

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

August 25, 2020

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

Also Present: County Clerk and Recorder Sara L. Rosene
 Assistant County Manager Ed Moyer
 County Attorney Chris Leahy
 Assistant County Attorney Maxine LaBarre-Krostue

Those present recited the Pledge of Allegiance.

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on August 26, 2020, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the checks presented on August 25, 2020 for payment on August 26, 2020 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 26, 2020, for vendor payments. The list for this period was verified for the Board's approval.

Commissioner Cimino moved to approve the vouchers presented on August 25, 2020, for payment on August 26, 2020, for the Grand County Board of Social Services.

The motion passed unanimously.

Commissioner Cimino moved to approve the wire payment and vouchers presented on August 25, 2020, for payment on August 26, 2020 for Grand County.

The motion passed unanimously.

Potential Coronavirus effect to 2020 budget

REVENUES

Sales and Lodging taxes, Building and Short-Term Rental fees, and Highway Users taxes are all expected to be lower than originally budgeted for 2020. Sales taxes are projected to be 100% of the budgeted level and Lodging taxes are projected to be 80% of the annual budget. Building permits are projected to be 80% of the original budget amount. Short-Term Rental renewals are projected to be 100% of the budgeted level. Highway User Taxes are projected to be slightly lower than budgeted for 2020. Airport reimbursements for projects are projected to be increased from 95% to 100% of costs. Federal Cares Act reimbursements for COVID 19 expenses estimated to be \$700k .

	Current expected	2020 Budget
Sales tax	\$7,230,000	\$7,230,000
Lodging tax	\$ 969,000	\$1,292,000
Building permits	\$ 749,360	\$ 936,700
Short-term rental fees	\$ 136,300	\$ 136,300
Clerk & Recorder	\$ 800,000	\$ 800,000
Airport project reimbursements	\$4,849,000	\$4,624,000
Highway Users tax	\$1,909,000	\$2,009,000
Cares Act Reimbursement	\$ 701,000	\$ -
Total	\$17,343,660	\$17,028,000

Revenues expected to be higher \$316 in 2020

EXPENDITURES in excess of budget per month

	Spent 3/14 thru 8/24	Projected Monthly	Expected Costs thru 12/31
Emergency Operation Center personnel	\$216,550	\$44,294	\$404,801.53
Grand Foundation Business Grant Program & PPE	\$130,000	\$ -	\$ 130,000
Isolation facility @ 100k/ mo	\$ -	\$ -	\$ -
County OT (predominately PH & Sheriff thru 8/7)	\$ 15,894	\$ 3,251	\$ 29,710.92
Other Operating expenses	\$103,362	\$21,142	\$193,216.41
Totals	\$465,806	\$68,688	\$757,729

Expenditures expected to be higher \$758k

Expected effect to 2020 budget (\$442K)

Projected Budget Deficits and Postponed or Eliminated Operations and Projects	
Projected County wide effects to Fund Balance	\$(442,000)
Add back Restricted Funds using restricted fund balance to cover deficits	
Lodging taxes	\$323,000
Open Lands, Rivers and Trails	\$ -
Use TABOR emergency reserve for COVID-19 unbudgeted expenditures	\$ -
Less Restricted Funds using surplus to cover costs	
Airports - FFA increased project funding to 100%	\$(285,000)
Total budget shortfall less restricted funds	\$(404,000)
% Unrestricted fund balance of operating budget	33%

Postponed or Eliminated Operations and Projects	
Hiring freeze projected savings	\$500,000
Excess Hire Lag savings over budget	\$420,500
Pay plan consultant cancelled	\$ 40,000
Windy Gap pumping plan cancelled	\$ 35,000
Internship program cancelled	\$ 25,000
Total Budget Shortfall less restricted funds and these projects	\$616,500
% Unrestricted fund balance of operating budget	38%

Departmental Contracts, Comments, Issues

Commissioner Cimino moved to approve Farmhouse GL LLC Tavern Liquor License located at 903 W. Agate Avenue, Granby, operating manager Jonah Landy as presented.

