

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
January 19, 2010**

The January 19, 2010 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:

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

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

CALL TO ORDER: Chairperson Starr called the meeting to order at 8:01 am.

AGENDA REVIEW: County Treasurer Melody Marks was not available for the discussion scheduled to begin at 10:05 am, so the report was rescheduled.

MINUTES APPROVAL: **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Regular Meeting minutes of December 15, 2009 as submitted. Motion carried unanimously. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the January 5, 2010 Regular Meeting minutes and authorize signatures. Motion carried unanimously.

CONSENT AGENDA: Commissioner Channell requested that Consent Agenda Items #2 and #4 be pulled for further discussion. Chairperson Starr requested that Consent Agenda Item #9 be pulled for further discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Consent Agenda, excluding Items #2, #4 and #9. Motion carried unanimously.

1. Acknowledgement of County Manager Signature; Corporate Membership Agreement; Main Street Gym
2. **Pulled for Discussion and Separate Action:** 2010 Memorandum of Agreement; Gunnison Area Restorative Practices; Community Based Organization Funding; \$8,000
3. End-User License Agreement; Weidner, Inc.; MFR Live Software
4. **Pulled for Discussion and Separate Action:** Resolution; Authorizing the Treasurer to Segregate Interests from Investments of Certain Monies and Revoking Certain Previous Resolutions
5. Resolution; Directing the Gunnison County Treasurer to Distribute Specific Ownership Tax Monies Among Various County Funds
6. Resolution; Adjusting Landing Fees and Other Fees for Air Carriers
7. Amendment No. 3 to Memorandum of Agreement Between Gunnison County Public Health (Sponsor) and Board of Governors of the Colorado State University System, Acting By and Through Colorado State University (University), for the Benefit of the CSU Extension Tri River Area; Extension to 12/31/2010
8. Provider Agreement; Lake City Community School; Professional Services to Promote Health and Wellness to Individuals and Families Referred from Gunnison County Family Advocacy and Support Team through the Office of Juvenile Services
9. **Pulled for Discussion and Separate Action:** Ground Transportation Agreement; Gunnison-Crested Butte Regional Airport; Crested Butte Shuttle Company, LLC, dba Dolly's Mountain Shuttle, LLC; 12/16/09 thru 10/31/10
10. Grant Application; Colorado Department of Public Health and Environment; Cancer, Cardiovascular Disease and Pulmonary Disease Competitive Grants Program

CONSENT AGENDA ITEM #2: Commissioner Channell requested that this item be pulled for further discussion because he had a question about formality. He questioned whether or not the County acknowledges in-kind benefits, such as providing office space. County Manager Birnie felt that including this information in the contracts would be a good idea. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #2 and authorize signatures. Motion carried unanimously.

CONSENT AGENDA ITEM #4: Commissioner Channell requested that this item be pulled for further discussion and it was decided that this discussion should be tabled until later in the day when Finance Director Linda Nienhueser would be available for input.

CONSENT AGENDA ITEM #9: Chairperson Starr requested that this item be pulled for further discussion since Airport Manager John DeVore had not yet supplied the modified page referenced on the agenda routing form. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve Consent Agenda Item #9, noting that we (the County) need a clean Page #4 without (Section) 3.4.2 crossed out. Motion carried unanimously

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

1. Solar Panel Tour; Doyleville, Colorado. This was scheduled for 2/23/2010.

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

1. Forest Service Appropriation Process. County Manager Birnie informed the Board that he had submitted information to the Forest Service regarding the County's upcoming capital projects, which proposed the possibility of utilizing biomass. This information was supplied prior to the Forest Service's 1/5/2010 deadline for submission. He noted that the process is unclear and that Ennovate may be able to provide technical assistance in the future.
2. Personnel Policies. County Manager Birnie explained that the draft policies had been reviewed by the Personnel Board and should be presented to the Board in the near future.
3. Funding Request; Rural Transportation Authority. Chairperson Starr felt that the \$30,000 request from the RTA needed to be scheduled on a Board agenda for action. County Manager Birnie informed the Board that he had a series of email exchanges with RTA Executive Director Scott Truex and he confirmed that this would be on the next Board agenda.
4. Gunnison County Fairgrounds Master Plan. Chairperson Starr felt that the Board needed to respond to CSU Extension County Director Eric McPhail's recent request for information related to the master planning of the fairgrounds. In particular, the response should outline the window of time being considered, when the Board would expect the recommendation from the committee, the details of the parcels on the northeastern boundary behind the fire station and the western boundary toward the area designated for the new jail. The Board agreed that the two referenced parcels should be included in the preliminary plans. The Board also agreed that a preliminary report should be ready within four months with a final report available within six months. The Board felt that the report should include a short-term plan along with a long-term plan with periodic reviews every three years; County Manager Birnie suggested plans for five, 10 and 20 years.

