

**GUNNISON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
February 5, 2008**

The February 5, 2008 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
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

CALL TO ORDER: Chairperson Channell called the meeting to order at 8:04 am.

MINUTES APPROVAL: **Moved** by Commissioner Swenson, seconded by Chairperson Channell to approve the Gunnison County Board of County Commissioners Regular Meeting minutes of December 18, 2007. Motion carried. (Commissioner Starr was not in attendance for the December 18, 2007 meeting and therefore did not vote to approve the minutes.)

CONSENT AGENDA: **Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the Consent Agenda and authorize signatures. Motion carried unanimously.

1. Acknowledgment of County Manager Signature; Services Agreement, GL Computer Services, Cable and Conduit Installation in the Courthouse
2. Acknowledgment of County Manager Signature; Services Agreement, Western Slope Maintenance, Janitorial Services for Public Works Offices
3. Quit Claim Deed; Hank Van Schaack Property, Marble Metro Filing V
4. Correspondence; Representative Kathleen Curry, HB 08-1137, Acquisition of Property by the Division of Wildlife
5. Certification of Compliance; Article 29 of Title 29 C.R.S., Immigration Status – Cooperation with Federal Officials, General Assembly and DOLA

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

COUNTY MANAGER'S REPORT AND CORRESPONDENCE: County Manager Matthew Birnie was present for discussion.

1. Housing Issues. County Manager Birnie noted that there will be a series of housing issues scheduled for presentation in future work sessions and regular meetings. He also confirmed that he will keep the board updated on the Housing Needs Assessment.
2. Transportation Impact Study. County Manager Birnie noted that counties such as Montrose County have used the Rural Planning Institute to perform their impact studies, which was preferred by County Manager Birnie. He also stated his intention to initiate the RFP process with the expectation that a contract could be final in as little as 30 days.
3. Gunnison Prairie Dog. County Manager Birnie reported that this species was given the candidate designation for placement on the list of endangered species. Commissioner Swenson volunteered to coordinate a discussion with Gunnison Sage-grouse Conservation Coordinator Jim Cochran and Gunnison Basin Sage-grouse Strategic Committee member Al Pfister to evaluate the timing for the committee to lead a discussion with the board on this issue.
4. Trails Commission. County Manager Birnie reported that Gunnison Trails member Dave Weins requested placement on a future agenda to discuss a proposed trail system. Assistant County Manager Marlene Crosby reported that Mr. Weins had asked the Trails Commission for a letter of support relevant to a travel management plan drafted by Gunnison Trails, but that she informed him that any support letters would have to be reviewed by Gunnison Sage-grouse Conservation Coordinator Cochran and the board prior to release since the drafted plan indicates travel in Gunnison Sage-grouse protected areas. A Gunnison Trails discussion was added to the February 19, 2008 agenda and County Manager Birnie expressed his desire to have Gunnison Sage-grouse Conservation Coordinator Cochran review Mr. Weins' proposal prior to that discussion.

ASSISTANT COUNTY MANAGER'S REPORTS AND PROJECT UPDATES: Assistant County Manager Crosby was present for discussion.

1. Recycling Issues. Assistant County Manager Crosby reported that a public-service announcement aired on local radio stations yesterday asking citizens to temporarily suspend recycling efforts due to excessive product and the recent inclement weather causing equipment issues. Assistant County Manager Crosby noted that she did not request that the City of Gunnison alter their recycling pick-up schedule.
2. Department of Wildlife (DOW) Feeding Efforts on Private Property. Assistant County Manager Crosby noted that carcass disposal could become an issue in the near future as a direct result of an increase in weather-related wildlife deaths. She also expressed her opinion that charging the

landfill's standard carcass disposal fee to citizens during this time would be inappropriate and asked for board direction. She confirmed that the State of Colorado would continue to pay fees associated with animals retrieved from the highway. The board agreed to accommodate persons relinquishing animal carcasses from their personal property during the current crisis.