The motion passed unanimously.

Commissioner Cimino moved to approve the Agreement with Summit County for the Veterans Service Officer Support and authorize the Chair to sign.

The motion passed unanimously.

Commissioner Cimino moved to approve Resolution No. 2020-4-29, "A RESOLUTION APPROVING THE AMENDED FINAL PLAT, AMENDED LOT 30A, BLOCK 1, FIRST ADDITION TO THE LAKE FOREST SUBDIVISION, BEING A REPLAT OF LOTS 25 AND 30, BLOCK 1, FIRST ADDITION TO THE LAKE FOREST SUBDIVISION RECEPTION NO. 76469, PART OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 76 WEST OF THE 6TH P.M., COUNTY OF GRAND, STATE OF COLORADO" and authorize the Chair to sign all applicable documents.

The motion passed unanimously.

Commissioner Cimino moved to approve Resolution No. 2020-3-22, "A RESOLUTION APPROVING THE 2ND AMENDED FINAL PLAT AMENDED LOT 34A AMENDED FINAL PLAT OF GRAND VIEW PARK BEING A REPLAT OF LOTS 34 AND 35, AMENDED FINAL PLAT OF GRAND VIEW PARK ACCORDING TO THE PLAT RECORDED AT RECEPTION 97005037 PART OF SW ¼NW1/4 SECTION 24, TOWNSHIP 3 NORTH, RANGE 76 WEST OF THE 6TH P.M., COUNTY OF GRAND, STATE OF COLORADO AND VACATING THE TEN (10) FOOT, BEING FIVE (5) FOOT EITHER SIDE OF THE SIDE PROPERTY LINE UTILITY EASEMENTS BETWEEN LOT 34 AND 35" and authorize the Chair to sign all applicable documents.

The motion passed unanimously.

Commissioner Linke moved to approve Resolution No. 2019-8-17, "A RESOLUTION APPROVING THE AMENDED FINAL PLAT, AMENDED LOTS 2A AND 4A, BLOCK 4, VAL MORITZ VILLAGE (SECOND FILING) A RE-PLAT OF LOTS 2, 3, AND 4 BLOCK 4, VAL MORITZ VILLAGE (SECOND FILING), ACCORDING TO THE PLAT AT RECEPTION NO. 117594 PART OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 76 WEST OF THE 6TH PM, COUNTY OF GRAND, STATE OF COLORADO" and authorize the Chair to sign all applicable documents.

The motion passed unanimously.

Commissioner Cimino moved to approve Resolution No. 2020-8-9, "A RESOLUTION GRANTING A ONE (1) YEAR EXTENSION TO THE RECORDING REQUIREMENT OF THE FINAL PLAT FOR THE BLUE VALLEY RANCH OUTRIGHT EXEMPTION LOCATED IN PART OF THE SE1/4 OF THE NE1/4 SECTION 33, TOWNSHIP 1 SOUTH, RANGE 80 WEST GRAND COUNTY COLORADO"

The motion passed unanimously.

Commissioner Cimino moved to approve the letter from the Board of Commissioners to the operator of Alpine Wings that their actions are sufficient to cure the breach of contract.

The motion passed unanimously.

Human Resource Director Colleen Reynolds stated that the County payroll directive was to run from September 1 to December 31, 2020. The directive was to temporarily suspend the social security tax for some employees depending how much they earn and for the employers. It is a pause on the tax. There is a concern on how employees would pay it back later on.

The County Attorney's Office is recommending no implementation at this time. CCI is recommending the same.

The Board agreed not to implement the payroll tax holiday.

Grand County Board of Health

Commissioner Manguso announced that the Board is sitting as the Board of Health.

Public Health Nurse Brene Belew-LaDue stated that Grand County is up to 59 cases. The quarantine and isolations are down to three. Grand County is still in high incidents.

Ms. Belew La-Due is working with the fire team and the medical officers.

The County has three purple air monitors to monitor air quality. The National Weather Service deployed the monitors for the County. There is an air quality monitor by Human Services.

