

**STATE OF COLORADO
COUNTY OF ROUTT**

**OFFICE OF THE CLERK
AUGUST 9, 2022**

Commissioner Tim Redmond, Chair Pro-tem, called the regular meeting of the Routt County Board of County Commissioners to order. Commissioner Timothy V. Corrigan, County Manager Jay Harrington, and Executive Assistant Jennifer Parent were also present. Katie McCaulley prepared the minutes.

EN RE: APPROVAL OF ACCOUNTS PAYABLE, MANUAL WARRANTS, AND PAYROLL

Mr. Harrington presented accounts payable for a total of \$350,856.58.

MOTION

Commissioner Corrigan moved to approve the accounts payable as presented by the County Manager.

Commissioner Redmond seconded; the motion carried 2-0.

EN RE: CONSENT AGENDA

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

- A. APPROVAL OF AND AUTHORIZATION FOR THE CHAIR TO SIGN THE STATE HUMAN SERVICES ELECTRONIC BENEFIT TRANSFER IN THE AMOUNT OF \$252,723.85 THROUGH JUNE 2022**
- B. APPROVAL OF AND AUTHORIZATION FOR THE CHAIR TO SIGN A LIQUOR LICENSE RENEWAL FOR CATAMOUNT DEVELOPMENT LLC DBA GRILLE AT LAKE CATAMOUNT FOR A HOTEL/RESTAURANT LICENSE WITH 2 OPTIONAL PREMISES**
- C. APPROVAL OF AND AUTHORIZATION FOR THE CHAIR TO SIGN THE RESOLUTION REZONING LOT 1 PIELSTICK-FRIESELL SUBDIVISION EXEMPTION FROM AGRICULTURE/FORESTRY TO MEDIUM DENSITY RESIDENTIAL**

MOTION

Commissioner Corrigan moved to approve consent agenda items A, B, and C, noting that consent agenda item C will be resolution number 2022-050.

Commissioner Redmond seconded; the motion carried 2-0.

EN RE: PUBLIC COMMENT

No public comment was made.

EN RE: CLERK & RECORDER

Sarah Hagenbuch, Recording Deputy, was present.

SPECIAL EVENTS LIQUOR LICENSE FOR SKI TOWN USA MORNING ROTARY CLUB

Consideration for approval and authorization for the Chair to sign a Special Events Liquor License for Ski Town USA Morning Rotary Club for an event to be held at 33450 US Hwy 131 in Steamboat on September 2, 2022, from 6:30 pm to 10:30 pm.

MOTION

Commissioner Corrigan moved to approve and authorize the Chair to sign a Special Events Liquor License for Ski Town USA Morning Rotary Club for an event to be held at 33450 US Hwy 131 on September 2, 2022, from 6:30 pm to 10:30 pm.

Commissioner Redmond seconded; the motion carried 2-0.

EN RE: PURCHASING

Julie Kennedy, Purchasing Agent, and David DeMorat, Emergency Operations Director, were present.

RFP 767 EM FIRE MITIGATION PLAN PROFESSIONAL SERVICES APPROVAL

Ms. Kennedy presented a consideration to approve the award, authorize the Chair's signature on the Professional Services Agreement, and authorize the County Manager to electronically sign the purchase order to Jensen Hughes, Inc. for the Emergency Management Fire Mitigation Plan project in the amount not to exceed \$127,879. The current budgeted amount is a grant-funded budget with a matched total of \$120,000. This project would include the update and revision of various Emergency Management plans, most notably the Community Wildfire Protection Plan which was last updated in 2010. The purpose of the CWPP is to identify high-priority or high-payoff mitigation projects and other resilient measures regarding wildfires. Mr. DeMorat explained challenges that were encountered when obtaining funding for this program, including an under-estimate of costs necessary to obtain the desired product, after

receiving vendor quotes at a lower price ceiling. Mr. Harrington reiterated that once this project is able to move forward, it will involve multi-partner engagement to develop and implement a new CWPP. Commissioner Redmond expressed concern that there was currently no confirmation that the Bureau of Land Management would be providing financial aid authorization toward the project, to which Mr. Demorat assured that confirmation is expected in the near future.

MOTION

Commissioner Corrigan moved to approve the award and the Chair's signature on the Professional Services Agreement and authorize the County Manager to electronically sign the purchase order to Jensen Hughes, Inc. for the Emergency Management Fire Mitigation Plan project in the amount not to exceed \$127,879.

Commissioner Redmond seconded; the motion carried 2-0.

EN RE: PLANNING

Kristy Winser, Planning Director; Alan Goldich, Staff Planner; and Bill Uhl, Landowner, were present.

UHL SUBDIVISION EXEMPTION FEE WAIVER REQUEST

Bill and Jodie Uhl, the owners of the 60-acre parcel, have requested a waiver of the fees for a Subdivision Exemption application they intend to submit. Mr. Goldich provided a brief overview of the history in regards to the Uhl subdivision. The applicant purchased a 60-acre parcel off of County Road 68 in August of 2001. In November of 2016, there had been an illegal subdivision. An 80-acre parcel had been subdivided into a 20-acre parcel and a 60-acre parcel in violation of the subdivision regulations. The 20-acre parcel went to the neighboring landowner and the current land owner bought the remaining 60 acres. When that subdivision occurred, Planning Department staff sent the owner at the time a letter as well as the neighboring landowner who acquired the 20 acres. The letter stated that an illegal subdivision had occurred and to contact the Planning Department to rectify the situation. No response was received by the Planning Department. The 60-acre parcel was then sold to the current owner, who later applied for a special use permit. The permit was presented to the Board and approved with the condition of approval requiring compliance with all local laws and regulations. Therefore, the illegal subdivision must be rectified prior to the special use permit being issued as well as for the Planning Department to be able to sign off on building permits.

The applicant has spoken to his neighbor with the intent of getting their signature on a Merger of Title which would rectify this situation. The neighbor has not provided their signature and the owner of the 60-acre parcel is now pursuing other avenues which would allow them to proceed with their project. The only way Staff would be able to move forward is through a subdivision exemption application, which includes an application fee of \$2,400.

Staff's recommendation is to deny the request to waive application fees on the basis that it is the land owner's responsibility to perform due diligence to determine if there are any property issues prior to acquisition. It is not the County's responsibility to rectify these situations, nor the taxpayer's responsibility to cover incurred costs should situations arise.

Mr. Uhl expressed his appreciation for processes in Routt County that maintain a high standard of living. However, he stated that various entities involved in the acquisition were unaware that the county was enforcing illegal subdivision regulations for parcels greater than 35 acres; including the brokerage firm, the State of Colorado Real Estate Board, and the title company. Mr. Goldich replied that since this occurred, the Planning Department has worked with the County Attorney's office to come up with a process for notification and recording of documents to make future land owners aware of an illegal subdivision. Because this situation arises infrequently, there was no process in place until recently.

Ms. Winsler added that the County Attorney is aware of this situation and has been involved, including a discussion with the applicant in regards to language that was misconstrued in the regulations. The County Attorney agrees that this parcel constitutes an illegal subdivision. She also noted that Planning Staff did notify the former and adjacent owners of the situation prior to the transaction.

MOTION

Commissioner Corrigan moved to deny the Subdivision Exemption fee waiver request, with the findings that an illegal subdivision took place and it will take staff resources to process this application, and that this expense should not be subsidized by the rest of the taxpayers in the County.

Commissioner Redmond seconded; the motion carried 2-0.

EN RE: PUBLIC HEALTH

Roberta Smith, Public Health Director, was present.

PUBLIC HEALTH NURSING STUDENT REQUEST

Ms. Smith presented a consideration for the approval of and authorization for the Chair to sign the Memorandum of Understanding for a Nursing Student as well as the University of Colorado, Colorado Springs Clinical Education Agreement. Routt County Public Health has had multiple requests to host students (Masters of Public Health and Nursing) in order to fulfill their community health requirements. Host locations are difficult to find and the experience is critical to students entering these professions.

Ms. Smith also presented a consideration for the approval of a system in which Public Health would work with the County Attorney's office to act independently rather than presenting to the Board of County Commissioners for consideration and approval. This would provide Public Health the ability to host students for special projects without needing a formal approval process involving the Board for each instance. At this time, an Internship Checklist has been developed by the County Attorney's office and Public Health to ensure that all required documentation is provided, including those which protect the County from liabilities.

Public Health would like to host one Nursing student for the Fall term, and anticipates permitting only one nursing intern at a time. In addition to hosting students, Routt County Public Health could benefit from having potential future candidates to grow the Public Health program.

Upon inspection of the Internship Checklist developed by Public Health and the County Attorney's office, Commissioner Corrigan noted that the bottom of this form still has a location at

the bottom for the Board of County Commissioners' office to sign and authorize approval. He presented the idea that rather than Public Health needing to present an agenda item each time it was to host a new student, they would be able to add an item to the consent agenda to simplify the procedure.

MOTION

Commissioner Corrigan moved to approve the Internship Memorandum of Understanding between Routt County, Colorado, and the student Shannon Johanssen, date August 9th, 2022, and would allow the accompanying documents.

Commissioner Redmond seconded; the motion carried 2-0.

EN RE: YAMPA VALLEY REGIONAL AIRPORT

Kevin Booth, Airport Director, was present.

