

ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

Timothy V. Corrigan
District I

Douglas B. Monger
District II

M. Elizabeth Melton
District III

Commissioners' Daily COVID-19 Agenda

May 21, 2020

LIVE AUDIO WILL BE AVAILABLE BY CALLING 1 (669) 900-6833.

MEETING ID: 522 308 0487

PASSWORD: 522

The Routt County Board of County Commissioners or Board of Health may enter executive session pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice related to specific legal questions concerning Routt County's COVID-19 response.

1. 10:30 A.M. CALL TO ORDER

2. WILDFIRE COUNCIL PRESENTATION

Documents:

[BCC COMMUNICATION FORM FOR COUNCIL UPDATE.PDF](#)

3. DELINQUENT ACCOUNT BALANCE

Approve write off for the following account:

1. Kyle Caudle, TPL-17-129, aka, Caudle RV Repair, for the amount of \$880.00.

Documents:

[CAUDLE.PDF](#)

4. ZIRKLE WIRELESS DEED RESTRICTION

Consideration to amend Zirkle Wireless Deed Restriction.

Documents:

[BCC COMMUNICATION 5.20DOC.PDF](#)

5. COVID-19 WORK SESSION

The Commissioners will address critical items for regular county and emergency operations related to the COVID-19 pandemic. Action may be taken and direction to staff may be given in relation to any of these items.

6. PUBLIC COMMENT

Public Comment will be heard on any item except quasi-judicial land use items. County Commissioners will take public comment under consideration but will not make any decision or take action at this time.

1. DUE TO THE CURRENT PANDEMIC, THE COUNTY COMMISSIONERS REQUEST CITIZENS ATTEND THE MEETINGS VIA PHONE. Because public access to the Courthouse has been curtailed we request public comment be submitted in writing to

bcc@co.routt.co.us. Public comments will be entered into the record. Please indicate in the subject line of your message that it is public comment and reference the agenda item to which it relates.

7. 1:00 P.M. MEETING ADJOURNED

LIVE AUDIO WILL BE AVAILABLE BY CALLING 1 (669) 900 6833.
MEETING ID: 522 308 0487
PASSWORD: 522

All programs, services and activities of Routt County are operated in compliance with the Americans with Disabilities Act. If you need a special accommodation as a result of a disability, please call the Commissioners Office at (970) 879-0108 to assure that we can meet your needs. Please notify us of your request as soon as possible prior to the scheduled event. Routt County uses the Relay Colorado service. Dial 711 or TDD (970) 870-5444.



ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA COMMUNICATION FORM

ITEM DATE: May 21	ITEM TIME: 10:30
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FROM:	Mo DeMorat
TODAY'S DATE:	May 18, 2020
AGENDA TITLE:	Routt County Wildfire Council Presentation
CHECK ONE THAT APPLIES TO YOUR ITEM:	
<input checked="" type="checkbox"/> X ACTION ITEM	
<input type="checkbox"/> DIRECTION	
<input checked="" type="checkbox"/> INFORMATION	
I. DESCRIBE THE REQUEST OR ISSUE:	
Provide status update of Routt County Wildfire Council	
II. RECOMMENDED ACTION (motion):	
III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):	
PROPOSED REVENUE (if applicable): \$15K grant from BLM	
CURRENT BUDGETED AMOUNT: N/A	
PROPOSED EXPENDITURE:	
FUNDING SOURCE: BLM Grant	
SUPPLEMENTAL BUDGET NEEDED: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):	
Work done by this Wildfire Council will support wildfire mitigation efforts of the incorporated areas as well as Fire Protection Districts	



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V. BACKGROUND INFORMATION:

The proposal for a Routt County Wildfire Council was initially discussed at the Routt County Wildfire Mitigation Conference held at CMC May 10-11, 2019. The proposal was to provide a forum of experts and key stakeholders, to include property owners, to develop and coordinate wildfire mitigation activities to increase the resiliency of Routt County residences and property to wildfires. The proposal was further discussed and validated at the Wildfire Mitigation Roundtable on Nov 15 and a basic structure and membership provided. The council met several times between Nov 15 and the onset of the COVID-19 outbreak in Routt County when its meeting schedule was reduced due to availability of some of the council's participants. However, at this time the council is resuming its normal meeting schedule and making progress toward achieving its goals.

Key achievements to date include the development of mission statement, finalizing the governance structure, obtainment of 501c.3 status, completion and adoption of by-laws, awarding of BLM grant, and selection of summer intern to assist in various activities. The council will next work on finalizing key objectives for the remainder of 2020 and potential additional objectives for future years.

VI. LEGAL ISSUES:

One area that will require future discussion is conducting and perhaps funding mitigation activities on private property within Routt County

VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

None

VIII. SUMMARY AND OTHER OPTIONS:

The Routt County Wildfire Council will be instrumental in making Routt County public and private property more resilient to wildfires. The Commissioners' continued support and guidance will better ensure the Routt County Wildfire Council has the tools and direction necessary to have a positive impact on reducing the wildfire hazard to all properties and critical infrastructure throughout the County.

IX. LIST OF ATTACHMENTS:



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AGENDA COMMUNICATION FORM

ITEM DATE: May 21, 2020	ITEM TIME: 11:00 a.m.

FROM:	Kristy Winser
TODAY'S DATE:	May 18, 2020
AGENDA TITLE:	Request to write-off delinquent account balance

CHECK ONE THAT APPLIES TO YOUR ITEM:	
<input checked="" type="checkbox"/> X ACTION ITEM	
<input type="checkbox"/> DIRECTION	
<input type="checkbox"/> INFORMATION	

I. DESCRIBE THE REQUEST OR ISSUE:
<p>Attached you will find an account receivable aging with an outstanding balance. The account listed below has been deemed uncollected for the reasons posted.</p> <ol style="list-style-type: none"> 1. Kyle Caudle, TPL-17-129, aka, Caudle RV Repair. Monthly invoices have been sent for the past three years for additional Planner Fees in the amount of \$880.00. All mailing were returned, but the address is correct. Attempts to call or email him have been ignored.

II. RECOMMENDED ACTION <i>(motion)</i>:
<p>Approve write off for the following account:</p> <ol style="list-style-type: none"> 1. Kyle Caudle, TPL-17-129, aka, Caudle RV Repair, for the amount of \$880.00.

III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):
PROPOSED REVENUE <i>(if applicable)</i>: \$
CURRENT BUDGETED AMOUNT: \$
PROPOSED EXPENDITURE: \$
FUNDING SOURCE:

SUPPLEMENTAL BUDGET NEEDED: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):
None



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V. BACKGROUND INFORMATION:

These fees resulted from additional planner time spent on Mr. Caudle's Special Use Permit application. The application was denied, therefore staff does not have any leverage to get Mr. Caudle to pay these fees.

VI. LEGAL ISSUES:

None

VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

None

VIII. SUMMARY AND OTHER OPTIONS:

IX. LIST OF ATTACHMENTS:

ROUTT COUNTY PLANNING DEPARTMENT

PO Box 773749 • Steamboat Springs, CO 80477 • (970) 879-2704 • Fax (970) 879-3992

STATEMENT OF BILLING

Kyle Caudle
 PO Box 772447
 Steamboat Springs, CO 80477

Plan Number	TPL-17-129
Date:	6/18/2019
Title:	Caudle RV Repair

Description: Special Use Permit for a RV repair shop as a Home Industry in the MDR zone district.
Location: 38735 PINON TRL, STEAMBOAT SPRINGS

Make checks payable to: **Rotutt County Treasurer**

Send payments to: **Rotutt County Planning Dept.**
 PO Box 773749
 Steamboat Springs, CO 80477

Initial Permit Fee:	800.00
Additional Fees:	880.00
Total Fees:	1680.00
Total Payments:	800.00
BALANCE DUE:	880.00

In accordance with the Rotutt County Planning Department Fee Schedule additional fees will be charged for Planning Department services when the cost to process an application exceeds the original fees charged. Please remit the Balance Due shown above within 10 days of the receipt of this invoice. Any approval of the activity listed is contingent on payment of the full balance. No final documentation for the activity including, permits, plats, or agreements will be signed or issued until the balance is paid in full. If you have any questions

Additional Fees TPL-17-129

Fee Type Name	Fee Amount	Fee Date	Fee Desc
Planning Fee	-800.00	08/07/2017	
Additional Planner Time	1,110.00	08/07/2017	
Additional Planner Time	570.00	09/08/2017	

Planner Time for TPL-17-129

6/26/17	Alan Goldich	Special Use Permit	creating and sending out notices	0.75
7/19/17	Alan Goldich	Special Use Permit	formatting staff report, working on history, project description, and site	2.00
7/20/17	Alan Goldich	Special Use Permit	staff report - staff comments on regs and MP policies, Condition of ap	2.00
7/24/17	Alan Goldich	Special Use Permit	more work on conditions of approval, refining comments, adding 'Issu	2.00
7/25/17	Alan Goldich	Special Use Permit	submitting request to continue operations while app is being process	0.25
7/26/17	Alan Goldich	Special Use Permit	making Chad;s requested changes, creating attachments and discus	1.50
7/27/17	Alan Goldich	Special Use Permit	finalizing staff comments, conditions of approval, and attachments	0.75
8/1/17	Alan Goldich	Special Use Permit	attending BCC hearing for request to continue operating	0.25
8/3/17	Alan Goldich	Special Use Permit	site visit, preparing for and attending PC hearing	3.00
8/7/17	Alan Goldich	Special Use Permit	drafting BCC comm form	1.00
8/29/17	Kristy Winser	Public Hearings	Board of County Commissioners	0.50
Total Hours:				14.00

Payments TPL-17-129

Pmt Type	Pmt Number	Amount Paid	Payment Date	Status	Pmt Desc
Check	2107	\$800.00	6/6/2017	Paid	



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ITEM DATE: 5/21/20	ITEM TIME: 11:15am

FROM:	Kristy Winser, Planning
TODAY'S DATE:	May 18, 2020
AGENDA TITLE:	Zirkel Wireless, Request to Amendment of a Deed Restriction

CHECK ONE THAT APPLIES TO YOUR ITEM:	
<input checked="" type="checkbox"/> ACTION ITEM	
<input type="checkbox"/> DIRECTION	
<input type="checkbox"/> INFORMATION	

I. DESCRIBE THE REQUEST OR ISSUE:
 Amendment to a Deed Restriction

II. RECOMMENDED ACTION (*motion*):
 Approve the Amendment

III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):

PROPOSED REVENUE (*if applicable*): \$

CURRENT BUDGETED AMOUNT: \$

PROPOSED EXPENDITURE: \$

FUNDING SOURCE:

SUPPLEMENTAL BUDGET NEEDED: YES NO

Explanation: N/A

IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):
 N/A

V. BACKGROUND INFORMATION:

The property owner Shab Holdings purchased a 1/16 interest in Tom Thumb Lode Mining Claim, Section 9, Township 10 North, Range 85 West of the 6th P.M.

An amended Quit Claim Deed being proposed to modify the existing Quit Claim Deed from Grantor Routt County, to Grantee Tim Magill dated April 9, 2001. It was recorded at Reception Number 543711 of the records of the Routt County Clerk and Recorder.

While reviewing an application for a Conditional Use Permit Application – Planning Staff was provided a deed by Tim Magill, one of the interest holders of the Tom Thumb Mining Claim. He provided us with the attached deed and a Steamboat Pilot article copy from April 5, 2001 (can be found at this link <https://www.steamboatpilot.com/news/county-sells-its-mining-claim-share/>) describing his acquisition of a 1/16 interest in the Tom Thumb Claim via public auction. Tim explained that he had



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some conversations with the previous County Attorney, John Merrill, regarding the available uses on this property and that he is under the impression that any use, aside from mining, is not allowed.

Of particular interest to the Planning Department is the language stating, "Grantor conveys the above-described real property on the condition that non-mining development is prohibited on said real property and, in the event of a breach of this condition, said real property shall revert to Grantor." It is unknown the intent of this language.

Planning Staff has communicated with both the County Attorney's Office and Paul Sachs, attorney for the property owner about this. The idea is that wireless communication facilities were not a consideration when the deed was created. The direction from the Routt County Attorney's Office was to schedule this before the BCC for review to modify the language on the existing deed through a QCD.

The modification is that the reverter clause shall now state: Grantor conveys the above-described real property on the condition that non-mining development is prohibited on said real property with the exception of wireless telecommunication facilities and their associated improvements.

VI. LEGAL ISSUES:
Erick has reviewed the QCD.
VII. CONFLICTS OR ENVIRONMENTAL ISSUES:
N/A
VIII. SUMMARY AND OTHER OPTIONS:
A Conditional Use Permit is scheduled for consideration before the Planning Commission on June 4 th , 2020. If the Board feels an amendment to the Deed would need to be addressed in another manner, an appropriate condition could be included in the Planning Commission decision, if approved.
IX. LIST OF ATTACHMENTS:
<ul style="list-style-type: none">• Copy of Deed• DRAFT copy of QCD