Dr. Selenke stated that the West Grand Schools have already opened and the East Grand Schools will open this week with in-person classes at both school districts.

Dr. Selenke stated that if someone gets sick, they must be tested. The testing is to help determine if a cohort will have to be quarantined. There is some funding available for testing.

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

Manager and Attorney Items

Assistant County Manager Ed Moyer presented the weekly update.

County Attorney Leahy is working on the lease for the Transit Building. Winter Park dropped the request to access County Road 5.

Consent Agenda

Resolution No. 2020-8-8, "A RESOLUTION DECLARING A LOCAL DISASTER EMERGENCY, 2020 WILLIAMS FORK WILDFIRE, GRAND COUNTY, COLORADO"

Commissioner Cimino moved to approve the Consent Agenda.

The motion passed unanimously.

The Board agreed that it will enter into a Donor Advised Fund but it will likely be a fund that is five percent less than last year.

BOCC Consideration of Certifying a Question to the November 3, 2020 Election Ballot Concerning Budget Stabilization and the Gallagher Amendment

Commissioner Cimino moved to approve Resolution No. 2020-8-10, A RESOLUTION REFERRING TO THE REGISTERED ELECTORS OF GRAND COUNTY AT THE NOVEMBER 3, 2020 GENERAL ELECTION A BALLOT ISSUE TO STABILIZE PROPERTY TAX REVENUES BY AUTHORIZING THE COUNTY, WITHOUT INCREASING TOTAL TAX REVENUES COLLECTED, TO ADJUST ITS MILL LEVY ANNUALLY TO OFFSET REVENUE REDUCTIONS CAUSED BY STATE IMPOSED CHANGES TO

THE PERCENTAGE USED TO DETERMINE ASSESSED VALUE, AND; CERTIFYING THE BALLOT TITLE/QUESTION FOR THE ELECTION”

The motion passed unanimously.

Board Business / Correspondence / Calendar

Commissioner Cimino moved to approve the Vehicle Lease Program for the Grand County Sheriff upon legal review and authorize the Chair to sign (or stamp) outside the meeting.

The motion passed unanimously.

The Board did the virtual town hall regarding the ballot stabilization question.

All three of the Board members attended the CCI Mountain District meeting.

August 26 Legislative Breakfast at 8:00 a.m. by zoom
August 26 Peak Health Alliance meeting from 9 to 11 am
August 26 Grand County Peak for the public. Meeting at 11am
August 27 Red Dirt Hill Study at 9:00 a.m. – All three commissioners
August 28 Bureau of Land Management Resource Advisory Committee meeting at 9:00 a.m.

IgadI Ltd, dba IgadI (843 W Agate Avenue, Granby) New Retail Store

The public hearing scheduled to begin at 10:30 a.m. was called to order by Chair Manguso at 10:30 a.m.

Commissioner Linke moved to set the neighborhood at the two-mile radius.

The motion passed unanimously.

Clerk and Recorder Sara Rosene presented the list of Exhibits:

- Exhibit A Cover Letter
- Exhibit B State Applications
- Exhibit C Trade Name Registration
- Exhibit D Certificate of Good Standing from Colorado Secretary of State
- Exhibit E Entity Documents
- Exhibit F Documents Showing Legal Possession
- Exhibit G Diagram of Premise
- Exhibit H Financial Documents (Notes, Security Notes, Financial Obligations, Funding Sources)
- Exhibit I Copies of Inspections, Violations, Orders to Show Cause, Summary Suspensions, Administrative Holds
- Exhibit J Current Colorado Sales Tax Licenses and Colorado Retail Marijuana License Bond
- Exhibit K Statement with regard to Security Plan
- Exhibit L County Fees Submitted to State
- Exhibit M County Submitted Fees
- Exhibit N Grand County Marijuana Business License Application, Memorandum of Understanding, Owners and Managers Form, Affidavit of Lawful Presence
- Exhibit O Grand County Department of Community Development Marijuana License Review
- Exhibit P Letter from Applicant regarding Previous Marijuana Licenses
- Exhibit Q Supplemental Information Provided to the State
- Exhibit R State of Colorado Marijuana Licenses
- Exhibit S 1000 Foot Buffer Map and Land Use within 1000 Foot Buffer
- Exhibit T Map of 2-Mile Radius - the "Neighborhood"
- Exhibit U Grand County Assessor's Property Record and Schedule Number
- Exhibit V Proof that Property Taxes Are Paid
- Exhibit W Applicants Marijuana Management Plan
- Exhibit X Marijuana License Applications and Badges for Current Employees
- Exhibit Y Notifications (Including Proof of Publication)
- Exhibit Z Public Comments (Letters, emails and Petitions)
- Exhibits Z 1-92 Pro letters and emails
- Exhibits Z 1-33 Con letters and emails
- Exhibit AA Letter and attachments to the Board of Commissioners from applicant

