

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING MINUTES  
November 24, 2009**

The November 24, 2009 Gunnison County Board of County Commissioners meeting was held in the Gunnison County Board of County Commissioners' boardroom in the Gunnison County Courthouse located at 200 E. Virginia, Gunnison, Colorado. Present were:

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

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

**CALL TO ORDER:** Chairperson Swenson called the meeting to order at 10:04 am.

**TREASURER'S MONTHLY REPORT:** County Treasurer Melody Marks presented the October 2009 Treasurer's Monthly Report; an Investment Report dated October 31, 2009; and Tax Sales Statistics report for 2002 through most of 2009 for discussion and acceptance. **Moved** by Commissioner Starr, seconded by Commissioner Channell to accept the Treasurer's report for October 2009. Motion carried unanimously.

**WARRANTS AND TRANSFERS:** Finance Director Linda Nienhueser presented the Warrant Report dated October 20, 2009 and the Cash Transfer Authorization dated October 2009 for discussion and approval. **Moved** by Commissioner Channell, seconded by Commissioner Starr to approve the warrants thru October 20, 2009 in the total amount of \$1,178,740.63. Motion carried unanimously. **Moved** by Commissioner Starr, seconded by Commissioner Channell to approve the Cash Transfer Authorizations for October 2009 in the amount of \$1,863,997.92. Motion carried unanimously.

**RESOLUTION; IRWIN BACK COUNTRY GUIDES:** Assistant County Manager Marlene Crosby was present for discussion.

Assistant County Manager Crosby provided the draft resolution for discussion and approval. Modifications were agreed upon. She informed the Board that County Attorney David Baumgarten assisted her with drafting the resolution. **Moved** by Commissioner Channell, seconded by Commissioner Starr to approve Resolution #2009-49, a Resolution Authorizing Irwin Back Country Guides Snowcat Operations on the Plowed Portion of County Road 12 between the Town of Crested Butte and the Kebler Winter Trail Head, with amendments and authorize signatures. Motion carried unanimously.

**DEPARTMENT OF ENERGY REGIONAL GRANT APPLICATION:** County Manager Birnie presented copies of an outline that he received on 11/23/09 and explained that the grant application is due on 12/14/09, which is before the next regular Board meeting. He requested authorization to sign and submit the application.

County Manager Birnie relayed Office for Resource Efficiency representative Andris Zobs statement that this funding would provide an umbrella program, of which the Energy Smart Program is a component. This funding would be shared between Eagle, Gunnison and Pitkin Counties with Eagle County acting as the fiscal agent. County Manager Birnie stated that he had not had sufficient time to fully review the application, but he felt that it would not be problematic. **Moved** by Commissioner Channell, seconded by Commissioner Starr to authorize the County Manager to participate in this grant application at whatever level is appropriate and for him to sign accordingly. Commissioner Starr appreciated that this funding could conceivably cover the administration costs of the Energy Smart Loan Program and requested that staff track their time spent on this program. Motion carried unanimously.

**LETTER OF SUPPORT; BUREAU OF LAND MANAGEMENT (BLM), GUNNISON FIELD OFFICE OHV GRANT APPLICATION:** BLM representatives Sally Thode and Jim Lovelace were present for discussion.

Mr. Lovelace explained that the BLM would be submitting this grant application to the Colorado State Parks Off-Highway Vehicle (OHV) Fund in anticipation of being able to fund a seasonal two-person crew to patrol trails, address maintenance issues on trails and trailheads, and educate users about responsible OHV use. He requested support and a draft letter was provided.

The Board felt that this patrolling would be beneficial and requested an end-of-season report if the grant funding is awarded and the program has been running. Mr. Lovelace explained that the funding decisions will be announced during the summer of 2010, so the two-person crew would not be able to be in place until 2011. **Moved** by Commissioner Channell, seconded by Commissioner Starr to approve the letter of support for the grant application to the BLM for the OHV Crew Program. Motion carried unanimously.

**BREAK:** The meeting recessed from 10:38 until 10:53 am.

**CRYSTAL CREEK RIGHT-OF-WAY; DISCUSSION AND POSSIBLE ACTION:** Assistant County Manager Crosby and County Attorney Baumgarten were present for discussion.

Assistant County Manager Crosby explained that she requested this discussion because her department is continuing to work on the acquisition of easements for Taylor River Road and she wanted to receive Board support prior to beginning contract negotiations for right-of-way with Crystal Creek. She noted that the Transportation Bill had not yet been funded, so she has been working with County Attorney Baumgarten on this process instead of with an outside counsel.

Assistant County Manager Crosby has also been working closely with the larger-property owners to secure permanent right-of-way easements that would establish the corridor along with temporary construction easements. The three main property owners involved are Taylor River Ranch (8.4 acres), the Brothers in the Harmel's Ranch Resort area (2.25 acres) and Crystal Creek (4.72 acres).

The Board agreed to allow Assistant County Manager Crosby to enter into contract negotiations with Crystal Creek for this project.

**COMMUNITY BASED ORGANIZATIONS (CBO) 2010 FUNDING DECISIONS:** Finance Director Nienhueser, Assistant Finance Director Ben Cowan and Staff Accountant Sally Wilcox were present for discussion.

The below applications for funding were discussed and the allocations were agreed upon by the Board. The allocation decisions will be formalized by adoption of the 2010 Gunnison County budget on 12/15/2009.

<b>Health &amp; Welfare Organizations</b>	<b>Request</b>	<b>Allocation</b>	<b>Notes/Other</b>
CASA D.B.A. Voices for Children.....	\$ 3,000	\$ 1,000	
Coal Creek Watershed Coalition .....	\$ 6,230	\$ 3,500	
Colorado Legal Services.....	\$ 5,000	\$ 2,000	
Colorado Strawbale Association.....	\$ 1,750	\$ 1,750	
Community Foundation of the Gunnison Valley ...	\$ 6,000	\$ 2,800	
Crested Butte/Mt. CB Bartenders & Servers .....	\$ 3,850	\$ 2,000	
Gunnison Area Restorative Practices .....	\$ 12,499	\$ 8,000	
Gunnison Conservation District .....	\$ 2,500	\$ 2,000	
Gunnison Country Food Pantry.....	\$ 5,000	\$ 500	
Gunnison Country Partners.....	\$ 12,000	\$ 8,000	
GHS Mini Food Court.....	\$ 2,000	\$ 500	
Gunnison Valley Animal Welfare League .....	\$ 5,000	\$ 2,500	
Habitat for Humanity.....	\$ 10,000	\$ 0	\$10,000 Linkage Fees
High Country Citizens Alliance.....	\$ 3,000	\$ 0	
Hospice of the Gunnison Valley.....	\$ 5,000	\$ 4,600	
Jubilee House .....	\$ 11,500	\$ 10,000	
Living Journeys.....	\$ 5,000	\$ 1,000	
Midwestern CO Mental Health Center .....	\$ 12,000	\$ 12,000	
Office for Resource Efficiency .....	\$ 12,500	\$ 12,499	
Public Policy Forum of Crested Butte .....	\$ 1,800	\$ 1,000	
Retired Seniors Volunteer Program.....	\$ 8,000	\$ 0	
Rocky Mountain Biological Laboratory .....	\$ 2,500	\$ 2,000	
Safe Ride.....	\$ 2,500	\$ 2,500	
Six Points Evaluation and Training.....	\$ 12,000	\$ 12,000	
Stepping Stones Children's Center.....	\$ 3,720	\$ 2,500	
<b>Sub-Totals (Health &amp; Welfare) .....</b>	<b>\$154,349</b>	<b>\$ 94,649</b>	<b>\$10,000</b>
<b>Culture &amp; Recreation Organizations</b>	<b>Request</b>	<b>Allocation</b>	<b>Notes/Other</b>
Adaptive Sports Center of Crested Butte.....	\$ 4,000	\$ 1,000	
Artists of the West Elks .....	\$ 830	\$ 500	
Center for the Arts (C.B.).....	\$ 5,000	\$ 2,000	
Crested Butte Heritage Museum.....	\$ 5,000	\$ 2,000	
Crested Butte Mountain Theatre .....	\$ 1,000	\$ 0	
Crested Butte Music Festival, Inc. ....	\$ 2,000	\$ 0	
Crested Butte Nordic Council .....	\$ 6,250	\$ 2,500	
Crested Butte South POA.....	\$ 10,500	\$ 1,750	
Crested Butte Wildflower Festival.....	\$ 2,332	\$ 500	
Crystal River Heritage Association .....	\$ 12,000	\$ 1,500	
Gunnison Council for the Arts .....	\$ 12,499	\$ 2,500	
Gunnison County Pioneer & Historical Soc. ....	\$ 10,000	\$ 2,000	
Gunnison Nordic Club.....	\$ 2,000	\$ 1,000	
Gunnison River Festival .....	\$ 5,120	\$ 4,875	
Gunnison Valley Observatory .....	\$ 4,395	\$ 250	Plus \$2,000 plowing

Powderhorn Community Association.....	\$ 6,000	\$ 2,250	
Trailhead Discovery Museum & Arts Center .....	\$ 5,000	\$ 725	
<b>Sub-Totals (Culture &amp; Recreation) .....</b>	<b>\$ 93,926</b>	<b>\$ 25,350</b>	<b>\$ 2,000</b>
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<b>Economic Development Organizations</b>	<b>Request</b>	<b>Allocation</b>	<b>Notes/Other</b>
Cattlemen's Days .....	\$ 12,660	\$ 10,000	
Crested Butte Chamber of Commerce.....	\$ 10,000	\$ 10,000	
Crested Butte Chamber-Fireworks .....	\$ 5,000	\$ 0	
Gunnison Chamber of Commerce .....	\$ 10,000	\$ 10,000	
Western State College Foundation.....	\$ 12,500	\$ 0	\$12,500 Severance Tax
<b>Sub-Totals (Economic Development) .....</b>	<b>\$ 50,160</b>	<b>\$ 30,000</b>	<b>\$12,500</b>
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<b>GRAND TOTALS.....</b>	<b>\$298,435</b>	<b>\$149,999</b>	<b>\$24,500</b>

Although there was some discussion related to governance issues and Mt. Crested Butte’s annual funding allocation for the Gunnison-Crested Butte Tourism Association (TA), the Board agreed with the TA’s 2010 budget of \$1,080,000.

The Board felt that the request from the Western State College Foundation was important to consider; however, there was agreement that the CBO program was not the correct venue for the request. County Manager Birnie has begun researching methods of funding this request outside of the CBO process.

**ADJOURN:** Moved by Commissioner Starr, seconded by Commissioner Channell to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 12:05 pm.

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Paula Swenson, Chairperson

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Jim Starr, Vice-Chairperson

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Hap Channell, Commissioner

Minutes Prepared By:

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Katherine Haase, Deputy County Clerk

Attest:

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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: 09-49**

A RESOLUTION AUTHORIZING IRWIN BACK COUNTRY GUIDES SNOWCAT OPERATIONS ON THE PLOWED PORTION OF COUNTY ROAD 12 BETWEEN THE TOWN OF CRESTED BUTTE AND THE KEBLER WINTER TRAIL HEAD

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado has the authority pursuant to C.R.S. 18-9-117, C.R.S. 33-14-110 and C.R.S. 33-14-118 to establish by resolution or rule the operation and restriction of snowcats and snowmobiles on certain Gunnison County roads; and

WHEREAS, in connection with Gunnison County Land Use Change 2009-37, Irwin Back Country Guides is requesting Gunnison County authorization for Irwin Back Country Guides to operate snowcats only on the initial approximately two (2) mile plowed portion of County Road 12 between the Town of Crested Butte and the Kebler Winter Trail Head (hereinafter "Snowcat Route"); and

WHEREAS, it is in the interests of the public and Gunnison County for the Snowcat Route to be

established for Irwin Back Country Guides, these public interests include keeping the Kebler Winter Trail Head from becoming congested.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado:

There is hereby established a snowcat route that permits snowcat operations exclusively by Irwin Back Country Guides only on the initial approximately two (2) mile plowed portion of County Road 12 between the Town of Crested Butte and the Kebler Winter Trail Head (and restricts the operations of any other snowcats and snowmobiles on the above referenced portion of County Road 12.

Each and every snowcat operated by Irwin Back Country Guides on the Snowcat Route:

- a. Shall have fully rubberized treads only;
- b. Shall be used only to transport customers of related Irwin Back Country Guides operations and not the public at large.

Irwin Back Country Guides shall be responsible to promptly cease any operation at the written direction of the Gunnison County Public Works Department.

Irwin Back Country Guides shall pay for any maintenance or repair to County Road 12, which is required or caused by its snowcat operation.

Nothing herein shall be interpreted as giving the Irwin Back Country Guides the right or authority to operate such snowcat in a manner that violates Colorado law or in any other manner that is hazardous or in disregard of the health, safety and well being of any other user of County Road 12.

This Resolution terminates by its own terms with no further action required by the Board of County Commissioners on May 31, 2010.

INTRODUCED by Commissioner Channell, seconded by Commissioner Starr, and adopted this 24<sup>th</sup> day of November, 2009.

BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO

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