

**STATE OF COLORADO
COUNTY OF ROUTT**

**OFFICE OF THE CLERK
August 27, 2019**

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

The details of this meeting can be found in the Board of County Commissioners (BCC) Regular Meeting Agenda and Packet for August 27, 2019 document in the Commissioners' Regular Tuesday Meetings Agendas and Packets section of the Routt County Website, along with the meeting audio.

EN RE: WARRANTS

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

Accounts Payable Check- Cycle Date:	8/19-8/23	\$ 1,040,012.21
Accounts Payable Check: Manuals	-	\$
Accounts Payable Wires:	-	\$
Total:		\$ 1,040,012.21
Payroll Checks- Cycle Date:	8/19-8/23	\$ 4,503.16
Payroll Checks- Manuals	-	\$
Payroll – IRS & State Income Tax	8/19-8/23	\$ 1,186.69
Total:		\$5,689.85
Total Disbursements Approved:	8/19/19-8/23/19	<u>\$1,045,702.06</u>

Commissioner Melton seconded.

Mr. Monger advised of the 2019 Accounts Payable items of note for run date August 20, 2019.

Vendor	Amount	Department
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COLO DEPT OF LOCAL AFFAIRS	24,369.86	Environmental Health, Loan Payments for 2 Phippsburg Water and 1 Waste Water Systems Improvements
CONTECH ENGINEERED SOLUTIONS LLC	8,616.40	Road & Bridge Budget: District 3 Culverts
CORRECTIONAL HEALTHCARE MANAGEMENT	11,538.98	Adult Detention Budget: Inmate Healthcare Management for September 2019
OAG AVIATION WORLDWIDE	8,286.00	YVRA Budget: Flight View Displays & Real Time Tracking for 1 st , 2 nd & 3 rd Qtrs. 2019
GMCO CORP	41,269.38	Road & Bridge Budget: Dust Suppressant Program
HORIZONS SPECIALIZED SERVICES INC	37,055.46	Developmental Disabilities Fund: July 2019 Distribution
HAYDEN HERITAGE CENTER	954.54	Museum & Heritage Fund: July 2019 Distribution
HISTORIC ROUTT COUNTY!	1,111.66	Museum & Heritage Fund: July 2019 Distribution
HAHN'S PEAK AREA HISTORICAL SOCIETY	297.90	Museum & Heritage Fund: July 2019 Distribution
HISTORICAL SOCIETY OAK CREEK & PHIPPSBURG	530.54	Museum & Heritage Fund: July 2019 Distribution
TREAD OF PIONEERS HISTORICAL COMMISSION	6,585.24	Museum & Heritage Fund: July 2019 Distribution
YAMPA-EGERIA HISTORICAL SOCIETY	191.54	Museum & Heritage Fund: July 2019 Distribution
NORTHWEST COLO VISITING NURSE	17,799.00	DIST FOR PUBLIC HEALTH STATE OF CO, APR-JUN 2019
CITY OF STEAMBOAT SPRINGS	319,839.06	CLEF Project – June 2019 Billing of \$515,497.14 with \$236,161.67 DOLA Reimbursement
OLDCASTLE SW GROUP, INC.	45,810.55	Road & Bridge 2019 Asphalt Patch Budget
EP BLAZER LLC	36,692.00	YVRA Budget: 2019 Chevrolet Tahoe

GIOVONNI CONSTRUCTION LLC	32,936.50	Bldg. & Plant: Pay App #5 Completion of GOCO Funded Fairgrounds RV Park
MEAD & HUNT INC	315,652.19	YVRA Budget: Hayden Terminal Expansion Programing and Design
2019 AP Run Date Aug 20 - Total	1,040,012.21	

The motion carried 3-0.

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

Commissioner Melton stated updates were received from the County Manager, Legal, Human Resources, Hays Insurance, Treasurer, and Yampa Valley Regional Airport.

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 July 16, 2019;
- B. Approval and authorization for the Chair to sign a Memorandum of Understanding between Public Health and Clerk and Recorder’s Office;
- C. Approval of and authorization for the Chair to sign a liquor license renewal for Clark Liquor Company LLC DBA Clark Liquors for a liquor store license with a Storage permit;
- D. Approval of and authorization for the Chair to sign a liquor license renewal for Steamboat Ski and Resort Corp DBA Haymaker Patio Grill for a hotel and restaurant license with 1 optional premises;
- E. Approval and authorization for the Chair to sign a liquor license renewal for La Tazza Inc DBA Hahn’s Peak Café for a Tavern license.

MOTION

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

Commissioner Monger seconded; the motion carried 3-0.

EN RE: PUBLIC COMMENT

No members of the public were present for comment.

EN RE: EMERGENCY MANAGEMENT / DAVID DEMORAT

Cheryl Dalton, Emergency Management, was also present.

RESOURCE MOBILIZATION PLAN

Mr. DeMorat stated his request for approval of and authorization for the Chair to sign Routt County Resource Mobilization Plan dated September 1, 2019.

The Board expressed their concern for lack of required approval by the Board for Emergency funding. Mr. DeMorat and the Board discussed this concern.

The solution for the Commissioners' concern was to require further authorization by the County Commissioners for purchases over \$250,000.

MOTION

Commissioner Monger moved to approve and authorize the Chair to sign the Routt County Resource Mobilization Plan dated September 1, 2019, which will include the change to section C of Concept of Operations with the limit of up to \$250,000 with further authorization required by the County Commissioners.

Commissioner Corrigan seconded; the motion carried 3-0.

EN RE: PURCHASING / JULIE KENNEDY

Ray DuBois and Geovanny Romero, Public Works; were also present.

IFB 651 GUARDRAILS 2019

Ms. Kennedy stated her request for approval of the award for the Guardrails 2019 project for the Road and Bridge Department to Ideal Fencing Corp. in the amount of \$79,190, as well as approval and authorization for the Chair to sign the Notice of Award and authorize the County Manager to electronically sign the Purchase Order.

The Board and Mr. Romero discussed how these areas are measured and decided on.

MOTION

Commissioner Corrigan moved to approve of and authorize the award for the Guardrails 2019 project for the Road and Bridge Department to Ideal Fencing Corp. in the amount of

\$79,190, the Chair to sign the Notice of Award, and the County Manager to electronically sign the Purchase Order.

Commissioner Monger seconded; the motion carried 3-0.

EN RE: FIRE / MEL STEWART

NEW AMBULANCE PERMIT FOR EMS UNLIMITED

Mr. Stewart stated his request for approval of the permit application for an additional vehicle to the already insured fleet of ambulances owned by Event Medical Solutions Unlimited, LLC, and approval and authorization to issue a permit for the additional ambulance.

MOTION

Commissioner Monger moved to approve resolution 2019-054 approving an ambulance vehicle permit.

Commissioner Corrigan seconded; the motion carried 3-0.

EN RE: PLANNING / CHAD PHILLIPS

Kristy Winser, Alan Goldich, Planning; Peter Patten, Patten Associates; Walter Magill, Four Points Surveying and Engineering; John Sneider, Steamboat City Public Works Director; Frank Alephoene, GM Mount Werner Water; David Randels, HOA Board affiliate; Edward McArther, property owner; Michelle Carr, Collection Manager; Cole Kenish, Deacon of Steamboat Christian Center; and John Currier, Water Quality Consultant; were also present.

FINAL PLANNED UNIT DEVELOPMENT BUTCH DOUGHERTY (PUD) PL-18-143 / LOT LINE ADJUSTMENT

Ms. Winser presented a power point to the Board. She stated this application was originally considered on June 6, 2019, but the application was tabled by Planning Commission for the applicant to address several issues and until the work of the consultant contracted by the City completed their report. To address the issues/items of concern from Planning Commission, the applicant provided the following additional information:

- Submittal of an Addendum to the Project Description by the applicant.
- Results of the watershed analysis by Leonard Rice Engineers, INC contracted by the City.
- Initial Response to Leonard Rice Engineers by Water Resource Consultants, LLC contracted by the applicant.
- Copy of D Bar K Watershed Protection Permit Approval.
- Clarification from Craig Robinson, City Parks regarding location of the Core Trail.

- Revised plans that address, landscaping, building elevations and architectural elements and relocation of care taker unit with security and gate.
- Visual Impact Study.

She continued that procedurally the approval authority for Final PUD or Lot Line Adjustment is not the Board of County Commissioners. In the past however, a Change of Zone as part of a PUD included a separate step and motion of the process. In an effort to streamline the process, this step was combined through a specific finding of fact for the Board to consider and acknowledge a Change of Zone occurred at Conceptual PUD, which is approved by the Board. This application was past this step after the amendment was made, which is why the Board is considering this application at the Final PUD. Staff included specific finding (#3) to acknowledge the Change of Zone as part of Final review. Since, the application includes a Lot Line Adjustment as well, staff combined the applications for a concurrent review.

Commissioner Monger asked if both of the parcels were zoned PUD.

Ms. Winser replied Lot 2 is zoned AF and the other is PUD without any allowable uses. The request is to get both zoned PUD with a lot line adjustment of 2 parcels.

Commissioner Monger asked for clarification on the lack of business plan.

Ms. Winser stated it pertained to hours of operation.

Mr. Patten presented a power point to the Board. He stated the priority for Mount Werner is to get a water line through this project. They created a septic system and cleaned up the nursery. At some point there needs to be a right in right out, planning asked for an access easement so current access becomes right in right out. The property owner agreed to the access plan. A visual analysis was provided to the planning department.

Mr. Magill proposed a sand oil filtrate system. He expressed a concern for the need for rules pertaining to what can be stored in these units.

Mr. Patten stated Mr. Currier feels this plan is more than sufficient for the protection of water quality to protect Routt County.

Commissioner Corrigan asked what time will the right in right out be established in the future access agreement. If the other access is developed, does the previous one go away? If it doesn't, there would be two ways of access.

Mr. Patten confirmed so.

Commissioner Monger asked if there would be abandonment of the septic system or removal.

Mr. Patten stated it would be abandonment and removal.

Ms. Winser stated the removal can be specified in the conditions of approval.

Commissioner Monger expressed concern for the gravel road opposed to a paved road. He stated most roads in Steamboat are required to be paved. There are risks involved with allowing the road to be gravel.

Public Comment:

Mr. Sneider stated there is a dust concern in this valley. With Dougherty road being on City limits, it is mutually owned by three parties. The southern parcel does not have rights without the approval of the three parties. Paving would be the best option, however, the City does not support this project.

Mr. Alephoene provided an update and clarification on Mount Werner's position on this project. They do not feel this is a good use for this property. Mr. Alephoene stated adding 100 storage units does not outweigh the risk. If approved, it could delay Mount Werner's project. Mount Werner's project is to develop water on the southern parcel. Their goal is to have the decree and start construction in 2020. Mr. Alephoene questioned if there is really a market for 100 storage units in Steamboat Springs.

Mr. Randels stated the HOA will have to sign off or agree to this access point. The biggest concern for Rive Place is the traffic not being aware of Dougherty road. This location is already a very dangerous place. If Fish Creek residential area's water becomes contaminated, they would have to rely on Mount Werner's supply. Mr. Randels summarized that Dougherty road residents are not in favor of this project.

Mr. McArther stated he is concerned about the Core trail project. The way it is proposed dead ends at his property. The current design looks like it is trying to run through the middle of his property, which he is not in align with. He has given permission to access the back side of his property. Mr. McArther summarized that he is opposed to this project.

Ms. Carr stated this development is 55 feet away from the Mount Werner infiltration gallery to the North and 300 feet away from the proposed infiltration gallery expansion. The state has classified the infiltration galleries as ground water under the direct influence of surface water. This highlights a vulnerable water source. Ms. Carr added this should be focused on the community's drinking water. This project is a significant risk to the community for one development. The risk that goes along with this project is that the underground sand filters are going to have to be maintained for the life of the facility. If anything goes wrong with them, hazardous materials could leak and we wouldn't know until it came out as tap water.

Mr. Sneider stated the applicant has done all they can do to prevent water problems. The City's consultant believes this project represents a significant risk to the community. The problem comes down to different engineering opinions. The City is not against development of this property. Their concerns are upzoning and increasing the intensity of use. They do support residential use. Mr. Sneider asked that the Commissioners keep the water protection permit as a condition of approval.

Mr. Kenish stated Mr. Patten represented that Steamboat Christian Center has an agreement in place for the waste water that will be going through their property. That agreement has not been created yet.

Commissioner Monger and Ms. Carr discussed details of ground water under the direct influence of surface water.

Roundtable:

Commissioner Monger stated he does not have a problem with layout or land use, but he does have an issue with the water shed concept. He is more in favor of tabling until there is a permit. If approved today and the protection permit is denied, they will be back to zero. However, he is not in favor of denying either. He would like to potentially approve with extension of the time frame for the PUD approval.

Commissioner Corrigan stated he is hesitant to decide on which water consultant is more justified in their opinion. He agrees with Commissioner Monger's comments.

Commissioner Melton agreed. She is troubled by the City feeling pressure from Commissioners if approved. She is also concerned for the protection of community drinking water. She would like to table pending the resolution of issues related to the water shed permit.

MOTION

Commissioner Monger moved to table the application of the final Butch Dougherty PUD PL-18-143 until it is back on BCC agenda and allow for the extension on the PUD conceptual approval for a year from this date.

Commissioner Corrigan seconded; the motion carried 3-0.

EN RE: ACCOUNTING / DAN STRNAD

Michael Jenkins, Partner, McMahan and Associates LLC

2018 AUDIT PRESENTATION / 2018 AUDITOR'S GOVERNING LETTER

Mr. Jenkins presented the 2018 audit opinions and 2018 Auditor's Governing Letter to the Board. He stated an electronic copy of the Routt County 2018 Financial and Compliance Report, which includes the audit opinions, was delivered to the County Manager, Assistant County Manager, and the Board on August 23, 2019. The 2018 Auditor's Governing Letter to the Board has been finalized with the auditors and presents recommendations continued from the 2016 and 2017 audits and those identified during the 2018 audit. Departments with recommendations have responded to the auditor's comments and their responses are presented in the 2018 letter as "Management's Response".

To read the report prepared by Mr. Jenkins visit co.routt.co.us- Agendas and Minutes- Board of County Commissioners Regular Meetings- Regular Meeting Agenda and Packet for August 27, 2019. The audio for this hearing is located in the same location.

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

Kim Bonner, Clerk and Recorder

M. Elizabeth Melton, Chair

Date