YVRA GRANT AGREEMENT AIP-56

Mr. Booth presented consideration for approval and authorization for the Chair to sign the FAA 2022 grant agreement and subsequent Notice of Award, Construction Contract, Notice to Proceed documents in support of Yampa Valley Regional Airport's 2022-2023 AIP-56 purchase of two plow trucks and one deice trailer. AIP-56 was put into the airport's CIP and approved as part of a capital improvement program with the FAA and the State to replace two aging plow trucks currently in inventory. Acquiring new plow trucks and a deicing trailer would serve many capacities, including easier deployment of liquid deicing when necessary. This purchase would be funded by entitlement money, however, a portion of these funds have already been allocated towards planning efforts in regards to the terminal and general aviation development area. There have been complications in obtaining bids due to supply chain issues. Vendors are asking buyers to have a flexible delivery schedule as well as noting that prices may increase by as much as 25%, which the FAA will not agree to. If it is not possible to find an appropriate bid accompanied by a fixed price, this purchase will most likely not occur until the spring.

MOTION

Commissioner Corrigan moved to approve and authorize the Chair's signature on the FAA 2022 grant agreement and subsequent Notice of Award, Construction Contract, Notice to Proceed documents in support of YVRA's 2022-2023 AIP-56 purchase of two plow trucks and one deice trailer.

Commissioner Redmond seconded; the motion carried 2-0.

EN RE: FACILITIES

Joe Stepan, Facilities Manager, was present.

MEMORANDUM OF UNDERSTANDING WITH THE ROUTT COUNTY JUNIOR LIVESTOCK SALE COMMITTEE

Mr. Stepan presented a request for approval and authorization for the Chair to sign the Memorandum of Understanding with the Routt County Junior Livestock Sale Committee. This committee is coming into formation as the result of frustrations shared by various citizens and parents of children who participated in the Junior Livestock Sale the year prior. The concerns included receiving payments and timeliness. It was then determined that a non-profit organization should be established to help run the sale, which has since been formed and obtained a 501(C)(3).

MOTION

Commissioner Corrigan moved to approve the Memorandum of Understanding with the Routt County Junior Livestock Sale Committee and for the Chair to sign the MOU.

Commissioner Redmond seconded; the motion carried 2-0.

2022 ANNUAL FAIR ENTERTAINMENT CONTRACTS

Mr. Stepan presented a request that the Routt County Board of County Commissioners approve and authorize the Chair to sign the agreements with Rockfan in the amount of \$12,150 and with UTA / Buffalo Skull LLC in the amount of \$20,000 for the concert during the Annual Fair. These agreements are in reference to staging and entertainment costs.

MOTION

Commissioner Corrigan moved to approve and authorize the Chair's signature on agreements with Rockfan in the amount of \$12,150 and with UTA / Buffalo Skull LLC in the amount of \$20,000, noting that a supplemental budget will be needed.

Commissioner Redmond seconded; the motion carried 2-0.

EN RE: COUNTY MANAGER

MEMORANDUM OF UNDERSTANDING FOR THE DEVELOPMENT OF THE NORTHWEST COLORADO GREATER SAGE-GROUSE RESEARCH PLAN AMENDMENT AND ENVIRONMENTAL IMPACT STATEMENT

Mr. Harrington presented consideration for the approval of and the authorization for the chair to sign an MOU among the US Department of Interior, Bureau of Land Management,

Colorado State Office and Routt County for the development of the Northwest Colorado Greater Sage-Grouse Resource Management Plan Amendment and Environmental Impact Statement.

MOTION

Commissioner Corrigan moved to approve and authorize the Chair’s signature on an MOU among the US Department of Interior, Bureau of Land Management, Colorado State Office and Routt County for the development of the Northwest Colorado Greater Sage-Grouse Resource Management Plan Amendment and Environmental Impact Statement.

Commissioner Redmond seconded; the motion carried 2-0.

EN RE: HUMAN RESOURCES

Kathy Nelson, Human Resources Director, was present.

HIRING ABOVE STEP 1

Ms. Nelson presented a consideration to approve hiring the new Public Health Emergency Preparedness and Response Coordinator at Step 9. Roberta Smith, Public Health Director, would like to hire current Rout County employee Emy Keeling for this role. Ms. Keeling meets all requirements to be hired at this step. While this is a new position, it has been factored into the department’s budget.

MOTION

Commissioner Corrigan moved to approve hiring the Public Health Emergency Preparedness and Response Coordinator at Step 9.

Commissioner Redmond seconded; the motion carried 2-0.

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

Jenny L. Thomas, Clerk and Recorder

M. Elizabeth Melton, Chair

Date