

**STATE OF COLORADO  
COUNTY OF ROUTT**

**OFFICE OF THE CLERK  
May 16, 2019**

Commissioner Beth Melton, Chair, called the regular meeting of the Routt County Board of County Commissioners to order. Commissioner Douglas B. Monger, County Manager Tom Sullivan, County Attorney Erick Knaus and Assistant County Attorney Lynaia South were also present. Helena Taylor recorded the meeting and prepared the minutes. Commissioner Timothy V. Corrigan was absent.

**EN RE: *AMICUS* BRIEF ENDORSEMENT**

Mr. Knaus stated the Board has an opportunity to sign-on to an *amicus* brief that's being filed by Eagle County; at last count, 10 other counties have already signed-on. This concerns appeals by property owners and their real property ownership tax for contiguous parcels. There are several Routt County cases pending in both the Court of Appeals and the Board of Assessment Appeals. Several of those cases will be impacted by the Colorado Supreme Court's decision. This particular *amicus* brief addresses common ownership of the contiguous parcels. The interests of Eagle County are shared with Routt County and probably every other county in Colorado. It is Mr. Knaus' opinion that it's in Routt County's best interest to join the *amicus* brief. He added this will not require additional work or resources on the part of Routt County. Routt County would be signing on as an endorsing agency on the brief itself.

Commissioner Monger stated he has not read the brief but based on Mr. Knaus' recommendation, he is sure the brief represents the County's interest. He would support signing on to the brief. Mr. Knaus stated both he and Ms. South have read the brief. He also sent the Board an electronic copy of the brief for their review. Both Commissioners did not receive the email. Mr. Knaus will re-send the brief to all commissioners.

Commissioner Melton stated regardless, the Board would be taking Mr. Knaus' advice on the matter, especially if it represents the County's interests.

Mr. Knaus stated this brief only addresses one issue; the co-ownership of the contiguous parcels. There will be other issues addressed separately in forthcoming *amicus* briefs.

Commissioner Melton stated she wasn't in favor of having additional special meetings to discuss forthcoming briefs and would be comfortable in providing authority to Mr. Knaus to move forward with not only this first brief but also forthcoming briefs. Commissioner Monger was in agreement.

Mr. Knaus stated the County Attorney's office will continue to update the Board on the ongoing cases either during the Attorney's Monday work session or during the quarterly Docket review.

**MOTION**

Commissioner Monger moved to approve the signature of the County Attorney's office on the *amicus* brief regarding co-ownership of contiguous parcels litigation and dispute at the Court of Appeals, the Board of Assessment Appeals and the Colorado Supreme Court.

Commissioner Melton seconded; the motion carried 2-0.

**MOTION**

Commissioner Monger moved to approve the County Attorney's office sign on behalf of the Board of County Commissioners of Routt County on the *amicus* briefs forthcoming in the litigation concerning contiguous parcel and property tax disputes at the Court of Appeals, the Board of Assessment Appeals and the Colorado Supreme Court.

Commissioner Melton seconded; the motion carried 2-0.

No further business coming before the Board, same adjourned sine die.

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Kim Bonner, Clerk and Recorder

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M. Elizabeth Melton, Chair

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Date