

**GUNNISON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
November 11, 2008**

The November 11, 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 9:31 am.

**AGENDA REVIEW:** There were no changes to the agenda.

**MINUTES APPROVAL:** **Moved** by Commissioner Swenson, seconded by Chairperson Channell to approve the minutes for the Regular Meeting of September 16, 2008; the Special Meeting of October 15, 2008; and the Special Meeting of October 28, 2008. Motion carried. (Commissioner Starr was not present for all of the outlined meetings, therefore he did not vote to approve the minutes.)

**CONSENT AGENDA:** **Moved** by Commissioner Starr, seconded by Commissioner Swenson to approve Consent Agenda Items #1 through #19, except #6. Motion carried unanimously.

1. Acknowledgment of County Manager Signature; Memorandum of Understanding; Between the State of Colorado Department of Human Services and the Board of County Commissioners of Gunnison County; Colorado Works Program and the Colorado Child Care Assistance Program; July 1, 2008 through June 30, 2009
2. Acknowledgment of County Manager Signature; Provider Agreement; Donna Littlefield, LCSW; Mental Health Assessments, Screening, Individual or Family Therapy; 10/15/08 thru 10/14/09
3. Acknowledgment of County Manager Approval; Colorado Health Foundation Community Regranting Project – 2008 Grant Application Form Submission; The Light Program; \$2,000
4. Acknowledgment of County Manager Signature; Ground Lease Agreement; Gold Basin Industrial Park; B.A.M.P., LLC; 10/27/2008 - 10/27/2028
5. Acknowledgment of County Manager Signature; Contract for Services; OMNI Institute; School Survey Contract; 9/17/08
6. Acknowledgment of the Crested Butte South Special Area Regulations; Final for P.O.A.; 10/15/2008
7. Seventh Addendum to Development Improvements Agreement; Brush Creek Airport, LLC; Buckhorn Ranch, Filing 2B
8. Consulting Agreement; Between the Board of County Commissioners of the County of Gunnison and Cochran Fish and Wildlife Consulting, LLC; 1/1/2009 through 12/31/2009
9. Department of Local Affairs Energy and Mineral Impact Assistance Program Application, Tier I; Gunnison County Assessor Software; \$194,146
10. Resolution; Adopting the 2003 International Fire Code with Amendments Thereto and the Crested Butte Fire Protection District's "Guidelines, Standards and Fees for the Review of Fire Protection in Proposed Inclusions to the Crested Butte Fire Protection District, and New Subdivisions, P.U.D.s or any Other Buildable Parcel of Land Within the Crested Butte Fire Protection District" and Amendments Thereto, within the Crested Butte Fire Protection District
11. Grant Agreement; Colorado Department of Transportation, Colorado Aeronautical Board; Blower Head and Automated Gate at the Gunnison-Crested Butte Regional Airport; \$104,000 with \$26,000 Local Match
12. Ground Transportation Agreement; Between the Board of County Commissioners of Gunnison County and At Your Service, Inc.
13. State of Colorado Personal Services Contract; Gunnison County Weed District; Noxious Weed Control; 7/18/08 through 12/15/08
14. Colorado Division of Criminal Justice, Statement of Grant Award (SOGA); Gunnison County Sheriff's Department; Law Enforcement Crime Victim Services; 1/1/09 - 12/31/09
15. Memorandum of Understanding; Governor's Energy Office Energy Performance Contracting Program
16. Ground Lease Agreement; Between the Board of County Commissioners of Gunnison County, Colorado and Paradise Air, LLC; 20-Year Lease
17. Court Security Grant Award Acceptance; Office of the State Court Administrator; Purchase and Install Court Security Related Equipment at the Gunnison County Courthouse by 12/31/2009; \$7,063
18. Ancillary Services Agreement; Between the Colorado Department of Health Care Policy and Financing, and Gunnison County Nursing Service / Gunnison Public Health - Department of Public Health and Human Services
19. Airline Operating Agreement and Lease of Airport Facilities; American Airlines; Gunnison-Crested Butte Regional Airport; 11/1/08

**CONSENT AGENDA ITEM #6:** Commissioner Starr requested that this be pulled from the Consent Agenda to ensure that County Attorney David Baumgarten's comments had been addressed. Crested Butte South Manager Chris Behan was present and confirmed that all comments were addressed and that none of the modifications was substantive. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to approve Consent Agenda Item #6. Motion carried unanimously.

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

1. Crested Butte Public Meeting; Buckhorn Ranch Ball Field Discussion. Commissioner Starr felt that a public meeting should be scheduled so that the citizens of Crested Butte could be given the opportunity to speak on this issue. The Board asked staff to visit with County Attorney Baumgarten regarding the process and the possible need to modify prior approvals.
2. Washington Gulch Working Group Work Session, 11/18/2008. There was discussion about whether or not this discussion should be heard as no requests for Washington Gulch travel had yet been received. The Board asked that County Manager Birnie immediately assess whether or not the meeting will be necessary.

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

1. Acknowledgment of County Manager Signature; Memorandum of Agreement; Between Western State College, Gunnison County, and the City of Gunnison; Communication/Data Center Feasibility Study. County Manager Birnie informed the Board of preliminary plans for a secure data center on the WSC campus to house an Emergency Operations Center (EOC) and a dispatch center. The plans were first discussed by WSC, and County Manager Birnie was not a party to those early discussions. The signed document was for a feasibility study grant only and did not make any commitments for the County as IT Director Mike Lee felt that the costs associated with the center may outweigh the benefits. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to ratify the County Manager's signature on the Memorandum of Agreement between Western State College, Gunnison County, and the City of Gunnison for the Communication/Data Center Feasibility Study. Motion carried unanimously.
2. Resolution; Authorizing the Conveyance of a Grant of Easement for Use as a Trail Across the Library Parcel. County Manager Birnie requested Board approval, contingent upon County Attorney Baumgarten's final approval of the pending legal description, and informed the Board that the Library Board of Trustees and the Gunnison Area Community Foundation had both agreed to the proposal. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to adopt and authorize signature on Resolution #2008-46, a Resolution Authorizing the Conveyance of a Grant of Easement for Use as a Trail Across the Library Parcel, with the condition that the legal description in Exhibit A be included and that it be reviewed by the County Attorney. Motion carried unanimously.
3. North Fork Coal Working Group. County Manager Birnie explained that this group is investing methods of integrating regulations with commercial applications of methane capture from areas of prior operations. He stated that Gunnison County is the largest coal-producing county in the State and that the coal produced by local mines is very clean.
4. Housing Authority. County Manager Birnie reported that KT Gazunis, the new Housing Authority Director, will begin on 11/19/08. Immediately afterwards, she will be representing the County at the Colorado Mountain Housing Coalition. He also informed the Board that the DOLA letter had been received to officially award the grant for the Needs Assessment. Interviews with potential vendors for the assessment will be held during the first week of December. The Board asked to review the scope when it becomes available. County Manager Birnie informed the Board that he was invited to attend the Gunnison City Council meeting that evening to discuss housing issues, though he was unsure of what sub-topics may be discussed.

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

1. Taylor River Ranch; Acquisition of Right-of-Way. Assistant County Manager Crosby stated that this process was moving forward as the site visit and drawings were completed. A Federal appraiser will be on-site during the following week to perform a walk thru with the property owner. She confirmed that funding had been allocated for this right-of-way in both the 2008 and 2009 budgets, and that appraisal costs should be reimbursed to the County. The documents for the Silver Springs Ranch land donation of 1.1 acres had been signed by the owners, and she will produce those documents during the next Board meeting for approval.
2. Gold Basin Industrial Park. Assistant County Manager Crosby informed the Board that FedEx will be open for business by late November. An additional lease will be signed before the end of the week, and two more leases are anticipated.
3. Disposal of Surplus Property. Assistant County Manager Crosby stated that the resolution addressing the disposal of surplus property does not address any dollar values. She explained that the 1992 trackless with the broom mounted onto the front had been given to the Facilities Maintenance Department from the Airport; however, Facilities Maintenance was not able to utilize the machine as it does not have the required amount of power. She stated that the Airport had originally paid \$400 for the trackless at a surplus auction, and that the vendor chosen to construct the Facilities Maintenance storage facility recently offered to purchase it for \$1,000.

She asked for authority to complete the offered transaction. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to authorize the exchange of the referenced broom machine for \$1,000 credit towards construction of the Facilities Maintenance storage facility. Motion carried unanimously.

