

**GUNNISON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
October 7, 2008**

The October 7, 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 8:14 am.

**AGENDA REVIEW:** The 11:00 am agenda item was stricken from the agenda. CRWCD Representative Bill Trampe was not available for the meeting due to a scheduling conflict.

**MINUTES APPROVAL:** **Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the Regular Meeting minutes for September 2, 2008 as presented. Motion carried unanimously. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the Special Meeting minutes of September 23, 2008 as presented. Motion carried unanimously.

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

1. Acknowledgment of County Manager Signature; Grant Acceptance Letter; Temple Hoyne Buell Foundation; Bright Beginnings and Nurturing Parenting Program; 9/1/08 - 8/31/09; \$18,000
2. Acknowledgment of County Manager Signature; Agreement Between the Board of County Commissioners of the County of Gunnison, Colorado and Haberman Painting, Inc.; Exterior Painting of the Housing Authority Offices; 202 E. Georgia, Gunnison, Colorado; \$4,500
3. Acknowledgment of County Manager Signature; Approval to Submit Application to Expand Family Planning Services; Colorado Family Planning Initiative, 2009 Expansion Grant
4. Memorandum of Agreement; Between Gunnison County and Office for Resource Efficiency Regarding the Allocation of Colorado Department of Local Affairs Grant Funds for Development and Implementation of an Energy Action Plan for Gunnison County; \$3,000
5. Ground Lease Agreement; Between the Board of County Commissioners of Gunnison County, Colorado and Russell Noble Trust; 20-Year Lease
6. Petition for Abatement or Refund of Taxes; Charles J. Faivre Trust, etal, Charles J. Faivre Trustee; 39.95 Acres in Tract 37, 50N3E #562296; \$1,333.54 for Tax Year 2007
7. Petition for Abatement or Refund of Taxes; Ben Roth; Lot 21 Blk K Chalet Village 7 #568242; \$2,372.68 for Tax Year 2006; \$1,465.94 for Tax Year 2007
8. Petition for Abatement or Refund of Taxes; Tomichi Village Inn Group, LLC; Lot 18 Meadows Phase 1R #538410; \$2,216.02 for Tax Year 2007
9. Resolution; Expanding the Hours for Early Voting and Authorizing Closure of Clerk & Recorder's Office on Election Day (November 4)
10. Resolution Authorizing the Conveyance of 2.51 c.f.s. of the Island Ditch #36, Priority No: 2021 to the Gunnison Home Association and Execution of Quitclaim Deed
11. Certification of Increase in Level of Services Due to Previously Legally Exempt Federal Property Which Has Become Taxable; By the Board of County Commissioners of the County of Gunnison to Colorado Division of Local Government and the Assessor of Gunnison County; Maintenance of County Roads and Sheriff Related Services
12. Application for Exclusion from the 5.5% Limit New Primary Oil or Gas Production; Division of Local Government; New Oil and Gas Production in Gunnison County to Increase Level of Service Provided by Sheriff, Clerk, Treasurer, and Administration; \$3,076,130
13. Sales Contract; Tuck Communication Services, Inc.; Update Telephone Switch in Courthouse and Install New Telephones in Public Works Offices; \$12,810.05

**SCHEDULING:** The Upcoming Meetings Schedule was discussed and updated.

1. Blue Ribbon Panel on Transportation, Montrose County Meeting; October 22, 2008. The Board asked the Administration Office to send invitations to the persons outlined in the literature.

**BREAK:** The meeting recessed from 8:25 until 8:35 am due to technical difficulties.

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

1. Housing Needs Assessment Grant. County Manager Birnie reported that he had received an initial confirmation of the grant funding award from Bill Whaley.
2. 2009 Gunnison County Budget. County Manager Birnie stated that the staff is considering methods to reduce costs in administrative areas due to a decrease in expected revenue; however, he indicated that full PILT funding through 2012 may provide for flexibility in the budget. County Manager Birnie asked the Board to consider scrutiny of publishing fees as

duplicate advertising in both the Crested Butte News and the Gunnison Country Times is creating costs of over \$60,000 annually. Assistant County Manager Crosby agreed that these costs should be evaluated since the public is mandated to reimburse the County for fees paid to notice street vacations and waivers. County Manager Birnie noted that the County has the capability of posting on the County's website most of those materials currently being sent to the publications.

