

**STATE OF COLORADO  
COUNTY OF ROUTT**

**OFFICE OF THE CLERK  
September 25, 2018**

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

**EN RE: WARRANTS**

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**MOTION**

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

Accounts Payable Check- Cycle Date:	9/17-9/21	\$438,036.90
Accounts Payable Check: Manuals	9/17-9/21	\$0.00
Accounts Payable Wires:	9/17-9/21	\$0.00
Total:		\$438,036.90
Payroll Checks- Cycle Date:	9/17-9/21	\$0.00
Payroll Checks- Manuals	9/17-9/21	\$0.00
Payroll – IRS & State Income Tax	9/17-9/21	\$0.00
Total:		\$0.00
Total Disbursements Approved:	9/17-9/21	<u>\$438,036.90</u>

Commissioner Hermacinski seconded.

Commissioner Monger advised of Mr. Sullivan's Accounts Payable items of note for run date September 25, 2018.

Vendor	Amount	Department
ALPINE ELECTRICAL SERVICES	2,600.00	Regional Building Dept.: electrical

		inspection services
TYLER TECHNOLOGIES INC	13,663.00	IT Pool – Assessor Software and ERP support Services
JVIATION INC	5,258.22	YVRA – engineering for AIP 44 – aircraft apron improvements
LIGHTNING ELIMINATORS & CONSULTANTS INC	12,585.00	Building & Plant Pool: Adult Detention Facility - lightning arrestor replacement and certification
MIMECAST NORTH AMERICA INC	13,475.00	IT Operations: email archiving services
PRO ELECTRICAL CONTRACTORS INC	8,030.00	YVRA – Passenger Terminal Electrical System Electric Panel and breaker replacement
SPECIALIZED PATHOLOGY CONSULTANTS	1,325.00	Coroner – Pathology Services - Shelters
WEST ROUTT FIRE PROTECTION DISTRICT	3,044.23	Wildfire Account - SAND CREEK FIRE
WEST ROUTT FIRE PROTECTION DISTRICT	4,270.41	Wildfire Account - SAND CREEK FIRE
DIRECTPATH LLC	770.00	HR Budget – September Fees
POWDER RIVER CONSTRUCTION INC	312,187.50	YVRA – AIP 44 – Pay App #2 - APRON GATE/APRON REHAB
AP Run Date Total	438,036.90	

The motion carried 3-0.

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

Commissioner Monger noted that the Board received updates from the County Attorney, the Airport Director, and had a budget work session regarding the IT & IT Pool budgets for 2019.

#### **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 August 14, 2018.

- B. Approval of and authorization for the Chair to sign an agreement regarding provision of professional services by Steamboat Springs Discovery Learning Center's Child Care Network and Routt County as fiscal agent for Routt County Early Childhood Council not to exceed \$14,166.67 to provide technical assistance and mentoring support as listed in Exhibit A.
- C. Approval of and authorization for the Chair to sign a Liquor License Renewal for Home Ranch as a Hotel & Restaurant with 1 optional premises.
- D. Approval of and authorization to sign a permit application and report of changes for the Home Ranch for a new manager registration for a H/R license.
- E. Approval of and authorization to sign a permit application and report of changes for Steamboat Ski & Resort Corp DBA Stoker Bar to change, alter, or modify premises.
- F. Approval of and authorization for the Chair to sign the utility easement resolution along the north property line of Lot 5 Steamboat Hills Subdivision; PL-18-128.
- G. Approval of and authorization to sign a resolution appointing Ed Corriveau to the Hayden Cemetery District Board for a 6-year term expiring on December 30, 2024.

### **MOTION**

Commissioner Corrigan moved to approve items A, B, C, D, E, F, and G on the consent agenda and authorized the Chair to sign the related documents. Item F is resolution 2018-070 and Item G is resolution 2018-071.

Commissioner Monger seconded; the motion carried 3-0.

### **EN RE: PUBLIC COMMENT**

No members of the public were present for comment.

