

**STATE OF COLORADO
COUNTY OF ROUTT**

**OFFICE OF THE CLERK
May 21, 2019**

Commissioner Beth Melton, Chair, called the regular meeting of the Routt County Board of County Commissioners to order. Commissioner Douglas B. Monger, Deputy County Manager Dan Weinheimer and County Manager Tom Sullivan, were also present. Those present recited the Pledge of Allegiance. Helena Taylor recorded the meeting and prepared the minutes. Commissioner Timothy V. Corrigan was absent.

EN RE: WARRANTS

Commissioner Monger moved to approve and authorize the Commissioners to sign the Warrants Sheets that included:

Accounts Payable Check- Cycle Date:	05/13-05/17/19	\$986,613.56
Accounts Payable Check: Manuals	-	\$
Accounts Payable Wires:	-	\$
Total:		\$986,613.56
Payroll Checks- Cycle Date:	05/13-05/17/19	\$511,905.55
Payroll Checks- Manuals	05/13-05/17/19	\$2,069.67
Payroll – IRS & State Income Tax	05/13-05/17/19	\$209,458.81
Total:		\$723,434.03
Total Disbursements Approved:	05/13-05/17/19	\$1,710,047.59

Commissioner Melton seconded.

Mr. Sullivan advised of the 2019 Accounts Payable items of note for run date May 13, 2019.

Vendor	Amount	Department
Everbridge	\$12,131.95	Comm Center: Annual license fee for Emergency Mass Notification System
Government Finance Officer Association	\$20,040.00	BCC Office Budget: Accounting, Purchasing and Treasury: Phase 1 Business

		Assessment: Information Gathering and Communication of Key Findings
NORTHWEST CO VISITING NURSE	\$17,916.67	Environmental Health Budget: JUNE 2019 SUPPORT
CITY OF STEAMBOAT SPRINGS	\$420,905.98	Building & Plant Pool: CLEF Project Reimbursements: Comm Center - \$59,976.88; CLEF Bldg. \$360,929.10
UMB BANK & TRUST N.A.	\$113,523.72	Building & Plant Pool: COP 2012 –Refinance Justice Center (Principle Payment made in December)
WAGNER EQUIPMENT CO	\$111,644.24	Heavy Equipment Pool Budget: District 2 Backhoe Purchase
BEAR COMMUNICATIONS INC	\$18,438.75	Comm Center: CLEF- Comm Center Coaxial Cable Install
COMMUNICATIONS VENTURE CORP	\$4,500.00	Comm Center Budget: TEXT-911 SETUP
2019 AP Run Date May 2 - Total	<u>\$986,547.86</u>	

The motion carried 2-0.

EN RE: ITEMS OF NOTE FROM PREVIOUS DAY’S WORK SESSION

Commissioner Monger stated updates were received from the County Manager, the legal department, public works, information technology, Yampa Valley Regional Airport, Treasurer, and accounting.

EN RE: CONSENT AGENDA

The following items were presented for consideration, approval, and signing on the consent agenda:

- A. Approval of County Commissioners Minutes: Regular Meeting of April 23, 2019;
- B. Approval of and authorization for the Chair to sign Resolution 2019-017 appointing two members to the South Routt Library District; Krystal Boies and Susan Siggson with 5-year terms beginning May 7, 2019 through May 7, 2024.

MOTION

Commissioner Monger moved to approve items A and B on the consent agenda and authorized the Chair to sign the related documents.

Commissioner Melton seconded; the motion carried 2-0.

EN RE: PUBLIC COMMENT

Jim Stanko and Dennis Fisher, American Legion Post #44, were present.

Mr. Stanko stated he would like to invite the Board to the Memorial Day celebration being held on Monday, May 29, 2019. He added American Legion is approaching their 100th anniversary. The celebration at the Steamboat Springs cemetery started in 1921. Mr. Stanko remembered events in years past; he was reminded of a Memorial Day back in 1958 where local scouts started placing flags in the cemetery graves. The local boy scouts will be assisting with the flag placement on this coming Thursday afternoon at 5:30 pm.

