

**STATE OF COLORADO
COUNTY OF ROUTT**

**OFFICE OF THE CLERK
November 19, 2019**

Commissioner Beth Melton, Chair, called the regular meeting of the Routt County Board of County Commissioners to order. Commissioner Douglas B. Monger, Commissioner Tim V. Corrigan, Deputy County Manager Dan Weinheimer, and County Manager Tom Sullivan; were also present. Those present recited the Pledge of Allegiance. Deanna Sanchez recorded the meeting and prepared the minutes.

EN RE: WARRANTS

Commissioner Monger moved to approve and authorize the Commissioners to sign the Warrants Sheets that included:

Accounts Payable Check- Cycle Date:	11/11-11/15	\$117,433.86
Accounts Payable Check: Manuals	-	\$
Accounts Payable Wires:	-	\$
Total:		\$117,433.86
Payroll Checks- Cycle Date:	11/11-11/15	\$548,217.32
Payroll Checks- Manuals	-	\$
Payroll – IRS & State Income Tax	-	\$226,184.76
Total:		\$774,402.08
Total Disbursements Approved:	11/11/19-11/15/19	<u>\$891,835.94</u>

Commissioner Corrigan seconded.

Mr. Sullivan stated there were no items of note for the accounts payable.

The motion carried 3-0.

EN RE: ITEMS OF NOTE FROM PREVIOUS DAY'S WORK SESSION

Commissioner Melton stated Monday sessions are now available online and by calling into the sessions, so there is no longer a need for items of note from the previous day's work session.

EN RE: CONSENT AGENDA

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

- A. Approval of County Commissioners Minutes: Regular Meeting of September 17, 2019;
- B. Approval of technical assistance grant from DOLA for development of Climate Action and Resiliency Plan;
- C. Approval of and authorization for the Chair to sign the Routt County Public Health Agency statement of work for cross-jurisdictional LPHA partnerships;
- D. Approval of and authorization for the Chair to sign the new Childcare Services Fiscal agreement between Routt County and Jessica Leann Knotts, Licensed Childcare Provider;
- E. Approval of and authorization for the Chair to sign the Wellness Consortium Charter.

MOTION

Commissioner Melton stated items B, C, and E would be pulled from the consent agenda.

Commissioner Corrigan moved to approve items A and D on the consent agenda and authorized the Chair to sign the related documents.

Commissioner Monger seconded; the motion carried 3-0.

ITEM B

Commissioner Melton suggested adding language to the RFP that clarifies that the plan is a Climate Action and Resiliency Plan.

Mr. Cowman stated the RFP will be updated in January and Commissioner Melton's suggestion will be added at that time.

MOTION

Commissioner Monger moved to approve item B on the consent agenda and authorized the Chair to sign the related documents.

Commissioner Corrigan seconded; the motion carried 3-0.

ITEM C

Mr. Weinheimer stated Item C is funding competitively awarded to Routt and Moffat County from the State with a statement of work plan on how to spend that money for the Public Health Improvement Plan and outreach with the Health Partnership. He is unsure if the Legal Department has signed off, but he will confirm so.

MOTION

Commissioner Monger moved to approve item C on the consent agenda and authorized the Chair to sign the related documents.

Commissioner Corrigan seconded; the motion carried 3-0.

ITEM E

Mr. Weinheimer stated item E is a charter with the Health Partnership that is trying to build a structure for ideas moving forward to achieve outcomes of wellness with the assistance of knowledgeable parties to create a healthier community. This will construct data and a steering committee. The County has no financial commitment. This is not a contract and more of a commitment.

ROUNDTABLE

The Commissioners and Mr. Weinheimer discussed the Routt County Public Health Agency statement of work for cross-jurisdictional LPHA Partnership commitment documents. The Commissioners directed Mr. Weinheimer to bring the documents to the County Legal Department.

MOTION

Commissioner Corrigan moved to table item E on the consent agenda.

