

**STATE OF COLORADO
COUNTY OF ROUTT**

OFFICE OF THE CLERK
MARCH 8, 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 Executive Assistant Jennifer Parent 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 \$1,801,470.90

MOTION

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

Commissioner Corrigan 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 COUNTY COMMISSIONERS' MINUTES: MEETINGS OF FEBRUARY 1ST, AND 8TH 2022
- B. APPROVAL OF THE STATE HUMAN SERVICE ELECTRONIC BENEFIT TRANSFER IN THE AMOUNT OF \$192,694.13 THROUGH JANUARY 2022.

MOTION

Commissioner Redmond moved to approve consent items A & B.

Commissioner Corrigan seconded; the motion carried 3-0.

EN RE: PUBLIC COMMENT

No public comment was made.

EN RE: PLANNING

UHL RECREATIONAL FACILITY PL20210018

Mr. Bill Uhl explained that they had purchased the property as a place for their family to camp and enjoy the surrounding area. He said that they had looked at putting up yurts or a couple of cabins and had worked with the Planning Department to determine the best option, given that the County does not have a provision for the type of compound they wanted to build. He presented a rendering of a barn with a caretaker unit and three small cabins without plumbing. Mr. Uhl said that Ms. Ebbert had told them that the best fit would be to pursue a Special Use Permit (SUP) for a Recreational Facility, even though the property would not be commercial enterprise, but rather for private family use. Mr. Uhl said that all of the appropriate referral agencies had been contacted. He said that when the letter of intent was distributed to the neighbors, quite a lot of feedback was received, mostly regarding impacts that would be associated with a commercial enterprise, as that is generally what an SUP is used for. Mr. Uhl said that the addition of a condition of approval (COA) stating that the facility would be for private family use only satisfied most of the concerns.

Ms. Tegan Ebbert reviewed the application for a Recreational Facility with Overnight Accommodations, and reviewed the definition, noting that the definition is a catch-all for a variety of recreation-oriented uses. She said that the proposed uses that are not uses by right, which triggered the need for the SUP, include the three small guest cabins, which would not have plumbing, bathrooms or kitchens. In addition, there would be common building that would contain a kitchen, laundry facilities and bathrooms for the use by those staying in the cabins. The barn structure would also contain a secondary dwelling unit (SDU). Ms. Ebbert said that the applicants also intend to construct a single family dwelling on the property at some point in the future. She said that a lot of the public comment centered on commercial activities. As a result, the applicant amended the application to be clear that there would be no commercial use of the property; it would be used for friends and family only, as stated in suggested COA #28. Ms. Ebbert noted that the Planning review of the application is the same whether the property is to be used commercially or not. The review is based on the potential impacts of the operation and the intensity of use. Ms. Ebbert presented a vicinity map, an aerial photo of the site, a site plan and photos of the site. She reviewed the concerns expressed by the neighbors and the COAs recommended by Planning Commission.

Commissioner Redmond asked about the commercial well permit and why it was necessary if the property is not to be used commercially. Ms. Ebbert explained that the Division of Water Resources (DWR) designated the well as commercial based on the initial proposal that did not distinguish the use as non-commercial. She said that the well is designated as commercial because the potential use for the equivalent of three dwelling units exceeds those for a typical single residence. Ms. Winser noted that the COA was added to ensure that the property will not be used commercially. In response to a question from Commissioner Corrigan, Ms. Ebbert said that a separate well permit from the DWR is not necessarily needed to serve a secondary dwelling unit, but she acknowledged that the permits have become more difficult to obtain.

In response to a question from Commissioner Corrigan, Ms. Kristy Winser reviewed some of the other applications that have been processed under this use category for private use. Mr. Uhl said that when they had contacted DWR regarding the well permitting process,

DWR had recommended the commercial well classification because the proposal was being process as an SUP.

Commissioner Melton offered that the impact of what is proposed is not that different that a three-bedroom single family home in terms of the water usage. Ms. Ebbert said that DWR classifications are based on a variety of things, including whether guests are preparing their own food, and are not exclusively about the total anticipated usage. Ms. Ebbert clarified that the maximum occupancy of the cabins would be six people. If a single family residence is constructed in the future, which is a use by right, it could be occupied by a family, according the definition listed in the code. In addition there would be an SDU. Ms. Ebbert said that the distance proposed between the future primary dwelling unit and the SDU meets the requirements of the Zoning Regulations. Commissioner Melton asked about the enforcement of the non-commercial use. Ms. Ebbert stated that if there were to be paid guests, the applicant would be required to obtain a sales tax license. She acknowledged, however, that some level of trust in the stated intentions of the applicant is required. Regarding the on-site management, Ms. Ebbert said that this is standard language for commercial operations. Ms. Ebbert agreed that the status of the family members could be further clarified. Ms. Uhl asked if the on-site management is still required now that no commercial use is allowed. Ms. Winser offered that COA #26 could be removed.

Public Comment

Ms. April Sigman, a property owner in Canyon Valley Ranch, expressed her support for the proposal. She said that the proposal is likely to have minimal impact on the road, the neighborhood, or the water. She welcomed the Uhls to the neighborhood.

Mr. David Keating, the adjacent property owner to the north, expressed concern about the County's ability to enforce the no commercial use provision. He offered that if the cabins were only for family use, they could be considered agricultural buildings and would not need an SUP. He asked what would happen if the property were to be sold, or if the owner decided to take money for the use of the cabins. He said that he is also concerned that the illegal sale mentioned in suggested COA #27 is holding up the process. He said that the property was surveyed and conveyed, and that he has been paying taxes on it ever since.

Seeing no further public comment, Commissioner Melton closed public comment.

Commissioner Melton asked about COA #27. Ms. Ebbert explained that the previous owners had illegally split off 20 acres of their then 80-acre parcel in 2016 and sold it to the adjacent property owner to the north. This subdivision created a parcel of under 35 acres, which is not in compliance with the Zoning Regulations or SB 35, and so needs to be merged with the adjacent property. Because the Uhl's 60-acre parcel was part of this illegal subdivision, no building permit can be issued until the situation is rectified, even through the current owners were not involved. Ms. Winser said that the COA was included at the suggestion for the County attorney. There was a discussion of the problem and why it is a COA on an un-related SUP. Commissioner Corrigan asked what the County's interest was in this process, given that no one would be able to build on the orphaned 20-acre parcel. The 60-acre parcel is in conformance. Commissioner Corrigan suggested that the COA should be removed from the SUP.

Regarding the issue of a future owner, Ms. Ebbert stated that the SUP would not be transferable. If the property is sold, or if the use is discontinued, the one-room structures would have to be converted to a conforming use.

Commissioner Corrigan stated that the Recreational Use Facility with Overnight Accommodations category, particularly for private use, is problematic and difficult to enforce. He offered that this use category needs to be reviewed. He said that he does, however, support the application as proposed. Commissioner Redmond agreed and added that the petitioners have done their due diligence and have done a great deal to address the concerns of the neighbors. Commissioner Melton stated her support, offering that the intensity of use is unaffected by the separation between the bedrooms and the common facilities. She agreed that the regulations regarding such facilities do need to be reviewed.

MOTION

Commissioner Corrigan moved to recommend approval of item PL20210018, a Special Use Permit for a private Recreational Facility with Overnight Accommodations, with the findings of fact that the proposal, with the following conditions, meets the applicable guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5, and 6 of the Routt County Zoning Regulations.

This approval is subject to the following conditions:

General Conditions:

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 5 and 6.
2. Any complaints or concerns that may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
3. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
4. Permits will be assessed an Annual Fee in accordance with the Fee Schedule in Appendix B of the Routt County Zoning Regulations.
5. No junk, trash, or inoperative vehicles shall be stored on the property.
6. This approval is contingent upon the acquisition of and compliance with any required federal, state and local permits. The operation shall comply with all federal, state and local laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to the commencement of operations.
7. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.
8. All exterior lighting shall be downcast and opaquely shielded.
9. All trash shall be stored either inside a garage or inside Interagency Grizzly Bear Committee (IGBC) certified receptacles
10. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee

shall notify the Routt County Planning Department of any claims made against the policy.

11. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
12. Any proposal to change the terms and conditions of a permit shall require a new permit.
13. The Permittee shall prevent the spread of weeds to surrounding lands, and comply with the Colorado Noxious Weed Act as amended in 2013 and Routt County noxious weed management plan.

Specific Conditions:

14. The Special Use Permit (SUP) is valid for the life of the use provided it is acted upon within one year of approval.
15. The SUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
 - a. Three guest cabins, limited to 260 square feet in interior area that do not contain plumbing.
 - b. Each guest cabin may accommodate a maximum of two guests at any one time.
 - c. One common building containing two guest bathrooms, a guest kitchen, a guest laundry machine, and a secondary dwelling unit to house onsite manager.
 - d. Hiking, biking, outdoor activities, and agricultural activities are uses available to guests.
16. Any structures deemed to be non-conforming without this permit must be removed, converted to a conforming use, or seek the necessary permit to allow the structures if this permit ceases to exist.
17. Any required permits from the Routt County Public Works Department, Building Department, or Environmental Health Department shall be obtained and any inspections completed before operations commence.
18. Months of operations shall be April through November.
19. Owner/operator shall be first-aid certified and be trained on emergency procedures.
20. Domestic animals shall be under control at all times.
21. Revegetation of disturbed areas shall occur within one growing season with a seed mix that avoids the use of aggressive grasses. See the Colorado State University Extension Office for appropriate grass seed mixes.
22. Permit shall not be transferable.
23. One identified recreational fire/barbeque pit is allowed on site for guest use and it must meet West Routt Fire Protection District standards. Any seasonal fire/burn restrictions must be observed. Defensible space is recommended around all structures.
24. Guest quiet hours are between 10 PM and 7 AM. No amplified music or loud activities are permitted during these times.
25. Guest cabins are permitted for short-term leisure occupancy use only. The guest cabins do not constitute dwelling units and may not be occupied for longer than 30 days by an individual guest.
26. The approved use is for a Private Residential Family Recreational Facility based on the project scope presented. This is not a commercial operation, and the use is limited to owners, the owners' families, caretakers and non-paying guests.

Commissioner Redmond seconded; the motion carried 3-0.

EN RE: PURCHASING

RFP 744 D1 UNIT 115 MOTOR GRADER REPLACEMENT PURCHASE APPROVAL

Julie Kennedy, Purchasing Agent presented to the Board a request to approve the purchase of one new model 2022 Caterpillar Model 150 JOY-BR Motor Grader and authorize the County Manager to electronically sign the PO in the amount not to exceed \$398,531.95 to Wagner Equipment Co.

The current budgeted amount is \$360,000.00 coming from the funding source of HEP Motor Graders 65710998 805064. This purchase may require a supplemental budget request of \$38,531.95 at the end of 2022.

Ms. Kennedy posted on the website and sent out RFP 744 D1 UNIT 115 MOTOR GRADER to nineteen vendors and received two proposals:

Vendor	Price
Wagner	\$386,331.95
Honnen	\$392,763.07

The Routt County Road and Bridge Department has selected the proposal from Wagner as the best value for the County due to the proximity for service and price. We have selected the Bundle 3 option at \$12,200.00 for the Premier 60 month extended warranty which brought the total purchase price to \$398,531.85.

MOTION

Commissioner Redmond moved to approve the purchase of one new model 2022 Caterpillar Model 150 JOY-BR Motor Grader and authorize the County Manager to electronically sign the PO in the amount not to exceed \$398,531.95 to Wagner Equipment Co.

Commissioner Corrigan seconded; the motion carried 3-0.

RFP 748 UNIT 357 ROLLER REPLACEMENT PURCHASE APPROVAL

Ms. Kennedy presented to the Board a request the Board of County Commissioners approve the purchase of one new model 2022 Volvo Model SD115B Roller and authorize the County Manager to electronically sign the PO in the amount not to exceed \$148,129.00 to Faris Machinery.

The current budgeted amount is \$110,000.00 coming from the funding source of HEP Roller65710998 805126. This purchase may require a supplemental budget request of \$38,129.00 at the end of 2022.

Ms. Kennedy posted on the website and sent out RFP 748 Unit 357 Roller Replacement to nineteen vendors and received five proposals:

Vendor	Base Price
Faris Machinery	\$148,129.00
PMC	\$158,815.00
Honnen Option 1	\$115,000.00
Honnen Option 2	\$159,745.56
Wagner Equipment	\$184,627.15

The Routt County Road and Bridge Department has selected the proposal from Faris Machinery as the best value for the County. While Option 1 from Honnen is more cost effective, the equipment offered was not compatible with our equipment standardization.

MOTION

Commissioner Corrigan moved to approve the purchase of one new model 2022 Volvo Model SD115B Roller and authorize the County Manager to electronically sign the PO in the amount not to exceed \$148,129.00 to Faris Machinery.

Commissioner Redmond seconded; the motion carried 3-0.

RFP 740 OAK CREEK TOWER SITE SHELTER REPLACEMENT APPROVAL

Ms. Kennedy presented to the Board a request to approve the RFP Oak Creek Tower Shelter Replacement Project, the Chair sign the Notice of Award and authorize the County Manager to electronically sign the Purchase Order to United Tower Service LLC in the amount not to exceed \$88,950.00.

The Routt County Communications Department has secured a used Shelter from Greeley, CO and requested the RC Purchasing Agent send out RFP 740 Oak Creek Tower Shelter Replacement for the move from the current location to Oak Creek with a turn-key solution for new foundation, electrical hookup, installation of the structure with removal the old building and foundation. We sent the RFP to 2 known building movers and posted it on the Routt County website. Four valid proposals were received:

Vendor	Base Price
United tower	\$88,950.00
Eas Tex Tower	\$124,020.31
NeuCom Solutions	\$153,035.00
NASCO	\$210,585.24

MOTION

Commissioner Redmond moved to approve the RFP Oak Creek Tower Shelter Replacement Project, the Chair sign the Notice of Award and authorize the County Manager to electronically sign the Purchase Order to United Tower Service LLC in the amount not to exceed \$88,950.00.

Commissioner Corrigan seconded; the motion carried 3-0.

EN RE: YAMPA VALLEY REGIONAL AIRPORT

AMENDMENT 15 TO PROFESSIONAL SERVICES AGREEMENT BETWEEN ROUTT COUNTY AND MEAD & HUNT FOR FY 2022 IN SUPPORT OF THE GENERAL AVIATION DEVELOPMENT PLANNING PROJECT

Kevin Booth, Airport Director presented to the Board a consideration for approval and authorization for the Chair to sign the attached Amendment 15 to Professional Services Agreement between Routt County and Mead & Hunt for FY 2022 in support of the General Aviation (GA) Development Planning Project.

This AIP-funded General Aviation (GA) Development Plan Project is being completed under the same grant as the Terminal Area Plan (TAP). The FAA will fund the planning effort for this type of airport development, but will not fund the cost of infrastructure improvements needed to support the GA development. This amendment covers Mead & Hunt's fees for project management and coordination, existing conditions assessment, GA Development Area concepts, and CR 51/51B rerouting preliminary investigation. Pay back on this GA Development Area investment will be incremental as developers build hangar facilities and execute ground lease agreements with YVRA; payback is currently estimated at 11 years. Demand from hangar developers has increased significantly in the past two years. The development is targeting hangar sizes for larger/jet air craft that require a longer runway and better instrument approach procedures than are available at the Steamboat Springs Airport. The development will also encourage aviation-related businesses to locate in the GA Development Area; examples include but are not limited to Airframe & Powerplant (A&P) Mechanic, avionics shop, and aircraft paint shop.

MOTION

Commissioner Corrigan moved to approve and authorize the Chair to sign Amendment 15 to Professional Services Agreement between Routt County and Mead & Hunt for FY 2022 in support of the General Aviation Development Planning Project.

Commissioner Redmond seconded; the motion carried 3-0.

EN RE: HUMAN RESOURCES

Kathy Nelson, Human Resources Director presented to the Board a consideration to hire the Planner Technician at Step 5.

Kristy Winser is requesting to hire Michael Fitz at Step 5 of the Planner Technician Pay Scale. Mr. Fitz meets all of the education and work experience required to be hired at Step 5. He has a Bachelor of Science, a Master's degree, and over 7 years of relevant job experience, 6 years above what is required. He also has taken multiple relevant computer software classes. Ms. Nelson recommended approval of hiring Mr. Fitz at Step 5, and the County Manager has reviewed this request and approved placing this request on the agenda for consideration and approval.

MOTION

Commissioner Redmond moved to approve hiring the Planner Technician at Step 5.

Commissioner Corrigan seconded; the motion carried 3-0.

EN RE: SOUTH ROUTT COMMUNITY CORP

Commissioner Corrigan was recused due to a conflict of interest with this item.

David Torgler, Town of Oak Creek Administrator, and Erika Petersen, Oak Creek Parks and Rec Coordinator presented to the Board a request for funds of \$35,000.00 for capital improvements at the South Routt Community Center. Improvements would include a kitchen addition, and the repair of a retaining wall at a lower level parking area.

The addition of a kitchen would host the opportunity to hold after school, full day Friday, and summer programs to children in Oak Creek. In order to provide participants with daily snacks, childcare facilities must have a kitchen that complies with CDPHE Child Care requirements. Facilities must include a handwashing sink, a food prep sink, a dishwasher, and a refrigerator. Using a drawing prepared by Jake's Drafting Service and working with Texter Mountain Construction the developed budget to install this kitchen is \$750.00 to Design Documents, \$31,663.00 to Demolition/New Construction (Includes Sanitizing Dishwasher, Permit Fee), and \$2,587.00 to Contingency, totaling \$35,000.00.

Mr. Torgler, and Ms. Petersen asked the Board of County Commissioners to provide funding for this critical project, similar to support granted to the Steamboat Springs and Hayden Community Centers in past years.

MOTION

Commissioner Redmond moved to approve \$35,000.00 to the South Routt Community Corp for capital improvements to the South Routt Community Center with the knowledge that a possible supplemental budget will be needed.

Commissioner Melton seconded; the motion carried 2-0.

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

Jenny L Tho.

Jenny L. Thomas, Clerk



B. Melton

M. Elizabeth Melton, Chair

Apr 5, 2022

Date