

**STATE OF COLORADO  
COUNTY OF ROUTT**

**OFFICE OF THE CLERK  
April 23, 2019**

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

**EN RE: WARRANTS**

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

Accounts Payable Check- Cycle Date:	4/15 – 4/19	\$
Accounts Payable Check: Manuals	4/15 – 4/19	\$
Accounts Payable Wires:	4/15 – 4/19	\$
Total:		\$ -
Payroll Checks- Cycle Date:	4/15 – 4/19	\$
Payroll Checks- Manuals	4/15 – 4/19	\$ 708.68
Payroll – IRS & State Income Tax	4/15 – 4/19	\$117.42
Total:		\$ 826.10
Total Disbursements Approved:	4/15 – 4/19	<u>\$826.10</u>

Commissioner Corrigan seconded.

Mr. Sullivan advised there were no Accounts Payable items of note.

The motion carried 3-0.

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

Commissioner Melton stated there was an update from the County Manager.

**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 March 26, 2019;
- B. Approval and authorization for the Chair to sign PL-18-183 the Lollar-Loggins Replat and Resolution 2019-P-013 for the Vacation of Utility and Drainage Easements;
- C. Approval and authorization for the Board to sign a letter of support for The Mountain Pact / Land and Water Conservation Fund.

**MOTION**

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

Commissioner Monger seconded; the motion carried 3-0.

**EN RE: PUBLIC COMMENT**

No members of the public were present for comment.

**EN RE: COUNTY MANAGER / TOM SULLIVAN**

**TEMPORARY CONSTRUCTION EASEMENT FOR BUTCHERKNIFE FLOODPLAIN PROJECT**

Mr. Sullivan stated that on April 2, 2019, Steamboat Springs City staff informed the Commissioners of several projects around town, one of which is the Butcherknife Floodplain project. He added that because the City will need to work on County property for the project, they are requesting the Chair to sign a temporary construction easement agreement. Mr. Sullivan stated that the easement agreement gives the City until November 1, 2020 to complete the work on County property. He noted that the County Attorney has reviewed and approved the agreement.

**MOTION**

Commissioner Monger moved to approve and authorized the Chair to sign the temporary construction easement for the City of Steamboat Springs Butcherknife Floodplain Improvement Project.

Commissioner Corrigan seconded; the motion carried 3-0.

## **EN RE: HUMAN RESOURCES / KATHY NELSON**

### **REQUEST TO HIRE THE HR GENERALIST / BENEFITS ADMINISTRATOR AT STEP 4**

Ms. Nelson stated she is interested in hiring Ms. Tinneal Conner at Step 4 of the HR Generalist pay scale. She added that this position is an existing position and has been budgeted for. Ms. Nelson stated that Ms. Conner meets all work experience and education requirements needed to be hired, noting that her college degree allows her to go up a step on the pay scale.

Commissioner Corrigan asked what Mr. Sullivan's authority is to approve hiring certain positions. Mr. Sullivan stated that he is authorized to approve any hiring up to a step 3 and anything above must be approved by the Commissioners. Ms. Nelson noted that the County Manager has reviewed and recommended the item be placed on the agenda for Commissioner approval.

### **MOTION**

Commissioner Corrigan moved to approve hiring the new HR Generalist / Benefits Administrator at Step 4 of the pay scale.

Commissioner Monger seconded; the motion carried 3-0.

## **EN RE: STEAMBOAT SPRINGS CHAMBER RESORT ASSOCIATION**

John Bristol, Economic Development Director and Vick Walker, Steamboat Chamber membership manager was also present.

### **FIRST QUARTER ECONOMIC DEVELOPMENT UPDATE**

Mr. Bristol stated this is the first quarter update and expressed his gratitude toward the Commissioners for approving the Chamber's budget request for 2019 last year.

Mr. Bristol discussed the Economic Development Council (EDC), noting that metrics for high performing EDOs will be discussed in April 2019 with the hopes of setting specific goals on

economic development. He continued to discuss the subcommittees within the EDC, stating that the Business Development subcommittee is the cornerstone to the EDC noting that in 2018 the subcommittee worked on the business retention and expansion project. Mr. Bristol added that this year they are focused on the industry cluster strategy, which includes Ag, Creative Industries, Outdoor Products and Location Neutral Employees and Businesses. He expressed his appreciation to Commissioner Melton for joining the Business Development subcommittee.

Mr. Bristol stated that the Education and Communications subcommittee is focused on marketing communication as well as the Economic Summit. He noted that while the theme, speakers and sponsors for the Economic Summit have yet to be determined, the summit will take place October 19, 2019.

Commissioner Corrigan asked about the Creative Industries aspect of Business Development. Mr. Bristol stated he is on the board of the Arts Council Steamboat Creates which is evolving into an umbrella organization supporting all creative industries, including web design and architects and not just the fine arts. He added that those who are exporting their products outside of the County tend to have higher than average annual wages. Commissioner Corrigan asked if financial assistance for the creative arts district was provided by the State. Mr. Bristol stated that Steamboat was awarded assistance for the creative arts district in 2018 after the second application. Commissioner Corrigan asked if the creative arts district is receiving real support from the State. Mr. Bristol stated there is grant funding as well as marketing support and technical assistance which the Steamboat Creative Arts District is currently receiving.

Regarding Strategic Partners, Mr. Bristol stated that the item of note is the Coal-Reliant Communities Challenge which he has been working on with Commissioner Melton. He added that the challenge is supported by NaCO and USEDPA and will take place in Denver, Colorado May 1 – 3, 2019. It was noted that through grants, NaCO is covering all of the costs for the challenge. There was discussion regarding Commissioners Monger and Corrigan participating in past Coal-Reliant Communities Challenges.

Mr. Bristol stated that the Blueprint 2.0 project has been rebranded as Rural Technical Assistance Program, noting that Steamboat has applied for and received awards for different initiatives in the past. For 2019, Mr. Bristol added that he is leaning toward the Grow Your Outdoor Recreation Industry Initiative. Mr. Bristol noted some of the previously awarded initiatives including tiny homes, incubator/accelerator, data-driven economic development and the film festival initiative. Commissioner Melton asked if a film festival had taken place after it was awarded funds. Mr. Bristol stated the film festival is a project that is currently under way, noting the funds were applied for in 2018 and the committee has decided to do a soft launch fall 2019 with a full launch in 2020. He added that the committee is currently working out some of the details including name and focus area.

Regarding the NWCCOG and US Economic Development District (EDD), Mr. Bristol noted the Economic Summit will take place in Silverthorne, Colorado on May 2, 2019. He also noted the Economic Development Council of Colorado (EDCC) will hold their annual conference October 9 – 11, 2019 in Colorado Springs, Colorado.

Mr. Bristol discussed the Rural Economic Advancement of Colorado Towns (REACT) Act as it relates to the relocation of Smartwool and the activity timeline. Regarding the OEDIT/DOLA offer of support, Mr. Bristol discussed the items on the list that have been

completed and the other items that are being worked on to complete. Commissioner Melton stated that a lot of effort and energy went into getting Steamboat in the rural jump start program. She asked for an update on the progression of the program. Mr. Bristol stated that marketing the jump start program through the Chamber website is key to making people who are looking to start a new business or relocate to Steamboat aware of the benefits and support the rural jump start program provides. Commissioner Monger stated that at some point it needs to be made aware the projects that have been successful using the jump start program. He noted that Mesa County has two projects that have been successful. Mr. Bristol stated that Routt County currently has one project set to utilize the program. Commissioner Corrigan asked what the benefits are to the recipients of this program. Mr. Bristol stated the benefits include no state tax for the business and no income taxes for the business and the employees. Commissioner Monger stated that personal property tax is waived by the County as well. Mr. Sullivan clarified it was for new personal property.

Mr. Bristol stated that there is one company that has applied for the jump start program and they will appear on the Colorado EDC's agenda in May where he will be an advocate for their approval. Commissioner Corrigan asked if this is a new company or if they are relocating. Mr. Bristol stated that it is a new company that will start in Steamboat and are not competing with any company that exists currently in Colorado. Commissioner Corrigan asked if there is a receipt of benefits to the jump start program and if the company needs that before they decide to be part of it. Mr. Bristol stated that he could not answer Commissioner Corrigan's question as the company has a pending application.

Mr. Bristol discussed Smartwool's relocation to Denver which is scheduled to happen in March 2020 and there was discussion between the Commissioners and Mr. Bristol regarding deadlines for Smartwool employees to decide whether or not they would move with the company. Mr. Bristol made note of the Op-Ed he wrote for the Denver Post which was published January 8, 2019, titled *Hold the champagne on Colorado's big economic win*.

He continued to discuss the lease of the airport office building after Smartwool departs Steamboat, noting the City will need to make a decision on what happens to that facility and whether or not it will be leased as an entire unit or if it will be divided up to meet market demand.

Regarding youth entrepreneurship, Mr. Bristol stated that this is a County wide effort, noting that the Daniels Foundation has provided funding to the Center for Rural Entrepreneurship. He added that Routt County invests in k-12 education and once the students graduate they leave the area and don't necessarily come back. Mr. Bristol stated that he wants to make it known that there are opportunities in Routt County for graduates to come back and start their own businesses. He added that his hope is to work with Routt County CEO, each school district and Junior Achievement to explore options on promoting entrepreneurship. Commissioner Corrigan stated that a great opportunity for young people is to allow them a couple of years of trades experience and education which could lay the foundation for them to start their own companies.

There was further discussion regarding the voluntary separation dates for the Smartwool employees. Mr. Bristol stated that typically when a company moves out of a community, 1/3 of the employees will stay with the company and move with the company, 1/3 will separate from the company and stay in the community and 1/3 will separate from the

company and move from the community. Commissioner Melton asked if the 1/3 idea could become a possibility for the Hayden Power Plant. Mr. Bristol stated that something similar could play out for the Hayden Power Plant.

Commissioner Melton asked about the progress Steamboat Creates is making. Mr. Bristol stated the organization is focused on the fine arts in the community and took the extra step to apply for the Creative District designation. He added that by applying for this designation, it forces the organization to really focus what they are doing and what their plan is. Mr. Bristol discussed the ability to assist with business plans which could allow artists to sell abroad as opposed to only selling on Main Street, increasing their customer base. Commissioner Melton asked how long the funding from the State will continue. Mr. Bristol stated the creative districts have approximately five years of funding, noting that the State is maxed out and will not be able to provide any more. He continued to discuss the grants that can be applied for as well. Commissioner Melton discussed the creative district in Breckenridge, noting their plan is very much obvious and concrete as to what they are doing. Mr. Bristol noted that the creative district in Breckenridge has existed since the early 1980's that has been evolving.

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

Kristy Winser and Alan Goldich, Staff Planners and Lynaia South, Assistant County Attorney were also present.

#### **FEE IN LIEU FUNDS DISTRIBUTION LETTER**

Commissioner Corrigan was not present for the remainder of the meeting.

Mr. Goldich stated that the funds have been collected through the subdivision process, mainly for consolidations in Steamboat Lake and Stagecoach but also the Milner and Steamboat Springs area. He added that these are fees that have been paid in lieu of dedication of public sites. Mr. Goldich stated that State Statute, CRS 30-28-133(4)(a)(II), allows the County to collect these fees and distribute them to school districts. He added that the Planning staff has prepared a letter to be sent to the school districts in the areas which include Stagecoach (RE3), Steamboat Springs (RE2), Milner (RE1) and the North Routt Charter School (RE2) announcing the availability and award of such funds. He noted that staff is looking to the Board of County Commissioners to comment on and authorize the distribution of this announcement.

Commissioner Melton stated that generally the letter makes sense, however she is concerned with the language that states "available for certain school projects". Commissioner Monger agreed with Commissioner Melton's concern and added that the letter needs to state that the money needs to go into the Capital Improvement Fund and spent accordingly. Commissioner Monger stated that the County doesn't want to micromanage and award the schools per project and Commissioner Melton stated that the request for funds letter should describe how the money being spent is benefiting the area in which the fees in lieu were collected from.

It was decided that the final draft of the letter should be put on a future consent agenda and the Board of County Commissioners as a whole will sign it. Ms. South stated that the County Attorney provided his comments before the letter was brought to the Board, however she wasn't aware of any additional concerns. Ms. South noted that she didn't disagree with the comments made during the current meeting. Commissioner Melton stated that she would prefer the County Attorney review the final draft before it appears on a future consent agenda.

Commissioner Melton asked if the County needed to agree on a timeline regarding funds disbursement. It was decided that the funds would be awarded two months after distribution of the letter. The School Districts would have one month from the date of the letter to submit a request and then the funds would be awarded one month from the deadline to submit requests.

### **ADOPTION OF 2019 HOUSEKEEPING AMENDMENTS; PL-19-100**

Ms. Winsler stated that this item was presented at the joint meeting on March 7, 2019, where there were five items recommended for proposed changes to the regulations through Planning's routine housekeeping discussions. She added that at the April 4, 2019 Planning Commission adoption meeting, four out of the five were recommended to the County Commissioners for approval. Ms. Winsler stated that the item referring to occupied trailers on construction sites was pulled from the list of recommendations, noting that additional research needs to be conducted by Planning staff and once the research is complete it will be presented to the Planning Commission and the Commissioners for discussion.

Value Added Agriculture Processing: Mr. Goldich stated this amendment is to allow processing of poultry that is in compliance with state law. He added that the current regulations are not specific to the processing of poultry which is what this amendment is addressing. Mr. Goldich noted that the regulations do address the making of jams/jellies, crackers, fiber processing, candles and cheeses.

Mr. Goldich stated that at the joint hearing the bulk of the conversation centered on the birds being raised on-site. He added that Planning staff clarified with the Colorado Department of Health and Environment (CDPHE) that the birds do not have to be raised on the site that they are processed on, but that the birds must be processed by the person that raised them. Mr. Goldich stated that both the Planning staff and Planning Commission agreed that no changes to the regulations needed to be made as there is a line item that addresses percentage of product grown on site. He noted that there was an additional standard added in Section 8.25 requiring the birds to be raised by the producer. Mr. Goldich also mentioned a few of the clerical changes which include clarity in the thresholds for number of birds to qualify for each level of review and changing the word "facility" to "operation." He also noted that the word "requirement" was changed to "threshold".

Commissioner Melton asked for clarification regarding the section noting percentage of product grown on site when specifically referencing poultry. It was noted that a small scale operation requires 75% of the product be raised or grown on site while the remaining 25% would have to be raised by the processor but not necessarily raised on the site where they are being processed. Commissioner Melton confirmed that this is a local requirement and not a State statute and it's a requirement that is being extended to include poultry.

Commissioner Monger asked what happens when an outfit is operating above the specified requirements. Mr. Goldich stated that it would become part of a higher level of review which would mean requiring either a Conditional Use Permit (CUP) or a Special Use Permit (SUP).

It was confirmed that each of the items listed under Section 8.25 – Standards for Value Added Agriculture Processing – apply to all levels of a processing operation. Commissioner Monger asked for clarification on item I under Section 8.25, noting the statement of “all poultry processed must be raised by the producer”. Mr. Goldich stated that is one of the requirements under state law to qualify to be exempt from the Colorado Department of Agriculture’s inspection criteria.

Definition of Structure: Ms. Winser stated that the Planning Commission recommended approval of including “paver patios or on-grade patio or decking” in the list of features that are exempt from setback requirements. Commissioner Melton asked for clarification regarding on-grade patio or decking. Commissioner Monger stated it means it is not elevated. Ms. Winser stated that if the decking is raised it has to meet setback requirements. Commissioner Melton asked about square footage requirements and if there was a size limit for on-grade patios. Ms. Winser stated that anything less than 120 square feet would fall under the small structure definition and noted that there are no size limits for on-grade patios.

Signs: Mr. Goldich stated this was to clarify a conflict for signs in the right of way. He added that the Planning staff feels that the statement under Section 5.9.2 – Applicability – reading “no signs are permitted in County right of ways unless a permit has been obtained. Any sign not permitted to be in the County right of way may be removed by the County at any time” should be removed and placed in Section B under General Standards which addresses location.

He noted the statement added under Section 5.9.3 – Exemptions – which reads “unless specifically mentioned below, all signs shall comply with the General Standards contained in Section 5.9.4”.

Mr. Goldich stated there was a change made under Ranch Signs in the Exemptions section to state that the sign must be located on the same property or access easement to which it relates. Under Section 5.9.4, B) Location, he noted the statement added under Detached Signs stating a requirement for approval by Routt County Public Works.

Mr. Goldich stated there was an additional request from the Planning Commission that was not discussed at the joint meeting, which was a wattage restriction for LEDs. He added that currently there is a wattage restriction for florescent and incandescent lights. He noted that the Planning staff researched an equivalent wattage between the lights and found that there is no standard wattage conversion from incandescent or florescent to LED. Mr. Goldich stated that after further research, the Planning staff determined it was more in depth than what staff had intended on addressing in these housekeeping changes. He added that although the Planning Commission recommended the change, Planning staff suggests that the Board approve the changes as presented and if a desire exists to include a LED wattage restriction, or a lumen (measurement of light not specific to a type of bulb) restriction, then staff will present this at a later date.

There was further discussion between Commissioner Monger and Mr. Goldich regarding the addition of the wattage restriction to the Lighting section under General Standards.

Attorney Opinion Signature Block: Ms. Winser stated this is to fix a simple typo.

Commissioner Melton asked for clarification regarding the qualifications of a housekeeping amendment versus amending the regulations. Mr. Goldich stated that housekeeping amendments are cleaning up current regulations, whereas amending regulations goes beyond the scope of cleanup which is why the item referring to occupied trailers on construction sites was removed as it requires further discussion.

### **MOTION**

Commissioner Monger moved to approve and adopt the 2019 Housekeeping Amendments presented regarding PL-19-100.

Commissioner Melton seconded; the motion carried 2-0.

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

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Kim Bonner, Clerk and Recorder

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M. Elizabeth Melton, Chair

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Date