

**STATE OF COLORADO  
COUNTY OF ROUTT**

OFFICE OF THE CLERK  
MARCH 29, 2022

Commissioner Melton, Chair, called the meeting of the Routt County Board of County Commissioners to order. Commissioner Tim Redmond, Commissioner Timothy V. Corrigan, County Manager Jay Harrington, and Administrative Assistant Samantha Pearce were also present. Samantha Pearce prepared the minutes.

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

Mr. Harrington presented accounts payable for a total of \$1,324,726.26.

**MOTION**

Commissioner Corrigan moved to approve the accounts payable, and payroll as presented by the County manager.

Commissioner Redmond seconded; the motion carried 3-0.

**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 A RESOLUTION APPOINTING NEW DIRECTOR TO THE SOUTH ROUTT CEMETERY DISTRICT BOARD**
- B. **APPROVAL AND AUTHORIZATION FOR THE CHAIR TO SIGN AN EXTENSION REQUEST FOR EIAF 9158**

**MOTION**

Commissioner Redmond moved to approve consent items A & B. with item A. having resolution number 2022-015

Commissioner Corrigan seconded; the motion carried 3-0.

**EN RE: PUBLIC COMMENT**

No public comment was made.

## **EN RE: HISTORIC PRESERVATION BOARD**

### **RESOLUTION DESIGNATING THE FAIR ACRES RANCH TO THE ROUTT COUNTY REGISTER OF HISTORIC PROPERTIES**

Arianthe Stettner presented to the Board a consideration approval and authorization for the Chair to sign a resolution designating the Fair Acres Ranch to the Routt County Register of Historic Properties.

At the March 15, 2022 meeting of the Historic Preservation Board, it was unanimously voted to approve the nomination of the Fair Acres Ranch under Statement of Significance criterion A. Its character, interest, or value as part of the development, heritage, or cultural characteristics of Routt County, the State of Colorado, or the United States., D. Its exemplification of the cultural, economic, social, or historic heritage of Routt County, & J. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood, a community, or Routt County.

The Historic Preservation Board is recommending final approval to sign Resolution Number 2022-016 officially adding the Fair Acres Ranch District to the Routt County Register of Historic Properties.

#### **MOTION**

Commissioner Corrigan moved to approve and authorize the Chair to sign Resolution Number 2022-016, a resolution designating the Fair Acres Ranch to the Routt County Register of Historic Properties.

Commissioner Redmond seconded; the motion carried 3-0.

### **RESOLUTION DESIGNATING THE FARWELL DITCH TO THE ROUTT COUNTY REGISTER OF HISTORIC PROPERTIES**

Ms. Stettner presented to the Board a consideration for approval and authorization for the Chair to sign a resolution designating the Farwell Ditch to the Routt County Register of Historic Properties.

At the March 15, 2022 meeting of the Historic Preservation Board, it was unanimously voted to approve the nomination of the Farwell Ditch under Statement of Significance criterion A. Its character, interest, or value as part of the development, heritage, or cultural characteristics of Routt County, the State of Colorado, or the United States. C. Its identification with a person or persons who significantly contributed to the culture and development of Routt County. & D. Its exemplification of the cultural, economic, social, or historic heritage of Routt County.

The Historic Preservation Board is recommending final approval to sign Resolution Number 2022-017 officially adding the Farwell Ditch District to the Routt County Register of Historic Properties.

## **MOTION**

Commissioner Redmond moved to approve and authorize the Chair to sign Resolution Number 2022-017, a resolution designating the Farwell Ditch to the Routt County Register of Historic Properties.

Commissioner Corrigan seconded; the motion carried 3-0.

## **EN RE: LEGAL**

### **EXECUTIVE SESSION COUNTY ATTORNEY EVALUATION**

At 10:04 a.m., Commissioner Melton moved to enter executive session to discuss the County Attorney's Evaluation with the County Attorney, this executive session is electronically recorded but minutes of the meeting will not be produced. This executive session is for the purpose of discussion of a personnel matter under C. R. S. 24-6-402 (4)(f)(I)&(II) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

Commissioner Corrigan seconded; the motion carried 3-0.

The executive session adjourned at 10:54 a.m. Commissioner Melton stated that only the Attorneys Evaluation were discussed during executive session; no formal actions were taken, and no minutes were taken during the executive session.

### **COUNTY BOARD OF EQUALIZATION AND ASSESSOR APPROVAL FOR COUNTY ATTORNEY'S SIGNATURE ON AMICUS BRIEF CONCERNING UNUSUAL CONDITIONS AND PROPERTY REASSESSMENTS**

Erick Knaus, County Attorney presented to the Board a Request that the Board of County Commissioners, acting as the County Board of Equalization approve and authorize the County Attorney to sign an *Amicus Brief* concerning unusual conditions and property reassessments in Colorado Court of Appeals Case No. 2021CA001731 – *MJB Motels, LLC v. Jefferson County* and to approve and authorize the County Attorney to sign any subsequent pleadings including Amicus Briefs in the four current cases in the Court of Appeals and any related cases that may be filed in the Court of Appeals or Supreme Court.