To: Grand County Board of County Commissioners
From: Sara L. Rosene, Grand County Clerk and Recorder
Date: August 25, 2020
Re: Retail Marijuana Store (the term “retail marijuana” is commonly known as “recreational marijuana”)
Applicant: IgadI, Ltd.
David G. Salturelli, Manager
Location: 843 W. Agate, Unit A, Granby, CO
Zone District: Tourist
Applicable Regulations: Ordinance #18
Request: The Applicant is requesting a County Retail Marijuana Store License.

Discussion:

Grand County Board of County Commissioners passed Resolution No. 2014-1-26 and Ordinance #14 and then updated the ordinance in Ordinance #18 to exercise the authority of the County of Grand to allow state licensed marijuana establishments to exist in unincorporated Grand County in accordance with applicable state laws and regulations as well as the additional local licensing requirements and other restrictions. This regulation and ordinances were adopted pursuant to constitutional and statutory authority as well as the county’s authority under its police power in order to preserve the public health, safety, and general welfare.

The applicant for this Retail Marijuana Store IgadI, Ltd. David G. Salturelli is the Manager of IgadI, Ltd. The proposed location is 843 W. Agate Avenue, Unit A, Granby, CO 80446. The building is owned by Northwest Land Co and is leased James Jason McSwane that expires April 30, 2024. The applicant provided a sublease from James Jason McSwane to IgadI, Ltd that expires April 30, 2024.

IgadI originally made application for this license on August 5, 2019. The application appeared to be complete until a sub-lessee of James McSwame came forward and informed the County Clerk’s Office that the sub-lease to IgadI was not the superior lease. The applicant asked to withdraw the application until the lease could be resolved.

A new lease has been provided by IgadI on July 13, 2020, that appears to meet the requirements of the license.

A number of public comments and petitions were made available at the time of the original application. Those comments and petitions are included in the hearing file as well as additional and more current comments. Those comments can also be found at <https://www.co.grand.co.us/720/Applications-in-Process>. The County Clerk will attempt to determine the number of individuals inside the two-mile radius who have made comments and / or signed the petitions.

Applications for Retail Marijuana Licenses are submitted to the State of Colorado Marijuana Enforcement Division. The State then begins its review process. The State collects the state fees and within seven days remits the initial application and \$2,500 to the local jurisdiction. If additional documentation is needed, it is requested of the applicant. This information is not forwarded to the local authority by the State. The state then must make a determination to approve or deny the license no sooner than 45 days and no later than 90 days. Once the license is approved, the Conditional State license is remitted to the local authority.

Grand County uses the initial state license application and the County application to start the review process. In addition to the County application, a fee of \$5,500 is required.

Grand County makes the notifications required in the County Ordinance. The County Clerk’s review includes the following:

1. Review of the initial state application.
2. Review of the documents included with the County application.
3. Receipt of the \$5,500 fee
4. Contact with both the state and the applicant to obtain any additional documents or to receive clarification.

During the review process, the County Clerk’s Office makes courtesy notification to all landowners, taxing districts, hospitals, and towns within 1,000 of the proposed license location.

After the final review, the Clerk and Recorder schedules a public hearing to be heard by the Board of County Commissioners.

Compliance with Grand County Resolution No. #18

“Retail Marijuana Store” has the same meaning as defined in section 16(2)(n) of article XVIII of the state constitution. “Retail marijuana store” means any entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers.”

Section 5 – Ordinance #18 – Application

County application:

1. Operating Fee or Operating Renewal Fee (cash or check only). This fee is non-refundable and not dependent on the approval of an application.
County portion of state fee is \$2,500 and has been received by County.
County application and license fee is \$5,500 and has been received by County.

Section 6 – Ordinance #18 – Classes of licensing

For the purpose of regulating the cultivation, manufacture, testing, distribution, offering for sale, and sale of retail and/or medical marijuana, the Board of County Commissioners, in the Board's sole discretion, upon application in the prescribed form made to the Clerk and Recorder, may issue and grant to the applicant a local license from any of the following classes, and Grand County hereby authorizes issuance of the licenses of the following classes by the state licensing authority in locations in unincorporated Grand County, subject to the provisions and restrictions set forth in this regulation and ordinance:

- (1) Retail marijuana store. Retail marijuana stores may operate only in areas zoned as Business District or as Tourist District.

Section 7 – Ordinance #18 – Set Neighborhood, Schedule Hearing and Notice

- (1) Upon receipt of a complete application for a marijuana establishment and payment of fees and costs, the Clerk and Recorder shall designate the neighborhood to be considered during the public hearing. The neighborhood designated shall be either the presumptive neighborhood consisting of the area within a two mile radius of the main entrance to the premises, or a different neighborhood established by considering the geographical area around the premises subject of the application, the persons potentially to be served by the license, community of the area, where inhabitants obtain services and products, distances between municipalities and communities, and such other factors as the Clerk and Recorder may determine demonstrate a "neighborhood." A neighborhood may include areas within municipal boundaries without including the entire municipality. No designation of neighborhood shall include the entire county or a majority of the land acreage of the County. Notice of the neighborhood designated shall be provided to the applicant and made public within five business days following receipt of a complete application.
- (2) Upon receipt of a complete application, the Clerk and Recorder shall schedule a public hearing upon the application before the Board of County Commissioners not less than thirty days from the date the application is complete. Public notice of the application and public hearing shall be given not less than ten days prior to such hearing. Public notice shall be given by the posting of a sign in a conspicuous place on the premises for which application has been made, and by legal publication in a newspaper of general circulation in the area of the licensed premises. Published notice shall contain the same information as that required for posted notice.
- (3) Posted notice shall be by posting a sign of suitable material, not less than twenty-two inches wide and twenty-six inches high, composed of letters not less than one inch in height and stating the type of license applied for, the date of the application, the date of the public hearing, and the name and address of the applicant, and such other information as may be required to fully apprise the public of the nature of the application. If the applicant is a partnership, the posted notice shall contain the names and addresses of all partners, and if the applicant is a corporation, association, or other organization, the posted notice shall contain the names and addresses of the president, vice-president, secretary, and manager or other managing officers.
- (4) The applicant shall also cause publication of a display advertisement of not less than a one-quarter page of the newspaper containing the same information as that required for posted notice.
- (5) If the building in which retail or medical marijuana is to be sold is in existence at the time of the application, any sign posted as required in subsections (2) and (3) of this section shall be placed so as to be conspicuous and plainly visible to the general public. If the building is not constructed at the time of the application, the applicant shall post the premises upon which the building is to be constructed in such a manner that the notice shall be conspicuous and plainly visible to the general public.

Section 8 – Ordinance #18 - Public Hearing

- (1) The public hearing shall consider the neighborhood established pursuant to Section 7(1).
- (2) At any public hearing held pursuant to this regulation and ordinance, a Party in Interest shall be allowed to present evidence and to cross-examine witnesses.
 - (a) The following shall have automatic Party in Interest status for all proceedings:
 - (1) The applicant; and

(II) A person residing, holding, or owning any property interest in the neighborhood may file with the Clerk and Recorder written objections to or support for an application, and/or may appear in person at such public hearing to submit such objection or support.

