

**GUNNISON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
May 1, 2007**

The May 1, 2007 Board of Commissioners meeting was held in the Commissioners Meeting Room at the Courthouse. Present were:

Hap Channell, Chairperson
Paula Swenson, Vice-Chairperson
Jim Starr, Commissioner

Matthew Birnie, County Manager
Marlene Crosby, Assistant County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

CALL TO ORDER: Chairperson Channell called the meeting to order at 8:03 a.m.

AGENDA REVIEW: The current meeting agenda was reviewed and agreeable to all parties.

MINUTES APPROVAL: **Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the April 17, 2007 Regular Meeting Minutes as presented. Motion carried unanimously. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the April 5, 2007 Special Meeting Minutes as presented. Motion carried unanimously.

CONSENT AGENDA: **Moved** by Commissioner Starr, seconded by Commissioner Swenson to adopt the Consent Agenda as presented and authorize execution of the appropriate documents. Motion carried unanimously.

COUNTY MANAGER'S REPORT, CORRESPONDENCE & SCHEDULING: Airport Manager John DeVore was present for discussion.

Taxiway Project / DOLA Grant: County Manager Birnie reported that he received a request from Airport Manager DeVore to delegate signature authorization to County Manager Birnie for the DOLA Grant related to the Taxiway Project. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to authorize either County Manager Birnie or Chairperson Channell to execute the DOLA Grant contracts for the upcoming Taxiway Project. Motion carried unanimously.

City of Gunnison DOLA Grant Support Letters: County Manager Birnie discussed grant support letters requested by the City of Gunnison pertinent to the proposed community swimming pool and the proposed ice-hockey complex. Previously, the BOCC had agreed to suspend the execution of these letters until after the May 2007 election results were reported since the next DOLA Grant deadline is August 1, 2007. However, County Manager Birnie relayed that these support letter requests are related to the current grant cycle. County Manager Birnie was asked by the BOCC to supply these letters to the City of Gunnison without further wait.

Organizational Restructure: County Manager Birnie discussed modifying the organizational structure pursuant to Prothman's report, for which there appears to be universal support within the Gunnison County organization. In February 2007, agreements were made to pursue modifications as follows:

1. Personnel Manager Debbie Moore to report directly to County Manager Birnie.
2. Airport Manager DeVore to report directly to Assistant County Manager Crosby. However, Airport Manager DeVore requested further clarification.

County Manager Birnie requested formalizing these organizational changes and received support from all commissioners to proceed.

Transportation Study: County Manager Birnie asked for guidance related to the Transportation Study. Chairperson Channell asked that County Manager Birnie work with Scott Truex of the Rural Transportation Authority (RTA) to ensure this item is set on a future BOCC agenda for discussion.

IT Update: County Manager Birnie reported that the new servers were made fully operational and that the old servers were disabled last week. By the beginning of next week, the Outlook Exchange changeover is scheduled to take place. Volunteers have been selected for each department to have administrative rights and those volunteers will attend a training session scheduled for May 3, 2007. County Manager Birnie relayed that he is pleased with Mitchell & Company, the IT professionals that were selected to perform this overhaul, and that their invoices have been lower than expected.

County Website: County Manager Birnie relayed that Administrative Assistant III Katherine Haase has volunteered to recreate the county website in order to make the website more useful and attractive. A \$400 software expenditure will be necessary in order to accomplish this goal.

Greenhouse Gas Emissions Inventory: County Manager Birnie received an email from Steve Lawler who has been tasked with handling the greenhouse gas emissions inventory. Mr. Lawler requested additional

aggregate data, which County Manager Birnie will supply to him. Additionally, Mr. Lawler is requesting clarification on the boundaries that he will be using for data collection within the county as well as within the community.

Workforce Investment Act: County Manager Birnie requested guidance on possible submission of a letter in support of the Workforce Investment Act. County Manager Birnie was asked to first ensure that the letter is timely, and then follow through with execution of the letter if appropriate.

IT Director: Personnel Manager Debbie Moore was present for discussion. County Manager Birnie confirmed that the IT Director's announcement was printed in both local papers last week and was also printed in the Denver Post on Sunday, as well as being on the Denver Post website. Personnel Manager Moore reported that the position announcement has received many inquiries and that she has received approximately ten emails and/or applications for the position. Personnel Manager Moore explained that both local newspapers will print the announcement for two weeks, the Denver Post will print only the one time and the Denver Post will include on their website for 30 days. This position will remain open until filled.

Helicopter Testing: Airport Manager John DeVore, County Attorney David Baumgarten and Assistant County Manager Crosby were present for discussion. Airport Manager DeVore inquired whether or not the BOCC had any questions related to the helicopter testing that was approved on the consent agenda and provided the following synopsis:

1. QinetiQ, a British company, will be performing the testing.
2. This testing is scheduled to begin in mid-June and run until the end of August, however the contract allows testing through the end of November.
3. The testing will begin no earlier than 6:00 am and will run no later than 10:00 am with billable fees of \$345/hourly.
4. QinetiQ will be renting 30 local hotel rooms for two months.
5. The testing will be done as far as possible from residential areas.
6. A C-17 will be delivering the necessary testing supplies and equipment. This C-17 will have a landing weight load of over 305,000 pounds, which exceeds the certified limit of 255,000 pounds set for the runway. Airport Manager DeVore will check with the FAA to ensure that this C-17 will be allowed to land given the excessive weight.

County Attorney Baumgarten suggested changes to the contract because he was reluctant to indemnify QinetiQ from any claims that may result from this testing. County Attorney Baumgarten recommended not signing the contract until his proposed changes have been made. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to withdraw from the Consent Agenda, "Gunnison/Crested Butte Regional Airport – contract for provision of ARFF coverage" and authorize execution of those documents upon final approval by the county attorney's office. Motion carried unanimously.

SCHEDULING: Scheduling was discussed and the meetings schedule was updated.

