

**From:** Gary Peterson <[gpeterson@co.routt.co.us](mailto:gpeterson@co.routt.co.us)>  
**Sent:** Saturday, February 11, 2023 4:44 PM  
**To:** Jay Harrington <[jharrington@co.routt.co.us](mailto:jharrington@co.routt.co.us)>; Erick Knaus <[eknaus@co.routt.co.us](mailto:eknaus@co.routt.co.us)>  
**Cc:** # BCC <[BCC@co.routt.co.us](mailto:BCC@co.routt.co.us)>; Tom Effinger <[teffinger@co.routt.co.us](mailto:teffinger@co.routt.co.us)>; Jay Locke <[jlocke@co.routt.co.us](mailto:jlocke@co.routt.co.us)>; Doug Scherar <[dscherar@co.routt.co.us](mailto:dscherar@co.routt.co.us)>; Jenny Thomas <[jthomas@co.routt.co.us](mailto:jthomas@co.routt.co.us)>; Lane Iacovetto <[liacovetto@co.routt.co.us](mailto:liacovetto@co.routt.co.us)>  
**Subject:** Elected Officials Salary Category Bill: HB23-1139

County Manager Jay Harrington,

Per a conversation and direction presented to me by Commissioner Corrigan, I'm writing to you to communicate the general support of the six current (non-commissioners) Routt County elected officials holding *professional* positions as elected department heads, that we are asking the County to consider adding our County name to HB23-1139 (see summary below). Currently there are four counties listed on the modification bill, with Summit County listed as a similar county to Routt County – having the same current Category designation of II-A and is seeking through this bill a reclassification to I-A status.

In 2015, Routt County commissioners approved the pursuit of legislation to re-categorize the County up for a Category III to a Category II county for salary purposes. At that point we joined the following counties in this Category II: EAGLE, FREMONT, GARFIELD, LA PLATA, MESA, PITKIN, AND SUMMIT. Soon after this bill was passed, the long established State's 'Salary Commission' was finally successful after six separate years of formal recommendations to the Legislatures in passing a bill revising how elected salaries are determined. That bill was **SB15-288** which established an automatic or routine adjustment to elected salaries – both State officials and County officials – of annual CPI adjustments every two years. In addition, the addition of sub-categories were introduced with this senate bill that gave local control to the Counties to decide their own Sub-Category of A thru B designations, with each sub-designation having roughly a 7-9% difference in the salaries.

The genesis of this 'salary bill' and the task force commission assigned to study the issues surrounding elected salaries was mostly two-fold: (1) Salaries to elected officials- more particularly – the changing or increasing of salaries was always a highly sensitive political football that would be consistently punted to another legislative year, as it required the legislators to essentially vote themselves a pay raise, always a touchy topic among politicians and with every other year being an election year for House Representatives, getting salaries adjusted was difficult with increases coming 12-16 years apart. (2) These long periods between adjustments had created sharp pay discrepancies between county officials and their Deputies, often with the Deputies making significantly more than the elected official who serves as the Dept. Head. This was creating a serious succession problem among many counties and their elected positions. Long-serving Deputies were reluctant or outright refused to run for office as it meant taking a significant cut to their salary; often amounting to \$20,000 or more. Yet, they are often – by far -the most qualified person for these *professional* positions.

Today, the succession issue has become a problem once again among the resort counties. County employees via salary surveys measuring the market data of competitive pay and local costs of living/housing has placed deputy salaries much higher than that of the elected officials. Routt County is experiencing this exact situation. My deputy is now making \$21k/year more than my new term salary (fixed for the next 4 years). Sheriff Scherar will tell you he just took a significant pay cut to run for the office of Sheriff – greater than that of my own discrepancy with my deputy, I believe. The same goes for Clerk or Treasurer. The requirements found in Statute are somewhat archaic in the list of considerations – none of which addresses cost of living, housing, or the market salaries of regular county employees. I've attached to this email, it is the BCC submittal presented in the 3<sup>rd</sup> year of trying for the reclassification of Routt County back in 2015 as mentioned above – the first two pages of that document shows the statutory language in full for 'fixing the compensation of county officers'. The end of the constitutional statement has the words ".....and in the tax resources of the several counties." I believe Routt County has the resources to pay a competitive and just wage to its elected officials so that is in alignment with county employees and their frequent measurement against market salaries of the private sectors, local cost of living & housing factors that all go into developing the current pays scales throughout County government.

