

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

August 18, 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.

Commissioner Linke moved to approve the Minutes of the Regular Board of Commissioner's Meeting of August 11, 2020, with corrections.

The motion passed unanimously.

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

Commissioner Cimino moved to approve the down payment assistance loan for Justin L. Burnham in the amount of \$4,200.

The motion passed unanimously.

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

Finance Department

Finance Director Curtis Lange presented the Check Register and Expenditure List to be paid on August 19, 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 18, 2020 for payment on August 19, 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 19, 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 18, 2020, for payment on August 19, 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 18, 2020, for payment on August 19, 2020 for Grand County.

Discussion: There will be a discussion on the coin expenditure by the Sheriff's Office.

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 now 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 budgeted 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	\$ 563,291	\$ -
Total	\$17,205,951	\$17,028,000

Revenues expected to be down \$184 million in 2020

EXPENDITURES in excess of budget per month

	Spent 3/14 thru 8/12	Projected Monthly	Expected Costs thru 9/30
Emergency Operation Center personnel	\$ 212,818	\$ 43,775	\$ 278,114.01
Grand Foundation Business Grant Program & PPE	\$ 130,000	\$ -	\$ 130,000
Isolation facility @ 100k/ mo	\$ -	\$ -	\$ -
County OT (predominately PH & Sheriff thru 7-24)	\$ 15,382	\$ 3,146	\$ 20,101.19
Other Operating expenses	\$ 103,362	\$ 21,142	\$ 135,075.30
Totals	\$ 461,561	\$ 67,819	\$ 563,291

Expenditures expected to be higher \$563k

Expected effect to 2020 budget (\$385k)

Projected Budget Deficits and Postponed or Eliminated Operations and Projects

Projected County wide effects to Fund Balance	\$ (385,000)
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	\$ (347,000)
% 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	\$ (673,500)
% Unrestricted fund balance of operating budget	38%

Departmental Contracts, Comments, Issues

Human Services Director Deb Ruttenberg stated that they have moved to their new location. She wanted to thank the following for all the help provided:

- Kirk Magnusson
- Tom Johnson
- Mark Jensen
- Andrew O'Neil
- Mark Janssen
- Eric Selzer
- Ed Moyer
- Bill Croach
- Art Aguliar
- Gary Sidell
- Fraser Road and Bridge Shop – Brandon Antonio, Tom Gipp, Ron Brynoff, Jim Riley, Scott Lyle
- Deb Ruttenberg's staff
- Board of County Commissioners

Commissioner Cimino moved to enter into the Colorado Youth Detention Continuum (Form, Senate bill 94 14<sup>th</sup> JD Sub-Grantee Agreement) with Moffat County, Colorado.

The motion passed unanimously.

Commissioner Cimino moved to enter into the Colorado Youth Detention Continuum (Form, Senate bill 94 14<sup>th</sup> JD Sub-Grantee Agreement) with the 14<sup>th</sup> Judicial District Attorney's Office.

The motion passed unanimously.

Commissioner Cimino moved to enter into JBBS Grant between Grand County and the Colorado Department of Human Services, Office of Behavioral Health and authorize the Chair to sign electronically outside the meeting.

The motion passed unanimously.

Commissioner Cimino moved to approve the one-year extension of the Blue Valley Ranch Outright Exemption to August 20, 2021 as presented.

The motion passed unanimously.

Commissioner Linke moved to approve Resolution No. 2019-3-33, "A RESOLUTION APPROVING THE AMENDED FINAL PLAT, AMENDED LOT 9A AND 10A, SOUTH SHORE PLACE, A REPLAT OF LOTS E1/2 8, 9 AND 10 RECORDED AT RECEPTION NO. 69901, LOT 3 AND 4 SECTION 8, TOWNSHIP 3 NORTH, RANGE 75 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF GRAND" and authorize the Chair to sign.

The motion passed unanimously.

Commissioner Cimino moved to approve Contract Change Order No. 2 for the Contract with United Companies and authorize the Chair to sign.

The motion passed unanimously.

Jim Ward asked how the Board is going to respond with regard to the breach of contract as FBO at the Kremmling Airport. Mr. Ward noted that he would like to terminate is contract at the end of this calendar year.

Attorney Georgia Noriyuki stated that Alpine Wings again apologized for the incident at the airport. The employee has been terminated. Mr. Ward contacted the Director of Nursing at the hospital and apologized.

Alpine Wings will work with staff regarding the early termination of the contract.

The Board received the July report from the Veteran's Service Officer.

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

The motion passed unanimously.

Clark Lipscomb stated that the tax credit investors have a deadline that he must meet.

The plans for the building have been in the Building Department for six weeks. Mr. Lipscomb stated that the Planning Division has approved the work.

Mr. Lipscomb has water and sewer lines to install. He has a very extensive gravel road to build to keep construction traffic out of the town of Fraser.

Mr. Lipscomb would like to get a site disturbance agreement, infrastructure improvement agreement, and a foundation permit in advance of the plat.

Acting County Manager Ed Moyer stated that the Commissioners conditioned the approval of the plat on making application for a 1041 Permit. The 1041 Permit is not holding Mr. Lipscomb from getting documents together and executing a Subdivision Improvement Agreement and recording a final plat.

The County needs costs estimates.

The County may be able to restrict the Certificate of Occupancy to move this along. The draft Subdivision Improvements Agreement already has that no CO would be issued until there was preliminary acceptance of the improvements.

Commissioner Manguso is fine with the off-site roads being constructed.

Mr. Lipscomb stated that he can get the plat in by next week.

Commissioner Manguso would like a document that is signed by Mr. Lipscomb that says, there is never be CO on this until all the public improvements are complete and the County Engineered has signed off.

Commissioner Manguso noted that the applicant could put up bond and get a CO.

Mr. Moyer stated that staff will work with Mr. Lipscomb and get the documents in place this week.

### Grand County Board of Health

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

Public Health Director Brene Belew-LaDue stated that Grand County is in the High Risk Disease transmission category.

Ms. Belew-LaDue has been working with both of schools and both will open next week.

Ms. Belew-LaDue is working with the fire teams that have come in and will be working with the ones coming in with regard to their COVID plans.

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

### Manager and Attorney Items

Commissioner Cimino moved to approve the 2020 Memorandum of Understanding between Grand County and Colorado Headwaters Land Trust in the amount of \$750,000 to the Town of Granby through the Open Lands Fund for conservation easements and authorize the Chair to sign.

The motion passed unanimously.

Commissioner Cimino moved to approve the Cooperative Water Lease of Grand County Water Apportionment – WGFP IGA between Grand County and the Colorado River Water Conservation District acting by and through its Colorado River Water Projects Enterprise and Grand Valley Water Users Association and Orchard Mesa Irrigation District as presented.

The motion passed unanimously.

Commissioner Cimino moved to approve and sign the letter of support for the Grand County Historical Association in support of the grant to the State Historical Grant for the Kremmling Depot.

The motion passed unanimously.

Commissioner Linke moved to approve letters of thanks for work at the Middle Park Fair and Rodeo to the following:

Jeremie Salyards  
Mari Miller  
Pat Pryor  
Grover Pryor  
Dwayne Uhrich  
Holly Hester  
Taura Perdue  
Tim Ritschard  
Deb Wood  
Kyle Sanders  
Penny Bruchez  
Dakota Docheff  
Tonya French  
Christy Horn  
Cale Smiley  
Shea Meeks  
Chris Murphy  
Dave Sammons  
Nate Hester  
Kyle Sanders

Oliva Clark  
Karli Tonneson  
Julie Aprill

The motion passed unanimously.

Ed Moyer presented the weekly Manager's update.

#### Consent Agenda

Resolution No. 2020-8-5, "A RESOLUTION APPROVING AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO TO EXECUTE A COOPERATIVE FOREST ROAD AGREEMENT AND SCHEDULE A BY AND BETWEEN THE U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE, REGION 2, ARAPAHO AND ROOSEVELT NATIONAL FORESTS, PAWNEE NATIONAL GRASSLAND – SULPHUR RANGER STATION, AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO"

Resolution No. 2020-8-6, "A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO OPENING THE 2020 COUNTY BOARD OF EQUALIZATION HEARINGS AS OF JULY 1, 2020 AND CONTINUING THE HEARINGS AS NEEDED, AND APPROVING THE APPOINTMENT OF REFEREES TO HEAR THE 2020 BOARD OF EQUALIZATION APPEALS"

Commissioner Cimino moved to approve the Consent Agenda

The motion passed unanimously.

#### Board Business / Correspondence / Calendar

Commissioners Linke and Cimino attended the County Budget meeting.

CCAT and CAST will be meeting with CDPHE regarding ski resorts reopening.

Commissioners Cimino and Manguso attended the Fire Cooperators meeting.

Commissioner Linke attended Granby Chamber Board meeting regarding the Gallagher amendment.

Commissioner Manguso attended the STAC meeting.

August 19 The Board will participate in a Zoom Town Hall regarding the Gallagher amendment at 6:00 pm  
August 20 All three commissioners will attend the CCI Mountain District meeting from 9:30 am to noon  
August 21 All three commissioners will attend the CCI Western District meeting at 9:30 am  
August 21 All three commissioners will attend the Club 20 Board of Directors meeting at 12:30 p.m.

#### Amended Final Plat for Lots 1, 2 and 3, Block 3, Val Moritz Village, Second Filing

PROJECT NAME: Amended Final Plat, Lots 1, 2, & 3, Block 3, Val Moritz Village Subdivision  
APPLICANT: David Kolbush, Co-Owner  
LOCATION: 277 GCR 883, 684 & 722 GCR 882  
ZONING: Residential District (R)  
APPLICABLE REGULATIONS: Grand County Zoning Regulations, Subdivision Regulations, Val Moritz Protective Covenants and Restrictions  
ATTACHMENTS: Amended Final Plat, Letter of Application, Vicinity & Detail Maps, Title Commitment  
STAFF PLANNER: Jacob Cote  
REQUEST: Approval of an Amended Final Plat to eliminate Lot 2, Block 3 of the Val Moritz Village Subdivision, dividing the parcel between Lots 1 and 3 to create two larger lots. Platted easements corresponding with lot lines creating Lot 2 will be vacated and utility easements shall be platted along the newly-created lot line separating new Lots 1A & 3A.

#### I. DISCUSSION

- a. Proposal: David Kolbush, the "Applicant" and owner of Lot 3, along with Karen Robine, owner of Lot 1, co own Lot 2 as LIVNXS, LLC. The Applicant is applying for an Amended Final Plat that would entirely

eliminate Lot 2 by removing the side lot lines of the parcel. Lot 2 would then be divided and distributed to Lots 1 and 3— which, through the Amended Final Plat, would become Lots 1A and 3A—enlarging both lots.

Currently, Lots 1 and 3 are developed with single-family residences, while Lot 2 is vacant and covered primarily with mature trees. Lot 1 is 1.02 acres, Lot 2 is 1.01 acres, and Lot 3 is 1.0 acre. Approval of this Amended Final Plat would result in a Lot 1A of 1.7 acres and a Lot 3A of 1.34 acres. Lots 1A and 3A are both served by well water and septic systems.

The subject lots are surrounded mostly by undeveloped residential lots. To the south of Lot 1, across GCR 883, is a single-family residence, and to the north of Lot 3 is a single-family residence. Lots in the immediate vicinity of the subject parcels range in size from 0.56 acres to 2.1 acres in size. Properties on the other side of GCR 882 are within the Town of Granby town limits.

With the vacation of the utility easements, there will be no disruption of services.

b. History:

The Val Moritz Village Subdivision, Second Filing was recorded May 4th, 1971 at Reception No.117593. It comprised of seven blocks and a total of 105 lots. Ten Amended Final Plat Resolutions have been recorded by the County for this subdivision (across both the First and Second Filings), including a single application to complete six AFP's for the subdivision in May 2019. There have also been instances of utility easement vacation in the Val Moritz Village subdivision.

## II. STAFF COMMENTS AND ANALYSIS

Staff supports this proposal in consideration of the several other Amended Final Plats which have been approved in the Val Moritz Village Subdivision. In a Certificate of Recommendation brought forth to the Grand County Board of County Commissioners in May 2019, staff member Alex Taft presented a "Batch AFP": a request to approve six different Amended Final Plats, combining 15 lots into 9 lots and reallocating affected utility easements.

This bulk AFP application was a consequence of difficulties faced by the VMV HOA as they tried (unsuccessfully) to extend municipal water and sewer services to the Second Filing. After three failed attempts to bring service infrastructure into the subdivision, the HOA decided to encourage lot combinations; the enlargement of parcels would make easier the siting of well and septic systems on the properties, allowing for easier build-out of the subdivision. This proposed Amended Final Plat is consistent with the requests of many other approved AFP's in the subdivision.

## III. PLANNING COMMISSION RECOMMENDATION

Planning Commission recommends approval of the Amended Final Plat, Amended Lots 1A and 3A, Block 3, Val Moritz Village (Second Filing) being a replat of Lots 1, 2, and 3, Block 3, Val Moritz Village (Second Filing), Reception No. 117594 with the following conditions to be met prior to the recording of the Final Plat:

1. The title of the Amended Final Plat shall be amended as recommended.
2. The legal description shall be amended as recommended.
3. The Amended Final Plat shall show the name of the street adjacent to the south boundary of the Plat, commonly known as Klosters Street, to be GCR 883.
4. The Dedication shall be amended to read as indicated.
5. Remove "Preliminary Plat" and correct legal description.
6. A vicinity map. This has been provided and shall remain on the Final Plat.
7. The A 14" x 18" black-line Mylar(s) with approved addresses and road numbers shall be placed on the Final Plat Mylar as required.
8. A statement of taxes showing that all taxes have been paid shall be submitted.
9. An electronic copy of the Final Plat shall be submitted.
10. All recording fees are to be paid by the Applicant.
11. Quit Claim Deeds to describe the amended legal descriptions of the lots shall be recorded.
12. Documented permission shall be granted by utility companies providing service to the property allowing for the vacation of the interior lot line utility easements.
13. Existing private utility easements correspondent to the interior lot lines proposed to be vacated shall be vacated per quit claim deed from the Val Moritz Village Homeowners' Association.

Commissioner Cimino moved to approve the Amended Final Plat, Lots 1, 2 & 3, Block 3, Val Moritz Village Subdivision as presented.

The motion passed unanimously.

National Popular Vote

The Board directed staff to prepare a resolution regarding the National Popular Vote.

The Board is in favor of not supporting the National Popular Vote to protect rural America.

Williams Fork Update – Possible Stage 3 Fire Ban for Williams Fork Fire Closure Area

Sheriff Brett Schroetlin came to discuss a possible Stage 3 Fire Ban for the Williams Fork Fire Closure area.

Sheriff Schroetlin stated that they received the initial call on the fire on Friday around noon. The Forest Service got on site quickly and was able to do a lot by air that day.

The local agencies are working well with the Forest Service.

Everyone in the affected area was evacuated on Friday night. Pre-evacuation notices were sent on Friday and Saturday.

Over the weekend they created evacuation and pre-evacuation zones.

The official information sources are the Grand County Sheriff's Facebook page and GCemergency.gov.

Sheriff Schroetlin recommends a Stage 3 Fire Ban in the area identified by the Forest Service.

Commissioner Linke moved to enter in Stage 3 Fire Restrictions for only property identified in Arapaho and Roosevelt National Forests map under Order #ARP-SRD-2020-06 effective immediately.

The motion passed unanimously.

Commissioner Cimino moved to declare a Local Emergency Disaster for the 2020 Williams Fork Wildfire from August 14, 2020 to October 27, 2020 as presented by OEM Director Kat Conrad.

The motion passed unanimously.

There being no further business to come before the Board, the meeting was adjourned at 12:20 p.m. The minutes were prepared by Clerk and Recorder Sara L. Rosene. Approved this 1<sup>st</sup> day of September 2020.

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Kristen Manguso, Chair

Attest:

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Sara L. Rosene, Clerk and Recorder