

**GUNNISON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
April 6, 2010**

The April 6, 2010 Board of Commissioners meeting was held in the Commissioners' Meeting Room at the Courthouse. Present were:

Jim Starr, Chairperson	Matthew Birnie, County Manager
Hap Channell, Vice-Chairperson	Ruth Dukeman, Clerk to the Board
Paula Swenson, Commissioner	Others Present as Listed in Text

CALL TO ORDER: Chairperson Starr called the meeting to order at 1:00 pm.

AGENDA REVIEW: It was noted that Colorado River Water Conservation District (CRWCD) representative Bill Trampe was unable to attend the meeting. County Attorney David Baumgarten requested the agenda item, Approval of Settlement of Arrowhead be delayed until another meeting. The agenda was approved as modified.

MINUTES APPROVAL:

Commissioner Channell requested a word be changed from "attended" to "reported" in his report section of the March 2, 2010 Regular Meeting minutes. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the March 2, 2010 Regular Meeting minutes as amended. Motion carried unanimously. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the March 23, 2010 Special Meeting minutes as submitted. Motion carried unanimously.

CONSENT AGENDA: Commissioner Channell requested Consent Agenda Item #25 be pulled for additional discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve Consent Agenda Items #1 thru #24 and authorize signatures. Motion carried unanimously.

1. Acknowledgment of Airport Manager Signature; Modification A001 to Access Agreement Number DE-RO01-05LM70012
2. Acknowledgment of Assistant County Manager Signature; Gunnison County Pedestrian Path & Bridge Project; Pavement Maintenance Services, Inc.
3. Ratification of County Manager Approval to Submit; Work Plan and Budget; Family Planning and Colorado FP Initiative Budget Application; \$182,284
4. Ratification of County Manager Signature; Request for Funds; FEMA Emergency Grant Request; \$7,239
5. Acknowledgment of County Manager Signature; Headwaters Explorations; Phase I Environmental Analysis for Public Works and Jail Sites
6. Acknowledgment of County Manager Signature; Region 10 Area Agency on Aging Funding Application; Senior Transportation; 7/1/2010 thru 6/30/2011; \$15,000
7. Acknowledgment of County Manager Signature; Region 10 Area Agency on Aging Funding Application; Information and Assistance Program; 7/1/2010 thru 6/30/2011; \$33,000
8. Ratification of Correspondence; House Transportation and Energy Committee; Support of SB 10-100
9. Second Addendum to the Development Improvements Agreement; the Glen Subdivision; Reception No: 588819
10. Contract; Provider Agreement for Health and Wellness Service Referrals; The Gunnison Sanctuary, LLC.
11. Contract; Provider Agreement for Health and Wellness Service Referrals; Colorado Fitness
12. Provider Agreement; Leah Goetz, M.A.; Professional Services Regarding Assessment, Service Planning and Clinical 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
13. Resolution; Amending Resolution #2010-7, a Resolution Approving Mail Ballot for the August 10, 2010 Coordinated Election; Ministerial Spelling Correction
14. Resolution; Establishing the Tomichi Village Division of the Gunnison County Water and Sewer District
15. Resolution; Approving a Change in Road Name, Homestead Road to Homestead Lane, Within the Danni Ranch Development, Gunnison County, Colorado
16. Release of Agreement Regarding Repayment of Gunnison County Loan; Darnel and McCall; Lot 16, North Elk Meadows Filing II; Reception No. 395794
17. Resolution; Authorizing the Execution of a Quitclaim Deed Conveying the Tincup Cemetery to the Tincup Civic Association
18. Quitclaim Deed; Conveying the Tincup Cemetery to the Tincup Civic Association
19. Agreement; Western State College of Colorado; Support Substance Abuse Prevention Activities with the WRAP (Western's Responsible Alcohol Partnership) Office and Distribute Funds to Support These Activities; \$3,000
20. Contract Amendment; United States Department of the Interior, U.S. Geological Survey, Amendment of Joint Funding Agreement for Water Resources Investigations

21. Amendment for Task Orders #2; Colorado Department of Public Health and Environment, PSD-WIC, FLA, Contract Routing Number 10-13959
22. Public Officials & Employment Practices Liability Application; Professional Governmental Underwriters, Inc.
23. Intergovernmental Agreement Concerning Wastewater Treatment for Tomichi Village Sewer Division; City of Gunnison
24. Colorado State Forest Service; Annual Fire Operations Plan
25. **Pulled for Discussion and Separate Action:** Contract Extension; Western Area Power Administration and Gunnison County; Weed Management on Transmission Line Rights-of-Way

CONSENT AGENDA ITEM #5: Commissioner Channell requested a record of local contracts working on County projects be developed.