Speaking on behalf of my fellow elected officials, we would like Routt County to consider attaching our county name to HB23-1139 the same as Summit County, in requesting that we change categories from **II-A** to **I-A**. This represents roughly a 20% increase for the six equal salaries of a commissioners, treasurer, assessor, and clerk; about 27% for Sheriff. My percentages differ from the bill summary below where Summit County has been highlighted, I'm not sure where these percentages are coming from – please see the attached salary grid from Legislative Council that I am referencing for my calculations. I think the sub-category could be up for debate, though a I-B would still place the deputies of any tenure at or above the elected department head at current levels, and certainly far above after three years of added Steps and annual CPI adjustments before the next statutory adjustment appears in 2026 with the new elected terms.

In summary, we Routt County elected officials would like the County Manager to pursue active discussion with the county commissioners in adding our county of this HB23-1139 modification bill with the intent of changing the county's statutory category from the current **II-A** to the **I-A** level. The bill itself is hyperlinked below in the light blue text.

Respectfully submitted,

**Gary Peterson**  
***Routt County Assessor***

x460

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**HB23-1139**

**Modification Of Rural Counties Officer Salary Categories**

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**Comment:**

**Position:**

**Calendar Notification:** Tuesday, February 21 2023  
Transportation, Housing & Local Government  
1:30 p.m. Room LSB-A  
(2) in house calendar.

**News:**

**Short Title:** Modification Of Rural Counties Officer Salary Categories

**Sponsors:** M. Martinez (D) / C. Simpson (R)

**Summary:** Current law categorizes each county for purposes of establishing the salaries of elected officials in the county. The statutory salary amounts are adjusted every 2 years for inflation and take effect for terms commencing after any change is made. The bill modifies the categories of 4 counties with the accompanying percentage increase in salary as follows:  
Archuleta county changes from category III-B to category III-A (8% increase);  
Delta county changes from category III-B to category III-A (8% increase);  
Saguache county changes from category V-B to category V-A (8% increase);  
and  
**Summit county** changes from category **II-A to category I-A (18.5% increase** for commissioners, treasurers, assessors, and clerks; 22.2% increase for surveyors; 23.5% increase for sheriffs; 65.5% increase for coroners).  
*(Note: This summary applies to this bill as introduced.)*

**Status:** 1/31/2023 Introduced In House - Assigned to Transportation, Housing & Local Government

**Status History:** [Status History](#)

**Amendments:**

**Fiscal Notes:**

**From:** Sonja Macys <[smacys@co.routt.co.us](mailto:smacys@co.routt.co.us)>  
**Sent:** Sunday, February 12, 2023 12:07 PM  
**To:** Gary Peterson <[gpeterson@co.routt.co.us](mailto:gpeterson@co.routt.co.us)>  
**Subject:** RE: Elected Officials Salary Category Bill: HB23-1139

Hi Gary-

Thank you for bringing this to our attention. It is also helpful that you have included the documentation from 2015. I recall when this change was made but had not seen the basis for the decision. Have you done an analysis similar to what was done in 2015 regarding how we rank in comparison to other II-A or I-A communities? I know you mentioned in your email that the statutory provisions are somewhat archaic. But I am wondering how those provisions play into the argument for II-A or I-A.

I'll be in the office all week this week so maybe we can chat.

Thanks,

Sonja Macys  
County Commissioner, District III  
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**From:** Gary Peterson <[gpeterson@co.routt.co.us](mailto:gpeterson@co.routt.co.us)>  
**Sent:** Monday, February 13, 2023 2:02 PM  
**To:** Sonja Macys <[smacys@co.routt.co.us](mailto:smacys@co.routt.co.us)>  
**Cc:** Jay Harrington <[jharrington@co.routt.co.us](mailto:jharrington@co.routt.co.us)>; Tim Corrigan <[tcorrigan@co.routt.co.us](mailto:tcorrigan@co.routt.co.us)>; Tim Redmond <[tredmond@co.routt.co.us](mailto:tredmond@co.routt.co.us)>  
**Subject:** RE: Elected Officials Salary Category Bill: HB23-1139