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

1. Taylor River Ranch Right-of-Way Issue. Assistant County Manager Crosby stated that Taylor River Ranch, represented by SGM, met during the previous week with members of the Federal Highway Administration and members from her staff to discuss the pending right-of-way issues. She noted that progress was made and that some of the impacts on Taylor River Ranch were successfully mitigated. She also explained that the County will be reimbursed for appraisal costs.
2. Gold Basin Industrial Park Lease. Assistant County Manager Crosby stated that she had provided the first lease application to Assistant Planning Director Neal Starkebaum and that the Board would soon be receiving input from the Design Review Committee. This discussion was placed on the October 21, 2008 agenda.
3. Designation of Rooms at the Fred R. Field Western Heritage Center. Assistant County Manager Crosby proposed naming the rooms at this complex, following a theme such as historical figures, mines, passes, mining camps, trees, or bodies of water. She asked that the Board decide on a theme during the October 21, 2008 meeting so that the 4H kids could provide suggested names.

**CONSIDERATION OF REQUEST FOR PRIVATE PLOWING:** Assistant County Manager Crosby was present for discussion.

Assistant County Manager Crosby explained that these recommendations were not publicly advertised since plow permits were granted in the past:

1. CR 4; Connie Maxcenti & Dorothy Budd; 1-year permit.
2. CR 25; Gale Wells; 3-year permit.
3. CR 59; Whinnery Construction, Inc.; 1-year permit.
4. CR 721; Charles Shaw & Jesse Westdyke; 1-year permit.
5. CR 771; Curtis Eisenhauer; 3-year permit.
6. CR 818; Ivy McNulty; 3-year permit.

**Moved** by Commissioner Starr, seconded by Commissioner Swenson to approve the requested continuation and one new snow plowing permit applications for County Roads 4, 25, 59, 721, 771, and 818 for the recommended time periods. Motion carried unanimously.

Assistant County Manager Crosby made the following additional recommendations. Members from the Blue Mesa Homeowners' Association were present for discussion, but did not identify themselves for the official record.

1. CR 25 & 26; Blue Mesa Subdivision. Assistant County Manager Crosby explained that this area has been problematic with respect to plowing quality and frequency on that portion of road which is plowed by the subdivision. She recommended that the subdivision post a Letter of Credit in the event that damage is caused to the road, as concerns have been relayed to the subdivision relevant to the need to plow a wider strip so that runoff does not create ruts in the road. Assistant County Manager Crosby felt that the subdivision had been working well on compliance issues, and that the subdivision and the County had been working well together. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to authorize the snow plowing request for County Roads 25 and 26, subject to Public Works' approval of bonds or Letters of Credit covering the work to be done, the County Attorney's approval of those security documents, and also subject to Public Works resolving final concerns concerning CR 26. Motion carried unanimously.

**CONSIDERATION OF REQUEST FOR COUNTY PLOWING OF GOLD BASIN ROAD:** Assistant County Manager Crosby and Gold Basin High Country Road Association (GBHCRA) representative Jeanette Hatton were present for discussion.

Assistant County Manager Crosby relayed GBHCRA's request for plowing a portion of GBHCRA's subdivision that does not fall entirely within the borders of Gunnison County. She had previously met with GBHCRA to discuss this issue since many of the association's residents utilize Gunnison County services and schools; however, she suggested that the Board deny this request as GBHCRA should hire a private contractor due to area winds, and restraints with equipment and labor.

Ms. Hatton explained that all lots within the subdivision represent a total of 38 owners, that 15 of those lot owners are full-time family residents, 11 of those lot owners either work or own a business in Gunnison, and that three of those lot owners have children attending Gunnison schools.

Ms. Hatton explained that the association has previously paid a contractor a maximum of \$16,000 annually to handle these plowing needs, but that costs had risen to \$84,000 during the previous winter

as a result of heavy snowfall on the 26 miles of interior roads that required plowing. She confirmed that Saguache County had agreed to pay to plow four miles of the road if Gunnison County would agree to plow the portion of the subdivision that it borders. The association has agreed to contribute \$10,000 annually; however, the association voted against plowing the interior roads in 2008. She expressed an understanding that this request could not be fulfilled in 2008.