(b) A person who is not an automatic Party in Interest under Section 8(2)(a) but who is affected or aggrieved by the action of the Board of County Commissioners may be granted Party in Interest status, but only after the person files with the Board of County Commissioners a written request to be added as a Party in Interest. The request must set forth a brief and plain statement of the facts which entitle the requester to be admitted and the matters which the requestor claims should be decided. Such written request shall be filed at least 5 days prior to the scheduled public hearing. The Board of County Commissioners shall determine requested Party in Interest status on the day of the public hearing. Nothing shall prevent the Board of County Commissioners from admitting any person or agency as a Party in Interest to a public hearing for a limited purpose. The Board of County Commissioners shall have the authority to decide Party in Interest status and may grant Party in Interest status to those not conforming to these requirements upon a showing of good cause or excusable neglect.

(3) The Board of County Commissioners has the discretion to accept or reject comments, statements, and/or documents from any person, whether or not the person qualifies as a Party in Interest.

(4) The Board of County Commissioners shall give all evidence the weight it deems appropriate.

(5) The Board of County Commissioners has authority to refuse to issue any marijuana establishment license for good cause. For purposes of this subsection (5), the term "good cause" means:

(a) The applicant has violated, does not meet, or has failed to comply with any of the terms, conditions, or provisions of the Colorado Retail Marijuana Code, the Colorado Medical Marijuana Code, this regulation and ordinance, or any rule or regulation promulgated pursuant thereto; and/or

(b) With respect to a second or additional retail or medical marijuana establishment license applied for by the same applicant, the Board of County Commissioners shall consider the effect on competition of the granting or disapproving of additional licenses to such licensee, and no application for a second or additional license that would have the effect of restraining competition shall be approved; and/or

(c) Evidence that the issuance of the license and subsequent operation of the business will adversely impact the health, welfare or public safety of the neighborhood in which the marijuana establishment is proposed to be located.

(6) Before entering any decision approving or denying the application, the Board of County Commissioners shall consider, except where this regulation and ordinance specifically provides otherwise, the facts and evidence adduced as a result of public hearing required by this section, and any other pertinent matters affecting the qualifications of the applicant for the conduct of business as a marijuana establishment.

(7) The Board of County Commissioners shall also consider:

(a) The reasonable requirements of the neighborhood and the desires of the adult inhabitants as evidenced by petitions, remonstrance, or otherwise; and

(b) The number and availability of other marijuana establishments in or near the neighborhood under consideration.

(8) The local licensing authority shall have the authority to impose such reasonable terms and conditions on a license as may be necessary to protect the public health, safety and welfare, and to obtain compliance with the requirements of this regulation and ordinance and applicable law.

Comments

The Grand County Clerk and Recorder has received all documentation required by Grand County Ordinance #18. The fees required by law and statute have been remitted.

The type of license being requested allows the applicant to purchase marijuana from marijuana cultivation facilities and marijuana and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers.

Recommendation

If, after taking testimony at the public hearing, the Board of Commissioners approves the license, the Clerk and Recorder recommends that operations be allowed after the following items are complete.

1. No operations under this license shall be permitted until all conditions herein have been complied with and the Grand County Clerk has provided written notice of the satisfaction of those conditions.

2. Current list of employees provided to the County Clerk on a quarterly basis.

3. Applicant shall verify with CDOT whether a highway access permit is required with the addition of a retail use of the property.

4. A comprehensive site plan has been provided to Grand County Community Development.

5. All requirements identified in the comprehensive site plan have been completed.

6. Complete set of plans provided to Community Development for the completion of the interior of the building.

7. Certificate of Occupancy from Community Development to allow use of the building.

Clerk and Recorder Sara Rosene also provided the following information with regard to petitions and letters and emails.

Petitions - In favor of the establishment

58% outside the 2-mile radius in Grand County (217 signers)

39% within 2-mile radius (144 signers)

3% outside Grand County (13 signers)

Petitions – Against the establishment

62% outside 2-mile radius in Grand County (118 signers)

38% within 2-mile radius (73 signers)

Petitions - Total petition signers inside the 2-mile radius

66% have signed “pro” (144 signers)

34% have signed “con” (73 signers)

Letters and emails – In favor of the establishment

44% outside the 2-mile radius (40 letters/emails)

41% address not given (37 letters/emails)

13% inside the 2-mile radius (12 letters/emails)

2% outside Grand County (2 letters/emails)

Letters and emails – Against the establishment

47% inside the 2-mile radius (19 letters/emails)

40% outside the 2-mile radius (16 letters/emails)

13% outside Grand County (5 letters/emails)

Letters / emails inside the 2-mile radius

61% Con (19 letters/emails)

39% Pro (12 letters/emails)

General Counsel for IgadI David Michel stated that there was an issue on the lease. That issue has been resolved.

Mr. Michel stated that IgadI has 160 employees and 40 of them live and work in Grand County. IgadI invests in the business and in the employees.

In 2019, IgadI paid over \$260,000 in fees and taxes to Grand County. This location will provide significant taxes to the County as well.

Marijuana has shown to attract tourism. Of the people that come to Colorado, 6.2 percent come to Colorado because legal marijuana.

This location will create eight jobs. They believe they will attract customers from Kremmling and Walden.

Mr. Michel noted that in a recent Sky Hi New poll, 65 percent of the respondents were in favor of this use at this location.

In May 2019, Mr. Michel toured his facility with Paul Chavoustie (Mayor) and Aaron Blair (Town Manager) and Mr. Michel was told that there would be no objection from the Town of Granby.

Mr. Michel noted that the licenses held by IgadI have had zero violations with regard to serving minors.

Mr. Michel asked the Board to allow people to make their own decisions and use marijuana as they choose.

Brandon Uline resides at 404 New Church Avenue in Granby. For the past four years, Mr. Uline has worked at IgadI. He started at the lowest possible job at IgadI and has worked his way up to logistics director. IgadI has given him a career.

Mr. Uline is a veteran and has seen how PTSD affects people and has seen how marijuana can help mitigate PTSD.

Mr. Uline is in support of the business.

Jacob McGee lives at 246 E. Diamond Avenue in Granby and has lived in Grand County his entire life. Mr. McGee is in support of the business. Mr. McGee stated that underage consumption of marijuana does not come from dispensaries.

Sandy Walker stated that she lives on Avenue C by the high school. Ms. Walker and her husband came to Grand County in 1981. One of the things that drew them to Colorado was open mindedness. Ms. Walker raised her family here.

Ms. Walker started working for IgadI in 2015 part-time and is now the Comptroller of the company. It is a good company. The culture of the company is family oriented.

Cannabis is a highly regulated business. The regulations that the local government put in front of them they follow.

Granby Town Manager Ted Cherry stated that the Town Board took this to a vote on August 11, 2020 to oppose the permit. The schools are based in Granby. The overall community feel could be compromised. The local voters opposed medical marijuana stores when that come to a ballot issue. This is in the growth area of the town.

Elaine Henrekin of 280 E Garnet, Granby was on the town board when they decided to keep Granby marijuana free. They want it to be known as a family oriented community. This building is 10 feet away from the border of Granby. Ms. Henrekin thought the Commissioners wanted to support the town. Ms. Henrekin is against the license.

Sam Conger owns property within the two-mile radius. Mr. Conger has been employed and self-employed in Grand County for 26 years. Mr. Conger had 40 employees in the past.

There are services in Grand County that cannot be funded by the County. This business would bring more revenue in the County. Mr. Conger supports the business.

Naomi Hahn stated that she lives in Granby. Ms. Hahn stated that her family lives in close proximity to this building. Ms. Hahn wants her child and grandchildren to be protected. She is concerned over her child's future. Ms. Hahn noted that the Town of Granby will not receive taxes from this facility.

Ms. Hahn noted that Granby is against this. The County should listen to the town.