Hi Sonja,

There has been no analysis conducted like what was done for the 2015 move – which was an internal request coming from Commissioner Monger asking for the service levels study. That was a very telling study as Routt came in 1<sup>st</sup> or 2<sup>nd</sup> in just about every metric looked at against the Category III counties, at which time there was 20 counties in that category. And then placing us in Category II put Routt frequently in the middle of the pack of the eight counties for most of those service efforts looked at. So those service effort metrics along with the very large discrepancy in salary between appointed dept. heads and the elected officials, there was certainly plenty of compelling data to justify the move up to Category II – and then the legislature’s salary bill left it up to the various counties to decide their sub-category, which was a new thing coming out of that bill.

As to the current consideration of moving up to a Category I county, I would say any similar service efforts study would not show any justification for such a move. The consideration I believe is solely based on the cost of living/housing parameters along with the discrepancy of the deputy salaries mentioned in my first email. I was approached by commissioner Corrigan and told of this HB23-1139 and that similar resort counties were making this move based on the high COL/COH factors associated with Colorado resort counties and simply that we should consider ‘jumping’ onto this bill – particularly with the deputies making what they are we now have the succession issue raising its head again. I was also under the impression that the criteria found in either statute or the State Constitution had been changed or modified. That does not appear to be the case. Regardless, Article XIV, Section 15 is still primarily about the size of the populace with the criterion of “*population, the number of persons residing in unincorporated areas; assessed valuation; motor vehicles registrations, building permits.....*” and in no way, will Routt (or Summit) match up against those very populace metro counties listed in Category-I now – the exception being Broomfield ,we’re not too far off from them in many respects.

What I believe to be true is that the legislatures don’t care much about giving “due consideration” to the criterion found in Article XIV, Section 15 and has left it freely up to each county to determine their own Category level, and I think, recognizing that COL/COH factors and paying competitive salaries have to be taken into account so that “citizens of the highest quality may be attracted to public service” to quote the legislative declaration and Salary Commission goal found in §30-3-101 (now repealed with the Commission). And since, the salaries are that of county officials, there’s no impact to the State if a county changes categories, so the legislatures don’t seem to care to question these bills as they come through.

Since going through our re-categorization in 2015, two counties have moved up from Cat. II to Cat. I – Broomfield & Mesa counties. Mesa fits with the populace criterion vs. its old Cat. II grouping. Broomfield not so much, though its growing fast, now approaching 75,000. The best

correlation to the 64 counties and their respective Categories has mostly been Total Assessed Value. For TY2021 (latest Reassessment year), Broomfield ranks 16<sup>th</sup> at \$1.957b, Routt is \$1.375b and 18<sup>th</sup> in the TAV ranking. Summit County ranks 12<sup>th</sup> @ \$2.478b. But then again, Pitkin & Eagle are not on the bill, and they rank 10<sup>th</sup> & 11<sup>th</sup> respectively and are Cat. II counties like Routt, but I would certainly venture to guess they are experiences the same forces as we are, and may very well be considering a move.

I don't want to speak for the group of fellow elected dept. heads here, but from my own opinion, perhaps jumping on this bill is premature. Perhaps waiting until after the 2024 elections to approach this topic and have all this looked at again is more appropriate. At that point you will have 2023 assessment values in place and market salary adjustments from another salary survey may also be in place, and certainly a larger gap in the pay discrepancy with the deputies will be at play as well – at that point you may be seeing close to a \$40k pay cut to take on the elected roll of Sheriff, Treasurer, Assessor or Clerk.

So we now have something on the agenda for the 21<sup>st</sup> to discuss this matter further, if there is a metric or some data the Board wishes to see going into that discussion, let me know and we elected dept. heads will see if we can gather the data or information for that meeting. I will bring the latest table on TAV & population by county that was presented back in 2015 – updated with 2020 census info. I don't think asking for a service efforts study will be appropriate – it will only show we are a much smaller county to the metro counties in terms of service volume metrics, but the COL/COH factors should show a need for a Cat. I status. I think Routt ranks 5 or 6 in Median home price –that is similar to what it was in 2015, behind the likes of Pitkin, Eagle, Boulder and Summit I'm guessing.

Sincerely,

**Gary Peterson x460**  
***Routt County Assessor***