Mr. Stanko stated the American Legion got a Special Use Permit from the City of Steamboat Springs in order to have bus service to the cemetery.

Mr. Fisher stated he wanted the younger generation to recognize the past and have an awareness of what is going on in the world.

Mr. Stanko stated the American Legion presented the Boy Scouts with funds for their operations; American Legion is also the Boy Scouts pass-through funding agency on several grants.

Mr. Stanko stated he would love to see the Board attend the Memorial Day events should their schedule allow.

Walter McGill, joined the meeting for additional public comment.

Mr. McGill stated he just wanted to update the Board on several projects his organization is working on throughout the County. One of the many projects he is working on is the Vacation of County Road 50. He stated some work will need to be done on the waterbody setbacks. Currently the road is about twelve feet wide and to accommodate emergency services, it will need to be widened to twenty-two feet.

Additionally, Mr. McGill stated he is working on Willow Bend and Willow Hill trailer parks in Oak Creek. The two parks were purchased in the past three years. The new owner has replaced a couple of the trailers in Willow Bend and wants to pave a road through the park and generally clean it up. The adjacent motel was recently purchased by a gentleman from Minnesota. He has cleaned up the motel and is working on a tiny-home project in the Town of Oak Creek.

Mr. McGill discussed another tiny-home project in Milner and addressed a possible water system versus wells. But nothing concrete is happening at this time.

Mr. McGill discussed a subdivision he is working on in the City of Steamboat Springs. There are 140 of buildable lots. There is an issue with the emergency access through the West of Steamboat neighborhoods. He stated he is going to City Council and ask to remove the emergency access condition. He hopes Council will do an approval similar to the Sunlight Subdivision, otherwise the preliminary plat will expire and all 140 lots would go away.

Mr. McGill stated the new owner of the Oak Creek trailer parks is also looking to expand in Hayden, possibly, with more manufactured homes. They are currently looking for available lots that would accommodate these homes. Overall, it's a busy construction season.

EN RE: ENVIRONMENTAL HEALTH / SCOTT COWMAN

Kelly Romero-Heaney, City of Steamboat Springs Water Resource Manager, was also present.

PROPOSED TEMPORARY MODIFICATION OF TEMPERATURE STANDARDS FOR THE YAMPA RIVER

Mr. Cowman stated the City of Steamboat Springs is requesting support from the Board for a proposed request to the Colorado Division of Public Health and Environment (CDPHE) Water Quality Control Division (WQCD) for a temporary modification of the temperature standards for Yampa River Segment 2B which extends from the confluence of the Yampa in Oak Creek to confluence of the Yampa in Elkhead; 57-mile segment. A draft letter has been prepared for review and signature should the Board decide to support the request. A signed letter of support would be submitted to the Water Quality Control Commission (WQCC). If granted, the WQCD would issue the Temporary Modification.

Ms. Romero-Heaney stated in 2016 the 57-mile segment of the Yampa River was placed on the state's Impaired Waterbody List. She explained once a stream segment gets on that list that can really have an impact on any point source discharge; permitted discharges such as wastewater treatment plants, construction discharge or even the City's MS4 permits. The Clean Water Act or the EPA can regulate point source discharges but not the non-point discharges. The burden is really on the point source discharges to meet the very strict effluent limits. The only way to reduce the temperature of the discharge, from a wastewater treatment plant for example, is to invest in very expensive building infrastructure. Not only can it cost up to \$5 Million but also consumes a lot of energy. At this time the City is trying to be more sustainable and reduce its carbon footprint.

Mr. Cowman stated there is a lot of activity going on the river right now to try to address some of the issues. They had discussed re-tree in partnership with Yampa Valley Sustainability Council (YVSC). There has been discussions on narrowing the channel in areas where it has become wide and braided; big width and shallow water helps warm the water. There are several activities ongoing to try and address the issue but it is still classified as cold water system.

Ms. Romero-Heaney stated the temperature standard on this segment is particularly cold because it's based upon the aquatic life that exists here, including Mountain White Fish, Rainbow Trout and Brown Trout.

Ms. Romero-Heaney hopes that the Waterbody Control Commission, during the June 2019 meeting in Grand Junction, commits to a temporary modification of the Stream Standard which would give the City of Steamboat Springs 5 years to work out a long term solution. She spoke of precedent for other discharges working not just in Colorado but also in other UPA regions. She added there are tools available that would really promote watershed scale health.

Mr. Cowman stated the reason that the Temporary Modification tool is in place is to allow entities to find long term solutions.

Commissioner Monger asked how many discharge permits are there in the 2B Segment. Mr. Cowman stated one is the Milner Treatment Plant. He added at this time, we are not being required to record temperature in the discharge permit. He is not sure what the exposure is for that permit long term. Milner Treatment Plant is a very small discharger. He is not sure who else has a permit.

Commissioner Monger asked if the problem is in the discharge being hotter or the entire river is hotter. Ms. Romero-Heaney stated that is a challenge they currently face. They are operating within the Clean Water Act which is archaic.

Commissioner Melton asked when and why did the river temperature increase become an issue. Commissioner Monger added that for the longest time there was only one temperature gage at the 5th Street location. Ms. Romero-Heaney added it's been great that Mount Werner Water and the River District partnered with the City to add a continuous temperature USGS gage at 5th Street. At least now they will be collecting a longer term continuous temperature data set, and she has continuous data probes in five locations throughout the Yampa River.

Ms. Romero-Heaney stated until recently they were not monitoring the temperature of the effluent until about two years ago when it was added to the City's permit. The amount of effluent they discharge in relation to the stream is relatively limited and there are times of the year, late summer, that the effluent can actually cool the river. But once on the waterbody list, you are not permitted to add any additional heat to the system. She added this can also be viewed as an opportunity to incentivize restoration work.

Mr. Cowman stated that in the Phippsburg Treatment Plant they are trying to address the issue of discharging water with higher nutrient levels; he is trying to find the balance.

Commissioner Monger discussed the various treatment plants that existed years ago and how the City and County partnered with the different water districts to create one large treatment plant.

Commissioner Melton wanted to know if there were shorter term solutions to consider. Ms. Romero-Heaney stated part of the reason the City is looking to get the Temporary Modification and get the five years, is so they can implement a Plan Resolve Uncertainty. They have committed to doing an analysis of their plan to see if there is "low hanging fruit" type infrastructure improvements. The challenge is a lot of the items that the WQCD already

recommends to reduce the effluence temperature, is already in place. While Ms. Romero-Heaney doesn't think there is much more the City can do to cool the effluent at this point, but they will do additional analysis. Mr. Cowman stated there could be additional administrative solutions that have been discussed.

Commissioner Monger asked about the hearing. Ms. Romero-Heaney stated the next hearing will be on June 10th. He also wanted to know if the City is going to reach out to the Town of Hayden and the water districts for additional letters of support. Ms. Romero-Heaney agreed that was a good idea.

MOTION

Commissioner Monger moved to authorize the Chair's signature on a letter of support for a proposed request to the Colorado Division of Public Health and Environment (CDPHE), Water Quality Control Division (WQCD), for a temporary modification of the temperature standards for Yampa River Segment 2B.

Commissioner Melton seconded; the motion carried 2-0.

EN RE: LEGAL / ERICK KNAUS

DOCKET AND PENDING MATTER REVIEW

At 1:03 p.m., Commissioner Monger moved to enter into Executive Session pursuant to C. R. S. 24-6-402(4)(b) to receive legal advice from the County Attorney. Those present include the Board of County Commissioners, the Deputy County Manager, County Attorney Erick Knaus, Assistant County Attorney Lynaia South, and Paralegal Sue Zulevich.

Commissioner Melton seconded; the motion carried 2-0.

The executive session adjourned at 1:41 p.m. No minutes or formal actions were taken during the executive session and Commissioner Melton stated that no decisions were made.

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

Kim Bonner, Clerk and Recorder

M. Elizabeth Melton, Chair

Date