3. **Big Cimarron Plowing.** Assistant County Manager Crosby stated that \$5,000 was budgeted for plowing on Cimarron and that approximately \$1,200 had been spent thus far. She also noted that Gunnison and Montrose Counties are combining efforts to plow this area, but added that the \$5,000 budgeted will be exhausted if all available measures are taken to address the snow accumulation via the use of a blower, as suggested by Montrose County. Additionally, she explained that approximately five residences would be negatively-impacted if plowing efforts were halted. The board suggested contacting the impacted residents to advise them of the current financial situation and to inquire about their willingness to contribute funding to supplement the remaining county funds.
4. **Marble Plowing.** Assistant County Manager Crosby explained that it had previously been agreed that residents on Marble Village Drive and Serpentine Trail would be responsible for basic plowing of those roads. However, heavy snowfalls have rendered the residents incapable of managing the task. Assistant County Manager Crosby recommended continued assistance only after county roads and other commitments to the towns have been met. Further, she explained that the area homeowners do not have available funding to purchase the type of heavy equipment necessary to independently address the snowfall. Chairperson Channell restated that the county must first provide snow removal to meet contractual obligations and can only assist other areas after those commitments have been met. Lastly, Assistant County Manager Crosby stated that area contractors are available for hire by the homeowners.

CEMETERY DISTRICT REQUEST FOR INTEREST EARNINGS: County Treasurer Melody Marks and Finance Director Linda Nienhueser were present for discussion.

County Treasurer Marks presented the Cemetery District's request and stated that the request was valid. She further stated that SB 08-15 proposes that a district may deposit funds with the County Treasurer's office, but is not required to do so. Chairperson Channell inquired as to whether or not the county has historically returned the interest earnings and County Treasurer Marks stated that it had not. Finance Director Nienhueser noted that the interest earned for the Cemetery District equated to approximately \$5,000 to \$6,000 annually. Chairperson Channell preferred to honor the current request while SB 08-15 may modify how these funds are managed in the future. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to approve the request of the Cemetery District and authorize the Treasurer to pay interest earned during 2008 from the funds deposited by the Cemetery District back to the Cemetery District. Finance Director Nienhueser agreed to present an amended resolution during a future meeting for approval on the Consent Agenda. Because of the need for the amended resolution, Commissioner Starr withdrew his motion and Commissioner Swenson withdrew her second. The board agreed to approve this item at the next regular meeting.

OUT OF STATE TRAVEL REQUEST; ASSISTANT PLANNING DIRECTOR NEAL STARKEBAUM, 2008 NATIONAL AMERICAN PLANNING ASSOCIATION CONFERENCE, LAS VEGAS, NV, APRIL 26 – MAY 1, 2008: Assistant Planning Director Starkebaum was present for discussion.

Assistant Planning Director Starkebaum requested permission for out-of-state travel to attend the 2008 National American Planning Association Conference for a total maximum cost of \$2,200. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the request for Assistant Planning Director Neal Starkebaum to attend the National American Planning Association Conference in Las Vegas, April 26th through May 1st, not to exceed the amount of \$2,200. Motion carried unanimously.

OUT OF STATE TRAVEL REQUEST; AIRPORT PERSONNEL, ARFF CHIEF SCHOOL, NWAAAE FAA MEETING, and ARFF SCHOOL: Airport Administrative Director Kathie Lucas was present for discussion.

Airport Administrative Director Lucas requested permission for out-of-state travel so that Airport Director of Operations Walt Cranor could attend ARFF Chief and Leadership School in Orlando, Florida in February of 2008 for a total maximum cost of \$1,700. She also requested permission for out-of-state travel so that she and Airport Manager John DeVore could attend the NWAAAE FAA Conference in Seattle, Washington from April 21-23, 2008 at a maximum cost of \$6,600. Additionally, she requested permission for out-of-state travel so that Airport Manager DeVore, Kris Gant, Scott Spitzmiller and Brett Redden could attend Specialized Aircraft Fire Training/Spill Recertification in either April or May 2008 in Helena, Montana for a maximum cost of \$6,700. Lastly, she requested permission for out-of-state travel so that Airport Director of Operations Cranor, Charlie Cadwell and Ryan Willis could attend intermediate-level Specialized Aircraft Fire Training/Spill Recertification training on May 6-7, 2008 in Helena, Montana at a maximum cost of \$6,200.

Airport Administrative Director Lucas stated that all travel requests were outlined in the airport's budget and are anticipated to cost no more than \$21,200 in total. **Moved** by Commissioner Swenson, seconded

by Commissioner Starr to approve the out-of-state travel in the amount not to exceed \$21,200 for the airport to come out of their budget to attend classes as presented. Motion carried unanimously.

TDR UPDATE: Mapping and Planning Services Department Manager Mike Pelletier and County Attorney David Baumgarten were present for discussion.