### **EN RE: PURCHASING / JULIE KENNEDY**

#### **623 WAIVER SCORIA FOR ROAD & BRIDGE**

Ms. Kennedy stated that this request is to waive the formal purchasing process and authorization for the County Manager to electronically sign the purchase order not to exceed \$69,850.00. That amount is divided between \$62,350.00 for 3/4" scoria and \$7,500.00 for 3/8" minus fines for the Road and Bridge Department. This is for purchase from September 2018 through May 2019 to Bratton Enterprises, Inc. This vendor is the sole supplier in this area and the County has used them with success over the past nine years.

### **MOTION**

Commissioner Hermacinski moved to waive the formal purchasing process and authorization to award and sign purchase order to Bratton Enterprises, Inc. for \$21.50 per ton for 3/4" scoria with an estimated usage of 2,900 tons for an estimated cost of \$62,350 and for \$12.50 per ton for 3/8" minus fines with an estimated usage of 600 tons for an estimated cost of

\$7500.00 for a total combined estimated cost of \$69,850.00 for the Road and Bridge Department for purchase from September 2018 through May 2019.

Commissioner seconded; the motion carried 3-0.

## **EN RE: EMERGENCY MANAGEMENT / MO DEMORAT**

Garret Wiggins, Routt County Sheriff, and Eleanor Hasenbeck, Steamboat Pilot & Today, were also present.

### **FIRE RESTRICTIONS**

Mr. DeMorat stated that he was on the fire restriction call with the interagency partners and neighboring jurisdictions this morning and Routt County currently meets five of the seven fire indices. As of this morning West Routt Fire District, North Routt Fire District, and Steamboat Springs Fire District are all in favor of elevating to Stage 2 restrictions whereas Oak Creek Fire District and Yampa Fire District recommended remaining in Stage 1. The National Weather Service indicated that no significant precipitation is in the forecast.

Mr. DeMorat noted that USFS and the federal partners will be remaining in Stage 1 as will Moffat, Rio Blanco, Jackson, and Grand Counties.

Mr. DeMorat added that his recommendation today is to go into Stage 2 Fire Restrictions for unincorporated Routt County.

Sheriff Wiggins commented that he has witnessed some startling dry conditions over the past month. While out hunting he saw some creeks and watering holes that were completely dry and in a state that he hasn't observed before. He suspects any spark or lightning strike can start a fire.

Commissioner Hermacinski asked what Stage 2 restrictions can do to prevent fires if the current fires started from lightning strikes. Mr. DeMorat noted that the Ryan Fire in North Routt is the result of an illegal campfire however that fire would have been illegal under Stage 1 as well. Mr. DeMorat spoke with Chief Swinsick of North Routt Fire District and his belief is that many people see camp fires at the Steamboat Lake and Pearl Lake State Parks and assume that they may also have a fire while dispersed camping. This has created a lot of confusion among campers because dispersed campers cannot have a fire under Stage 1 restrictions however established camp grounds with fire rings may.

Commissioner Hermacinski emphasized that half of the land in Routt County is federal land and that will remain in Stage 1 regardless of what the County decides. A lot of the human activity is occurring on the federal lands. Mr. DeMorat noted that the most compelling argument against elevating to Stage 2 restrictions is that the overnight recovery is becoming better due to lower nighttime temperatures.

Mr. DeMorat noted that there are three primary differences from Stage 1 to Stage 2 fire restrictions. The first is that no campfires are allowed, not even in established campsites,

although an exemption can be applied for through the fire district. Second, smoking is only allowed indoors or in a vehicle and there is no outdoor smoking allowed. Third, there is no outdoor use of welders or torches allowed however a waiver may be requested through the fire district or Emergency Operations Department.

Commissioner Corrigan noted that Stage 2 restrictions may not have a substantive difference on the regulations and it won't stop lightening however it does increase awareness. He is inclined to support approving Stage 2 Fire Restrictions.

Mr. DeMorat noted that he has concerns there are still no enforcement mechanisms for the regulations. Commissioner Hermacinski added that this problem exists regardless of the fire restriction level but it will need to be addressed prior to the next fire season. Mr. DeMorat replied that he has been in conversation with the fire chiefs regarding this.

Commissioner Corrigan asked how long it takes for an agricultural producer to get a waiver of the welding/torch restriction in order to fix equipment in the field. Sheriff Wiggins noted that in the past it has taken a few hours to check that they have an adequate water supply and a fire extinguisher prior to giving them the waiver.

Sheriff Wiggins stated that going into Stage 2 Fire Restrictions in the Unincorporated County will confuse people because the federal lands will remain in Stage 1. However he is basing his recommendation on the weather forecast and his observations therefore he recommends entering Stage 2 Fire Restrictions.

#### **MOTION**

Commissioner Corrigan moved to approve and authorize the Chair's signature on Stage 2 Fire Restrictions pursuant to Ordinance No. 2013-002.

Under discussion, Commissioner Monger noted that he wants to make sure people can get exemptions if they need to conduct welding in the field and requested that it be noted in the Steamboat Pilot article. Also he continues to have concerns about the lack of enforcement and if the escalation of restriction level is necessary however he will support this.

Commissioner Hermacinski seconded; the motion carried 3-0.

#### **EN RE: PLANNING / CHAD PHILLIPS**

Ty Lockhart, applicant, and Alan Goldich, Planning, were present.

#### **HERITAGE PARK FILINGS 3 AND 4; PS2011-009 AND PS2011-010**

Mr. Goldich stated Mr. Lockhart has requested a four year extension for recording of the Heritage Park Filings 3 and 4 Final Plat. If granted, the 4-year extension would require that the final plat be recorded on or before December 13, 2022.

Commissioner Monger asked Mr. Lockhart to explain a little bit about this application. Mr. Lockhart stated that the City of Steamboat Springs, unbeknownst to him, applied for and was awarded a \$175,000 GOCO grant to develop athletic fields on some of the open space parcels. Mr. Lockhart was alright with this because his original intent was to have athletic fields located on these parcels. Once the neighbors found out about it, they objected because they didn't want a field and it caused the City to reject the grant award.

Commissioner Corrigan asked if these parcels were intended to satisfy the open space requirement for the PUD. Mr. Goldich replied that these filings were originally approved as athletic fields in the PUD however they exceeded the requirement. An amendment to the original PUD was approved in 2011 which allowed these open space parcels to be subdivided and developed.

Mr. Lockhart added that he was discouraged by the neighbors' reaction so he gave up on the idea of athletic fields. Instead he requested to have that land approved as three duplex lots and four single family home lots however the neighbors also objected to that. The two furthest west fields were completed and the City has been managing those for the past 20 years. The lease with the City is up for renewal in the spring but they have not indicated if they will renew the lease. Those fields are not on filings 3 or 4.

Mr. Goldich discussed the technicalities of this application. Mr. Lockhart currently has the approvals for the subdivision and the PUD plan showing these being subdivided has been recorded. That means technically, if these were to be used as fields, the PUD plan would need to be modified. The final plat has not been recorded and an extension of the recording date for the final plat is being requested.

Commissioner Monger asked why the PUD plan was recorded before the final plat was ready. Mr. Goldich replied that he is not sure, it occurred prior to him being hired by Routt County.

Mr. Lockhart noted that he has also been paying the property tax rate for a vacant parcel since the PUD plan was recorded. Commissioner Hermacinski suggested that Mr. Lockhart speak with the Assessor's Office regarding the developer discount.

Commissioner Monger noted that one question that needs to be asked when extensions are requested is if the situation or the tenor of the area changed. In this instance he believes that it has not and the need remains the same as in 2011 when it was originally approved.

## **MOTION**

Commissioner Hermacinski moved to approve the requested final plat extension to give a four year extension to the recording of the Heritage Park Filings 3 and 4 Final Plat making the new deadline December 12, 2022.

Commissioner Corrigan seconded; the motion carried 3-0.

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

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Kim Bonner, Clerk and Recorder

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Douglas B. Monger, Chair

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Date