Assistant County Manager Crosby stated that the County had made improvements on portions of the road, and that those improvements would facilitate plowing. She opined that the private sector has an important place in our economy, which is why the association elected to retain the contractor for plowing the interior roads. She noted that wind issues will increase the plow route by up to four hours, and that pre-existing equipment and personnel issues preclude fulfillment of this request during 2008; however she stated that she would give the request consideration during future years. Ms. Hatton agreed that waiting until 2009 would be beneficial so that the association could move a problematic road.

**Moved** by Commissioner Starr, seconded by Commissioner Swenson to deny the request from the Gold Basin High Country Road Association for snow plowing services for the winter of 2008-2009. Motion carried unanimously.

**PLANNING COMMISSION RECOMMENDATION REGARDING ADOPTION OF THE 2003 INTERNATIONAL FIRE CODE WITH AMENDMENTS WITHIN THE CRESTED BUTTE FIRE DISTRICT, AND AMENDMENTS TO THE CRESTED BUTTE FIRE PROTECTION DISTRICT GUIDELINES AND STANDARDS:** Planning Director Joanne Williams, Assistant Planning Director Neal Starkebaum, City of Gunnison Fire Marshall Dennis Spritzer, Colorado State Forest Service District Forrester Brian Ayers, and Crested Butte Fire Protection District representatives Scott Wimmer and Rick Ems were present for discussion.

Planning Director Williams explained that she had been working closely with the CB Fire Protection District to present the provided amendments to the Crested Butte Fire Protection District Guidelines and Standards for Board approval, as well the 2003 International Fire Code for adoption. She indicated that the Planning Commission approved the amendments in May of 2008, with the understanding that the Public Works Department and the CB Fire Protection District had reached agreement related to road and bridge standards. She also confirmed that Assistant County Manager Crosby has previously stated her agreement with the proposed document to Planning Director Williams and County Manager Birnie.

CB Fire Protection District representative Ems stated that the proposed amendments, agreed upon by the Planning Commission without holding a Public Hearing, were primarily driven by insurance companies. The amendments would enforce defensible space around homes and mandate sprinklers in newly constructed homes, as well as those remodeled homes adding 50% or 1,000 square feet to the structure, that are not hooked onto a central water supply; these sprinklers were estimated to cost the homeowner approximately \$1.85 to \$3.00 per square foot. He also informed the Board that sprinklers can limit damage and allow occupants additional time to escape a burning structure, but that sprinklers are not designed to extinguish a house fire.

Planning Director Williams felt that mandating sprinkler installation during the building phase could help to avoid catastrophe for any persons moving into a residence that does not otherwise receive fire-protection service. Emergency Manager Scott Morrill informed the Board that these types of measures have been proven to save lives and limit property damage. City of Gunnison Fire Marshall Spritzer confirmed that these amendments would not have an impact on the Gunnison Fire Protection District; however, he also informed the Board that the 2012 International Fire Code is expected to mandate residential sprinklers for all residences.

Colorado State Forest Service District Forrester Ayers stated his support of these amendments and felt that defensible space mitigation measures were ideal to adopt County wide since the means and the ability to enforce already exist.

**Moved** by Commissioner Starr, seconded by Commissioner Swenson to adopt the 2003 International Fire Code as amended, and the Guidelines, Standards and Fees for the Review of Fire Protection, with proposed inclusions by the Crested Butte Fire Protection District, for new subdivisions, PUDs, or any other buildable parcel of land within the Crested Butte Fire Protection District. Commissioner Starr thanked the CB Fire Protection District members for their patience, and he also thanked County staff for their work on this project. He felt that this adoption was vital due to increased density and those diseases relevant to evergreen and aspen forests. Motion carried unanimously.

**BREAK:** The meeting recessed from 9:56 until 10:17 am.

**SUBDIVISION EXEMPTION REQUEST; ELKTON PLACER ON CR 734; 14.84 ACRES; RANDI AND ANTHONY STROH, REPRESENTED BY RUFUS WILDERSON:** County Planner Cathie Pagano, property owners Randi and Anthony Stroh, and attorney Rufus Wilderson were present for discussion. Commissioner Starr left the room and recused himself from the discussion, along with any subsequent vote at the end of the discussion, based on a potential conflict of interest.

County Planner Pagano explained that the parcel was created in 1974 without the benefit of the subdivision process, and that current rules allow for those parcels created prior to 1991 to go through the subdivision process. Assistant Planning Director Neal Starkebaum stated that this subdivision would serve to validate the property in the eyes of the State for issues such as well permits. **Moved** by Commissioner Swenson, seconded by Chairperson Channell to approve the subdivision exemption request for the Stroh Subdivision exemption and authorize the Chairperson's signature. Motion carried. (Commissioner Starr did not vote due to his recusal.) The Stroh's informed the Board that this subdivision would allow them to pursue a conservation easement. Commissioner Starr rejoined the meeting after the discussion and vote.

**TECHNICAL PLAT CORRECTION; LOST MINER RANCH; GARY HAUSLER:** County Planner Cathie Pagano was present for discussion.

County Planner Pagano explained that the original plat for Lost Miner Ranch met with confusion surrounding the recording and the survey. She confirmed that this correction would clear any confusion, while clarifying a lot line that had been overlooked. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the Technical Plat Correction for Lost Miner Ranch, corrected plat of Lot #2, and authorize the Chairperson's signature. Motion carried unanimously.

**RIDGELINE REVIEW DISCUSSION; LOTS 19 & 21, VACATED PORTION OF PROSPECTOR ROAD, MARBLE SKI AREA F#4:** Assistant Planning Director Starkebaum and County Building Inspector Rich Wojdakowski were present for discussion.

Assistant Planning Director Starkebaum presented an application, complete with photos, for discussion. He explained that the ridgeline view on County Road 3 was to be clear and that the road level was to be higher, per the application plans. He also indicated that this ridgeline parcel is difficult for building permit review. A review of the provided photographs indicated that the house may have been elevated higher than what was approved on the plan, a situation which blocks portions of the ridgeline from the road.

County Building Inspector Wojdakowski stated that a frame inspection, necessary to determine whether or not the structure is at a higher elevation than what was approved, had not yet been requested. If the frame inspection were to prove that this structure was not built as planned, an addendum to the plan could be requested. Lastly, he indicated that a flag had originally been used to mark the proposed height for the structure, but he had not been able to locate the referencing photographs.

Commissioner Starr noted that complaints received from Marble residents prompted this Board involvement.

Assistant Planning Director Starkebaum stated that staff would perform a site visit on 10/10/08. He also explained that the deviation may be approved by the Planning Commission, based on unavoidable circumstances, but that the County had no historical references for managing these types of circumstances.

The Board thanked County Building Inspector Wojdakowski and Assistant Planning Director Starkebaum for providing the update.

**VISITOR; GUNNISON RIVER FESTIVAL COORDINATOR ANTHONY POPONI:** Assistant County Manager Crosby, Upper Gunnison River Water Conservancy District General Manager and Gunnison River Festival President Frank Kugel, and Gunnison River Festival Coordinator Anthony Poponi were present for discussion.

Coordinator Poponi reported that approximately 300 persons attended the 2008 festival, which included 13 vendors and several exhibitors. He also felt that holding this event in June, adjacent to the Fibark water festival in Salida, could have increased participation. Because of this, the 2009 festival was scheduled for June 26-28, 2009, immediately following the Fibark water festival.

Coordinator Poponi reported that the City of Gunnison contributed \$7,000 for the 2008 festival, \$5,000 more than the City's regular annual \$2,000 donation. The City also provided dumpsters and road signs for the event. Coordinator Poponi stated that all funding received, including approximately \$5,000 from private sponsorships, was spent on the festival.

Chairperson Channell wondered whether or not the City of Gunnison's Parks and Recreation Department would be able to provide additional assistance in future years. Assistant County Manager Crosby felt that this type of assistance would require public input. Chairperson Channell felt that the Whitewater Park included enough space with which to provide year-round public benefit with a park of some sort. Assistant County Manager Crosby noted that the front parking area must be reserved for eventual expansion of the water treatment plant.

UGRWCD GM Kugel explained that the UGRWCD Board allocated up to \$10,000 for the 2008 festival, but that less funding should be anticipated for 2009.

Assistant County Manager Crosby felt that Coordinator Poponi did an excellent job in his paid position. Coordinator Poponi informed the Board that he would most likely not accept the position in future years, due to the amount of time necessary. Chairperson Channell asked that the committee consider sustainability issues as he felt that this festival went very well.

**COLORADO RIVER WATER CONSERVATION DISTRICT REPORT:** This discussion was stricken from the agenda during Agenda Review.

**COMMISSIONERS MEETING REPORTS:** (This item began earlier due to a break in the schedule.)

**Commissioner Starr:**

1. State Contract; Aspinall Unit Water Purchase. Commissioner Starr reported attendance at a recent meeting to discuss the State's proposed contract for purchasing 200,000 acre feet of water from the Aspinall unit in order to satisfy Colorado compact requirements. He noted that half of the attendees of the meeting had also participated in the previous mediation. He explained that the State has no specific plan for what the water would be used for, yet the intent, per Assistant Director for Water, Colorado Department of Natural Resources Alexandra Davis, would be to augment current and new uses without transmountain diversions out of the Gunnison Basin. Commissioner Starr stated that Ms. Davis had not considered the additional wattage necessary for future electrical needs. He also stated the understanding of all participants, that a line running from Taylor Reservoir over the mountain would be a deal breaker. The next meeting date had not yet been determined.
2. Rural Transportation Authority. Commissioner Starr stated that a representative from the bus manufacturer was scheduled to be present at the 10/10/08 meeting. Two of the busses were still in Denver, and one has been error free since its return. Also anticipated for the 10/10/08 meeting was a final report on the Transportation Study.

**Commissioner Swenson:**

1. Region 10. Commissioner Swenson stated confidence that Region 10 would successfully secure \$1,000,000 in State and Federal funding to be used as a revolving loan fund for regional businesses. She also indicated that Region 10 was working to improve communication with local businesses during current economic strains.

**VISITOR; GUNNISON WATERSHED SCHOOL DISTRICT CITIZENS' BOND COMMITTEE MEMBER ANNE HAUSLER; RESOLUTION REQUEST FOR SUPPORT OF THE 2008 BOND INITIATIVE ENTITLED 3A:** Gunnison RE1J School Board members Anne Hausler and Bill Powell were present for discussion.

Ms. Hausler requested Board support of the bond initiative, similar to the resolution passed by the Town of Crested Butte on 10/6/08, and provided background data for the initiative. She also explained that the \$55,000,000 bond initiative, if passed, would have a total repayment of \$110,000,000.

Mr. Powell stated that previous financial difficulties had kept the School Board from appropriately tending to building maintenance, but that he was pleased with the current financial stability.

Ms. Hausler explained that overcrowding and obsolete facilities were the prime concerns. Security issues were also considered a high priority as none of the schools were equipped with single-lock-down doors. She felt that each project would take two summer sessions and one school year to complete with the current contractor. She confirmed that each school's budget was self-contained.

**Moved** by Commissioner Swenson, seconded by Commissioner Starr to adopt Resolution #2008-42, a Resolution in Support of the 2008 Bond Initiative Entitled 3A, as amended with the first whereas being "understand". Motion carried unanimously.

**BUCKHORN RANCH, FILING 2B/STALLION PARK; STATUS OF SECURITY; UPDATE OF PUNCH LIST ITEMS AND SAFETY ISSUES; POSSIBLE DISCUSSION OF WORK COMPLETION DATE FOR AFFORDABLE HOUSING UNITS AND REMAINING IMPROVEMENTS; POSSIBLE EXECUTIVE SESSION; POSSIBLE ACTION:** County Paralegal Rachel Magruder, developer Dr. Richard Landy, and attorney Mike Dawson were present for discussion.

County Paralegal Magruder explained that sufficient security had been received and that the expiration date was set at 10/31/09. She also stated that she had not received certification that the Stallion Park site safety issues had been completed, though Dr. Landy verbally stated that the rebar had been cut off and that construction fencing was scheduled for delivery before the end of the day.

Dr. Landy stated that the structure behind the Olsen residence belongs to the HOA and that all surface drainage issues related to the two properties were the responsibility of the HOA. He also indicated that this area was never engineered or altered by his development company.

County Paralegal Magruder suggested a completion date for the two remaining affordable housing buildings to be no later than one month prior to 10/31/2009 when the security expires. Dr. Landy agreed with her proposed date and 8/31/2009 was determined to be the deadline. County Paralegal Magruder will draft an addendum to the Development Improvements Agreement.

Commissioner Starr questioned whether or not the design review guidelines were being adhered to. County Manager Birnie explained that the County cannot override the authority of the HOA and/or the Design Review Committee unless safety issues present themselves.

Commissioner Starr questioned whether or not the County Attorney's Office had investigated the drainage issue, and County Paralegal Magruder stated her belief that engineer Jerry Burgess had determined a method of mitigating those issues. The Board noted that this issue may need to be added to the punch list if it is determined that it is not a work list item.

Property owner Nancy Olsen presented the sanitary sewer plan illustrating the open space area as drafted by Olsen and Associates. Mr. Burgess had chosen another plan, but was made aware that this issue must be addressed. Ms. Olsen noted that the sewer plan was a condition of the DIA, and she expressed her opinion that this issue should be dealt with prior to next spring. Ms. Olsen also expressed concern that damages caused from the surface drainage would not be covered by the insurance company due to management and control of the common property by Brush Creek Airport, LLC and the fact that Brush Creek Airport, LLC is not included on the insurance policy.

Ms. Olsen, on behalf of the Design Review Committee, stated a preference toward having the foundation covered in lieu of installing a construction fence that may deteriorate. Chairperson Channell informed Ms. Olsen that the Board would not be participating in the Design Review Committee's processes.

#### **UNSCHEDULED CITIZENS:**

1. Phil Klingsmith. Mr. Klingsmith informed the Board that he had obtained a one-year commercial loan through Alpine Bank. However, he explained that he had been experiencing problems with his current financing through Gunnison Savings & Loan since the parcel was subdivided with conditions and did not adhere to the LUR process. Because of this, he asked that the Board consider rescinding Resolution #2008-18 if he were able to purchase the other portion of the parcel. County Manager Birnie felt that the County could either rescind the previous resolution or adopt another resolution subdividing the property without a requirement to follow the LUR process. County Manager Birnie asked Mr. Klingsmith to decide between the two options and then meet with him separately to discuss what may be proposed to the Board.

#### **COMMISSIONERS MEETING REPORTS (continued):**

##### **Chairperson Channell:**

1. Mayors/Managers Meeting. Chairperson Channell reported that he and County Manager Birnie attended the recent meeting. He stated that funding issues had caused the construction at Western State College to stop. He confirmed that the new student union will go forward, but that the rest of the planned construction was uncertain. He also learned that WSC is considering becoming a smoke-free campus, which is considered a growing trend on State campuses.
2. Gunnison County Substance Abuse Prevention Program (GCSAPP). Chairperson Channell explained that the GCSAPP was to be funded through approximately the next year; however, the new grant had been denied which has caused serious sustainability issues.
3. Pandemic Response Committee. Chairperson Channell stated that conversations with energy providers are ongoing relative to what may be called upon in an emergency.
4. CCI Legislative Committee. Chairperson Channell attended a meeting on 10/3/08 to discuss which legislative issues would be sponsored by CCI. He noted that the meeting was well attended; however, the process was chaotic and the discussions were not prioritized. County Manager Birnie felt that this represented a staff-management issue and that feedback should be given. Chairperson Channell felt that each issue should have included historical information, the perceived likelihood of passing, and the probability of sponsorship by other entities.

**ADJOURN:** Moved by Commissioner Starr, seconded by Commissioner Swenson to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 12:58 pm.

(Absent from 12/23/08 meeting – no signature)

\_\_\_\_\_  
Hap Channell, Chairperson

\_\_\_\_\_  
Paula Swenson, Vice-Chairperson

\_\_\_\_\_  
Jim Starr, Commissioner

Minutes Prepared By:

\_\_\_\_\_  
Katherine Haase, Deputy County Clerk

Attest:

\_\_\_\_\_  
Stella Dominguez, County Clerk

**GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES**  
**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO**  
**RESOLUTION #2008-40**

A RESOLUTION EXPANDING THE HOURS FOR EARLY VOTING AND AUTHORIZING CLOSURE OF CLERK & RECORDERS OFFICE ON ELECTION DAY (NOVEMBER 4)

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado, (herein "Board") pursuant Colorado Revised Statute 1-8-202, has the authority to temporarily increase the hours of operation of the Clerk and Recorders office to extend the hours of early voters' polling places; and