**BUILDING ENVELOPE MODIFICATION; LOT 16, GUNNISON RIVERBANKS RANCH; JSC GUNNISON RIVER, LLC; REPRESENTED BY MIKE WILSON:** County Planner Cathie Pagano was present for discussion.

County Planner Pagano presented this modification request for alignment of the current building with the building envelope. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the Building Envelope Modification, Lot 16, Gunnison Riverbanks Ranch, and authorize signatures. There was discussion related to costs incurred as a result of situations such as this, and County Planner Pagano explained that the owner paid a \$150 application fee, which may or may not cover staff time involved. Motion carried unanimously.

**BOUNDARY LINE ADJUSTMENT; LOTS 6 & 9, BLOCK 12, ARROWHEAD FILING 3; RONALD AND MARILYN LINDNER; GEORGE AND MYRNA HILL:** County Planner Pagano was present for discussion.

County Planner Pagano explained that this adjustment was requested as a corrective action due to one of the residences being built outside of the lot boundaries. She confirmed that both property owners had signed the agreement. **Moved** by Commissioner Starr, seconded by Commissioner Swenson to approve the Boundary Line Adjustment for Lots 6 & 9, Block 12, Arrowhead in Gunnison Country, Filing #3, and authorize the Chairperson's signature. Motion carried unanimously.

**LOT CLUSTER APPLICATION; LOTS 1 & 2, BLOCK 32, TOWN OF IRWIN; KARL RONALD PLAMBECK:** Planning Administrative Services Manager Beth Baker was present for discussion.

Planning Department Administrative Services Manager Baker explained that snow had destroyed the property on this land during the previous winter. The owner's insurance company suggested that all structures be removed and rebuilt. Planning Department Administrative Services Manager Baker confirmed that Section 1-108 of the LUR allowed for this. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the Lot Cluster Application for Lots 1 and 2, Block 32, Town of Irwin, and authorize signatures. Motion carried unanimously.

**MEMBERSHIP RENEWAL; PAINTED SKY RC & D:** County Manager Birnie asked the Board to decide on whether or not to renew this membership with the \$250 membership fee being paid from the Board's membership line item in the budget.

Chairperson Channell stated that the Board could have taken advantage of this membership with access to grant funding, but that it had not happened yet. He informed the Board that Painted Sky had been very participatory in recent work sessions as a result of the Energy Summit. He also felt that the County may want to appoint a representative from either the community or the staff to the Painted Sky board.

Commissioner Swenson felt that the opportunity for benefit warranted the membership fee.

The Board agreed to continue the membership.

**ADOPTION OF THE 2009 GUNNISON COUNTY HOLIDAY SCHEDULE:** County Manager Birnie explained that the draft schedule, allowing for 12 scheduled holidays, was proposed by Personnel Director Debbie Moore as follows:

- 1/1/09; New Year's Day
- 1/2/09; Day After New Year's Day
- 1/19/09; Martin Luther King, Jr. Day
- 2/16/09; Presidents' Day
- 5/25/09; Memorial Day
- 7/3/09; Independence Day
- 9/7/09; Labor Day
- 10/12/09; Columbus Day
- 11/11/09; Veterans' Day
- 11/26/09; Thanksgiving Day
- 11/27/09; Day After Thanksgiving Day
- 12/25/09; Christmas Day

The Board discussed the possibility of not celebrating Columbus Day since many Native Americans feel that this day celebrates genocide; however, the Board elected to allow for it since it is also recognized by the Federal government. Chairperson Channell requested that this issue be revisited when drafting the

2010 schedule. **Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the proposed holiday schedule for 2009 as submitted. Motion carried unanimously.

**REQUEST FOR FUNDING; WILDWOOD MOBILE HOME PARK:** Attorney Luke Danielson, Essential Housing Administrator Eileen McVicar, and Wildwood Mobile Home Park residents and HOA board members Julie Hatfield, Richard Huss, and Jorgine Fossum were present for discussion.

Attorney Danielson confirmed that the HOA was established and incorporated. Ms. Fossum stated that most residents have owned their property for many years and that the park included few renters.

Mr. Huss requesting \$2,500 in funding to be used as a matching grant; a total of \$2,850 had been collected to date. This funding would be used to obtain a 501(c)3 status and continue efforts toward a conversion with ownership held by an entity created by the homeowners.

Chairperson Channell was impressed by the efforts of Resident Owned Communities ([www.rocusa.org](http://www.rocusa.org)) as it provides information on funding resources when residents are ready to make their joint purchase, and partners with the Rural Community Assistance Corporation.

Essential Housing Administrator McVicar stated that the HOA had put forth a great deal of work on this effort. Commissioner Swenson commended the members for taking charge of their situation and for seeking a solution.

Mr. Huss stated that the City of Gunnison will play a major role in the property acquisition since part of this land borders the Willows and since the City had proposed a trail easement. Chairperson Channell stated that he would expect the City to be participatory in this project.

**Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the grant request for funding in the amount of \$2,500 to the Wildwood Mobile Home Park to assist them in their efforts to become a community on their own. The Board commended the residents for their hard work on finding a solution to their problem. Essential Housing Administrator McVicar explained that donated funds are being held by the Housing Authority, so County Manager Birnie felt that the fund could be increased by this \$2,500 from the Board's discretionary fund. Motion carried unanimously. The Board asked that the residents return for periodic updates to the Board.

**BREAK:** The meeting recessed from 11:18 am until 12:18 pm in order to call to order as the Local Marketing District and for a short lunch break.

**LOCAL MARKETING DISTRICT:** Finance Director Linda Nienhueser, Tourism Association (TA) Executive Director Jane Chaney, and TA board members Joellen Fonken, Steven Pierotti, Rob Strickland, Beth Buehler, Jim Valenzuela, and Lori Weisman were present for discussion.

1. 2008 Budget Amendment Request. Ms. Chaney stated that the TA Executive Committee had met previously with County Manager Birnie to discuss the fund balance. Based on projections compared to the revised fund balance, the TA thought that the opportunity may exist to release excess funds into the local economy; the TA's 2008 budget had been completed prior to the addition of the Chicago, Atlanta, and Salt Lake City airline connections. Ms. Chaney proposed that additional marketing funds be spent to promote these airline connections, as well as other visitors that do not arrive via air travel. She suggested additional amount of \$79,536 for radio ads, \$39,720 for print ads, \$9,800 for e-communications, \$32,900 for internet ads, and \$34,800 for television ads, a branding campaign and a guest survey kiosk; the suggested additional expenditures totaled \$196,756. Finance Director Nienhueser confirmed that the TA's 2008 fund balance was approximately \$612,000, so these expenditures, if approved, would bring the balance down to approximately \$416,000.

The Board expressed concern about spending additional advertising dollars during current economic difficulties; however, Ms. Chaney felt that many other expenditures could either be reduced or eliminated if the fund balance were to run too low in the future. The Board also requested metric data relevant to the effectiveness of the outlined advertisement requests; however, Ms. Chaney explained that this type of data would be difficult to monitor because the TA markets for all of Gunnison County and advertisement mediums may direct vacationers to entities other than the TA.

Finance Director Linda Nienhueser felt that this request could be safely absorbed within the projected fund balance.

Chairperson Channell questioned a sense of balance since these funds would be utilized in exclusively promoting winter travel. Ms. Chaney felt that the advertisements would have a residual effect that would likely benefit summer tourism.

**Moved** by Commissioner Swenson, seconded by Commissioner Starr to approve the amendment to the 2008 budget in the amount up to \$196,756 as outlined. Motion carried unanimously.

2. Fund Balance Proposal. County Manager Birnie explained, in determining the proper fund balance, that the Board could either provide a specific dollar amount or decide on a specific percentage. The Board asked that this discussion be included in the County's budget discussions.
3. Administrative Services Agreement. This will be discussed during scheduled work sessions.
4. 2009 Marketing Agreement. This will be discussed during scheduled work sessions.

Chairperson Channell adjourned the Local Marketing District meeting at 12:18 pm.

**RECONVENE:** Chairperson Channell called the Gunnison County Board of County Commissioners Regular Meeting back to order at 1:03 pm.

**COLORADO RIVER WATER CONSERVATION DISTRICT REPORT:** CRWCD Representative Bill Trampe and County Attorney Baumgarten were present for discussion.

CRWCD Representative Trampe stated that the CRWCD held a quarterly meeting at the end of October. The CRWCD had been working to complete a mission statement; a final draft should be ready for adoption soon.

Per County Attorney Baumgarten, the Board must reappoint CRWCD Representative Trampe to the CRWCD during the first Regular Meeting in January 2009. CRWCD Representative Trampe stated that the CRWCD bylaws indicate that his appointment will continue until such time as he is either reappointed or another person is newly appointed.

**RE-DEDICATION OF THE COURTHOUSE FLAGPOLE TO GUNNISON COUNTY BY THE GUNNISON VALLEY CHAPTER OF THE DAUGHTERS OF THE AMERICAN REVOLUTION (DAR):**

DAR member Laura Easley was present for discussion and led this rededication on the Gunnison County Courthouse lawn. Various other members of the community and press were present; recording equipment was unavailable during the event. The Board was appreciative of the rededication and unveiled a new plaque affixed to the concrete block at the base of the flagpole. Chairperson Channell read aloud a letter addressed to the DAR and signed by the Board:

"The Gunnison County Board of County Commissioners, on behalf of the citizens of Gunnison County, is proud to acknowledge the rededication of the Gunnison County courthouse flagpole by the Gunnison Valley Chapter of the Daughters of the American Revolution to the citizens of Gunnison County.

On May 12, 1918, the original wooden flagpole, flag, and war service flag were dedicated by the DAR to the County. On Veterans' Day, seventy-seven years ago today, the current metal flagpole replaced the original wooden flagpole during a rededication ceremony.

The Gunnison Valley Chapter of the Daughters of the American Revolution, being the oldest patriotic organization in existence in Gunnison County, is to be commended for this display of timeless dedication to not only generations of Gunnison County citizens, but also to those direct individuals who fought for freedom during the American Revolution.

From the minutes of the first formal meeting of the Gunnison Valley Chapter, the Regent, Mrs. Shackelford, is quoted as stating that the American Golden Rule "was to love your neighbors as yourself, and your country more than yourself." As evidenced here today, the Gunnison Valley Chapter of the Daughters of the American Revolution clearly adheres to that Rule."

**NEW GUNNISON COUNTY TOLL-FREE TELEPHONE NUMBER:** IT Director Mike Lee was present for discussion.

IT Director Lee informed the Board that the County could obtain a toll-free telephone number at a cost of \$5.00/month, plus approximately \$0.02 to \$0.03 per minute in long distance charges. This number would be for use by those citizens in the County who would normally have to pay long distance fees in order to contact County offices via telephone. County Manager Birnie informed the Board that the County would advertise this toll-free number in newspapers serving the remote citizens of the County. The Board agreed to the proposal and chose 1-877-GunnGov (1-877-486-6468) as the new number.

**CHILD CARE ASSISTANCE PROGRAM; COST CONTAINMENT PLAN:** Health and Human Services Director Renee Brown was present for discussion.

Health and Human Services Director Brown stated that her departments were experiencing an increase in the amount of assistance requested by citizens. She also stated that income eligibility was set at 225%

of poverty for the Child Care Assistance Program, which she felt was high, but varies with the changing economics of individual communities. For 2009, the State of Colorado has allocated \$144,815 for these services; however, Health and Human Services Director Brown projected expenses totaling \$254,815, due to the increased demand for services, which would result in an over-expenditure of approximately \$110,000 for child care assistance. She informed the Board that 54 children were being served by this program, and that the current reserve balance was approximately \$120,000.

Health and Human Services Director Brown proposed measures that would decrease this over-expenditure, over time, via attrition as children leave the program. She did not request action from the Board, rather Health and Human Services Director Brown wanted to provide the base information for what may drive future administrative decisions.

Commissioner Swenson asked Health and Human Services Director Brown for background information on how the Gunnison Food Pantry, once part of the County, became a private non-profit organization in 2007. Health and Human Services Director Brown explained that Carl and Ruthie Long, who now run the pantry, had once been volunteers when Health and Human Services Director Brown inquired as to whether or not anyone would be interested in running the pantry. The Longs now work jointly with the Gunnison Community Church to run the pantry, and they have requested funding from the County for assistance with construction of a building on the church's property. She stated that the Long's pay \$450/month for rent in their current location, but that the rent may change in the future.

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

### **COMMISSIONERS MEETING REPORTS:**

#### **Commissioner Starr:**

1. Blue Ribbon Transportation Panel Meeting; Montrose, Colorado. Commissioner Starr informed the Board that he attended Vince Rogalski's presentation meant to gather suggestions and other ideas relevant to maintaining deteriorating roads within the State of Colorado. He noted that the State will need \$1.5 billion dollars annually in order to catch up with the current need.
2. Mayors/Managers Meeting. Commissioner Starr stated that both he and Chairperson Channell attended the most recent meeting. He felt that Crested Butte and Mt. Crested Butte did not appear to support the Cloud Seeding program for the coming winter. During the meeting, discussions began about whether or not a Council of Governments should be assembled within the County.
3. Skyland Community Association (SCA). Commissioner Starr stated that SCA has growing concerns about affordable housing due to enforcement and other issues making lots unaffordable. SCA would like for the Housing Authority to become involved and Commissioner Starr felt that this situation should be discussed with Housing Authority Director KT Gazunis so that possible solutions could be evaluated.

#### **Commissioner Swenson:**

1. Club 20; Caucus. Commissioner Swenson stated that Club 20 voting member Cory Watt turned in two proxies and voting member Perry Anderson also turned in two proxies at the caucus. Also in attendance were Dick Bratton, Ricky Santarelli, Dennis Steckel, Ken Coleman, and Christy Matthews. Commissioner Swenson agreed to obtain Club 20's bylaws so that the Board could decide whether or not to continue participation with Club 20.
2. Region 10; Executive Special Meeting. Commissioner Swenson informed the Board that the remodeling project is working well and that the first wing has been completely remodeled and leased. She also stated that Region 10 increased the Ouray National Bank loan in order to further the project.

#### **Chairperson Channell:**

1. Energy Plan Committee. Chairperson Channell stated that a couple of meetings had taken place. Planning Commission member Rich Karas had been participating on the City of Gunnison's committee; however, Mr. Karas lives in the County so he may take over the County's committee.
2. Pandemic Response Committee. Chairperson Channell informed the Board that discussions at this meeting included the possibility of Sweitzer Oil maintaining an emergency reserve, paid for by the County, to be used in an emergency situation.
3. Habitat for Humanity; Design Challenge. Chairperson Channell attended this recent event and stated that a total of 18 interesting and eco-friendly designs had been submitted. Most of the artists attended the event.
4. Ice Rink Grand Opening. Chairperson Channell attended the recent standing-room-only grand opening and noted that the building is impressive. Team and public skating schedules have been published.
5. Mayors/Managers Meeting. Chairperson Channell stated concern that the Gunnison Valley Animal Welfare League may not have the capacity to further the county-wide animal shelter project. The Board felt that a status update from the GVAWL board was needed before this goes forward.
6. Western State College (WSC) President's Advisory Committee. Chairperson Channell stated that WSC expressed concern about the failure of Amendment 59 and the additional pressure on the

State Assembly to find a solution when Referendum C sunsets in the next couple of years. He also learned that the College Center building is on schedule for completion. Discussions included ideas on how the County and other local municipalities can assist the college.

**ADJOURN:** **Moved** by Commissioner Starr, seconded by Commissioner Swenson to adjourn the meeting. Motion carried unanimously.

(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 NO: 08-46**

A RESOLUTION AUTHORIZING THE CONVEYANCE OF  
A GRANT OF EASEMENT FOR USE AS A TRAIL ACROSS THE LIBRARY PARCEL

WHEREAS, on January 22, 2007, Ray Van Tuyl Ranches, L.L.C. conveyed a certain parcel of land, as identified in the records of the Gunnison County Clerk and Recorder's Office at Reception No: 572456 (hereinafter the "Library Parcel"), to the Board of County Commissioners of the County of Gunnison, Colorado (hereinafter the "Board") for the purpose of constructing a new public library and any other ancillary uses incidental thereto or for other public uses of the property that are complementary to a public library; and

WHEREAS, the City of Gunnison is in the process of developing and constructing a trail system throughout the City of Gunnison and has proposed to construct one such trail through the Library Parcel for easier accessibility between the community schools and the library in a location as identified in Appendix "A" attached hereto and incorporated; and

WHEREAS, the Board believes that constructing a trail across the Library Parcel would be beneficial to the public and would be complementary to a public library; and

WHEREAS, the Gunnison County Library District and the Community Foundation of the Gunnison Valley have approved and endorse this segment of the trail system; and

WHEREAS, execution of a certain Grant of Easement as identified in Appendix "B" attached hereto and incorporated herein is necessary to convey a certain portion of the Library Parcel to the City of Gunnison for the construction of the trail.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that the conveyance of that certain portion of the Library Parcel as identified in Appendix "A" attached hereto and incorporated, to the City of Gunnison for the sole purpose of constructing a trail by the Grant of Easement as identified in Appendix "B" attached hereto and incorporated herein, is hereby authorized and approved.

INTRODUCED by Commissioner Starr, seconded by Commissioner Swenson, and adopted this 11<sup>th</sup> day of November, 2008.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY  
OF GUNNISON, COLORADO

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

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO  
RESOLUTION NO: 08-47**

A RESOLUTION ADOPTING THE 2003 INTERNATIONAL FIRE CODE WITH AMENDMENTS THERETO AND THE CRESTED BUTTE FIRE PROTECTION DISTRICT'S "GUIDELINES, STANDARDS AND FEES FOR THE REVIEW OF FIRE PROTECTION IN PROPOSED INCLUSIONS TO THE CRESTED BUTTE FIRE PROTECTION DISTRICT, AND NEW SUBDIVISIONS, P.U.D.S OR ANY OTHER BUILDABLE PARCEL OF LAND WITHIN THE CRESTED BUTTE FIRE PROTECTION DISTRICT" AND AMENDMENTS THERETO, WITHIN THE CRESTED BUTTE FIRE PROTECTION DISTRICT

WHEREAS, on August 9, 2005, the Crested Butte Fire Protection District (herein "CBFPD") adopted Resolution No: 1, Series 2005, "A Resolution Adopting and Amending the 2003 International Fire Code, Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire, Hazardous Uses or Explosion, Establishing a Department of Fire Prevention and Providing Officers Therefor and Defining their Powers and Duties" as identified in Appendix "A" attached hereto and incorporated herein; and

WHEREAS, CBFPD's adoption of the 2003 International Fire Code (herein "Fire Code") by Resolution No: 1, Series 2005 also amended the Fire Code with revisions to certain sections and on March 21, 2008, the CBFPD approved further amendments to the Fire Code as identified in Appendix "B" attached hereto and incorporated herein; and

WHEREAS, the CBFPD has also adopted "Guidelines, Standards And Fees For The Review of Fire Protection In Proposed Inclusions To The Crested Butte Fire Protection District, And New Subdivisions, P.U.D.s Or Any Other Buildable Parcel Of Land Within The Crested Butte Fire Protection District", revised August 9, 2005 (herein "Guidelines and Standards") as identified in Appendix "C" attached hereto and incorporated herein which was amended on March 21, 2008 as identified in Appendix "D" attached hereto and incorporated herein; and

WHEREAS, pursuant to C.R.S. §32-1-1002(1)(d), no code shall apply within any municipality or the unincorporated portion of any county unless the governing body of the municipality or county as the case may be, adopts a resolution stating that such code or specific portions shall be applicable within the fire protection district's boundaries; and

WHEREAS, the Gunnison County Planning Commission has reviewed and recommended to the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") approval of the Fire Code as amended and with certain changes, amendments and substitutions, as set forth in the August 1, 2008 "Proposed Language for Automatic Fire Sprinkler System Requirements in CBFPD Guidelines & Standards", as identified in Appendix "E" attached hereto and incorporated herein, approval of the CBFPD's Guidelines and Standards; and

WHEREAS, the Gunnison County Public Works Department has also reviewed CBFPD's Guidelines & Standards and with certain changes, amendments and substitutions as identified in Appendix "F" attached hereto and incorporated herein, has recommended to the Board, approval of the CBFPD's Guidelines & Standards; and

WHEREAS, the Board has reviewed and determined that adoption of the Fire Code as amended and with certain changes, amendments and substitutions, adoption of CBFPD's Guidelines and Standards, would be in the best interests of the citizens of Gunnison County residing within the Crested Butte Fire Protection District; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado pursuant to C.R.S. §32-1-1002(1)(d), that the "2003 International Fire Code" with the amendments identified in Appendix "A" and Appendix "B" attached hereto and incorporated herein and the "Guidelines, Standards And Fees For The Review of Fire Protection In Proposed Inclusions To The Crested Butte Fire Protection District, And New Subdivisions, P.U.D.s Or Any Other Buildable Parcel Of Land Within The Crested Butte Fire Protection District", revised August 9, 2005 as identified in Appendix "C" attached hereto and incorporated herein with amendments as identified in Appendix "D" attached hereto and incorporated herein and with the recommended changes, amendments and substitutions, as identified in Appendix "E" and Appendix "F" attached hereto and incorporated herein are hereby adopted for the area lying within the Crested Butte Fire Protection District.

FURTHERMORE, this resolution repeals and supersedes any and all other resolutions regarding prior adopted codes by the Crested Butte Fire Protection District.

INTRODUCED by Commissioner Starr, seconded by Commissioner Swenson, and adopted this 11<sup>th</sup> day of November, 2008.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY  
OF GUNNISON, COLORADO

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

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO  
RESOLUTION NO: 08-48**

A RESOLUTION REQUESTING ASSISTANCE FROM THE COLORADO AERONAUTICAL BOARD AND THE DIVISION OF AERONAUTICS IN THE FORM OF AN AVIATION SYSTEM GRANT.

WHEREAS, the General Assembly of the State of Colorado declared in Title 43 of the Colorado revised Statutes, Article 10, 1991 in C.R.S. 43-10-101 (the act) "...that there exists a need to promote the safe operations and accessibility of general aviation in this state; that improvements to general aviation transportation facilities will promote diversified economic development across the state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency..."; and

WHEREAS, the Act created the Colorado Aeronautical Board ("the Board") to establish policy and procedures for distribution of monies in the Aviation Fund and created the Division of Aeronautics ("the Division") to carry out the directives of the Board, including technical and planning assistance to airports and the administration of the state aviation system grant program. SEE C.R.S. 43-10-103 and C.R.S. 43-10-105 and C.R.S. 43-10-108.5 of the Act; and

WHEREAS, any entity operating a public-accessible airport in the state may file an application for and be recipient of a grant to be used solely for aviation purposes. The Division is authorized to assist such airports as request assistance by means of a Resolution passed by the applicant's duly-authorized governing body, which understands that all funds shall be used exclusively for aviation purposes and that it will comply with all grant procedures and requirements as defined in the Division's Grant Program Project Management Manual, 1999. ("the Manual")

NOW, THEREFORE, BE IT RESOLVED THAT Gunnison County, as a duly authorized governing body of the grant applicant, hereby formally requests assistance from the Colorado Aeronautical Board and the Division of Aeronautics in the form of a state aviation system grant. Gunnison County states that such grant shall be used solely for aviation purposes, as determined by the State, and as generally described in the Application.

Each airport-operating entity that applies for and accepts a grant that it thereby makes a COMMITMENT

- a) to keep the airport facility accessible to, and open to, the public during the entire useful life of the grant funded improvements/equipment, or b) to reimburse the Division for any unexpired useful life of the improvements/equipment, or a pro-rata basis.

By signing this grant agreement, the applicant commits to keep open and accessible for public use all grant funded facilities, improvements and services for their useful life, as determined by the Division and state in the Grant Agreement.

FURTHER BE IT RESOLVED, that Gunnison County hereby designates John DeVore as the Project Director, as described in the Manual and authorizes the Project Director to act in all matters relating to the work project proposed in the Application in its behalf, including executions of the grant contract.

FURTHER, Gunnison County has appropriated or will appropriate or otherwise make available in a timely manner all funds, if any, that are required to be provided by the Applicant under the terms and conditions of the grant contract.

FINALLY, Gunnison County hereby accepts all guidelines, procedures, standards and requirements described in the Manual as applicable to the performance of the grant work and hereby approves the grant contract submitted by the State, including all terms and conditions contained therein.

INTRODUCED by Commissioner Starr, seconded by Commissioner Swenson, and adopted this 11<sup>th</sup> day of November, 2008.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY  
OF GUNNISON, COLORADO

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