This is a case involving the valuation of parcels of real property in Jefferson County for the 2020 tax year. It represents one of eleven cases filed in eleven counties (the "Companion Cases") by the same attorneys, on behalf of the same tax agents who represent owners of commercial property and rely on the same erroneous interpretation of the property tax statutes. The Petitioners claim the assessors failed to undertake revaluations of their properties and the BOEs failed to correct the assessors' valuations to account for alleged "unusual conditions" - specifically the COVID-19 pandemic and subsequent executive and public health orders issued as a result of the pandemic - pursuant to C.R.S. § 39-1-104(11)(b)(I) (the "Unusual Conditions Statute"). Jefferson County and those Counties joining in the amicus brief believe the Petitioners have misinterpreted the law regarding revaluation of properties in an intervening tax year based

on unusual conditions. The Petitioners' incorrect position would essentially require assessors to value the businesses as opposed to the underlying real property for tax purposes.

This is similar to the cases in which Routt County has already signed on as amicus MLS Properties v Weld County (BCC approval in September), 150 East v Eagle County (BCC approval in December), and Educhildren LLC v. Douglas County (BCC approval in February).

This is the fourth similar request and there could be as many as 11 total cases in the Court of Appeals. In addition, there may be a need to sign additional pleadings such as replies, motions for cert. Therefore, this request is for authorization to sign any additional pleadings, including Amicus Briefs, in the four current cases in the Court of Appeals and any related cases that may be filed in the Court of Appeals or Supreme Court.

**MOTION**

Commissioner Corrigan moved of the Board of County Commissioners, acting as the County Board of Equalization, to approve and authorize the County Attorney to sign an Amicus Brief concerning unusual conditions and property reassessments in Colorado Court of Appeals Case No. 2021CA001731 – MJB Motels, LLC v. Jefferson County and to approve and authorize the County Attorney to sign any subsequent pleadings including Amicus Briefs in the four current cases in the Court of Appeals and any related cases that may be filed in the Court of Appeals or Supreme Court.

Commissioner Redmond seconded; the motion carried 3-0.

**EN RE: PURCHASING**

Julie Kennedy, Purchasing Agent presented to the Board a request to approve the purchase of one new 2022 model year Western Star Water Truck and authorize the County Manager to electronically sign the PO to Transwest Truck in the amount not to exceed \$210,481.00.

Ms. Kennedy sent out RFP 753 Water Truck 2022 to 13 Vendors and received 3 proposals.

Vendor	Manufacturer	Base Price
McCandless	International	\$199,595.00
Transwest Truck	Western Star	\$207,522.00
JG Peterbuilt	Peterbuilt	\$229,523.00

The Road & Bridge department selected the Western Star truck as the best value for the County and to continue standardization of equipment across all three shops. They have selected two Options for this vehicle for additional performance. Option 1: Pintle hitch, trailer wiring, and airlines, \$2,500.00, and Option 3: Side hood mounted intake, \$459.00, totaling an additional expense of \$2,959.00

**MOTION**

Commissioner Redmond moved to approve the purchase of one new 2022 model year Western Star Water Truck and authorize the County Manager to electronically sign the PO to

Transwest Truck in the amount not to exceed \$210,481.00 knowing there may be a supplemental budget at the end of 2022.

Commissioner Corrigan seconded; the motion carried 3-0.

**RFP 738 MILNER AND PHIPPSBURG WATER TREATMENT PLANTS UPDATE PROJECT APPROVAL**

Ms. Kennedy presented to the Board a Request to approve the award, the Chair sign the Professional Services Agreement for water and wastewater engineering and authorize the County Manager to electronically sign the Purchase Order to AquaWorks DBO, Inc. for an amount not to exceed \$125,000.00 for the Milner and Phippsburg Waste Water Treatment Plants Update Projects.

Ms. Kennedy sent out RFP 738 to three engineering firms for a proposal for the water and wastewater engineering required for updating both the Milner and Phippsburg Wastewater Plants for the Routt County Environmental Health Department.

Company	Price
AquaWorks	\$125,000.00
Martin/Martin	\$161,776.50

After careful review of both proposals by the Project Manager along with Purchasing, it was determined AquaWorks to be the best value for this engineering phase. Adam Sommers, the principal has an excellent reputation and many years of experience in similar sized projects.

**MOTION**

Commissioner Redmond approve the award authorize the Chair to sign the Professional Services Agreement for water and wastewater engineering and authorize the County Manager to electronically sign the Purchase Order to Aqua Works DBO, Inc. for an amount not to exceed \$125,000.00 for the Milner and Phippsburg Waste Water Treatment Plants Update Projects knowing this will require a supplemental budget.

Commissioner Corrigan seconded; the motion carried 3-0.