Commissioner Monger seconded; the motion carried 3-0.

EN RE: PUBLIC COMMENT

No members of the public were present for comment.

EN RE: ENVIRONMENTAL HEALTH / SCOTT COWMAN

Chad Phillips, Planning; Erick Knaus, County Attorney; Henry Maestas, Dianne Brower, John Spezia, Michelle Stewart, Nathan Stewart, Scott Conner, Nicole Pepper, citizens; Sarah Jones, SSRC; Winnie DelliQuadri, City of Steamboat Springs; Rick Melzer, Environmental Health; and Hillary Dobos, Lotus Engineering and Sustainability, was also present.

LOTUS ENGINEERING AND SUSTAINABILITY GREENHOUSE GAS EMISSIONS INVENTORY DISCUSSION/PRESENTATION

Ms. Dobos presented a PowerPoint on the Greenhouse Gas Emissions Inventory. Notable discussion from the presentation is as follows.

Commissioner Monger noted the presentation claims 37 active wells in Routt County. He feels that is an inaccurate statistic.

Throughout the presentation, the Commissioners expressed a desire for more information on how the data was obtained.

Mr. Cowman noted when the County does the Climate Action Plan, he will section out the energy piece because it dominates the discussion.

Ms. Dobos confirmed measurements used in the presentation were metric tons and carbon dioxide emissions. For the stationary energy data, the measurements were obtained from utilities, natural gas providers, and propane providers. The wood statistics were based on census numbers. The commercial diesel statistics come from the State. However, the State did not track gas and oil wells in 2005. The data uses an average. Transportation statistics were based on conservative predictions of electric car use. Waste and wastewater statistics are quantified by how fast it decomposes.

Commissioner Corrigan asked if fugitive emissions for propane were included in the data.

Ms. Dobos stated they are not in the protocol, but she will follow-up with the Commissioners on that question.

Commissioner Corrigan asked if there is a way to separate on-road diesel and biodiesel from transient transportation compared to local statistics.

Ms. Dobos stated she could try through vehicle counts. She will investigate that question with work on the Climate Action Plan.

Commissioner Melton asked how the County could account for building more energy-efficient buildings.

Ms. Dobos stated she can model that in the Climate Action Plan by tracking square footage.

PUBLIC COMMENT:

Mr. Maestas stated Routt County is indigenous land settled by the Ute nation. He believes it is important to track ozone levels and aggregate air quality. There was controversy over coal ash in the water. He asked if the water depositors are on the coal mine. He heard there were problems with the containment unit at the Milner landfill. Is that true? Mr. Maestas read an article from 2017 or 2018 that stated the EPA had updated their requirements for water

quality and had concerns about the water quality at the Milner landfill in particular. Mr. Maestas has worked with Greg Brown on the Weed Program. Mr. Maestas' garden was slated for spraying for thistles, but that would affect related plants in his garden. Instead, Mr. Maestas was able to physically remove the thistles. Is there an opportunity for negotiation for the plants listed on the noxious plants list? Could more locations do complete removal as opposed to spraying? Mr. Maestas has been working with Yampatika on plans to transform hillsides into biodiversity labs to reintroduce native plants, such as the Yampa Root.

Mr. Cowman stated most of Mr. Maestas' comments and questions are out of the scope of the Greenhouse Gas Emissions Inventory. Mr. Maestas is welcome to come to Mr. Cowan's office at a later time to have his questions answered.

Mr. Spezia stated this Inventory needs to be easily accessible to the public. He feels the Climate Action and Resiliency Plan needs serious in-depth public outreach initiatives. The presentation showed that the two areas with the most solutions are buildings and transportation. Many of the buildings in Routt County are old. YVEA has funding to improve the energy sustainability in those buildings. That funding should be increased. Transportation problems are directly related to affordable housing and jobs. To improve transportation, affordable housing and jobs needs to be improved too. Electric cars are not the solution but better public transportation is. Mr. Spezia discussed work he had done on air quality monitoring in the County previously. The County should utilize more local resources as opposed to only outside consultants.