CONSENT AGENDA ITEM #8: Commissioner Channell reminded the Board to request that local representatives be copied on these types of correspondence.

CONSENT AGENDA ITEM #25: As noted in the comments during staff routing, monitoring this contract for the potential for renegotiation in the future was requested by Commissioner Channell. **Moved** by Commissioner Channell, seconded by Commissioner Swenson for approval of Consent Agenda Item #25 and authorize appropriate signatures. Motion carried unanimously.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated. County Board of Equalization (CBOE) meeting dates were discussed with the dates of July 22nd, 26th, 29th and August 2nd and 4th, 2010 being set aside.

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

1. **Request for Support to Reject HB 10-1365; Oxbow Mining Company, LLC:** Discussion about this legislation and how it had already passed the House with a 34 to 0 vote and was heading to the Governor's Office commenced. Commissioner Channell provided a report about the potential impacts this bill could have on the mines located in Gunnison County.
2. **Jail/Public Works Project Update:** The design team was reported to be in town and working with County representatives. It was hoped that general designs could be available for a public meeting scheduled April 21, 2010. Commissioner Starr asked about the size of the facility. The data was being collected and analyzed to fully understand the requested needs. Then the design details would be matched with the budget with a recommendation anticipated in the coming weeks. Discussion about the proposed site ensued. Keeping the building in the far south west corner of the parcel, parking considerations, access to the proposed building and a desire to mark the site for public viewing commenced. The proposal was selected for consideration by the Governor's Energy Office as an Energy High Point Project it was thought that a contractor could be assigned in the coming weeks to assure that their contributions would be included early in the process.
3. **Managing for Results (MFR):** An author was in contact with County Manager Birnie about the use of the MFR model for jurisdictions the size of Gunnison County. An interview was scheduled.
4. **Western State College (WSC):** A meeting is scheduled to further investigate biomass operations. Public Works Director Marlene Crosby proposed placing a biomass material collection and processing site at the Landfill, with hopes of being able to use additional materials brought to that location.

PUBLIC HEARING; Community Service Block Grant

Chairperson Starr opened the Public Hearing at 11:37 am.

1. **Public Notice Confirmation.** It was confirmed that proper public notice had occurred.
2. **Identify Ex Parte Communications.** There were no ex parte communications identified.
3. **Staff Presentation.** Health and Human Services Director, Renee Brown was present for discussion. She presented the details related to a Community Services Block grant application for \$26,389. She further detailed how these funds were typically used for those in need for emergency housing, medical care, child care, food assistance and utility services. The funds were thought to be allocated through February 28, 2011. She explained how the need in the community had dramatically risen and how partial assistance was being provided to service as many people as possible because the funding amount available for distribution did not increase. Authorization of the County Manager to sign the contract when received was discussed.
4. **Applicant Presentation.** There was no Applicant Presentation.
5. **BOCC Questions.** Commissioner Channell asked how it was determined if the person in need was experiencing an emergency. The forms needed, the interviewing process and case management steps taken to determine eligibility were presented.

6. Public Comment. There was no public comment provided.
7. Acknowledge Correspondence Received. No additional correspondence was received.
8. Applicant Response. There was no Applicant Response.
9. BOCC Decision. Chairperson Starr closed the Public Hearing at 11:44 am and immediately reconvened the Board of County Commissioners Regular Meeting.

COMMUNITY SERVICE BLOCK GRANT APPLICATION AND PLAN; 3/1/10 THRU 2/28/11: Moved by Commissioner Channell, seconded by Commissioner Swenson to approve the Community Services Block Grant Application and authorize the County Manager's signature on all applicable documents. Motion carried unanimously.

ASSISTANT COUNTY MANAGER'S REPORTS AND PROJECT UPDATES: Assistant County Manager Crosby had an unexpected scheduling change and was not present for this agenda item.

GUNNISON COUNTY FINANCIAL MANAGEMENT POLICIES; POSSIBLE ADOPTION: Finance Director Linda Nienhueser was present discussion. The process was reviewed and the Board expressed their appreciation for development of a formalized policy. Moved by Commissioner Swenson, seconded by Commissioner Channell to adopt Resolution 2010-09 A Resolution Adopting Gunnison County Financial Policies as presented and authorize signatures. Motion carried unanimously.

REQUEST FOR LETTER OF SUPPORT; GUNNISON RANCLAND CONSERVATION LEGACY; GOCO CONSERVATION EASEMENT APPLICATION: Gunnison Ranchland Conservation Legacy Executive Director Lucy Goehl was present for discussion. This request for was for the phase two portion of the project. Photos of the proposed site were presented and the location discussed. Moved by Commissioner Channell, seconded by Commissioner Swenson to approve the proposed modified letter of support and authorize signatures. Motion carried unanimously. Ms. Goehl announced an upcoming GOCO Board meeting scheduled for June 17, 2010 at the Gunnison Community Center.

MEMORANDUM OF AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO AND THE CRESTED BUTTE FIRE PROTECTION DISTRICT; CLARIFYING TASKS TO BE PERFORMED TO ACCOMPLISH THE GOALS OF DISTRICT RESOLUTION NO. 1, SERIES 2005 AND COUNTY RESOLUTION 2008-47: County Attorney Baumgarten was present for discussion. He explained how this document was to clarify and formalize communications between the Crested Butte Fire Protection District and Gunnison County and did not add additional tasks or goals. The specific verbiage relative to the paragraph concerning issuance of Certificate of Occupancy (CO) was discussed. County Manager Birnie presented projects that could be influenced by this resolution, enforcement concerns and the improvements to the process. Moved by Commissioner Swenson, seconded by Commissioner Channell to approve the Memorandum of Agreement between the Board of County Commissioners of Gunnison County, Colorado and the Crested Butte Fire Protection District; Clarifying Tasks to be Performed to Accomplish the Goals of District Resolution Number 1, Series 2005 and Gunnison County Resolution 2008-47 and authorize Chairperson Starr's signature on the document. Motion carried unanimously.

COLORADO RIVER WATER CONSERVATION DISTRICT (CRWCD) REPORT:

A scheduling conflict prohibited CRWCD representative Bill Trampe from being present for discussion.

COMMISSIONERS MEETING REPORTS:

Commissioner Swenson:

1. **Young at Heart:** A recent meeting was attended about the organizational logistics, including the need for insurance, for the organization. The cost for insurance was anticipated to be around \$1,600. Potential sources of funding, contract considerations and details related to the expense were discussed. Development of a board of directors and finding members in the community that are willing to serve the functions needed and to help revive the efforts and services provided by the group were presented.
2. **Gunnison Valley Rural Transportation Authority (RTA) Meeting:** Joint marketing efforts, monthly meetings between interested parties and the inclusion of Monarch Mountain in future marketing efforts were reported. Additionally, budgetary concerns and considerations, airline guarantees and funding contributions to the RTA were presented. Discussion about County funds allocated for the RTA Cement Creek Park-and-Ride project commenced.
3. **Region 10:** A Region 10 hosted retreat was attended. The organization was planning to pursue a change to their structure and become a 501c3 to be able to pursue business partnerships. The organization was reported to be more prevalent in the business community with their building in Montrose reaching the desired rental capacity.
4. **Economics Group:** The group was focusing on communication efforts to promote the entire community with marketing efforts to those interested in relocating to the area.

5. **Ranchland Education Group:** A meeting was held April 5, 2010 with the members from the Gunnison County Stockgrower's Association board in attendance. Education efforts about ranching for the community were discussed with the group. Community leaders are supportive of the proposed activities and with calving season in full swing, future meetings will be scheduled later in the summer months.

Chairperson Starr:

1. **Support HB 1355 Update:** Commissioner Starr reported on a recent article from the High Country News highlighting projects that converted bi-products from coal powered plants into usable products. Discussion about implementation of the proposed technologies to help support the local coal industry commenced.
2. **Mayors/Managers Meeting:** Projects, sales tax numbers, recent events, water availability and proposed land purchases for open space and trail development were reported.
3. **Colorado Division of Wildlife (DOW):** A meeting concerning hunting licensure was attended. It was noted that there appeared to be a reduction to the number of licenses available for archery season and that the number of animals harvested was less than anticipated.

Commissioner Channell:

1. **Colorado State University (CSU) Extension Workshop:** An energy efficiency measures workshop was attended in Alamosa, Colorado. The workshop hosted presentations about bio-fuels and solar power generation. Bio fuels seed oil creating were demonstrated, field trips and conversations about bio seed operations were presented.
2. **John Salazar Staff Visit:** Land exchange and updates for the wilderness topics were discussed.
3. **Tourism Association (TA) Meeting:** Commissioner Channell reported that new members were seated during the meeting he attended. Crested Butte Mountain Resort was reported to be developing sales staff using a regional model. The ski area had been the recipient of several awards and it appeared that the public was booking their vacation travel closer to the event, versus in advance. Attendance to the meeting from Chamber of Commerce personnel was discussed.

BREAK: The meeting recessed from 3:08 pm until 3:18 pm.

COLORADO COUNTIES, INC. (CCI) LEGISLATIVE UPDATES:

Commissioner Channell reported on legislation that was considered by CCI.

SB 100: Request for PACE programs. CCI's position was in support of the bill as it would be challenging to continue the program without the elements included in the legislation.

Long Bill: Encouraged budgetary action that proposes to bring the Colorado state budget into balance for the 2010-2011 cycle. This legislation will have an impact on the funding available for Counties and Municipalities.

HB 1388: Cash fund transfer to augment the general fund. Opposing the legislation and formal consideration will be made at an upcoming meeting. It appeared that a proposed amendment might have a reduction in loan programs with an increase for direct distribution plans.

Elected Officials Salaries: Concurrent resolution to set salaries for County Elected Officials. Elected officials are in opposition to the legislature. The salary commission created in 2005 appears to be effective and there was not a desire to make changes to the system currently in place that the salaries are set at the state level versus this legislation that proposed the salaries be set by the Board of County Commissioners.

Geothermal Activities: Geothermal energy use and the ongoing litigation in Ouray was being considered. The effects of geothermal activity on recreational hot springs resorts may need additional discussion.

HB 1188: This legislation concerning river rafters was sent to a Conference Committee and a study may be proposed.

HB 1293: A task force is being proposed to research tax assessment for agricultural lands. It was thought that this legislation might be scheduled for debate on the floor soon.

HB 1365: As discussed earlier in the meeting. This legislation that required coal powered operations to be modified to gas for power plants was moving through the legislative process.

HB 1328: Was currently not supported because there was preference for SB 100 to move though the process first.

HB 1348: Uranium Mill bill. CCI was in support of the legislation and it was thought to be in review.

GUNNISON-CRESTED BUTTE AIRPORT ADVERTISING: County Attorney Baumgarten was present for discussion. He reported that a local business owner felt the advertising agency that was providing services at the Gunnison-Crested Butte airport might not be enforcing contract obligations fairly. The Board requested additional research related to the citizen claim to be performed by staff.

CENTRAL ROCKIES LAND EXCHANGE LEGISLATION: Founder of the Western Land Group Tom Glass and County Attorney David Baumgarten were present for discussion. The history of this topic was reviewed with a letter from the Board dated July 24, 2009 listing contingencies. Discussion about the

specific location of the proposed exchange, potential improvements to the property being acquired and funding to support the projects were discussed in detail. Modifications to the draft letter were proposed.

Moved by Commissioner Swenson, seconded by Commissioner Channell to approve the amended letter of support for the proposed Bear Ranch Land Exchange and approve signatures. Motion carried unanimously. A copy of the letter will be provided to Mr. Glass via email.

APPROVAL OF SETTLEMENT OF ARROWHEAD / GUNNISON COUNTY / MAESTAS LITIGATION: At the request of the County Attorney's Office, this item was postponed to another meeting.

GRANT APPLICATION; DEPARTMENT OF LOCAL AFFAIRS, COLORADO DIVISION OF HOUSING; PURCHASE STALLION PARK CONDOMINIUM PROJECT; \$2,000,000: Housing Director K.T. Gazunis and several local citizens were present for discussion. The application process was presented by Housing Director Gazunis. The financing options were reviewed with a desire for them to be exclusively grant funds. The number of units included in the proposal, with the addition of a unit currently under the ownership of Gunnison County was discussed. Another unit currently owner occupied would not be affected by this proposal. The language of the resolution was deliberated with it being modified to remove the word "rental" in a phrase. The technicalities related to the developer and current situations relative to obligations from said developer to Gunnison County were further deliberated.

Moved by Commissioner Channell, seconded by Commissioner Swenson to approve Resolution Number 2010-10 Authorizing the Submission of a Grant Application, Execution of Documents and Signatory Authority Related to "The Neighborhood Stabilization Program Grant". Discussion related to the motion commenced.

Citizen and local business owner Mark Schumacher explained how he did not feel there was a need for additional housing in the area because he has several rental units sitting empty. He further explained that he felt this program would be in competition with properties in the private sector.

Citizen Sue Eskew responded to Mr. Schumacher's comments that she felt there was a need for affordable housing.

Buckhorn Ranch resident Grant Bremmer explained how he felt stigmatized, victimized and now there was a proposal for adding low-income rental properties into his neighborhood. He further expressed his frustration about how he did not feel there was compassion for the landowners in the area because the only communications he had received about the proposed project were in the newspaper.

Independent broker Mindy Costanzo explained that she felt there was an adequate inventory of property available. She further explained how she did not feel that the information contained in a housing assessment study that was performed by an agency from outside of the community adequately reflected the area.

Buckhorn Ranch property owner, and real estate agent Mindy Stern expressed how she did not see a need for housing in the community and asked that the Board consider the current property owner and the effect that this proposal could have on their property values. She encouraged additional communications with the homeowners association.

Chairperson Starr explained that this project was in the conceptual stages and that the motion, as presented only gave the authorization for grant funds to be pursued. He further detailed how these funds are only being requested and how this opportunity to improve the neighborhood could be pursued.

Mr. Bremmer asked if the funds could be used for another property. It was explained that if the funds were to be granted, that it was believed that they could only be used for the proposed property site. It was further noted that if needed, these funds could be declined and not used. Mr. Schumacher further commented that the County should be subject to the same land use change process as citizens.

Motion carried unanimously.

OUT-OF-STATE TRAVEL REQUEST; GUNNISON COUNTY HOUSING AUTHORITY EXECUTIVE DIRECTOR K.T. GAZUNIS; NEIGHBORWORKS TRAINING INSTITUTE; PHOENIX, AZ; 05/03/10 THRU 05/07/10; \$500: Housing Director K.T. Gazunis was present for discussion. She presented information about the program and that a scholarship would be used for majority of the \$1,300 estimated expenses. Details related to the budget were explained. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve the out-of-state travel request not to exceed \$500 for Housing Director Gazunis to travel to the Neighborworks Training Institute in Phoenix, AZ. Motion carried unanimously.

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

ADJOURN: Moved by Commissioner Channell, seconded by Commissioner Swenson to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 5:02 pm.

Jim Starr, Chairperson

Hap Channell, Vice-Chairperson

Paula Swenson, Commissioner

Minutes Prepared By:

Ruth Dukeman, 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. 2010-09

A RESOLUTION ADOPTING GUNNISON COUNTY FINANCIAL POLICIES

WHEREAS, Gunnison County is a statutory county with an elected Board of Commissioners that is responsible for setting policy, appointing administrative personnel and the adoption of an annual budget in accordance with state statutes; and

WHEREAS, Gunnison County is responsible for the use of public dollars within its community; and

WHEREAS, Resources should be used prudently to ensure adequate funding for the services, public facilities and infrastructure necessary to meet the community's present and future needs; and

WHEREAS, the County's budget process provides a comprehensive and participatory approach for creating a budget plan that addresses the needs of residents through effective management of County resources; and

WHEREAS, the County's financial policies are intended to serve as a blueprint to achieving the fiscal stability required to fund the services, public facilities and infrastructure necessary to meet the community's immediate and long term objectives. In addition, these policies can improve financial planning and assist with internal financial management for the County.

NOW THEREFORE, BE IT RESOLVED the Board of County Commissioners of Gunnison County, Colorado adopts the "Gunnison County Financial Policies identified in Exhibit A, attached hereto and incorporated herein.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Channell, and adopted this 6th day of April, 2010.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Channell – yes, Starr – yes, Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO**

RESOLUTION NO. 2010-10**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION, EXECUTION OF DOCUMENTS AND SIGNATORY AUTHORITY RELATED TO "THE NEIGHBORHOOD STABILIZATION PROGRAM GRANT"**

WHEREAS, the Board of County Commissioners of the county of Gunnison, Colorado (hereinafter the "Board") has reviewed current and potential needs of Gunnison County and acquiring additional real property for affordable housing is in the best interest of the public; and

WHEREAS, pursuant to C.R.S. 30-11-101 and 30-11-1-3, the Board has authority to purchase and own real property; and

WHEREAS, Gunnison County is applying for a Neighborhood Stabilization Program ("NSP") Grant in the amount of \$2,000,000 for housing acquisition and rehabilitation activities; and

WHEREAS, the purpose of the NSP grant program is to assist in stabilizing the property values in targeted communities by decreasing the rate of decline in property values due to foreclosure, purchase and rehabilitate housing to lessen the extended negative impact of foreclosed and blighted properties in neighborhoods, and to acquire foreclosed properties to provide housing for the most severely cost burdened households; and

WHEREAS, the NSP grants will be available statewide throughout Colorado; and

WHEREAS, the Board must adopt and submit to the Colorado Division of Housing updated plans including the Certification of Consistency with the Consolidated Plan; and a Resolution from the Board authorizing the application for the NSP Grant and designating the signatory authority; and

WHEREAS, the Board has determined that it is in the best interests of the citizens of Gunnison County to comply with these requirements and receive funding that will help improve the housing conditions of low-income households through the activities associated with this grant.

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

1. That the Board does hereby authorize the submission and filing of all documents necessary to apply for the NSP Grant, including all understanding and assurances contained therein.
2. That the Exhibits attached hereto and incorporated herein are approved and adopted by the Board.
3. That the Board does hereby authorize Matthew Birnie as its official representative to execute these documents related to the NSP grant in Gunnison County, including the Grant Agreement, Funding Approval, and other documents required to undertake the development and implementation of the NSP grant in Gunnison County.
4. That this Resolution shall be effective upon its adoption.

INTRODUCED by Commissioner Channell, seconded by Commissioner Swenson, and adopted this 6th day of April, 2010.

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: 10-11**A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED CONVEYING THE TINCUP CEMETERY TO THE TINCUP CIVIC ASSOCIATION**

WHEREAS, Gunnison County, by virtue of Colorado law, has become the owner of certain real property previously owned by the Town of Tincup; and

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado has received a request to convey the Tincup Cemetery to the Tincup Civic Association, a Colorado nonprofit corporation; and

WHEREAS, it is the Board's understanding that the Tincup Civic Association has been managing and maintaining the Tincup Cemetery for a considerable amount of time; and

WHEREAS, in consideration of the fact that the Tincup Civic Association wishes to take further responsibility in the management and maintenance of the Tincup Cemetery it is beneficial to convey the Tincup Cemetery to the Tincup Civic Association; and

WHEREAS, execution of a certain Quitclaim Deed is necessary to convey the Tincup Cemetery to the Tincup Civic Association.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that Matthew Birnie, the duly-appointed Commissioner of Deeds for Gunnison County, be and hereby is authorized and directed to sign the Quitclaim Deed as set forth in "Appendix A" attached hereto and incorporated herein.

This conveyance shall not in any way obligate Gunnison County to maintain access to the Tincup Cemetery or over internal roads of the Tincup Cemetery.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Channell, and adopted this 6th day of April, 2010.

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: 2010-12**

**A RESOLUTION CORRECTING AND REPLACING RESOLUTION NO: 10-7 APPROVING MAIL
BALLOT FOR THE AUGUST 10, 2010,
COORDINATED ELECTION**

WHEREAS, in Gunnison County Resolution No: 10-7 Commissioner Paula Swenson's name was inadvertently misspelled; and

WHEREAS, this Resolution corrects and replaces Resolution No: 10-7 and reiterates the following:

WHEREAS, the Board of County Commissioners of the County of Gunnison, State of Colorado (hereinafter "The Board"), pursuant to Article 7.5, Section 104, of Title 1 of the Colorado Revised Statutes, has the authority to decide whether to conduct a Primary Election by mail ballot; and

WHEREAS, a Mail Ballot election is more cost effective than a Polling Place election; and

WHEREAS, a Primary Election could be cancelled under certain circumstances pursuant to Article 4, Section 104 of Title 1 of the Colorado Revised Statutes; and

WHEREAS, Gunnison County Clerk and Recorder Stella Dominguez has held a Public Hearing as required pursuant to Article 7.5, Section 105(1.5)(b) and Rule 12 of the Secretary of State Election Rules; and

WHEREAS, Gunnison County Clerk and Recorder Stella Dominguez has made a recommendation to the Board that this 2010 Primary Election should be by a Mail Ballot Election; and

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

THAT the August 10, 2010 Primary Election shall be conducted as a Mail Ballot Election, that pursuant to Article 7.5 of Title 1 of the Colorado Revised Statutes; AND

THAT the County's Designated Election Official for such election will be Stella Dominguez, Gunnison County Clerk and Recorder.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Channell, and adopted this 6th day of April, 2010 nunc pro tunc March 16, 2010.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Channell – yes, Starr – yes, Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY
RESOLUTION NO: 10-13**

**A RESOLUTION ESTABLISHING THE TOMICHI DIVISION
OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT**

WHEREAS, there was established, by virtue of Resolution 9, Series 1977 of the Board of County Commissioners of Gunnison County, Colorado, the Gunnison County Water and Sewer District; and

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado, may, in their sole discretion, designate and establish divisions of the Gunnison County Water and Sewer District, which divisions shall be wholly within the boundaries of said Water and Sewer District and may be established only by resolution of the Board of County Commissioners describing the boundaries of the division; and

WHEREAS, the Board of County Commissioners deems it necessary to designate and establish a Tomichi Division of the Water and Sewer District;

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

Section 1. Establishment of Tomichi Division of the Gunnison County Water and Sewer District.

There is hereby designated and established, pursuant to Resolution 9, Series 1977, the Tomichi Division of the Gunnison County Water and Sewer District.

Section 2. Boundaries of the Tomichi Division.

Tomichi Division is and shall consist of those properties set forth in Exhibit "A" and Exhibit "B" attached hereto and incorporated herein.

Section 3. Water and Sewer Services Within the Division.

The Board of County Commissioners may provide such services within the Division which the Board in its sole discretion deems necessary for the protection of the health, safety and general welfare of the inhabitants thereof, and which are authorized by C.R.S. (1973) 30-20-401 *et seq.*, as it may be amended, including but not limited to the acquisition, construction, reconstruction, lease, improvement, betterment, or extension of any water facilities or sewerage facilities, or both.

Section 4. Services Not Required.

Nothing contained herein shall be construed as requiring the Board to provide sewer collection, treatment, disposition facilities or services, or water collection, treatment or distribution facilities or services, or any other facilities or services. The provision of any such facilities or services, or the non-provision of same, shall be at the sole discretion of the Board for any reason whatsoever.

Section 5. Funding.

The Board shall, by virtue of this or any subsequent resolution passed in connection herewith, have the full right and authority to acquire, improve or extend any water and/or sewerage facility as defined by law including but not limited to lands, easements and/or rights in land in connection therewith by gift, purchase, lease or eminent domain, or other legal authority. To pay for such facilities, the Board shall have all the rights and authorities provided by virtue of C.R.S. (1973) 30-20-402 as it may be amended.

Section 6. Authority Not Limited.

Nothing contained herein shall be interpreted as limiting the authority of the Board. It is the intent hereof to enable the Board of County Commissioners to exercise the full authority granted by law, whether or not recited herein.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Channell, and adopted this 6th day of April, 2010.

Channell – yes, Starr – yes, Swenson – yes.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 10-14**

**A RESOLUTION APPROVING A CHANGE IN ROAD NAME
HOMESTEAD ROAD TO HOMESTEAD LANE
WITHIN THE DANNI RANCH DEVELOPMENT
GUNNISON COUNTY, COLORADO**

WHEREAS, the Board of Directors of the Danni Ranch Association and Gunnison County have requested that the road name of Homestead Road, as shown on the plat of Danni Ranch, recorded with the Gunnison County Clerk and Recorder, on August 7, 1992, at Reception No. 435985, be changed to Homestead Lane, to eliminate duplication of road names in Gunnison County; and

WHEREAS, the change in road name has been reviewed and approved by Gunnison County Emergency Services; and

WHEREAS, the provision of a non-duplicate named road will provide for accurate emergency service addressing and timely response by emergency service personnel;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that the change in road name of Homestead Road to Homestead Lane is hereby approved.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Channell, and passed on this 6th day of April, 2010.

BOARD OF COUNTY COMMISSIONERS

Channell – yes, Starr – yes, Swenson – yes.