

**STATE OF COLORADO
COUNTY OF ROUTT**

**OFFICE OF THE CLERK
February 28, 2017**

County Commissioner Timothy V. Corrigan, Chair, called the regular meeting of the Routt County Board of County Commissioners to order. Commissioner Douglas B. Monger, Commissioner Cari Hermacinski, County Manager Tom Sullivan, and Deputy County Manager Dan Weinheimer were also present. Those present recited the Pledge of Allegiance. Tegan Anderson recorded the meeting and prepared the minutes.

EN RE: WARRANTS

MOTION

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

Accounts Payable Check- Cycle Date:	2/20-2/24	\$241,318.42
Accounts Payable Check: Manuals	2/20-2/24	\$16,557.00
Accounts Payable Wires:	2/20-2/24	\$205,162.65
Total:		\$463,038.07
Payroll Checks- Cycle Date:	2/20-2/24	\$449,376.92
Payroll Checks- Manuals	2/20-2/24	\$0.00
Total:		\$449,376.92
Total Disbursements Approved:	2/20-2/24	<u>\$902,414.99</u>

Commissioner Monger seconded.

Mr. Sullivan advised of the following Accounts Payable Items:

Advanced Copier Solutions	\$2,996.96	Building and Plant – monthly support
Distribution of dedicated Mill Levys	-	Developmental Disabilities Fund & Museum and Heritage tax fund

The motion carried 3-0.

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

Commissioner Corrigan stated that the Board met with the County Manager, County Attorney, Road and Bridge Director, Yampa Valley Regional Airport Director, Building and Plant Director and Communications Manager to hear updates.

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 January 24, 2017;
- B. Approval of and authorization to submit Colorado Parks and Wildlife Impact Assistance Grant for 2016 Colorado payment in lieu of taxes (PILT) in the amount of \$8,370.12 and to approve and authorize the allocation of \$2,212.00 of cost incurred in the preparation of the PILT report.

MOTION

Commissioner Monger moved to approve items A and B on the consent agenda and authorize the Chair to sign the related documents.

Commissioner Hermacinski seconded; the motion carried 3-0.

EN RE: PUBLIC COMMENT

No members of the public were present for comment.

EN RE: HUMAN RESOURCES / CHRIS HENSEN

2016 VACATION AND COMP TIME CARRYOVER

Ms. Hensen stated that this item is the consideration to approve carryover of 2016 accrued vacation for the County Manager and County Attorney and 2016 accrued vacation and comp time over 80 hours for various employees. Various employees from various departments are requesting to roll over comp and vacation time. Many of these employees have used up quite a bit of their vacation and comp time that was in excess of 80 hours in January and February.

Ms. Hensen continued that two employees, both from the Treasurer's Office, are requesting their excess time be paid out. One of those people would like to be paid out 104

hours bringing her down to about 116 hours of comp time. The other employee would like to pay out 109 hours.

Commissioner Monger asked why the employee's names are not published. Ms. Hensen stated that the names and time accruals are published in the packet but there is a supplemental list with the employee's personal time off plans that is only provided to the Board.

Commissioner Hermacinski asked if there is a policy that dictates if an employee uses vacation or comp time up first. Ms. Hensen responded that it is not allowed to dictate that due to the Fair Labor Standards Act but, regarding comp time, limits can be set and it can be paid out. Commissioner Corrigan asked if an employee can be asked to take time off because of the amount of comp time they have. Ms. Hensen responded that is not allowed due to the Fair Labor Standards Act.

Commissioner Hermacinski stated that the two Treasurer's Office employees have extremely high comp time carryover but almost no vacation carryover which looks like mismanagement. Ms. Hensen responded that she is not sure why that is but both employees said that the carryover was due to high workload.

Commissioner Hermacinski asked if there can be a prescribed time frame in which an employee needs to use their comp time within.