Commissioner Melton stated the Climate Action and Resiliency Plan has not been developed yet. She asked Mr. Cowman to explain the public outreach plan.

Mr. Cowman stated right now there is work being done on structure, funding sources, grant proposals, hiring consultants, mapping out areas for public interaction, creating an oversight team, and creating a project management team.

Ms. Brower stated she hopes the County will develop a robust plan with measurable goals. This valley is overrun by too many people that are impacting the quality of life. City and County should not continue to fund increased tourism. The County should implement stricter regulations on second homes. Since the presentation identified that Oak Creek receives its electricity from an outside provider, maybe they could get a different source of energy that offers more sustainable options. There should be more financial resources towards adapting the older buildings to become more energy-efficient. As the Climate Action Plan is developed, there needs to be continuous public involvement.

Commissioner Melton encouraged Ms. Brower to get involved in the Master Plan Update for her County growth concerns.

Mr. Maestas stated the County survey for the Master Plan did not include climate change as one of the options for County concerns. When Mr. Maestas took the survey, he had to write it in. He suggested the County adjusted the survey to include a box for climate change.

EN RE: LEGAL / ERICK KNAUS

Sue Zulevich, Lynaia South, County Attorney's Office; Chuck Cerasoli, Steamboat Springs Deputy Fire Chief; and Chad Phillips, Planning Director; were also present.

RELEASE OF WYMAN LEASE AGREEMENTS

Ms. Zulevich stated her request for the Chair to sign two releases for the Wyman Gravel Pit Agreement. A law firm contacted the County Attorney's Office to obtain recordable releases for three expired Lease Agreements for the Wyman gravel pit. The three Lease Agreements are: 1) Lease Agreement with Louis M. Wyman dated October 1, 1996, recorded at Reception No. 469927, expired on October 1, 2000; 2) Lease Agreement with Louis M. Wyman dated October 1, 2000, recorded at Reception No. 543714, expired on October 4, 2004; and 3) Lease Agreement with Wyman Elk Ranch, LLLP dated February 1, 2005, recorded at Reception No. 615988, expired on February 1, 2009. One release is for the 1996 and 2000 Lease Agreements with Louis M. Wyman, and the other release is for the 2005 Lease Agreement with the Wyman Elk Ranch, LLLP. The County Attorney's Office has confirmed with Road & Bridge that the County has not been operating in the Wyman gravel pit for many years.

Although the County's rights under the Lease Agreements have been expired for over ten years, the releases are being requested to clean up the title to the property owned by the Wyman Elk Ranch, LLLP.

MOTION

Commissioner Monger moved to approve and authorized the Chair to sign two releases for the Wyman Gravel Pit Lease Agreement.

Commissioner Corrigan seconded; the motion carried 3-0.

AMBULANCE SERVICE REGULATIONS

Ms. South stated her request for approval and authorization for the Chair to sign a Resolution Concerning Regulation of Ambulance and Ambulance Services. C.R.S. 25-3.5-101 et seq, the Emergency Medical and Trauma Services Act ("Act") requires each county to regulate the licensure of Ambulance Services and the permitting of Ambulances. Routt County adopted its current regulations pursuant to Resolution 2009- 049. Recently, the Commissioners directed the Attorney's Office to prepare an amendment to the current regulations to amend a current requirement that licenses and permits be approved by resolution and instead require only a vote of the Commissioners. In preparing this amendment it was determined that the Routt County Emergency Medical Services Advisory Council ("Advisory Council") was recommending a more thorough amendment to the regulations due to changes in the governing statutes. The proposed regulations under consideration represent the regulations as recommended by the Advisory Council with amendments made by the Attorney's Office. The Attorney's Office worked with Mel Stewart, the Chair of the Advisory Council and Chuck Cerasoli, the Deputy Fire Chief. Ambulance Service licenses and Ambulance permits are renewed on an annual basis and current licenses and permits expire December 31. The current licensees are aware that changes are in process and renewal applications will be submitted pursuant to these amended regulations should they be approved. As many of the changes were to terms used or formatting,

such as capitalizing defined terms, a full redline version of the changes has not been provided. A version highlighting areas where more substantive changes occurred has been provided. Some of these changes include:

- Issuance of licenses and permits is done by motion; a resolution is not required.
- The definition of an applicant was modified to be the ambulance service, not the person completing the application.
- The Advisory Council is to recommend a process to ensure access to specialty care ground transportation that is not available in the county. This is based on a new statute, which states “Every county shall establish a process by which ambulance services not licensed within the county’s jurisdiction may provide transport in the event that all licensed ambulance services are unable to meet the needs of the patient.”
- The draft proposed by the Advisory Council also included a provision that allowed the board to issue fines if a violation of the regulations occurred. This was removed as there was no actual fine or fee schedule. The possibility of suspension or revocation remains the primary enforcement tool.

The proposed resolution adopting these regulations also repeals Resolution 2009-049 and the current regulations at the end of the year, when the current licenses and permits expires.

Commissioner Melton asked where the fee goes to.

Ms. South stated public providers do not get charged a fee, but the private providers do. She is not sure where the fee goes to for the private providers.

MOTION

Commissioner Corrigan moved to approve and authorized the Chair to sign resolution number 2019-061, a resolution concerning regulation of ambulance and ambulance services.

Commissioner Monger seconded; the motion carried 3-0.

DOCKET AND PENDING MATTER REVIEW

At 3:44 p.m. October 29, 2019, Commissioner Melton moved to enter into Executive Session for the following purpose: For a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b);

Commissioner Corrigan seconded; the motion carried 3-0.

The executive session adjourned at 4:55 p.m. No minutes or formal actions were taken during the executive session and Commissioner Melton stated that no decisions were made.

EN RE: PLANNING / CHAD PHILLIPS

Kristy Winser, Assistant Planning Director, was also present.

RECREATIONAL FACILITY STANDARDS; PL-164 - REQUEST TO TABLE

Ms. Winser stated her request to table the Recreational Facility Standards discussion item.

RESIDENTIAL CARE FACILITIES; PL-19-141 - REQUEST TO TABLE

Ms. Winser stated her request to table the Residential Care Facilities discussion item.

MOTION

Commissioner Monger moved to table the Recreational Facility Standards PL-164 and Residential Care Facilities PL-19-141 discussion items until November 26th, 2019.

Commissioner Corrigan seconded; the motion carried 3-0.

EN RE: PURCHASING / JULIE KENNEDY

Geovanny Romero, Road and Bridge, was also present.

RFQ SCORIA 2019

Ms. Kennedy stated her request for approval of the purchase and authorization for the County Manager to electronically sign the purchase order in the amount not to exceed \$71,350.00 to Bratton Enterprises for 2900 tons of 3/4" scoria and 600 tons of 3/8" fines for pickup by Routt County Road & Bridge personnel as needed from November 19, 2019 through May 31, 2020. Ms. Kennedy sent out a Request for Quote (RFQ) to the one known supplier in Routt County, Bratton Enterprises, Inc. This vendor has consistently supplied the scoria and fines at a reasonable cost.

MOTION

Commissioner Corrigan moved to approve the purchase and authorized the County Manager to electronically sign the purchase order in the amount not to exceed \$71,350.00 to Bratton Enterprises for 2900 tons of 3/4" scoria and 600 tons of 3/8" fines for pickup by Routt County Road & Bridge personnel as needed from November 19, 2019, through May 31, 2020.

Commissioner Monger seconded; the motion carried 3-0.

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

Kim Bonner, Clerk and Recorder

M. Elizabeth Melton, Chair

Date