior to providing a bid for a project outside the required hours of operation of their Special Use Permit, which is for the good for approval of a non-routine project, Permittee shall make application to the Community Development Department. All property owners within 4000’ of said Special Use Permit shall be notified prior to review before the Board of County Commissioners.

The truck trips are projected to increase on an average of roughly 15 trucks/hour. There are two truck types that could be used. The tandem truck hauls 15 tons and the semi-truck holds up to 35 tons. The contracted CDOT job of asphaltting I-70 the expects to use belly dumps which hold 25 tons. As such, the projected increase in truck trips is likely to be in the range of an addition of 24-72 trucks per day or two (2) to six (6) trucks/hour.

It is not confirmed yet by CDOT if the projected increase of truck trips would trigger a 20% increase in background traffic on US 40 from existing and projected traffic volumes. Staff has reached out to CDOT for verification of this. Although, there was no mention of a need for a traffic study at the renewal hearing, the County has typically requested traffic impact studies be conducted for similar uses when those uses are located within or directly adjacent to built-up higher density residential areas.

The SUP does allow for rock crushing, asphalt and a concrete batch plant and although not in operation today, and while applicant is stating a dry pit operation, it was noted that if any of these conditions change, the applicant will be required to submit an APEN, updated Stormwater Management Plan, an approved water plan and current Mine Land Reclamation Board permits.

## STAFF RECOMMENDATION

Staff recommends the amendment of the Grand Gravel Pit Special Use Permit, with the following conditions:

1. Condition 5 (a) shall be amended to read ‘The hours of operation for non-crushing activities is unlimited Monday through Saturday with an exception that night work will be allowed under the following conditions:
  - a) A formal request to the County for crushing work outside required hours through the Emergency and Special Projects provision of the Special Use Permit be made.
  - b) “Jake braking’ on County Road 2 will be eliminated by requiring truckers to not use their jake brakes at night.
  - c) With regard to lighting, all fixtures will be pointing downward and away from neighboring residential areas and to avoid being pointed at adjacent residential areas.
2. Any requirement for a traffic impact study by CDOT be met prior to the issuance of the Special Use Permit.

3. Permittee is required to provide Grand County proof of adequate water source for the concrete batch plant prior to it being placed in the gravel pit area if water use is anticipated at the site
4. Any asphalt and a concrete batch plant will be required to submit an APEN, an updated Stormwater Management Plan, an approved water plan and a current Mine Land Reclamation Board permit prior to operations.
5. Prior to recording any Resolution, the Permittee shall pay for all fees associated with the public notice and certified mailings.
6. All other terms and conditions as contained within the existing Grand Gravel Pit Special Use Permit, Grand County Board of County Commissioners Resolution No. 2010-11-19, recorded at Reception No. 2010009928 shall remain in full force and effect.

Commissioner Manguso moved to approve the Grand Gravel Pit Special Use Permit Amendment as presented. The motion passed unanimously.

Commissioner Manguso moved to close the public hearing. The motion passed unanimously.

### Rock Creek Outright Exemption

PROJECT NAME: Rock Creek Ranch Outright Exemption  
APPLICANT: BLUE RIBBON RANCH, LLC  
LOCATION: 42090 US HWY 40  
ZONING: Forestry & Open (F) District  
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Grand County Outright Exemption Regulations

#### ATTACHMENTS:

- A. Development Application
- B. Project Narrative Letter
- C. Proposed Final Plat
- D. Vicinity and Detail Maps
- E. BLM Right of Way Grant/Temporary Use Permit
- F. Title Commitment
- G. 2019 Property Tax Receipt

STAFF: Taylor Schlueter, County Planner

REQUEST: Approval of an Outright Exemption to divide a 10.63 metes and bounds parcel into a 5.116 acres parcel and a 5.524 acre parcel to then combine the 5.5 acre parcel to Lot 8 of Gold Medal Ranch Subdivision.

#### PURPOSE OF REQUEST

The Applicant has requested to divide a metes and bounds property of 10.63 acres into two parcels, Lot 1 and Lot 2. The subject parcel will be split into the western half (Lot 2) and the eastern half (Lot 1), then Lot 2 will be joined with the 56.90 acre parcel across the Colorado River, Lot 8 Gold Medal Ranch.

#### BACKGROUND & HISTORY

The 10.63 acres parcel is identified as an 8.90 acre, metes and bounds property (Lots 1 and 2) by the Grand County Assessor. The 10.63 acre measurement comes from the Applicant's surveyor as shown on the proposed plat. Lot 1 will be 5.12 acres and Lot 2 will be 5.24 acres.

The Applicant requested a lot line adjustment and Staff advised using the Outright Exemption process to change boundary lines of a metes and bounds parcel less than 35 acres. The intent is to combine Lot 2 as shown on the plat with property from the meadow and single family home to be combined with the property on the south side of the Colorado River under the ownership of Gold Medal Ranch, LLC with a plat note stating that it will never be separated from Lot 8 Gold Medal Ranch as a stand-alone parcel.

The subject area straddles the Colorado River for roughly 1,500 feet on the parcel's western boundary; across the river sits Lot 8 Gold Medal Ranch, which would be joined with a western portion of the 10.63 acre parcel (Lot 2).

#### STAFF COMMENTS AND ANALYSIS

These properties are all located outside of any growth area, and each lot in the proposal will exceed the minimum lot size requirement for the Forestry and Open District. Lot 1 will be 5.12 acres, and the combined acreage of the new Lot 2 will 5.5 acres.



There is an agricultural residence on proposed Lot 1, accessed from US Highway 40 through Bureau of Land Management land with a right-of-way grant, serial number COC-61605. The residence is served by well, septic and power. There are also out buildings and a barn on the site.

Farris Ditch runs parallel to the Colorado, through the proposed Lot 2. A twelve-foot wide easement was decreed in 1986 (Reception number 242666), granting access across proposed Lots 1 and 2 to Farris Ditch.

The Applicant, Blue Ribbon Ranch LLC, purchased the metes and bounds property in April 2021. Blue Ribbon Ranch bought Lot 8, Gold Medal Ranch in November 2020.

If Lot 2 were combined with Lot 8 of the Gold Medal Ranch tract, it would create one (1) single lot 62.4 acres. If combined, a new plat should reflect a 62.4 acre parcel and be renamed. Lot 2, according to the application, is intended to be a stand-alone parcel which means it could exist as proposed on the plat. If Lot 2 is intended for development, well permit issues would need to be addressed. No structures currently existing on proposed Lot 2. Because of water quality setback requirements from both the Farris Ditch and the Colorado River, Lot 2 has very limited buildable space.

A gravel drive from the north which crosses both proposed Lot 1 and Lot 2 provides access to the Farris Ditch. There is also a private road owned by the adjacent parcel to the east terminating near the southern boundary of proposed Lot 2.

Staff feels the plat should be revised to reflect a new amended Lot 8 of the Gold Medal Subdivision reflecting the intent to carve off the proposed Lot 2 and to join it with Lot 8.

This Outright Exemption application presents minimal land impacts.

#### PLANNING COMMISSION RECOMMENDATION

On July 14th, 2021, the Grand County Planning Commission recommended approval of the Rock Creek Ranch Outright with seven conditions, outlined in Planning Commission Resolution 2021-7-2.

#### STAFF RECOMMENDATION

Staff recommends approval of the Rock Creek Ranch Outright Exemption. The following conditions shall be met prior to the recording of the Outright Exemption:

1. The Title of the Outright Exemption shall be amended.
2. The Dedication shall be amended.
3. The Surveyor's Certificate shall be amended.
4. An electronic copy of the Final Plat shall be submitted.
5. All recording fees are to be paid by the Applicant.
6. Quit Claim Deeds to describe the amended legal description of the lots shall be completed and recorded with the Grand County Clerk and Recorder's Office.

Commissioner Manguso moved to approve the Rock Creek Ranch Outright Exemption as presented. The motion passed unanimously.

#### Board Business

The Board directed staff to modify the Conservation Trust Fund form to remove the dollar limit.

There being no further business to come before the Board, the meeting was adjourned at 11:59 am. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 5<sup>th</sup> day of October 2021.

Attest:

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Merrit Linke, Chair

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Sara L. Rosene, Clerk and Recorder