Commissioner Hermacinski asked if a policy can be instated that decreases the amount of vacation that can be carried over if the employee has over a certain amount of comp time. Ms. Hensen responded that the end of the year 80 hour carryover limit does that. Commissioner Hermacinski replied that it is a liability for employees to be carrying that much comp time.

Ms. Hensen added that Fair Labor Standards Act limits the comp time accrual to 240 hours then at that time Accounting pays those people out additional overtime automatically.

Commissioner Monger asked where in the budget this payout would come from. Ms. Hensen responded that if the Treasurer doesn't have an overtime line in her budget if she has savings in her personnel budget it will come out of there otherwise it would need to be a supplemental budget. Commissioner Monger questioned if the department heads submit an explanation of why there is so much overtime if there is no overtime budget. Ms. Hensen responded no but the employees write a request for carryover. Commissioner Monger asked if this comes through when the actual budget is brought to the Board before the next year's budget is created. Mr. Sullivan responded that if the payout is approved then it is added to the budget variance.

Commissioner Hermacinski stated that she would like employees to use their comp time before vacation time. Mr. Sullivan added that a new administrative procedure can be added that, for example, could reduce the amount of vacation carried over for each hour of comp carried over.

Commissioner Monger added that he is concerned about the Building Department employee on the list as well with high comp time. Mr. Weinheimer responded that the Building Department ran through their overtime budget in 2016 and they will be requesting an additional FTE today to help cover the increasing work load.

Commissioner Hermacinski suggested allowing everyone with an aggregate number under 100 hours to carry it over. Then the Board can focus more on the employees with higher aggregate totals.

Commissioner Monger asked what year this will come out of for the budget. Ms. Hensen responded this this will be paid out at these employees' 2016 rate of pay but she is unsure if this comes out of the 2016 or 2017 budget.

Commissioner Hermacinski asked how employees are capable of taking all of their vacation hours but are still accruing a lot of comp hours. Commissioner Corrigan added that the employees who have discovered that vacation time can be taken away but comp time cannot may be doing this intentionally.

Commissioner Corrigan asked if employees can be required to use comp time before vacation time. Ms. Hensen responded that there is most likely a way to manage this better by creating a policy.

Commissioner Monger stated that he is fine with the Treasurer's Office employees being paid out for the amounts that they are requesting. By approving the employees that have an aggravate carryover of 100 hours or less it gets 18 of the 39 employees off the list. Ms. Hensen added that some of these employees have already used some of this time. Commissioner Hermacinski added that if they approved up to 120 hours total then it would get 23 of the people off the list.

Mr. Weinheimer stated that he looks at this list and wonders why some of these employees are accruing comp time at all due to the nature of their positions. Otherwise it seems like there is a possible management issue happening with some of these departments. Commissioner Hermacinski added that she doesn't want to punish employees that are working necessary overtime and working hard to get a job done.

MOTION

Commissioner Hermacinski moved to approve carryover of 2016 accrued vacation and comp time for the County Manager and County Attorney.

Commissioner Monger seconded; the motion carried 3-0.

MOTION

Commissioner Hermacinski moved to approve 2016 vacation and comp time carryover hours when those employees that have a total carryover of 110 hours or less.

Commissioner Monger seconded; the motion carried 3-0.

MOTION

Commissioner Hermacinski moved to approve 2016 vacation and comp time carry over for each employee on the list that has a total carryover of less than 80 hours as of February 28, 2017. This includes Watkins Fulk-Gray, Fredric Honebein, and Ray Birch.

Commissioner Monger seconded; the motion carried 3-0.

MOTION

Commissioner Monger moved to table the consideration of the 2016 comp and vacation carryover requests from Chris Hensen, Georgian Kalow, Tammy Green, Rani Gilbert, Greg Jeager, Travis Bedell, Jennifer Hubbard, Ryan Adrian, Don Marchbanks, Keith Villa, Cheryl Dalton, and Kevin Booth until they come back before the Commissioners.

Commissioner Hermacinski seconded; the motion carried 3-0.

EN RE: PURCHASE OF DEVELOPMENT RIGHTS (PDR) ADVISORY BOARD

Claire Sollars and Mary Kay Monger, PDR Board; Lynaia South, Assistant County Attorney; Helena Taylor, Staff Assistant; Dean Rossi and Jim Rossi, property owners.

FUNDING APPROVAL FOR PDR PROJECT 183 – DEVIL’S GRAVE

Ms. Sollars stated that this is the consideration to approve the funding of PDR project 183, Devil’s Grave, in the total amount of \$256,000, and authorization to sign the Agreement Concerning Conservation Easement between Routt County and Yampa Valley Land Trust (YVLT). She is very excited to have these people here today because they are some pioneers in the area of conservation easements in regards to Routt County. This family was the first to be involved in a funded conservation easement in Routt County. The family has been working this property since 1923 and was originally a potato farm until the 1950 when they moved to cattle operations. This parcel is 840 acres. The PDR funded amount of this project is \$256,000 which represents 42.7% of the appraised value of the conservation easement. There are no reserved home sites and will be used for their cattle operations. This is the host of the Devil’s Grave landmark that is highly visible from Highway 131 and County Roads 17 and 15, the Flattops Trail Scenic Byway. This is the fourth generation of Rossis to work this property and this will help more generations continue that tradition.

Commissioner Corrigan asked if there are water rights. Ms. Sollars responded no, there is only one spring and some small ponds on the property. This area serves sage grouse habitat as well as deer and elk.

Commissioner Hermacinski asked how it got the name Devil’s Grave. Ms. Sollars responded that a long time ago a surveyor thought it looked like a headstone.

Mr. Dean Rossi stated that he is grateful that the PDR Board, the Commissioners and YVLT stuck with them through this somewhat difficult process.

Commissioner Monger asked about the need for a second appraisal to document their IRS contribution. Mr. Dean Rossi responded yes that's correct, for the tax credit it is necessary but GOCO was fine with a letter.

Commissioner Monger asked what the final contributions are. Ms. Sollars responded that the final appraisal was \$600,000, GOCO is contributing \$231,000 plus \$27,300 for transaction costs which totals 38.5% of the total costs.

MOTION

Commissioner Monger moved to approve the funding of PDR project 183, Devil's Grave, in the total amount of \$256,000, and authorization for the Chair to sign the Agreement Concerning Conservation Easement between Routt County and Yampa Valley Land Trust (YVLT).

Commissioner Hermacinski seconded; the motion carried 3-0.

PDR ANNUAL REPORT

Ms. Taylor stated that in 2016 six projects were closed bringing the total spent to \$22,408,000 going towards conservation easements and \$713,184 going towards transaction costs. This totals 50,768.18 acres conserved since the program's inception with an average cost of \$510 per acre. There are several projects in the works and the PDR Board hopes to get those all closed by the end of the year.

In 2016 the projects included the Accord Ranch II in Yampa, The Stanko Ranch and Meader Ranch both located just outside of Steamboat Springs, The Gates Ranch and Coberly Creek Ranch both located in Toponas, and the Glas Deffryn Ranch near Stagecoach Reservoir. Each year all of the Mill Levy funds are being spent for the most part. The PDR Board believes that all of the Mill Levy funds will be spent this year again although one of the projects may drop out.

Ms. Sollars stated that the PDR Board intends to go through their application process in the coming year to make things clearer and still relevant to what was developed in 1996. Some of these changes came about due to the desire for contemporaneous contiguous donation and in order to clarify certain aspects of water rights.

MOTION

Commissioner Monger moved to accept the PDR annual report as presented today.

Commissioner Hermacinski seconded; the motion carried 3-0.

EN RE: ROAD AND BRIDGE / JANET HRUBY

Adam Leith, Stantec, and Mike Mordi, Road and Bridge, were present.

COLORADO DEPARTMENT OF TRANSPORTATION BRIDGE INSPECTION REPORT

Mr. Leith stated that Stantec inspected the bridges in Routt County as part of the CDOT off system inspection program. The bridges are inspected about every two years unless they are in bad condition then they are inspected more frequently. There are 61 bridges on the inventory. In the last two years one bridge was removed and replaced. Mr. Leith distributed a list of the Essential Repair Findings (ERFs) and discussed the overview of the inventory. Mr. Leith commented on how bridges are rated and where details of the rating process can be found in the report.

Mr. Leith discussed a series of bridge reports that will need attention. Specifically the Green Truss Bridge on CR 67 has a cracked gusset plate. Mr. Mordi added that this bridge currently has off system construction funding and the bid is slated for the fall. There is also another bridge on CR 67 that has funding for repairs.

Mr. Leith discussed other bridges that need attention that were discovered in the report. That list includes the Clark Bridge on CR 62, the Moon Hill Bridge on CR 56, the Fish Creek Bridge on CR 179, as well as bridges on CR 52E, CR 213, and CR 33. The details of each bridge inspected are in the individual reports.

EN RE: PLANNING / CHAD PHILLIPS

Deano and Kim Temple, permittees, were present.

REVIEW OF TEMPLE GRAVEL PIT SUP; PP2004-004.

Mr. Goldich stated that this item concerns the reclamation plan for the Temple Gravel Pit. The SUP was first issued in 1988, amended and extended in 1994 then renewed in 2004 for a period of ten years. The SUP was set to expire September 30, 2014. During the 2004 review a reclamation plan was reviewed and approved by the County. In June 2014, prior to the expiration, the permittee requested an amendment to the state approved reclamation plan which was approved, but the County was never notified by the state or the permittee. The reclamation plan that the state had on file was different than what the plan the County had approved. In the summer of 2016 the permittee asked for a release of all their reclamation responsibility from the state. The County was notified of that request. Planning staff inspected the property and it came to staff's attention that the state had approved the amended plan. Planning staff are requesting direction from the Board on how to proceed now that the state has released the permittee's reclamation responsibility although the site is different than what the County approved.

Commissioner Monger asked for Planning staff's position on the reclamation that has been done. Mr. Goldich responded that it is not in compliance with the County Plan. Commissioner Monger added that there are some piles of gravel on the property still. Mr. Temple responded that the state approve the stock piles for use on their personal property. Mr. Temple added that in 2014 they wanted to continue their operations but they hit poor quality

gravel. When they approached the state to make the amendment they assumed the state would notify the County. Commissioner Monger added that they don't need an SUP to use gravel on their property for their own needs.

Mr. Goldich added that the southern area of the property is supposed to be backfilled and revegetated but it is currently an area susceptible to weed growth as it has not been revegetated. Typically the state notifies the County if there is an amendment but it does not always occur.

Commissioner Monger asked what staff thought about the reclamation that has occurred so far. Mr. Goldich added that when he visited the grass was eye high and there are diverse species of plants. There was only the discrepancy with the area that was supposed to be backfilled and revegetated.

Mr. Temple stated that the state inspected the property in the fall and the Temples use a lot of agricultural techniques on their property.

Commissioner Corrigan asked if the County's concern is primarily weed control. Mr. Phillips responded yes. Commissioner Monger added also water sources and habitat. Commissioner Corrigan asked if it is necessary to have such a large gravel parking area. Mr. Temple responded that it is very useful for parking equipment and turning equipment around. Also there isn't much usable ground on the property because a lot of it is a marsh.

Commissioner Monger stated that he is fine calling this acceptable. Commissioner Corrigan requested that the property owners be conscious about weeds on the property due to the proximity to the Yampa.

MOTION

Commissioner Monger moved to determine that the Temple Gravel Pit, PP2004-00, is an expired permit and no longer in effect.

Under discussion Commissioner Corrigan noted that the Temples have shown a commitment to monitoring the weeds on their property. Mrs. Temple added that is correct, keeping their property weed free is a priority for them.

Commissioner Hermacinski seconded; the motion carried 3-0.

EN RE: BUILDING DEPARTMENT / BEN GRUSH

REQUEST FOR NEW POSITIONS AND SUPPLEMENTAL BUDGETS

Mr. Grush stated that he is requesting the approval and authorization for the Chair to sign two supplemental budgets adding two FTE's to the Building Department Staff, one Assistant Building Official and one Combination Inspector. Historically the Building Department has adjusted staff for workload. There has been an increase in workload over the past few years and he believes adding staff will help maintain the level of service expected from the Building

Department. Reserves, revenues and expenses have calculated out to show an excess of reserves. There is a mandate from the oversight committee that unrestricted reserves should be between 0.7% and 1.2% of the total expenses and that won't be met if expenses aren't adjusted. Hiring new FTE's will help that mandate.

Commissioner Monger added that this will come out of an enterprise fund therefore it is self-funded.

Mr. Grush discussed the number of inspections per inspector and the projected 2017 inspections. Hiring a new combination inspector will bring the inspections per inspector to a manageable level. This was reviewed by the Building Oversight Committee on January 12, 2017 and was a widely supported request. Mr. Weinheimer added that the Building Oversight Committee was interested in seeing two inspectors added. Mr. Grush added that with another inspector they will be able to provide better customer service and can better discuss failed inspections.

Commissioner Monger asked if one more combination inspector is enough. Mr. Grush responded he thinks one more will be enough for now. Commissioner Monger added that it took a long time to get around to adding these two additional FTE's now. Mr. Grush added that the assistant building official position can fill in for inspections as well.

Commissioner Hermacinski added that comparing 2016 to previous years it was one of the lowest number of staffing years compared to the property valuations.

Commissioner Corrigan added that he is in favor of leaving the door open to add an additional inspector later if needed. Commissioner Monger responded that the Board can give authorization to Deputy County Manager Dan Weinheimer to add an additional combination inspector later if needed in order to speed up the process. Mr. Weinheimer added that taking it to the Oversight Committee and gaining their approval on that would be vital as well.

Mr. Grush discussed the current assistant building official position that has also served as the plans inspector but currently that person has been so overwhelmed with plan inspections. The new assistant building official can do plan checks, create the Blue Beam sessions, monitor the process for approvals, and communicating with the applicants. Commissioner Hermacinski questioned if View Permit can send an automated notice that everyone has completed their reviews. Mr. Grush responded that View Permit does not do that currently therefore it needs to be manually checked if each entity has reviewed their portion of the project.

Mr. Grush continued that one thing that hasn't been done well in the Building Department has been managing complaints and complaint reporting. There just hasn't been time but the new assistant building official will be in charge of managing complaints. They can also answer codes and building permit questions, improve the building department website and handouts, and fill in for inspections while inspectors are at trainings or on vacation.

Commissioner Monger added that he is a little concerned about the assistant building official and the timing with the audit that will be done with the City but overall he is supportive especially because this will help the contactors that have contributed to fund.

MOTION

Commissioner Monger moved to approve the supplemental budget and hiring of the new FTE combination inspector and approve the hiring of a second combination inspector if needed at the request of the Building Oversight Board.

Commissioner Hermacinski seconded; the motion carried 3-0.

MOTION

Commissioner Monger moved to approve the supplemental budget and hiring of the new FTE Assistant Building Official.

Commissioner Hermacinski seconded; the motion carried 3-0.

EN RE: HUMAN SERVICES / VICKIE CLARK

Stephanie Martin, Human Services, was also present.

REDUCTION IN WORKFORCE DUE TO FUNDING

Ms. Clark stated that there was a notification from Colorado Department of Human Services that they have decided to disburse funding differently. This is a limited pot of money that hasn't changed much over the past decade and now they are being divided in a more equitable way. They weighed certain indicators that speak to the high needs population. There has been a work group that has been working for about a year to bring these recommendations forward. Ms. Clark added that she has put in two requests for meeting minutes from the work group but she was told that minutes, recordings, and supporting figures for their recommendations don't exist. The document distributed is supposed to be the record of the decision.

Ms. Clark requested a copy of the budget and discovered that there is a 16% decrease in overall disbursements across the state. Another concern is that this is the first year of these cuts and more cuts will come over the next four years. Ms. Martin has been attending these state council meetings that have discussed indicators but failed to discuss funding and now the state has suggested regionalizing programs. This is a devastating hit to Routt County.

Ms. Clark continued that as a result of this reduction in funding, Human Services needs lay off an employee. The budget was taken and places were identified where cuts needed to be made in 2017. In addition to the cut in administrative costs, travel was cut. This will get a little worse next year and worse the year after. The department is going to need to really work to find more private funding.

Commissioner Monger feels like the management of the Office of Early Childhood seems concerning. Originally this was thought to have been a great idea and they were going to address some important issues but now it seems like a top down management lacking transparency. Ms. Clark added that rural areas are hurting differently as bigger areas have

different ways to leverage money. Commissioner Corrigan added that instead of the funding distribution being barely adequate for some areas now it isn't adequate for any areas.

MOTION

Commissioner Hermacinski moved to approve the removal for Human services position 0.5 FTE.

Commissioner Hermacinski seconded; the motion carried 3-0.

EN RE: ENVIRONMENTAL HEALTH / SCOTT COWMAN

Dan Strnad, Accounting, was also present.

COMMUNITY OF PHIPPSBURG WASTEWATER TREATMENT FACILITY LAGOON LINER REPLACEMENT

Mr. Cowman stated that he is requesting consideration to approve review and processing of a grant application to the Colorado Department of Local Affairs (DOLA) to fund construction and engineering of synthetic lagoon liners at the Phippsburg Wastewater Treatment Facility.

Mr. Cowman described the history of the project. A compliance notice was received in December 2014 related to outdated clay liners and alleged lagoon seepage. A DOLA grant application was prepared and awarded for a wastewater treatment facility evaluation in January 2016. The contract was awarded to RG and Associates and they prepared and submitted a report to meet the compliance requirements of the Water Quality Control Division. Along with that submittal was a pre-qualification form to begin the process to acquire grant assistance. That kicked off a pre-qualification meeting that included representatives from the water quality control division, Colorado Water Resources and Power Development Authority, and DOLA. At this point Mr. Cowman was unaware of the County Grant Committee and had he done this again, that committee would have been advised. There was approval given for the planning grant and it covered a project needs assessment (PNA). The PNA was completed in November 2016 and was submitted to the Department of Grants and Loan Division and served as an application for a Design and Engineering Grant for the Colorado Water Resources and Power Development Authority Water Pollution Control Revolving Fund. Mr. Strnad added that this is a loan first then it is forgiven after it is completed. Mr. Cowman added that this does not cover construction management.

Mr. Strnad discussed the necessity of bond council for this project and the other loans that exist that are in parity. Commissioner Corrigan asked if this will be parity. Mr. Strnad responded that most likely they will go that direction. Mr. Strnad added that the cost of the bond council will most likely change. Mr. Cowman added that he will discuss these changes with Mr. Winkler. Mr. Strnad also discuss some concerns about the rate covenant due to the small size of the system.

Mr. Cowman continued that this grant for consideration today, the fourth one for this overall project, is to DOLA. Commissioner Corrigan added that the Board can give official approval without the sign off from the Grant Review Committee because they have reviewed it previously.

MOTION

Commissioner Monger moved to approve review and processing of a grant application to the Colorado Department of Local Affairs (DOLA) to fund construction and engineering of synthetic lagoon liners at the Phippsburg Wastewater Treatment Facility.

Commissioner Hermacinski seconded; the motion carried 3-0.

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

Kim Bonner, Clerk and Recorder

Timothy V. Corrigan, Chair

Date