ASSISTANT COUNTY MANAGER'S REPORTS AND PROJECT UPDATES:

Tire Recycling: Assistant County Manager Crosby reported that the tire grinder has been at the landfill and that the process should be finished today. The product will not be as useful as hoped because of the larger tire sizes and the number of steel-belted tires. The goal of reducing volume by more than half has been accomplished. This product also has the ability to remain buried. In the future, this product can be further refined with a metal separator to extract the metal components.

Tim Holbrook County Easement Use Request: Assistant County Manager Crosby asked for direction with regard to Mr. Holbrook's previous request to create a driveway on a Gunnison County drainage easement and requested permission to draft an agreement, with the assistance of the County Attorney's office, to be presented during the next board meeting. The geotechnical report has been received and supports the creation of this driveway. Assistant County Manager Crosby confirmed that there is no other driveway access to this property. The Board of Commissioners decided to allow an agreement to be drafted and presented at the May 15, 2007 meeting.

Disabled Bobcat Loader: Assistant County Manager Crosby has been informed by the repair company in Grand Junction that the loader currently in use at the Recycling Center cannot be repaired. Repair bills for this loader have reached \$2,500 and Assistant County Manager Crosby was told that these bills will be credited if this loader is used as a trade-in on a new model. Assistant County Manager Crosby requested and received permission to adjust her line-item budget to accommodate the purchase of a new loader.

Guardrails on Kebler Pass: Assistant County Manager Crosby reported that the guardrail installation has begun and that she currently has \$20,000 budgeted for this project. Last week, she received an additional \$20,000 from the Trapper's Crossing HOA which was gifted with the intent of installation of additional guardrails on this road. Openings in the guardrail will be allowed for snow removal and these guardrails have the ability to be plowed around.

GUNNISON VALLEY OBSERVATORY UPDATE: President Michael Brooks, Treasurer Maureen Eden, Secretary Gail Davidson, Public Work representative Allen Moores, Senior Accountant Ben Cowan and Assistant County Manager Crosby were present for discussion.

The Gunnison Valley Observatory, Inc. (GVO) has adopted this new name and contact information was supplied for all board members within the GVO organization. Their Executive Committee is now working on a business plan which, when completed, will be presented for incorporation into a formal agreement with the county.

The GVO presented a letter requesting a contract between themselves and the county that would outline the ownership of the telescope and the relationship between the two entities. The County Attorney's office and County Manager Birnie were tasked to draft a contract for future BOCC approval.

The GVO is hopeful to be open to the public by summer 2007 with the final preparations being completed on schedule. The telescope is currently in Texas undergoing refurbishment with Arthur Sweeney overseeing the project. The tripod for the telescope is currently being welded by a local firm and should be completed by mid-May. Allen Moores estimated that it will take 80 – 120 hours of work to complete the necessary dirt work.

The BOCC originally committed up to \$20,000 and the City of Gunnison committed \$8,000 for this project. Ms. Eden stated that she believes the City of Gunnison will be using their \$8,000 commitment to cover the upcoming costs associated with the tripod. As well, she stated her belief that the City of Gunnison may assist with the costs of dirt work. To date, expenditures are as follows:

• Polar axis disk manufacturing.....	\$	2,500.00
• Fork arm manufacturing	\$	4,000.00
• Finalize tube assembly	\$	600.00
• Base weldment.....	\$	500.00
• Gear and drive mounting.....	\$	600.00
• Anodizing	\$	600.00
• Purchase stepper motors, drives, controls.....	\$	<u>2,600.00</u>
 Total	\$	11,400.00

There was discussion about the possibility of another western-slope astronomical organization installing a telescope near the south rim of the Black Canyon. The GVO looked positively upon this and is eager for other location installations so that they can build an economic relationship with one another and draw more attention to the western-slope.

Ms. Eden reported that board meeting attendance has been good, with the obvious exception of the at-large members. Mr. Brooks declared the GVO's intent to encourage local interaction with their program in hopes of both spreading out the current board member's workload and also maintaining the public's momentum level.

Assistant County Manager Crosby stated that this is a particularly difficult time for the county to allocate up to 120 hours of labor and machinery and she also stated that the labor and machinery portion of this project will need to be efficiently completed all at one time. Customarily, non-profit organizations have been asked to pay for materials and fuel costs while the county has provided labor and equipment. Assistant County Manager Crosby relayed her fears that gravel and fuel costs could reach \$6,500, however all parties agreed that these costs could be managed within the original \$20,000 commitment since the City of Gunnison will be providing \$8,000.

Chairperson Channell asked that the county staff work with the City of Gunnison to finish this project at the earliest possible time. Per Mr. Brooks, the business plan should be completed no later than mid-June. County Manager Birnie and County Attorney Baumgarten will meet separately to work on the agreement and the contract. Senior Accountant Cowan reminded the GVO of their responsibility to carry liability insurance while the county will carry insurance on the building and the telescope only, and stated that this information will need to be incorporated into any agreements with the GVO.

Chairperson Channell stated that the BOCC is very encouraged by the efforts displayed by the GVO and is impressed with their accomplishments thus far.

AMENDMENT TO RESOLUTION #2007-15 – A Resolution Requiring the Gunnison Fire Protection District to Submit an Annual Report: Moved by Commissioner Swenson, seconded by Commissioner Starr to adopt Resolution #2007-21, a Resolution amending Resolution #2007-15 Requiring Special Districts Within Gunnison County, Colorado to Submit an Annual Report. Motion carried unanimously.

CATTLEMEN'S DAYS UPDATE – REQUEST FOR ADDITIONAL FUNDING: Cattlemen's Days Board President Dan Woodbury and Vice-President Jim Swaim were present for discussion.

2006 Cattlemen's Days Report: Per Mr. Woodbury, \$800 of snow fencing was installed, which separated the point-of-entry from the point-of-purchase. As a result, the overall gate total was \$20,000 higher than in any previous year, yet the attendance total was down 10%. Mr. Woodbury believed that this differential was due to the enforcement of admission fees. This same infrastructure is planned for the 2007 Cattlemen's Days events.