Mapping and Planning Services Department Manager Pelletier stated that the TDR issue had been discussed by the Planning Commission and that the Planning Commission subsequently requested that he integrate the information into the inclusionary housing proposal. He further stated that he considers the TDR program stalled while the inclusionary housing proposal seems to be continuing. Chairperson Channell stated that the board and the Planning Commission recently held a joint meeting at which time zoning density issues were discussed.

Commissioner Swenson stated her impression that TDR discussions should be temporarily suspended. County Manager Birnie and Chairperson Channell noted that TDR discussions would not necessarily need to be suspended, but can be presented as an option. Chairperson Channell felt that Mapping and Planning Services Department Manager Pelletier had given a clear definition and that further work should not be extensive while County Manager Birnie felt that a sufficient amount of work had been completed to adopt the program. Chairperson Channell suggested including Mapping and Planning Services Department Manager Pelletier in discussions with Larimer County. Commissioner Starr agreed that presenting the TDR program as an option could be used as a tool to promote residential building within proximity to central services. Mapping and Planning Services Department Manager Pelletier agreed that optioning the program would eliminate most of the opposition that he had seen expressed.

Chairperson Channell noted his hope that the threshold of size of land owners would be addressed. County Manager Birnie stated that any development could enter discussions with the county and that the amount of land would not need to be addressed until that time.

BREAK: The meeting recessed from 10:06 until 10:19 am.

COLORADO RIVER WATER CONSERVANCY DISTRICT REPORT: CRWCD Representative Bill Trampe was present for discussion.

CRWCD Representative Trampe informed the board that the previous director resigned his position due to health concerns and that the position was reassigned.

CRWCD Representative Trampe explained that several policies were up for renewal and that those policies were discussed during the CRWCD's board meeting in January. Information will be forthcoming once all comments have been collected from CRWCD board members.

CRWCD Representative Trampe stated anticipation for a funding-related ballot issue to be presented during next year's election and expressed concern about the CRWCD budget should the organization not be allowed to de-Bruce.

CRWCD Representative Trampe stated that many water-related House and Senate bills are being presented during the current session and agreed to update the board at a future meeting of any progress made as the session continues.

BOARDS AND COMMISSIONS APPOINTMENTS: Administrative Assistant III Keri Hodgins was present for discussion.

1. Beautification/Scenic Corridors Committee. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint Avalon Benell and Chris Christenson to three-year terms. Motion carried unanimously.
2. Board of Adjustments. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint Jerry Kowall to a two-year term to coincide with his Appeals term and Don Sammons to a one-year term to coincide with his Appeals term. Motion carried unanimously.
3. Board of Appeals. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to appoint Peter Bogardus for a 1-year term to coincide with the Board of Adjustments. Motion carried unanimously.
4. Cemetery Board. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to reappoint CJ Miller to the vacancy on that board, but in addition since we cannot expand the board because of state statute, I'd (Commissioner Swenson) like a little more personal letters sent out to the other applicants thanking them for their interest and encouraging them to continue to reapply. Motion carried unanimously.
5. Environmental Health Board. Commissioner Starr stated that Corey Bryndal visited with him and was apologetic about not being able to attend his interview due to a family medical emergency and expressed his strong desire to serve on this board. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint Larry Parachini to the regular three-year term, that we appoint Corey Bryndal to the remainder of the one-year term on the regular appointment and

that we appoint Rick Richards to the one-year alternate. Commissioner Swenson expressed her opinion that having Mr. Bryndal from the north-end of the valley would provide geographical balance on the board. Motion carried unanimously.