James McSwame stated that he lives at 843 W. Agate and he takes care of the property. Mr. McSwame stated that the property is entirely fenced in except in the Highway 40 side of the property. Mr. McSwame keeps an eye on the property.

Micha Miller lives on Avenue C. Mr. Miller stated that Red Dirt Hill is extremely dangerous. There are people in the County that smoke marijuana all the time. The closest place for people west of Red Dirt Hill is to go to Tabernash. Mr. Miller thought it would cause fewer accidents if people did not have to go over Red Dirt Hill.

Mariette McGrath stated that she has lived in Grand County for 48 years. Ms. McGrath wants to keep Grand County grand. She is not in favor of the dispensary.

Leanne Harvey lives on County Road 4658. Ms. Harvey is opposed to the location because it is on the corridor to Rocky Mountain National Park.

Mr. Harvey stated a government study shows that the chronically homeless people come to area where marijuana is available.

Ezra Wolverton lives in Kremmling and is the lead cultivator at IgadI. He supports the new store.

Mr. Wolverton came to Colorado because his four-year old daughter was having seizures. Mr. Wolverton stated that his daughter is using CBD is having far fewer seizures.

Amber Rector lives on the Granby side of Red Dirt Hill. She would love to have a location for IgadI on the Granby side.

Ms. Rector is a cultivator at IgadI. Ms. Rector stated that she has a teenage daughter and most of her friends just don't think marijuana is cool.

Kathy Brown is a pharmacist and lives at 1373 County Road 8304. Marijuana is a drug and it is regulated by the FDA.

Marijuana is a potent drug. It is dangerous to children and adults. It does cause damage to the brain in the area of short term memory.

Gaylord Brown lives at 1373 County Road 8304 stated that from the perspective of a professional athlete, you cannot use marijuana.

Granby is a nice western town with western values. Things are changing for the worse.

Red Dirt Hill is dangerous but not because of marijuana.

Aaron Anderson lives on Red Dirt Hill and has lived in the County for ten years.

Mr. Anderson has worked at IgadI and moved himself to a middle management position. Mr. Anderson supports this license.

Brad Stegmeier lives in Fraser and is a 25-year retired Navy Seal. Marijuana is legal in Colorado and is a revenue stream. He wants to make sure that the vets in Grand Lake and Kremmling do not have to go over Red Dirt Hill.

Kim Burrell lives at 307 E Jasper, Granby stated that she is for this.

Angela stated that she lives in the two-mile radius. She is in chronic pain. It is difficult to get across the County to drive to Tabernash.

Mr. Michel stated that the FDA does not regulate marijuana nor does it regulate THC. Congress determines what is on the controlled substance list.

Commissioner Manguso closed the hearing to public comments.

Commissioner Linke stated that this is a difficult issue. It is not the Board's position to be the parent for the community.

Commissioner Cimino thanked those who testified. He noted that he is disappointed that there is not medical offering at this location. Grand County remains a family friendly location.

Commissioner Cimino noted that this is not about revenue. This is about freedom and freedom for business owners.

Commissioner Manguso stated that she believes in freedom and for businesses to operate a business.

Commissioner Manguso noted that the Board cannot legislate what people can do. This is a business that has a right to operate. The County likes to respect the town but noted that she is pro-business.

Commissioner Linke moved to approve the Retail Marijuana Store License for IgadI, 843 W Agate Ave, Granby as presented.

Commissioner Cimino	aye
Commissioner Linke	no
Commissioner Manguso	aye

The motion passed.

Commissioner Linke moved to close the public hearing.

The motion passed unanimously.

Williams Fork Fire Update

County Sheriff Schroetlin stated that the incident management team has been stood up. Most of the work being done is the responsibility of the Forest Service. There is great coordination between the Federal agency and the local agency.

The fire made a run but then settled down. The weather may cause the fire to build some.

The fire is currently at 11,000 acres.

The crew have been following COVID protocols.

There being no further business to come before the Board, the meeting was adjourned at 1:50 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 15th day of September 2020.

Kristen Manguso, Chair

Attest:

Sara L. Rosene, Clerk and Recorder