2006 Cattlemen's Days Exit Survey: Mr. Woodbury relayed that the 2006 exit survey results showed that a large number of spectators were unhappy with the sound system. For the 2007 event, Mr. Woodbury intends to hire a contractor who travels with his own sound equipment. For events beyond the 2007 Cattlemen's Days, the sound infrastructure will need modified to allow running conduit under the arena floor for permanent wiring and also the installation of four steel posts.

2006 Tough Enough To Wear Pink Campaign: Mr. Swaim, who is also the Chairman of the "Tough Enough To Wear Pink" (TETWP) campaign reported that Wrangler took information collected from Gunnison's TETWP campaign and then relayed it to over 700 communities across the United States with the title of, "Gunnison's Success Story". The success of this event was also broadcast on radio and television media.

2006 Contestants: The number of contestants was down primarily because of competition with other rodeos offering higher monetary prizes. Both Mr. Woodbury and Mr. Swaim agreed that there is no option for alternative weekends without conflicting with other rodeos. In an effort to attract a higher caliber of contestants, as well as increase the overall number of contestants, additional prize money was raised.

2006 Overall Economic Impact: Mr. Woodbury reported this to be \$4,800,000.

City of Gunnison's Contribution: The City of Gunnison's financial commitment is \$9,000 annually, consisting of a \$7,500 grant and \$1,500 in additional monies that are used to assist with event preparation. In 2006, Mr. Woodbury received an additional \$1,500 from the City of Gunnison to be spent on placing armed guards, as crime deterrents, at cashbox locations. However, Mr. Woodbury relayed that patrons were uncomfortable with this level of security, and he intends to hire a non-local security firm so that patrons will not see familiar faces enforcing the gates at future events.

Sponsor Contributions: These contributions are projected at \$50,000, +/- \$5,000 to \$6,000 annually. Mr. Woodbury stated that this number is difficult to predict until local support for the event starts gaining momentum in June. Mr. Woodbury stated that 70-75% of the contributors of the \$50,000 will reap revenue benefit from Cattlemen's Days, while the remaining 25-30% contribute money to this event without any expectation of financial benefit in return.

2007 Budget: The event is projecting a \$19,000 deficit. However, Mr. Woodbury stated that the board members tend to be conservative with regard to income and non-conservative with regard to expense. In 2006, the event realized a \$14,000 net profit, out of which \$5,000 was paid to the county for costs associated with grandstand seating and an additional \$5,000 will be paid prior to November 1, 2007.

Request for County Contribution: In 2006, total port-a-potty costs were \$2,000 due to additional placements in the carnival and fairground areas stemming from patron complaints about availability. The 2007 outside security firm costs are projected to be \$1,800. Ambulance costs are continuing to rise from \$88/hour to \$116/hour per ambulance, which is projected to total \$2,000. Costs associated with the overhaul of the sound system are estimated to be \$800, which includes the fairgrounds crew providing all associated labor.

Future Outlook for the Status of Volunteer Committee: Mr. Woodbury relayed his sense that the Cattlemen's Days board is mostly comprised of older volunteers primarily because of the amount of work and time commitment involved. As well, younger volunteers have moved outside of the Gunnison area to compete for higher-salaries. Because of the level of commitment required of the volunteers, Mr. Woodbury warned the BOCC that immediate steps must be taken to alleviate the workload of the current volunteer board. Mr. Woodbury also stated that the largest beneficiary of Cattlemen's Days is the Rotary Club, which he approached about the possibility of taking over the event, but received no interest from them.

Commissioner Swenson noted that the Cattlemen's Days board did not approach the county during the budgetary process and encouraged them to participate in the next budget cycle which begins in August 2007. Commissioner Swenson also suggested that Cattlemen's Days pursue steps to become a Community Based Organization which may result in receipt of further money from the county.

Chairperson Channell recommended that Cattlemen's Days apply for grants pertaining to permanent structures. He also suggested that Cattlemen's Days possibly hire a paid Executive Director to handle the funding issues, since that was reported to be the largest burden on the unpaid volunteer staff.

County Manager Birnie noted that the costs associated with the grandstand were \$316,000 in 2007. These costs were covered by a \$200,000 grant, \$10,000 from Cattlemen's Days, and Gunnison County handling the remaining \$106,000 via in-kind labor and cash.

The BOCC agreed that the local community needs to assess volunteer retention in order to keep this worthwhile event going as it is part of Gunnison's unique heritage.

GRANT PROPOSAL FOR RADON TESTING: CSU Extension representative Eric McPhail and Environmental Health representative Richard Stenson were present for discussion.

Mr. McPhail presented information that he received directly from the Environment Protection Agency's (EPA) website relating to the health risks of exposure to radon. This information reported that radon is estimated to be the number one cause of lung cancer among non-smokers and the second leading cause of lung cancer overall.

Mr. Stenson stated that the Public Health office receives frequent inquiries from citizens related to radon testing. Citizens can purchase kits from hardware stores to do individual radon testing; however there is currently no local resource for educating the public on testing procedures, interpretation of results or measures to take if radon levels are high. Mr. Stenson stated that he believes Mr. McPhail's proposed program will greatly contribute to consumer protection and overall public health. He also believes that this can be a collaborative effort between Gunnison County, the City of Gunnison, the Town of Crested Butte and Mt. Crested Butte.

Mr. McPhail proposed submission for a \$2,500 grant through the Colorado Department of Health (CDOH) that would pay for educational public workshops where radon kits can be given out at no cost. When these radon kits are sent to the lab for testing, the lab will track zip codes, levels and the number of tests turned in. As well, Mr. McPhail would like to hold workshops with Realtors to educate them about mitigating the effects of radon. Mr. McPhail was told by the CDOH that they are appreciative of the affiliation with the CSU Extension Office and that they will be excited to receive statistical information from the lab.