OWNERS REPRESENTATIVE SELECTION: Assistant County Manager Crosby was present for discussion.

County Manager Birnie explained that three firms, all excellent candidates, were interviewed. He also explained that he reviewed eight proposals that were submitted to Gunnison Valley Hospital and that he requested that one of those firms submit a proposal to the County. Of the three firms interviewed, Project One was selected by the committee for recommendation to the Board because Project One and its project manager have extensive experience, including having worked on Mountaineer Square in Mt. Crested Butte, with good references. He felt that Project One had the best overall analysis. He stated his expectation to request that Blythe, who is the architect on the school projects, submit a proposal for the architecture portion of the upcoming capital projects.

Assistant County Manager Crosby explained that all of Project One's references commented on their projects being completed on time and under budget. Project One also has a mechanical engineer on staff, which Assistant County Manager Crosby felt would be a huge benefit.

County Manager Birnie stated that a formal RFP was not done. While no locals responded, he explained that this project would necessitate the involvement of a firm, not an individual, and that there are no firms within the County. After speaking with Project One, he decided to look into the possibility of inviting prequalified firms to vie for the architecture portion of both projects.

Moved by Commissioner Channell, seconded by Commissioner Swenson to authorize staff to enter into a contract with Project One as our owner's representative for both the detention center and the public works building, and authorize the County Manager's signature on any required contracts. Motion carried unanimously.

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

1. Colorado Historical Society's Historic Structure Assessment Grant Application for the Ohio City Town Hall. County Paralegal Rachel Magruder was present for discussion. Assistant County Manager Crosby requested that the Board sign the assessment grant which will allow engagement of an architect. Of the four firms that were interviewed during the previous week, she recommended contracting with Humphries Poli because of their vast experience. She indicated that she would be ready to submit the project for grant funding opportunities in October 2010. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve appropriate signatures on the grant application for the State Historical Funds, Historic Structure Assessment Grant Program, and that we authorize staff to move forward with a contract with Humphries Poli on the assessment. Motion carried unanimously.
2. Town of Marble Snow Removal Agreement. Assistant County Manager Crosby explained that she received this agreement from the Town of Marble, but that Commissioner Channell was designated as the Board chairperson. She requested a handwritten change in order to expedite the contract and the Board agreed.

3. Fred R. Field Western Heritage Center Fee Policy. Assistant County Manager Crosby stated that it was County policy to collect fees from any entity requesting use of the Center. She then explained that she received a request to waive the fee from Mike Callihan so that some local individuals could hold a relief benefit on 1/24/2010 that would benefit the victims of the recent earthquake in Haiti. She confirmed that this group of citizens was not related to any local entity and that the funds would be held by the Red Cross with 100% of the profit going directly to the Red Cross. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to allocate up to \$200 out of discretionary funds for the Board of County Commissioners to cover the rental fee for the relief benefit for Haiti this coming Sunday night. Motion carried unanimously.
4. Award Bid for Gunnison County Pedestrian Path and Bridge Project. Assistant County Manager Crosby explained that the Board first needed to award the bid to the apparent low bidder, Pavement Maintenance Services, before the bid could be submitted for State review. She noted that the low bidder had until 4:00 pm today to finish all paperwork and that all bidders were Disadvantaged Business compliant. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to award the bid for the Gunnison County Pedestrian Path and Bridge Project to Pavement Maintenance Services from Salida, who is the apparent low bidder. Motion carried unanimously.
5. Federal Highway Administration Reimbursement Agreement. Assistant County Manager Crosby informed the Board that the agreement had been received and would provide \$98,500 toward the acquisition of right-of-way. County Manager Birnie and County Attorney David Baumgarten had not had the opportunity to review the agreement prior to the discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to authorize the County Manager to sign Reimbursement Agreement #DTFH68-10-E-00021 after his review and after the County Attorney's review. Motion carried unanimously.

REVIEW OF CITY VACATION ORDINANCE: Gunnison City Manager Ken Coleman was present for discussion.

County Manager Birnie presented the proposed agreement and confirmed that the substance of the agreement had previously been agreed upon. He stated that neither County Attorney Baumgarten nor Deputy County Attorney Tom Dill had reviewed it yet, but that Deputy County Attorney Dill could review it before the end of the day.

Commissioner Channell requested information related to space for the City of Gunnison Police Department. County Manager Birnie explained that there was interest in the communications element, but that no decision had been made by the 911 Board. An Emergency Operations Center will definitely be included within the plan. County Manager Birnie stated that he would like to see the communications element included in the first phase

City Manager Coleman stated that he would provide engineering drawings and would investigate the dedication issue.

County Manager Birnie requested approval pending attorney review and the inclusion of the attachments. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve the Intergovernmental Infrastructure Extension Agreement with the City of Gunnison, pending attorney review and inclusion of attachments. Motion carried unanimously.

RANGLAND INITIATIVE; SETTING THE PUBLIC REVIEW PATH: Geographic Information Services Manager Mike Pelletier, Gunnison Wildlife Conservation Coordinator Jim Cochran, Assistant Planning Director Neal Starkebaum and citizen Lee Spann were present for discussion.

Geographic Information Services Manager Pelletier explained that the next step would be to take this information to the ranching community via the Stockgrowers' Association while the Planning Commission reviews it. Following that, the County would hold a public meeting.

Gunnison Wildlife Conservation Coordinator Cochran stated that this information needed to get to the Stockgrowers' Association with sufficient time to review the information and then provide comments. He indicated that the next Stockgrowers' Association meeting was scheduled to take place on 2/1/2010 and that the annual membership meeting was scheduled to take place on 3/10/2010. He felt that it would be beneficial for a Board member to attend the Stockgrowers' Association board meeting on 2/1/2010; however, no Board members would be available on that date. This issue will be discussed during the 2/19/2010 Planning Commission meeting.

Mr. Spann felt that none of the Stockgrowers' Association members would read the 29-page document, so he requested a synopsis of the plan. Geographic Information Services Manager Pelletier explained that the document included a one-page summary.

BREAK: The meeting recessed from 9:54 until 10:18 am.

TREASURER'S MONTHLY REPORT: County Treasurer Melody Marks was not available for this discussion, so it was rescheduled to 2/23/2010.

WARRANTS AND TRANSFERS: Finance Director Nienhueser presented the Warrant Report dated January 19, 2010 and the Cash Transfer Authorization dated December 2009 for discussion and approval.

Board action on Consent Agenda Item #4 was tabled from earlier in the meeting until Finance Director Nienhueser could be present for discussion. Commissioner Channell stated that Finance Director Nienhueser had, during a break, informed the Board that the assets from the dissolution of the Marble Metropolitan District are in an interest-bearing deposit, which is why those assets were not reflected within the resolution. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #4. Motion carried unanimously.

Moved by Commissioner Channell, seconded by Commissioner Swenson to approve the warrant report for January 19, 2010 in the amount of \$1,644,570.32. Motion carried unanimously. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Cash Transfer for December 2009 in the amount of \$2,385,680.58. Motion carried unanimously.

UNSCHEDULED CITIZENS: There were no Unscheduled Citizens present for discussion.

COMMISSIONERS MEETING REPORTS:

Commissioner Swenson:

1. Ranchland Initiative Education Group. Commissioner Swenson informed the Board that she met with this group on 1/7/2010 and that a larger group of approximately 23 people would be invited to attend a roundtable discussion scheduled for 2/17/2010, from 1:00 until 4:00 pm, to answer pending questions. She will invite members from the Cattlewomen's Association to realtors in the Crested Butte area, which she felt would present a diverse crowd.
2. Rural Transportation Authority. Commissioner Swenson informed the Board that the RTA would like to educate the public about the RTA since a number of second-homeowners were under the impression that the RTA only managed ground transportation. She also informed the Board that vinyl wraps may be put on the busses in the near future and that the RTA may be meeting with the business community and the two local chambers of commerce to discuss what the RTA is and what it brings to the communities.
3. Cattlewomen's Association. Commissioner Swenson attended a meeting on 1/18/2010 during which she discussed the jail site master planning. She noted that Polly Spann was pleased that the Board found a way to build the jail without increasing taxes. The Cattlewomen's Association is pleased that the Board is talking with the master planning committee to see if any adjoining properties can be added to the fairgrounds. During the meeting, she also discussed the Ranchland Initiative.
4. Gunnison Chamber of Commerce. Commissioner Swenson informed the Board that Selma Eastman and Joellen Fonken had been elected to the Chamber board. Greg Larson will serve as the Chamber President for 2010.

Commissioner Channell:

1. Gunnison County Substance Abuse Prevention Project (GCSAPP). Commissioner Channell informed the Board that GCSAPP recently ran ads in the newspaper to educate the public about the medical marijuana issue. There has been good and diverse attendance at the meetings.
2. Mayors/Managers. Commissioner Channell informed the Board that he and Chairperson Starr both attended this recent meeting on 1/7/2010 that was hosted by the Upper Gunnison River Water Conservancy District. The following updates were provided:
 - a. Mt. Crested Butte. The performing arts center project is moving forward. As a result, the pool and the recreation center projects have been suspended for the foreseeable future.
 - b. Gunnison Watershed RE1J School District. The building projects are moving along well and are coming in under budget. An approximate \$1,000,000 in funding cuts is anticipated.
 - c. Crested Butte. A medical marijuana ordinance has been enacted. The annexation project has been tabled and the regional parks and recreation master plan for the north end of the valley is in the works.
 - d. Crested Butte Mountain Resort (CBMR). The total number of skiers is down. CBMR Director of Real Estate and Sales Michael Kraatz attended the meeting and acknowledged that CBMR will appeal the recent Forest Service decision related to Snodgrass Mountain.
 - e. Western State College (WSC). WSC President Jay Helman attended the meeting and confirmed the naming of the Prosser Theatre, which has mistakenly been referred to as the Ruby Cinema as the cinema is within the Prosser Theatre. President Helman expressed concerns related to funding cuts for higher education. A Western Futures Committee may be created as a subcommittee of the WSC board of directors.

- f. City of Gunnison. The City expressed a desire to invite representation from Hinsdale County and Lake City to attend the Mayors/Managers meetings. The sales tax was reportedly down 5%. The City is working on a housing policy.
- g. Upper Gunnison River Water Conservancy District (UGRWCD). The UGRWCD will be occupying three units in a new building. The UGRWCD reported on models that indicate that by 2070 the Gunnison River will be flowing downward 35%. Also by that timeframe, the growing season may be 29 days longer and the spring pulse will happen 4 weeks earlier.
3. Proposed Cross Boundary Energy Improvement District Legislation. Commissioner Channell stated his hope that this proposed legislation, as sponsored by Senator Schwartz, had not been introduced yet because additional language work was needed. Commissioner Channell will provide an update during the next Board meeting.
4. Airport Joint Planning Conference. Commissioner Channell attended this recent conference. There was discussion related to safety and the use of discretionary funds versus entitlement funds. A new airport, including a terminal, is being funded and planned for St. George, Utah.
5. Energy Advisory Committee. Commissioner Channell and County Planner Cathie Pagano attended this meeting, along with Office for Resource Efficiency (ORE) Executive Director Andris Zobs and Community Energy Coordinator Maya Silver. He felt that all entities were represented well. This group met as a State-required advisory committee to Ms. Silver.
6. Tourism Association. Commissioner Channell informed the Board that the TA is utilizing WSC interns as collection persons for repository information.

BREAK: The meeting recessed from 11:03 until 11:20 am.

Chairperson Starr:

1. Potential River Icing Problems. Chairperson Starr expressed his desire to receive an update every two or three days on this issue. County Manager Birnie agreed to discuss this possibility with Emergency Manager Scott Morrill. Commissioner Channell questioned whether or not governments can provide equipment to assist private citizens. County Manager Birnie explained that the County has no jurisdiction or authority when it comes to the river. He also felt that the County would be taking on liability because staff members do not have the expertise to manage river icing. He felt that the only governmental agency that would become involved would be the Army Corps of Engineers. Chairperson Starr felt that the County could provide updates on the County website and County Manager Birnie agreed to discuss this possibility with Emergency Manager Morrill.
2. Clark Land Exchange Project. Chairperson Starr informed the Board that he attended the initial meeting with the board of directors and that there was a good turnout for the meeting with 10 to 12 optimistic persons representing the Housing Authority and other entities. Mr. Clark shared his vision of what affordable housing results he would like to achieve. The Articles of Incorporation should be formalized by the next meeting in February. The donation agreement may also be ready for finalization by that meeting.

ADJOURN: Moved by Commissioner Swenson, seconded by Commissioner Channell to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:35 am.

After the Board of County Commissioners regular meeting adjourned, the Board performed the annual detention center inspection.

Jim Starr, Chairperson

Hap Channell, Vice-Chairperson

Paula Swenson, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk