

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

September 24, 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  
Assistant County Manager Ed Moyer  
County Attorney Chris Leahy

Those present recited the Pledge of Allegiance.

Commissioner Linke moved to approve the Meeting Minutes of September 17, 2019, of the Board of Commissioners with changes.

The motion passed unanimously.

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on September 25, 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 September 24, 2019 for payment on September 25, 2018 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 September 25, 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 September 24, 2019, for payment on September 25, 2019 for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Linke moved to approve the wire payments and vouchers presented on September 24, 2019, for payment on September 25, 2019 for Grand County.

The motion passed unanimously.

Commissioner Linke moved to extend the contract with McMahan and Associates for one year.

Commissioner Linke withdrew the motion.

The Board gave direction to move forward with a one-year contract with McMahan and Associates and prepare a RFP for the 2021 budget.

Departmental Contracts, Comments, Issues

Assistant County Manager Ed Moyer requested approval for Mr. Moyer and David Taussig to execute and file a statement of opposition. This is in regard to a substitute water supply plan and administrative exchange water case that was from the town of Granby and Sun River Ranch RV LLC. The County would file a statement of opposition to allow the County to request a stipulation in that case regarding the augmentation ponds. This will help protect the environmental water.

Commissioner Linke moved to allow Mr. Moyer and Mr. Taussig to file a Statement of Opposition as described by Mr. Moyer.

The motion passed unanimously.

Manager and Attorney Items

County Manager Kate McIntire presented the weekly update.

### Consent Agenda

Resolution No. 2019-9-14, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE CONTRACT AMENDMENT #1, ROUTING NUMBER 20 FHLA 141357 BY AND BETWEEN THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO FOR THE BENEFIT OF THE GRAND COUNTY PUBLIC HEALTH AGENCY CONCERNING THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (“WIC PROGRAM”)”

Resolution No. 2019-9-15, “A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO, SITTING AS THE GRAND COUNTY BOARD OF HEALTH, TO EXECUTE A PURCHASE OF SERVICE CONTRACT BY AND BETWEEN NORTHWEST COLORADO HEALTH AND THE GRAND COUNTY BOARD OF HEALTH FOR TOBACCO OUTREACH AND EDUCATION”

Resolution No. 2019-9-16, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO AUTHORIZING A GRAND COUNTY DEPARTMENT OF HUMAN SERVICES EMPLOYEE TO TRAVEL OUT-OF-STATE”

Resolution No. 2019-9-17, “A RESOLUTION APPROVING AND AUTHORIZING ALEXIS KIMBROUGH TO APPLY TO STATE DEPARTMENT OF LOCAL AFFAIRS FOR 2020 CENSUS OUTREACH GRANT FOR GRAND COUNTY”

Commissioner Manguso moved to approve the Consent Agenda.

The motion passed unanimously.

The County Attorney has been following the developments in the opioid case and recommends that the County not enter the case.

### Board Business / Correspondence / Calendar

Commissioner Cimino met with the Clerk’s Office regarding the County health care plan. He also met with several internet service providers.

Commissioners Cimino and Manguso attended the Department head meeting.

Commissioner Manguso had a meeting regarding a land exchange.

Commissioner Linke attended a meeting to discuss the Cow Study. There are no official reports at this time.

Commissioner Linke attended the combined CPP with Clear Creek County at the mine.

Commissioner Linke attended the Club 20 meeting.

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| September 25      | Legislative Breakfast at the Ameristar in Blackhawk at 8 am (Commissioner Manguso)         |
| September 25 & 26 | Forest Visioning 2050 meetings from 9 to 4 in Winter Park (Commissioner Cimino)            |
| September 25 & 26 | Nine Basin Roundtable in Fraser (Commissioner Linke)                                       |
| September 27      | Commissioner Manguso will attend a STAC meeting in Denver at 9:00 a.m.                     |
| September 30      | All three commissioners will attend a lunch meeting with Fraser Mayor Vandernail at Julios |
| October 1         | Open meeting with Senator Gardner at 2:30 – all three Commissioners                        |
| October 2         | Tour of Freeport mine (Commissioners Manguso and Cimino)                                   |

Commissioner Manguso moved to approve Resolution No. 2019-9-18, “A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO PROVIDING ITS EXPRESS WRITTEN CONSENT TO THE MUNICIPAL SUBDISTRICT, NORTHERN COLORADO WATER CONSERVANCY DISTRICT, AS REQUIRED PURSUANT TO SECTION IV.(H)(2) OF THE WINDY GAP FIRING PROJECT INTERGOVERNMENTAL AGREEMENT TO ACQUIRE EXISTING WATER RIGHTS IN GRAND COUNTY, COLORADO”

The motion passed unanimously.

### 3-Way County District Attorney Budget (via conference call)

Present for the meeting were Matt Karzen and Donna Zullian from the 14<sup>th</sup> Judicial District's Office. Also present by phone were Routt and Moffat County Commissioners.

There is a request for an increase in the personnel budget of 1.5 percent. That is a one percent salary increase.

Routt County Commissioner Douglas Monger moved to approve the personnel budget for the 14<sup>th</sup> Judicial District Attorney's Office for 2020 as presented.

Moffat County Commissioner Ray Beck	aye
Moffat County Commissioner Donald Broom	aye
Routt County Commissioner Douglas Monger	aye
Routt County Commissioner Timothy Corrigan	aye
Routt County Commissioner Elizabeth Melton	aye
Grand County Commissioner Cimino	aye
Grand County Commissioner Manguso	aye
Grand County Commissioner Linke	aye

The motion passed unanimously.

### Seasonal Temporary Use Permits

PROJECT NAMES:	Seasonal Temporary Use Permits
APPLICANTS:	James S. Trotter, Gene Covey, Troy McKelroy, and Regina Schroeder
LOCATION:	62487 US Highway 40, and the Intersection of US Highways 34 and 40, approximately 903 and 945 W Agate, Grand County, Colorado
ZONING:	T- Tourist (903 and 945 W Agate) and B- Business (62487 US Highway 40)
APPLICABLE REGULATIONS:	Grand County Zoning Regulations, Sections 11.9 & 11.10
EXHIBITS:	Temporary Special Use Permit Applications
STAFF PLANNER:	Alexander Taft, LEED Green Associate
REQUEST:	Requests to Renew Temporary Special Use Permits as originally presented

#### I. DISCUSSION

In 2018, Community Development Staff pursued Temporary Special Use Permits from: James S. Trotter, Gene Covey, Troy McKelroy, and Regina Schroeder who are requesting that the Board of County Commissioners approve a Temporary Use Permit pursuant to Grand County Zoning Regulations, Sections 11.9 & 11.10 for seasonal vending from June through October, 2019, at 62487 US Highway 40, 903 W Agate and 945 W Agate, Grand County, Colorado.

Below are synopses of the businesses in consideration under these applications as referenced in previous Staff Certificates:

- Mr. Trotter operates American Tie-Dye, a retail business located inside canopy tents, selling tie-dye clothing and crafts.
- Mr. McKelroy operates High Plains Drifter, a retail business from a mobile trailer selling authentic Native American goods, including art and jewelry.
- Mr. Covey operates a retail business from a mobile trailer selling handcrafted wood products including aspen bowls.
- Mrs. Schroeder and her husband operate Genie's Weenies, a mobile hot dog and lemonade cart, at several locations throughout the county, including within the towns of Kremmling and Granby, as well as in the parking lot of Car Quest, which is located in the unincorporated portion of Grand County.

These are all Temporary Special Use Permits that were granted in 2018 and have been requested to be renewed by Community Development Staff in 2019. Applications have been received between April and August 2019.

#### a. HISTORY

In 2018 Community Development Staff received complaints from the Town of Granby about the site distance at the corner of US Highway 34 and US Highway 40. Originally the complaint was driven by the location of rental moving vehicles located adjacent to the road in front of the gas station. The summer season brought vendors that replaced the rental moving vehicles.

The site at US Highway 34 and 40 is encumbered by the CDOT Right-of-Way which exists where the gas station has used for parking and storage for a considerable length of time. To limit impacts in 2018 Staff required the vendors to be located a distance away from the curb to allow better line of sight for traffic on both 34 and 40.

#### b. COMPLIANCE

Temporary Special Use Permits are commonly used for events that require more analysis than a use by right but only occupy a property for a short duration. These permits are also used for the purpose of accommodating music events and commercial recreational events with greater impacts that would not explicitly be allowed under current regulations.

Sections 11.9 & 11.10 of the Grand County Zoning Regulations read as follows:

##### 11.9 TEMPORARY USE PERMITS:

Temporary uses do not require any new permanent structures or improvements for the operation. They are active only on a seasonal or short term basis and do not result in any long term impact on surrounding properties. Examples include summer stables, Nordic ski centers or seasonal outdoor vendors. Activities such as those sponsored by non-profits and family oriented gathering are excluded.

##### 11.10 SUBMITTAL REQUIREMENTS AND REVIEW:

Requests for temporary uses shall be reviewed by the Board of County Commissioners and require a permit issued by Resolution. Each request will be reviewed individually, and criteria shall include, but not be limited to such things as parking, sanitation and evidence that all necessary permits have been obtained.

Renewing these Temporary Special Use Permits is appropriate for the following reasons:

- Allows the maintenance of safety for residents and guests of Grand County.
- Verifies compliance with local and state regulations.

#### II. RECOMMENDATION

It is Staff's recommendation to the Board of County Commissioners to approve these requests for Temporary Special Use Permits as the proposed location is easily accessible, a good complement to existing development in the area, and adequate services are provided adjacent.

Commissioner Manguso moved to approve the Temporary Use Permits to expire October 30, 2010.

The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2019-9-8, "A RESOLUTION ISSUING A TEMPORARY USE PERMIT TO TROY MCKELROY FOR SEASONAL RETAIL SALES FROM A MOBILE VENDING UNIT LOCATED AT 945 WEST AGATE AVENUE, COUNTY OF GRAND, STATE OF COLORADO"

The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2019-9-9, "A RESOLUTION ISSUING A TEMPORARY USEPERMIT TO REGINA SCHROEDEROF GENIE'S WEENIESFOR SEASONAL RETAIL FOOD SALES FROM A MOBILE VENDING UNITLOCATED AT 62487 U.S. HIGHWAY 40, COUNTYOF GRAND, STATE OF COLORADO"

The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2019-9-10, "A RESOLUTION ISSUING A TEMPORARY USE PERMIT TO GENE COVEY FOR SEASONAL RETAIL SALES FROM A MOBILE VENDING UNITLOCATED AT 945 WESTAGATE AVENUE, COUNTYOF GRAND, STATE OF COLORADO"

The motion passed unanimously.

Commissioner Manguso moved to approve Resolution No. 2019-9-11, "A RESOLUTION ISSUING A TEMPORARY USE PERMIT TO JAMES TROTTERFOR SEASONAL RETAIL SALES FROM A MOBILE VENDING UNITLOCATED AT 903WESTAGATE AVENUE, COUNTYOF GRAND, STATE OF COLORADO"

The motion passed unanimously.

### Grand County 2020 Health Plan Option Decisions

Deputy Chief of Grand County EMS Alan Pulliam stated that 40 percent of his staff does not live in Grand County and they will not come back to Grand County for health care. If the primary benefit is through Centura Health, his employees will find employment elsewhere.

Mr. Pulliam noted that 70 percent of the County staff go outside of Middle Park / Centura network.

The Cigna renewal that was presented was an increase in cost of 17 percent.

The Board agreed to with the following

1. Plan Design for 2020 to be with Peak – EPO, Wrap plan, and high deductible plan
2. Pharmacy benefits to Rx Benefits Express Scripts
3. Delta Dental
4. UMR network for wrap
5. Lincoln Financial for life insurance
6. HSA will be with Rocky Mountain Reserve and the amount will remain the same
7. \$25,000 wellness contribution
8. Pay Peak \$45,000 bring the rest of the county on in 2021 in the individual market place

### Consideration of 2019 Budget Pull-Forward Items - Vehicles

The Board agreed to pull the following items forward:

1. Tag trailer
2. Mag distributors
3. Mag tanker
4. Pictometry

Commissioner Manguso moved to convene an executive session at 2:55 p.m. This is in compliance with CRS 24-6- 402 (4)(f), which states, "Personnel matters, unless the employee asks for an open meeting (if multiple employees are involved, they must all request the open meeting), this provision does not apply to discussion concerning any member of the local public body, any elected officials, or the appointment of a person to one such offices, nor does it apply to discussions of personnel policies generally. Present for the meeting is the Board, the County Manager, County Attorney, Undersheriff, and Assistant County Attorney.

The motion passed unanimously.

The Regular meeting was reconvened at 3:25 p.m.

I, Richard Cimino, hereby attest that the minutes of this executive session were recorded in accordance with CRS 24-6-402 and confined to the topic authorized for discussion in the executive session.

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There being no further business to come before the Board, the meeting was adjourned at 3:30 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 1<sup>st</sup> day of October 2019.

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Richard Cimino, Chair

Attest:

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Sara L. Rosene, Clerk and Recorder