Mr. McPhail proposed a 100% match and asked for support from the county, which he received. This 100% match from the county would be met in-kind via arranging for Mr. McPhail's time, as well as his assistant, Sylvia.

Mr. Stenson also stated his belief that mitigation would be easier during the building phase and hopes that radon testing can be added to the building code so that issues can be handled prior to final construction and occupancy.

Mr. McPhail was asked to return to the county after he has completed the grant application so that a support letter can be provided to him.

BREAK: This meeting recessed from 10:18 until 10:21 am.

COMMISSIONER MEETING REPORTS:

Commissioner Starr:

1. Gothic Task Force – this group met to discuss information dissemination planned this summer via a volunteer crew. This information will include:
 - a. No road closures this summer.
 - b. Purchasing counters to look at the Gothic corridor, Slate River corridor and Washington Gulch corridor.
 - c. The lab will be handing out questionnaires over the 4th of July holiday to get a sense of the number of recreational users in the area and what areas they most frequently visit.
 - d. Parking will be at the ski area where signage and information will be present.
 - e. Environmental impacts of overuse of any distinct locations.
 - f. Climate change information.
 - g. Carpooling options that aid in global relief.

The next meeting is scheduled for May 17th at 11:00. At this meeting, there will be discussion related to input from the Forest Service on any suggested seasonal restrictions.

2. Future Land Use – Commissioner Starr is scheduled to meet with County Attorney Baumgarten, Crested Butte Town Manager Susan Parker, Crested Butte Mayor Alan Bernholtz and the Crested Butte Town Attorney John Belkin on May 16th to discuss a special geographic area for future land use possibilities.
3. Temporary Animal Shelter for Crested Butte – Commissioner Starr arranged a meeting held on April 27th with various members from the Paradise Animal Welfare Society (PAWS) and

approximately twelve members from the Crested Butte and Mt. Crested Butte local government. Commissioner Starr was concerned with reports of the proposed county-wide shelter estimated costs of \$6,500,000. However, Commissioner Swenson is leading the Animal Welfare Task Force and informed him that the top dollar amount was projected at \$2,000,000 and also that the Gunnison Valley Animal Welfare League (GVAWL) is working on scaling that cost down to an amount that can be reasonably received from donations. There were no representatives from the GVAWL at this meeting.

During this meeting, it was agreed that there is not an immediate reconstruction issue but that the existing shelter minimally must relocate due to the expansion plans for the water treatment plant. There is also a possibility of improving and enlarging the existing shelter in the new location, which will be determined in future meetings.

Moving toward long-term goals, this group will continue to meet to finalize plans for a location supported by central water and sewer capabilities. Commissioner Starr reported that PAWS has raised \$92,000 for use on this temporary holding facility that will serve dogs and cats for the first 72 hours after arrival. After the 72-hour threshold has been reached without an animal being claimed, the animal will then be transported to the Gunnison facility.

Commissioner Starr stated his opinion that this issue will have to be a burden on the tax payers in our community as the population continues to grow.

Commissioner Swenson:

1. Animal Welfare Task Force – this meeting was held on April 18, 2007. The immediate plan is to go forward with the ordinance that is already in place since a new shelter facility is not yet available. A BOCC work session is scheduled for June 12th to discuss the county's commitment to provide the land and infrastructure for the new county-wide facility. Also discussed will be the commitment made by the GVAWL to raise the funds necessary to build the new county shelter.
2. Upper Gunnison River Water Conservancy District (UGRWCD) – Commissioner Swenson and Commissioner Starr attended a recent UGRWCD meeting where the current Black Canyon issues were discussed. The State of Colorado is objecting on the stipulations so there will be a future meeting for further discussion.
3. Hospital – Commissioner Swenson met with Gunnison Valley Hospital Administrator Randy Phelps. Assessments are ongoing while financial data is being compiled. Commissioner Swenson also attended a Hospital Board meeting to receive a copy of their joint audit report for the hospital and the health care center.
4. Region 10 – this meeting was cancelled last week.
5. Western Heritage Weekend – Commissioner Swenson is working with the Gunnison Chamber of Commerce (COC) to plan a Labor Day event entitled, "Western Heritage Weekend". This event would include items such as mining tours, an Alpine Tunnel tour, a railroad tour, branding displays and tree carving competitions. The COC intends to ask the county for funding assistance for this event in the near future once they have worked out more details.

Chairperson Channell:

1. Frontier Airlines – Chairperson Channell reported that the decision from Frontier Airlines is expected sometime in May 2007.

PERMISSION FOR BUILDING PERMITS TO BE ISSUED: Garland Properties, Inc. representative Gary Garland, Public Works representative Allen Moores, Crested Butte Fire Protection District representatives Rick Ems and Scott Wimmer, County Attorney David Baumgarten and Paralegal Rachel Magruder were present for discussion.

Mr. Garland requested approval from the county to issue building permits prior to infrastructure completion for properties proposed in the Larkspur Subdivision. The Development Improvements Agreement between the county and Garland Properties, Inc., dated August 21, 2006, states in paragraph 3.D., "The county reserves the right not to permit construction of any building in the Project prior to full completion of the Improvements described in paragraph 7 below."

Mr. Garland acknowledged that the county has previously experienced problems with respect to other developers. However, he asked the board to consider his positive history of project completion and timeliness. Mr. Garland asked for approval subject to full compliance with fire-flow requirements, which is expected no later than May 7, 2007. The Larkspur Community Association has received five building plans, and hopes to receive two more this week, from local residents who have completed financing requirements and hope that building will begin soon.

Mr. Garland reported the following progress:

1. Power lines are installed.
2. Transformers are being set.
3. Telephone lines are being installed.
4. Natural gas is ready and energized.
5. Roads are roughed-in.
6. Fire-suppression system is nearly operational and will be ready for testing within 7-10 days.
7. Potable water tanks have been put in and are being filled and buried.
8. Sewer system has been tested.
9. East River sanitation line will be tapped into this week.
10. Landscaping, curb and gutter, and paving all remain to be completed.

County Attorney Baumgarten outlined the details of the engineer's certification of partial completion of work, as of March 3, 2007, as follows:

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|--------------------|----------------|
| 1. Sewer | 100% completed |
| 2. Fire/Irrigation | 80% completed |
| 3. Potable Water | 90% completed |
| 4. Utilities | 95% completed |
| 5. Roads | 5% completed |
| 6. Lakes | 99% completed |
| 7. Reclamation | 0% completed |
| 8. Landscaping | 0% completed |
| 9. HOA Equipment | 40% completed |

Financial information was discussed and all parties agreed that the original letter of credit in the amount of \$3,261,579.66 appears to be sufficient in covering expenses both paid and expected.

Mr. Moores stated that previous waivers have been granted to other developers, which resulted in issues of occupancy prior to completion. Mr. Moores performed an on-site inspection last week. At that time, the engineer recommended not paving until next year. It is Mr. Moores opinion that paving should not begin until the subdivision is at least 80% built-out, but that gravel needs to be in and trenches need to be secured as soon as possible. Mr. Moores also relayed his concerns about combining all the necessary heavy equipment in this confined area.

County Attorney Baumgarten stated that current policy dictates that no building permits will be issued in cases such as this, yet periodically exceptions have been made. He also stated his belief that this project is unique and that he has a high-level of confidence in Mr. Garland's history.

Mr. Garland described the subdivision as having two separate exit/entrance locations with a loop road designed for easy access to all properties from either direction. He also stated that they are aware of some minor settling issues and that they have identified all the soft spots that will need attention. There is a section of road that is approximately two feet low, however all other areas are reported to be within six inches of the grade requirement and are scheduled to be at elevation within 1/10 to 2/10. The road base is scheduled to be in no later than the middle of June 2007.

Mr. Ems stated that the fire hydrants need to be installed and tested prior to issuance of building permits, but that he also has personal faith in Mr. Garland's history and personal word. He was concerned about the absence of an all-weather driving surface and temporary road signs that would be useful to emergency vehicles. Mr. Moores suggested that the county begin the building permits process and then suspend finalization until an all-weather driving surface is completed and fire-flow has been tested and approved. Mr. Garland added that the roads will have the capability of snow removal this winter even if they are not yet paved.

Moved by Commissioner Starr, seconded by Commissioner Swenson to allow building permits to be issued in the Larkspur Subdivision as soon as the county has approved the all-weather driving surface within the subdivision and the Crested Butte Fire Protection District has approved the fire-flow for the subdivision, and further that no certificates of occupancy be issued until 100% of the infrastructure is completed with the exception of paving of streets as decided by the county, the engineer and the developer. Motion carried unanimously.

APPROVAL OF DEED GRANTING COVENANTS AND EXECUTORY INTEREST IN PREVIOUSLY VACATED PINE STREET BETWEEN VIRGINIA AVENUE AND GEORGIA AVENUE: Community Development Department representative Kim Antonucci, County Attorney Baumgarten and Paralegal Magruder were present for discussion.

County Attorney Baumgarten outlined the City of Gunnison's request to reexecute a Deed Granting Covenants for the space created by vacation of Pine Street between the Blackstock and O'Leary buildings. He stated that this request was previously approved by the county however the Deed was inadvertently not signed by the city. It is now the preference of the city to resubmit the request with the only

language change occurring in paragraph B, which was agreeable by County Attorney Baumgarten. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to approve and authorize execution of the Deed Granting Covenants and Executory Interest for the vacated section of Pine Street on Block 10 and Block 11 in the City of Gunnison. Motion carried unanimously.

TOWNHOME PERMIT – HUNTER DALE, LOT 24, BLK 21, CB SOUTH, FLG 3, 1038 CASCADILLA: Planning Department representative Cathie Pagano was present for discussion.

Ms. Pagano noted that the applicant, Hunter Dale, is not the owner of the property. Mr. Dale is the property owners' son who also has a legal power of attorney allowing him to request this permit.

Moved by Commissioner Swenson, seconded by Commissioner Starr to approve the plat for South Valley Townhomes located within Lot 24, Block 21, Crested Butte South, 3rd Filing and authorize signature. Motion carried unanimously.

LAND USE CHANGE PERMIT FINAL REVIEW – STOCK CB INVESTMENTS REPRESENTED BY JOHN & KAREN STOCK, MINOR IMPACT CLASSIFICATION, TRIPLEX, 1.092 ACRES IN NE4NE4, SEC. 11, 14S86W, 26216 HWY 135: Planning Department representative Cathie Pagano and applicants Karen and John Stock were present for discussion.

The Stock's requested approval for Crested Butte Vista Condominiums, which would be a triplex consisting of one three-bed unit and two two-bed units. Each unit would also have an oversized one-car garage, permission for two motor vehicles to be parked outside at all times and allowance for two dogs. The Stock's stated that their intent with this triplex was to include minimal building costs with the hopes that the product would be easily affordable by local families.

Commissioner Starr questioned the reasoning for two motor vehicles to be allowed to be parked outside at all times and expressed concern for the visual impact. The Stocks stated that they would not prefer to limit each unit to two cars total, since one of the units is a three-bedroom and the potential for three licensed drivers exists with that or any of the other units. The Stocks also stated that the berm is proposed to be six feet tall, which would at least partially cover any cars and keep them from view and that the berm and landscaping are current conditions of approval.

Commissioner Starr also expressed concern over the allowance for two dogs per unit without any requirement for fencing to help keep the dogs from wandering onto the nearby highway. Discussion revealed that there was no obvious position for fencing to be installed, however all parties agreed that an electronic fencing system or dog-run would be appropriate and agreed to modify the Declaration Establishing Crested Butte Vista Condominiums, Article 11, paragraph 11.3(c) to read, "At all times control their dogs by physical or electronic restraints".

Moved by Commissioner Swenson, seconded by Chairperson Channell to adopt Resolution #2007-22, a Resolution Approving Land Use Change Permit #2006-20, a Land Use Change Permit for Stock CB Investments for the Construction of a Triplex with the amendment of adding a condition to include a Landscaping Improvements Agreement with Gunnison County and with an amendment to the Declaration of the Covenants on Article 11, paragraph 11.3(c) will state, "At all times control their dogs by physical or electronic restraints". Motion carried. Commissioner Starr voted against this approval, although he supported the general request, because he felt that there needs to be an electronic separation between dogs and the highway.

BREAK: This meeting recessed from 12:00 until 1:38 pm for lunch and to hold the Gunnison/Hinsdale Board of Human Services meeting (see separate minutes).

GUNNISON COUNTY BOARD OF HEALTH

CALL TO ORDER: Chairperson Channell called the meeting to order at 1:38 p.m. Gunnison/Hinsdale Board of Human Services Chairperson Allen Brown, Human Services Director Renee Brown, and Human Services representatives Mary Burt and Carol Dawson were present for discussion.

Moved by Commissioner Swenson, seconded by Commissioner Starr to approve the Light Program, a pilot program as set forth in the proposal dated April 2007. Motion carried unanimously.

Moved by Commissioner Starr, seconded by Commissioner Swenson to adjourn the Gunnison County Board of Health meeting. Motion carried unanimously.

CALL TO ORDER: Chairperson Channell called the Gunnison County Board of Commissioners meeting back to order at 1:38 p.m.

CREATION OF GUNNISON COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT: Human Services Director Renee Brown was present for discussion.

Ms. Brown's stated objective was to conduct a feasibility assessment pertaining to the integration of the existing Gunnison Public Health Department (PH) and the Gunnison County Department of Human Services (DHS). Provided was a summary of the work that has been completed to date. This summary also included consultation with County Directors that currently have working integrated models.

Ms. Brown stated her belief that this integration process would be relatively smooth since the two departments are already co-located within the same building. She also stated that this integration will provide many areas for service enhancements as well as the opportunity to cross-train all staff.

Ms. Brown's proposed organizational structure encompasses combining departments into five different divisions driven by disciplines as follows:

1. Child/Family and Program Eligibility. This division would be supervised by either a Deputy Director (DD) or an Assistant Director (AD). This DD or AD would be a new full-time employee (FTE) position. The proposed departments under this division are as follows:
 - a. Child Welfare Program
 - b. Care Support Enforcement Program
 - c. Child Care Assistance Program
 - d. Colorado Works Program
 - e. Public Assistance Eligibility Program – includes Medicaid, Children Health Care Plus, Old Age Pension, Long-Term care, Food Assistance, Energy Assistance and Fraud/Claims.
2. Nursing Services and Public Health. The various departments in this division will report directly to the Nursing Services Supervisor. Current RN's would increase their time and there would be the creation of another 0.5 time RN to cover direct services that cannot be handled by the Nursing Supervisor, Carol Worall. Proposed departments are as follows:
 - a. Child Health Services – includes Nurse Family Partnership Program and Bright Beginnings
 - b. Family Planning – includes Women's Health and Cancer Control
 - c. WIC/Health Education Program
 - d. Tobacco/Cardiovascular/Health Education
 - e. Pandemic Planning/Disease Surveillance/Bioterrorism Programs
3. Administration. Randy Morgan is projected to assume a supervisory role with related compensation. Jill Stahlnecker is projected to increase her time, which would be grant-funded. Department staff will report to the Director. Proposed departments are:
 - a. Reception
 - b. Client Intake/Triage
 - c. Scheduling
 - d. Finance
 - e. Computer Security
 - f. Data Collection
4. Multicultural. The Health and Human Services Director will work with the Multicultural Office Coordinator and the Immigrant Integration Grant Coordinator. Proposed departments are:
 - a. Supportive Services
 - b. Immigration Integration Grant Services – including school liaison activities
5. Senior Resources and Adult Protection. This division recently received a \$245,000 grant from Colorado Trust, which will allow a possible additional staff member in the future. Eventually, this division may move under the direction of the AD within the Child/Family and Program Eligibility area. In the interim, Ms. Brown will manage this division. Proposed departments are:
 - a. Single-Entry Point HCBS Services
 - b. Adult Protection
 - c. Variety of referral and supportive services to seniors and other special-needs adults

Ms. Brown stated that this reorganization will create a net addition of 1.25 FTE's, which will dictate the need for approximately \$14,034 additional funds annually beginning in 2008. The additional staffing expenses in 2007 will be absorbed by the salary of the prior PH Director.

Moved by Commissioner Starr, seconded by Commissioner Swenson to authorize the joining of the Gunnison County Health Department with the Gunnison County Department of Human Services in accordance with the executive summary provided by Director Brown. Motion carried unanimously.

CTSI ANNUAL REPORT: Senior Loss Prevention Specialist Jon Wagner, Senior Accountant Ben Cowan and Assistant County Manager Crosby were present for discussion.

County Technical Services, Inc. (CTSI) is the entity that operates the different Colorado county insurance pools. Mr. Wagner, the Safety and Risk Management representative assigned to Gunnison County, provided the Gunnison County Loss-Analysis for the previous five year's accidents and claims. Mr. Wagner explained that 52 Colorado counties contribute to these insurance pools at the start of each new calendar year and that there are approximately 19,000 total county workers covered in Colorado.

The State of Colorado insurance laws mandate that each calendar year must stand alone and that any monies left over at the end of the year are then converted to equity accounts that serve as emergency funds to cover large unexpected claims. This conversion of funds is performed annually by the CTSI

Board, which is comprised of various commissioners, attorneys, managers and other key personnel representatives from all counties.

County Workers' Compensation Pool: In calculating individual county contributions into this pool at the start of each calendar year, CTSI averages the losses experienced by each county for the previous 5-year term, with the exception of the 1st year and the 5th year. Thus at the start of 2007, all counties were to contribute the average of losses they experienced in years 2003, 2004 and 2005.

The loss ratio reports dated December 31, 2006 indicated that Gunnison County's loss ratio for 2006 was 77% due to several large claims, while the average for all counties in 2006 was 64%. The remaining 23% of funds provided by Gunnison County at the start of 2006 was then added to the Workman's Compensation Equity Pool, which has an approximate balance of \$8,000,000 beyond all claims paid out or sent to reserve. Gunnison County's current Workman's Compensation rate is 0.90 which translates in to a 0.10 credit off of each payroll dollar paid.

Loss analysis calculated for individual divisions within the Gunnison County organization, for claims in 2001 through 2006, showed that there were a total of 123 claims resulting in a total dollar amount of \$1,043,045, which was thought to be excessive for the size of Gunnison County. Of these claims, 43 were attributed to Administration for a claim total of \$150,269 and 41 were attributed to Road and Bridge for a claim total of \$850,518. There were also a total of 18 claims attributed to Law Enforcement for a total dollar amount of \$19,136, which was thought to be extremely low for Gunnison County.

Loss analysis calculated for individual claim types within the Gunnison County organization, for claims in 2001 through 2006, showed that 25 of the 123 total claims were attributed to Slips, Trips and/or Falls resulting in a claim total of \$252,613. Cumulative Trauma claims totaled 14 for a claim total of \$315,481. There were also 9 claims attributed to Lifting for a claim total of \$318,517.

Assistant County Manager Crosby stated that she has purchased various types of workstation equipment for personnel in her department to accommodate the physical differences between her employees. Mr. Wagner stated his firm belief that these types of individual accommodations should be considered in order to minimize Cumulative Trauma claims. County Manager Birnie stated that, while modifiable workstations have an initial cost much higher than a static workstation, these modifiable workstations should be considered for future replacement purchases because it will be easier to afford new furniture than the growing trend of Cumulative Trauma claims.

Colorado Counties Casualty & Property Pool: This type of insurance covers county liability claims incurred from scenarios such as citizens being injured while on county property, legal defense and protection stemming from lawsuits based on how a county employee or elected official performed a function for a citizen, and legal defense and protection stemming from improper employment or civil rights allegations. Gunnison County has an individual claim deductible of \$100,000, the pool pays any part of that claim within \$100,000 to \$300,000, and reinsurance covers amounts in excess of \$300,000. This pool has an approximate balance of \$17,000,000. Gunnison County currently has approximately \$400,000 in equity. Because of the \$100,000 deductible, Gunnison County is awarded an approximate 60% deduction of its contribution cost to the pool. Over the past few years, CTSI has refunded excesses of approximately \$3,000,000 to the 52 Colorado counties in the pool.

As illustrated on the Loss Analysis by County by Accident report dated December 31, 2006, Mr. Wagner noted that four out of five of the top five types of incidences were vehicle related. Because of this, Mr. Wagner has begun making arrangements for a driving class for Road Deputies on June 22, 2007. CTSI recommends driving classes for any personnel that have not had the class within the last three to five years.

CTSI covers all county-owned and leased vehicles. However, they cannot cover individual employee vehicles. Gunnison County has a policy that covers half of an employee's insurance deductible if that employee has an accident with their personal vehicle while performing duties for Gunnison County. Mr. Wagner also stated that CTSI cannot cover any extra passengers in county vehicles if they are not also a county employee.

In summary, Mr. Wagner stressed attention to ergonomics and workplace layout, especially for computer-related positions, and that Gunnison County needs a rededication to driving classes and safe vehicle usages. Mr. Wagner also stressed the importance of proper hiring practices via performing driving records checks.

UNSCHEDULED CITIZENS: There were no unscheduled citizens present for discussion.

INCLUSIONARY HOUSING TASK FORCE (continued from March 6, 2007 meeting): Housing Authority Director Denise Wise, Mapping and Planning Services Director Mike Pelletier and Essential Housing Administrator Eileen McVicar were present for discussion. Also present were numerous citizens as reflected on the sign-in sheet and in the text below.

There was lengthy discussion on whether to and how to set up a task force that would determine if Gunnison County should have an inclusionary zoning piece relative to the Housing Department. Additionally, if the task force were assembled, criteria would need to be defined in order to formalize policies that would then dictate participation requirements. Agreement was reached that Gunnison County will formalize a program for inclusionary housing, which then necessitates the need for assembling a task force.

Commissioner Swenson expressed concerns that Gunnison County is currently not zoned and also that there are many areas of Gunnison County where inclusionary zoning would not be recommended because of the lack of central water, sewer capability and year-round access. She also expressed her concern that Gunnison County subdivisions are more horizontal than vertical, so the participation would be in-kind via land since additional units could not be built. Commissioner Swenson expressed favor of an impact fee so that inclusionary pieces would not solely burden home builders.

Chairperson Channell acknowledged Commissioner Swenson's concerns and stated his belief that a task force will be able to take concerns such as these into account when recommending policies for Gunnison County. He further stated the goal of the task force to be assembling a plan that will generate workforce housing at the subdivision level and then making specific recommendations to Gunnison County that will accomplish that goal.

Commissioner Starr stated that he would prefer that a decision is made to accept inclusionary housing and then put a process in action, based on specific recommendations from the task force, prior to adoption. He believes that Gunnison County should follow the models of other communities that have displayed successful inclusionary programs instead of attempting to create another method.

There was agreement that any inclusionary housing program would include the ability for in lieu compliance via fee payment or land dedication which would be substantial enough to provide housing.

Ms. Wise requested and received confirmation from the BOCC that the Planning Commission recommendation will become the base document from which further refinement will be done.

Mr. Pelletier relayed that the Planning Commission's recommendations not only create workforce housing, but that it will also intermingle workforce housing within Gunnison County subdivisions. He stated his preference that the task force be made aware of this issue as he has received negative feedback related to this probable scenario.

Ms. Wise stated that any policies put into place will need to provide incentives for developers.