**MOTOR POOL CHEVROLET STATE BID VEHICLE PURCHASE APPROVAL 2022**

Ms. Kennedy presented to the Board a request to approve the purchase of nine new 2023 model year Chevrolet vehicles and authorize the County Manager to electronically sign the Purchase Order to John Elway Chevrolet in the amount of \$349,305.00.

The Routt County Motor Pool Project Manager requested Colorado State Bid Pricing from John Elway Chevrolet for 9 new 2023 model vehicle for current motor pool vehicle units scheduled for replacement:

Department	Current Unit #	New Model	State Bid	2022 Budget
RCSO	874	2023 Tahoe SSV	\$41,099	\$55,000.00
RCSO	893	2023 Tahoe SSV	\$41,099	\$55,000.00
RCSO	918	2023 Tahoe SSV	\$41,099	\$55,000.00

RCSO	922	2023 Tahoe SSV	\$41,099	\$55,000.00
RCSO	924	2023 Tahoe SSV	\$41,099	\$55,000.00
Maintenance	831	2023 2500 Crew Cab	\$43,109	\$55,000.00
Building	830	2023 1500 Ltd White	\$36,266	\$35,000.00
Communications	817	2023 1500 Ltd White	\$36,266	\$35,000.00
Road & Bridge	900	2023 1500 Ltd Silver	\$34,991	\$35,000.00

Due to supply chain issues in 2021, the opportunity was missed to replace two of these vehicles last year. This year, there is a very tight window for placing an order with John Elway on May 5, 2022 for all Tahoe's and the 2500 Crew Cab, and June 16, 2022 for the 1500 Ltd's. Ms. Kennedy is requesting approval to be prepared to provide the PO to the dealership on those dates for delivery of 2023 model year vehicles with the 2022 budget. This should help the Motor Pool get back on schedule for retiring/replacing units in the County fleet.

**MOTION**

Commissioner Corrigan moved to approve the purchase of nine new 2023 model year Chevrolet vehicles and authorize the County Manager to electronically sign the Purchase Order to John Elway Chevrolet in the amount of \$356,127.00

Commissioner Redmond seconded; the motion carried 3-0.

**RFP 726 CHILDCARE CENTER FEASIBILITY STUDY EPIC PSA FIRST AMENDMENT APPROVAL**

Ms. Kennedy presented to the Board a request to approve the First Amendment to the EPIC Professional Services Agreement dated October 11, 2021 the Chair sign the First Amendment and authorize the County Manager to electronically sign the Purchase Order to Executives Partnering to Invest in Children (EPIC) to provide Phase 2 of the Childcare Center Feasibility Study for an amount not to exceed \$28,000.00.

Ms. Kennedy sent out RFP 726 Childcare Center Feasibility Study to 5 vendors and received 2 proposals. EPIC was selected for their vast knowledge and network in Colorado relating to the regulations and requirements to establish a Childcare Center. Based on their final report to the combined City Council and Commissioners meeting on March 15, 2022, EPIC has submitted a proposal to expand the feasibility study for a future combined childcare center to include other properties located in Steamboat Springs/Routt County. They will begin on April 4, 2022 with Phase 2 and complete the report for the committee by June 30, 2022, which is within the constraints of the grant requirements.

**MOTION**

Commissioner Corrigan moved to approve the First Amendment to the EPIC Professional Services Agreement dated October 11, 2021 authorize the Chair sign the First Amendment and authorize the County Manager to electronically sign the Purchase Order to Executives Partnering to Invest in Children (EPIC) to provide Phase 2 of the Childcare Center Feasibility Study for an amount not to exceed \$28,000.00.

Commissioner Redmond seconded; the motion carried 3-0.

**EN RE: YAMPA VALLEY REGIONAL AIRPORT**

Kevin Booth, Airport Director presented to the Board a Consideration for approval and authorization for the Airport Director to make staffing changes as outlined in the attached YVRA Staffing Change Request.

Mr. Booth recommended changes: add one (1) full-time, year-round security position (Assistant Airport Security Coordinator); transition two (2) part-time, year-round food service employees to full-time, year-round positions (Lead Line Cook and Line Cook); transition four (4) seasonal passenger services employees to part-time, year-round; and add one (1) full-time, year-round OSS/ARFF officer.

**MOTION**

Commissioner Corrigan moved to approve and authorize the Airport Director to make the following position changes. Add one full-time, year-round security position (Assistant Airport Security Coordinator); transition two part-time, year-round food service employees to full-time, year-round positions (Lead Line Cook and Line Cook); transition four seasonal passenger services employees to part-time, year-round; and add one full-time, year-round OSS/ARFF officer.

Commissioner Redmond seconded; the motion carried 3-0.

**EN RE: ABATEMENT REFEREE INTERVIEWS**

The Board conducted interviews for Board of Equalization Referees. Candidates interviewed were Caitlyn McKenzie, & Doug Monger.

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

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Jenny L. Thomas, Clerk and Recorder

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M. Elizabeth Melton, Chair

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Date