WHEREAS, the Board of County Commissioners, pursuant to Colorado Revised Statute 30-10-109, is authorized to designate the days and hours county offices are open for the transaction of county business; and

WHEREAS, the Gunnison County Clerk and Recorder has requested extended hours for early voting during the early voting period for the general election, and for the closure of the office on Election Day, November 4, 2008; and

WHEREAS, the Board believes it is in the best interest of the registered voters of Gunnison County to offer extended hours for early voting; and

WHEREAS, closure of the Gunnison County Clerk and Recorders office on Election Day (November 4, 2008), with notice, for all business unrelated to the general election will not an unduly burden the citizens of Gunnison County.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of the County of Gunnison does authorize the following:

1. Increase in the hours of operation of the County Clerk and Recorder's office, during the early voting period, between October 20, 2008 to October 31, 2008, to 7:00 am to 6:00 pm Monday through Friday and 10:00 am to 3:00 pm on Saturday, October 25, 2008, to extend the hours available for County registered voters to cast early votes; and
2. Closure of the Gunnison County Clerk and Recorder's office on Election Day, November 4, 2008, to allow staff assistance with election requirements, including serving as receiving judges; and
3. Notice of the extended early voting hours and authorized office closure will be included on the published notice of election as required by Colorado Revised Statute 1-5-205.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Starr, and adopted this 7<sup>TH</sup> day of October, 2008.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Channell – yes; Starr – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO**  
**RESOLUTION NO: 08-41**

A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED FOR THE CONVEYANCE OF WATER RIGHTS TO THE GUNNISON HOME ASSOCIATION, INC.

WHEREAS, a request has been made to the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") for the conveyance of 2.51 c.f.s. in the Island Ditch #36, Priority No: 2021 (herein "water rights") to the Gunnison Home Association Inc., a Colorado nonprofit corporation (herein the "Association"); and

WHEREAS, it is the Board's understanding that Mr. Ben Jorgensen originally conveyed the water rights along with a certain parcel of land to the Association in 1974 for the sole purpose of developing senior housing facilities and amenities; and

WHEREAS, during the subdivision of the parcel and the development process for senior housing facilities and amenities, because of funding requisites, it became necessary to transfer the parcel of land to the Gunnison County Housing Authority and the water rights to Gunnison County; and

WHEREAS, a portion of that parcel of land has been conveyed back to the Association however, the water rights for that portion of land have not yet been conveyed back to the Association; and

WHEREAS, it is no longer necessary for Gunnison County to have title to those water rights that initially were conveyed to the Association; and

WHEREAS, it would be in the best interest of the citizens of Gunnison County to support senior housing facilities and amenities by transferring the water rights back to the Association in order for the Association to utilize said water rights to further accomplish its purpose and goals; and

WHEREAS, execution of a certain Quitclaim Deed as identified in Appendix "A" attached hereto and incorporated herein is necessary to transfer the water rights back to the Association.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that the conveyance of 2.51 c.f.s. in the Island Ditch #36, Priority No: 2021 to the Gunnison Home Association Inc., a Colorado nonprofit corporation is authorized and approved by Quitclaim Deed as identified in Appendix "A" attached hereto and incorporated herein.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Starr, and adopted this 7<sup>TH</sup> day of October, 2008.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Channell – yes; Starr – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 08-42**

A RESOLUTION IN SUPPORT OF THE 2008 BOND INITIATIVE ENTITLED 3A

WHEREAS, we the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") understand the need for the Gunnison Watershed School District RE1J to provide high quality education in safe school facilities; and

WHEREAS, we the Board agree that there are severely overcrowded and obsolete facilities that need to be addressed in the Gunnison Watershed School District RE1J; and

WHEREAS, we the Board understand the economic impact of the \$55 million bond initiative on the businesses and residents of the County of Gunnison; and

WHEREAS, we the Board understand the value that quality education brings to the communities in the County of Gunnison; and

WHEREAS, we the Board understand the State of Colorado has designated property taxation as its funding source for school districts to fund capital projects.

THEREFORE, BE IT RESOLVED that we the Board of County Commissioners of Gunnison County, Colorado support the 2008 bond initiative entitled 3A.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Starr, and adopted this 7<sup>TH</sup> day of October, 2008.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Channell – yes; Starr – yes; Swenson – yes.