Realtor Mindy Costanzo stated that she believes the current real estate market should be considered while creating policies. She also raised the question of who will be invited to serve on the task force and volunteered to be a member. Chairperson Channell stated his preference that any individuals invited to serve on the task force be first qualified as supporters of an inclusionary housing plan so that the task force can maximize productivity.

There was discussion about which individuals will be invited to serve on the task force, however Chairperson Channell asked the local news media present at the meeting not announce any names that were discussed since those individuals were not present at this meeting and could not speak at that time. For that reason, all individuals discussed were not made part of the permanent record in these minutes.

All parties agreed that the task force should consist of five to seven members, would receive county staff support as needed and would also be comprised of local members of Gunnison's banking, real estate, legal and building entities where possible. Chairperson Channell volunteered to chair the task force and was accepted. County Attorney Baumgarten will determine with the Land Preservation Board if any requirements exist that would mandate task force members be Gunnison County residents.

Both Cory Watt and David Leinsdorf were present for discussion and volunteered conflicts of interest. Mr. Leinsdorf is an attorney representing affected parties and will first speak with those parties about the possibility of serving on the task force prior to accepting an appointment.

Commissioner Starr announced that he would encourage any individuals having knowledge of other available programs that benefit essential housing to relay that information to the BOCC immediately.

Timeline goals were agreed upon as follows:

- Immediately invite and appoint members to the task force.
- First task force meeting to be held in June.
- Continue task force meetings during June, July and August.
- Task force to prepare recommendations during September.
- Task force to make recommendations to the BOCC no later than October 1st.
- BOCC to adopt a policy in November.

ADJOURN: Moved by Commissioner Swenson, seconded by Commissioner Starr to adjourn this regular meeting. Motion passed unanimously. Meeting adjourned at 3:45 p.m.

Hap Channell, Chairperson

Paula Swenson, Vice-Chairperson

Jim Starr, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk

RESOLUTION TEXT INCLUSIONS

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 07-21**

**A RESOLUTION AMENDING RESOLUTION NO: 07-15 REQUIRING SPECIAL DISTRICTS
WITHIN GUNNISON COUNTY, COLORADO TO SUBMIT AN ANNUAL REPORT**

WHEREAS, on March 20, 2007 the Board of County Commissioners of the County of Gunnison, Colorado adopted Resolution No: 07-15; A Resolution Requiring Special Districts Within Gunnison County, Colorado To Submit An Annual Report pursuant to C.R.S. §32-1-207(3)(c); and

WHEREAS, it was resolved that certain special districts located either partially or wholly within Gunnison County, Colorado shall file an annual report pursuant to C.R.S. § 32-10-104(2) and C.R.S. § 32-1-207(3)(c) and (d); and

WHEREAS, the list of special districts identified in Resolution No: 07-15 did not include the Gunnison County Fire Protection District and may not include other special districts as defined under C.R.S. §32-1-103; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that the Gunnison County Fire Protection District and any and all special districts as defined under C.R.S. §32-1-103, created and located either partially or wholly within Gunnison County, Colorado, shall file each year, before January 15th, the required information and annual report pursuant to C.R.S. § 32-1-104(2) and C.R.S. §32-1-207(3)(c)and (d):

INTRODUCED by Commissioner Swenson, seconded by Commissioner Starr, and adopted this 1st day of May, 2007.

BOARD OF COUNTY COMMISSIONERS

Hap Channell – yes; Paula Swenson – yes; Jim Starr – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 22, SERIES 2007**

**A RESOLUTION APPROVING LAND USE CHANGE PERMIT NO. 2006-20
A LAND USE CHANGE PERMIT FOR STOCK CB INVESTMENTS
FOR THE CONSTRUCTION OF A TRIPLEX**

WHEREAS, Stock CB Investments, represented by John and Karen Stock, have applied for a Land Use Change permit to construct a triplex. The parcel is legally described as 1.092 acres in the Northeast quarter of the Northeast quarter, Section 11, Township 14 South, Range 86 West, 6th p.m. The existing residence is located at 26216 Highway 135; and

WHEREAS, after a review of the Minor Impact application and final submittal and all information, documentation and testimony related to it, the Gunnison County Planning Commission did, on April 20, 2007 forward a Recommendation of approval of that application to the BOCC with certain Findings and Conditions:

FINDINGS:

1. This application, by definition, is classified as a Minor Impact.
2. The proposed lot size and lot density are similar and compatible with other lots in the area.
3. There is an existing residence that is currently being used as a triplex on the parcel.
4. The applicant proposes a new triplex on the parcel to replace the existing residence.
5. A landscaping plan, dated February 16, 2007, has been submitted.
6. This application is generally consistent with the standards and requirements of this *Resolution*.
7. Access will be from the Highway 135; the existing driveway shall remain the same.
8. The applicant has indicated their intention to voluntarily dedicate a permanent trail easement across the subject property.

9. No phases are proposed for this development.
10. Approval is limited to the plan described within the "Project Description" of this application, and as depicted on the site plan as submitted. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the former *Land Use Resolution*.
11. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

CONDITIONS:

1. The existing residence shall be removed prior to issuance of any building permits for the proposed triplex.
2. The berm and landscaping, as identified in the site plan dated February 17, 2007, shall be completed within one year of the issuance of the Certificate of Occupancy.
3. A landscaping improvements agreement shall be completed with the Gunnison County Attorney's office.
4. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
5. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
6. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
7. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
8. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. 2006-20, for Stock CB Investments is approved as a Minor Impact, subject to each and all conditions of the decision document, as identified above, and;

THIS APPROVAL is affected noting that decision documentation includes, but is not limited to, the application and the entire Planning Department Land Use Change Permit application file relative to this application. This approval is founded on each individual finding and requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Swenson, seconded by Chairperson Channell, and passed on this 1st day of May, 2007.

BOARD OF COUNTY COMMISSIONERS

Hap Channell – yes; Paula Swenson – yes; Jim Starr – no.