6. Extension Advisory Committee. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint Mark Campbell, Rhonda Wenum and Cindy Kint to the three three-year terms on the Extension Committee. Chairperson Channell noted that all applicants for this committee were outstanding. He also stated that, even though she was well-qualified to serve on this board, Sandy Guerrieri will most likely be selected to serve on other boards where she may be able to be better utilized. Motion carried unanimously.
7. Gunnison Basin Sage-grouse Strategic Committee. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint, to the at-large position, Gary Hausler with Vicki Spencer at the alternate for that position; and Erich Ferchau as the at-large development with Joe Puchek as the alternate for that position. Motion carried unanimously. **Moved** by Chairperson Channell, seconded by Commissioner Starr to appoint Paula Swenson as the county representative and Jim Starr as the county's alternate. Motion carried unanimously. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to affirm the appointments to the Sage-grouse Strategic Committee of all of the stakeholder's appointments as listed. Motion carried unanimously.
8. Gunnison Valley Sage-grouse Mitigation Committee. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint Allen Moores to the regular four-year term. Motion carried unanimously.
9. Gunnison Valley Land Preservation Board. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to appoint Sandy Guerrieri as the regular four-year member and Cathie Pagano as the alternate four-year member. Motion carried unanimously.
10. Historical Preservation Board. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint David Primus to one of the three-year terms and continue to look for the other vacancy. Motion carried unanimously.
11. Hospital Board of Trustees. **Moved** by Commissioner Starr, seconded by Chairperson Channell to reappoint Malte vonMatthiessen and John Roberts to that board. Chairperson Channell explained that he supported this motion because continuity over the next few years will be vital. Commissioner Starr agreed with Chairperson Channell and stated that critical situations are occurring and consistency will assist this board in the near future. Commissioner Swenson also expressed support and stated her hope that Tina Swift will continue to pursue an appointment to this board. Ms. Swift stated her desire to join the board if a vacancy were to become available. Chairperson Channell agreed Ms. Swift was a very strong candidate. Motion carried unanimously.
12. Housing Advisory Board. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to reappoint David Owen for the four-year term to the Housing Administrative Board. Chairperson Channell confirmed that Christi Matthews was appointed to the board through the Town of Crested Butte. Motion carried unanimously.
13. Library Board of Trustees. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint Vicki Spencer to a five-year term on the Library Board. Motion carried unanimously.
14. Planning Commission. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint Rich Karas to a regular three-year term, Ian Billick to a regular three-year term, Sam Lumb to a one-year alternate and John Messner to a one-year alternate. Commissioner Swenson stated that she would appreciate Gary Appleton's continued interest in this board and that she hoped he would consider applying in the future. Motion carried unanimously.
15. Region 10. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint Vince Rogalski to the GVTPRC regular one-year term; that we appoint Marlene Crosby as the alternate; and that we appoint Andrew Hadley to the non-elected two-year term. Motion carried unanimously.
16. Trails Commission. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to appoint Gene Hollenbeck as the Stockgrowers Representative for a three-year term; that we appoint Don Graham to the three-year term; and we appoint Frank Kugel to a three-year term. Motion carried unanimously.
17. Weed Commission. Chairperson Channell noted that the Weed Commission vacancies did not generate any interest during this round.

The board agreed to readvertise one vacancy for the Beautification/Scenic Corridors Committee, one vacancy for an alternate on the Environmental Health Board, one vacancy for an alternate on the Gunnison Valley Sage-grouse Mitigation Committee, one vacancy for the Historical Preservation Board and two vacancies for the Weed Commission. Chairperson Channell asked Administrative Assistant III Hodgin to confirm with Library District President Marsha Rose the library's interest in readvertising their vacancy prior to readvertisement.

Administrative Assistant III Hodgin will prepare notification letters for Chairperson Channell's signature.

CORRESPONDENCE: The board discussed and amended draft correspondence regarding the temporary exception to the hours-of-service regulations and the upcoming elections. The letters will be placed on the February 19, 2008 Consent Agenda for formal ratification. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to approve signing and sending the letter that we just developed

concerning this year’s election and the letter for Trey Rogers and Captain Savage. Motion carried unanimously.

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

COMMISSIONERS MEETING REPORTS:

Commissioner Starr:

1. Gas Collaborative Meeting. Commissioner Starr apologized for not being able to attend the recent meeting on January 30, 2008 and noted that the next meeting was scheduled for April 2008.
2. Joint Public Hearing – Bull Mountain Pipeline. Commissioner Starr expressed his concern that the continued hearing was scheduled for a date when only one commissioner would be able to attend. Commissioner Swenson felt that the hearing would be difficult to reschedule and reminded all parties that tape recordings will be available to the commissioners, if desired. County Attorney Baumgarten stated his preference to have the board present for the hearing because listening to tape recordings may not be as effective. He further stated his opinion that the hearing scheduled for February 29, 2008 may not be the last hearing on this matter and urged the board to consider hiring an expert witness, at the applicant’s expense, to answer any questions that the board may have.

The board agreed to suspend the remainder of the meeting reports until the next meeting.

ADJOURN: Moved by Commissioner Swenson, seconded by Commissioner Starr to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 12:09 pm.

Hap Channell, Chairperson

Paula Swenson, Vice-Chairperson

Jim Starr, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk