

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
April 20, 2010**

The April 20, 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 Manager Birnie moved the 9:10 and 9:45 am agenda items to 8:35 to be included within Assistant County Manager Marlene Crosby's reports.

MINUTES APPROVAL: Moved by Commissioner Swenson, seconded by Commissioner Channell to approve the February 16, 2010 Regular Meeting minutes as presented. Motion carried unanimously. Moved by Commissioner Swenson, seconded by Commissioner Channell to approve the April 6, 2010 Regular Meeting minutes as presented. Motion carried unanimously. Moved by Commissioner Swenson, seconded by Commissioner Channell to approve the Public Hearing minutes of March 16, 2010 as were emailed to us. Motion carried unanimously.

CONSENT AGENDA: Commissioner Channell requested that Consent Agenda Items #10 and #15 be pulled for further discussion. Chairperson Starr requested that Consent Agenda Item #6 be pulled for further discussion. Moved by Commissioner Swenson, seconded by Commissioner Channell to approve the Consent Agenda excluding Items #6, #10 and #15. Motion carried unanimously.

1. Acknowledgment of County Manager Signature; Contracts; Eaton Sales and Service; Fuel System Somerset Location; \$44,574, Gunnison Landfill Location; \$26,873 and Marble Location; \$41,661
2. Acknowledgment of County Manager Signature; Colorado Department of Public Health and Environment (CDPHE), Emergency Preparedness and Response Division (EPRD); Pandemic Influenza A (H1N1) Activities, H1N1 Phase II and Phase III, 2009-2010 Revised Scope of Work (4/1/2010), Gunnison County Department of Health and Human Services; 9/28/09 thru 7/30/10; \$95,929.18
3. Acknowledgment of County Manger Signature; Business Associate Agreement; Gunnison County Employee Medical and Dental Benefit Plan and NGS American, Inc.; 2/17/2010
4. Acknowledgment of County Manger Signature; Grant Application; Temple Hoyne Buell Foundation; Bright Beginnings and Nurturing Parenting Program; \$22,000
5. Acknowledgment of County Manager Signature; Consultative and Investigation Services Letter of Confirmation; Business Controls, Inc.
6. Pulled for Discussion and Separate Action: Addendum to Easement Agreement; Jeffrey Hermanson, JFHermanson, LLC; Correction to Town Property Description and Clarification of the Name of the Owner of the Town Property
7. State of Colorado Department of Local Affairs Hazardous Materials Emergency Preparedness Grant Agreement; Contract Routing #10NAA, Encumbrance #10EM71627, Account Code SB00/716/FOT6/3716/5120/\$15,000
8. Grant Agreement Amendment; Colorado Department of Education; \$800
9. Six-Month Extension of Law Enforcement Agreement Between Gunnison County Board of County Commissioners, Gunnison County Sheriff, and Town of Mt. Crested Butte; 1/1/2010 thru 6/30/2010
10. Pulled for Discussion and Separate Action: Contract; County/Architect Agreement for Detention Center and Public Works Project; Blythe Group
11. Grant Application; Health Disparities Grant Program; FY 2010-11 Health and Human Services Funding; \$27,362
12. Contract; Innoprise Software, Inc; Community Development Permitting System
13. Sales and Monitoring Agreement; Superior Alarm & Fire Protection; Gunnison County Department of Human Services; 10/23/09 thru 10/23/11; Automatically Renewable for Two-Year Terms Unless Cancelled; \$240
14. Contract; Gunnison County and Colorado Department of Public Health and Environment PSD-WWC; Contract Routing Number 10-13280; Woman's Wellness Connection Screening Program
15. Pulled for Discussion and Separate Action: Lease Agreement; Gunnison County and Paradise Animal Welfare Society; Animal Rescue Facility

CONSENT AGENDA ITEM #6: Chairperson Starr asked for more information about the easement. County Attorney David Baumgarten explained that this is the old easement with a name correction and that the correction will not grant new access. Moved by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #6. Motion carried unanimously.

CONSENT AGENDA ITEM #10: Commissioner Channell asked to pull this item for further discussion since it only reflected the jail project and not the public works project. County Manager Birnie will clarify this later in the day when the consultants are here. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve Consent Agenda Item #10. Motion carried unanimously.

CONSENT AGENDA ITEM #15: Commissioner Channell asked for additional discussion to ensure that the lease is at no cost to the Paradise Animal Welfare Society. This was confirmed and County Attorney Baumgarten felt that it was appropriate. Chairperson Starr expressed concern that the lease allowed the County to take ownership (use) of the building at the end of the 20-year term. County Manager Birnie explained that this language was standard in contracts where an entity is utilizing public property. Chairperson Starr felt that language should be included regarding provisions for either the lessee's desire to abandon the property or default of the lease, but County Attorney Baumgarten suggested that the language remain. County Manager Birnie felt that language could be included regarding removing or demolishing the building, or renewing the lease. Commissioner Channell and Commissioner Swenson agreed that the language should remain consistent with other leases. County Attorney Baumgarten stated that Gunnison County Electric Association (GCEA) had given the County a revocable license to cross their property for this particular purpose only; he asked that the motion give County Manager Birnie the authority to execute the revocable license. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #15, with the addition of authorizing the County Manager to sign the revocable license with GCEA. Motion carried unanimously.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Capital Projects Schedule. County Manager Birnie informed the Board that Roy Blythe and Mike Mismash would be present later in the day to discuss the schedule. The Board will have the ability to ask questions about the process and the 4/21/10 Public Meeting. Another Public Meeting and a schematic design presentation will be scheduled for 5/18/10. The project will have a website.
2. Mt. Crested Butte Law Enforcement Contract. County Manager Birnie informed the Board that he is continuing to work on this contract and that a solution will take some time.
3. Office for Resource Efficiency (ORE) Office Space. County Manager Birnie informed the Board that space had been identified within the Housing Authority building for ORE. Gunnison County Housing Authority Executive Director KT Gazunis is in agreement with the location and Finance Director Linda Nienhueser has allocated \$300 per month for costs, which is within ORE's budget. County Manager Birnie requested permission to continue with the arrangements. The Board agreed; this will be on a future Consent Agenda.
4. Marble Tourism Association Update. Chairperson Starr requested an update and County Manager Birnie informed the Board that the County had not received any additional information.
5. Somerset Internet Access Update. Chairperson Starr requested an update and Commissioner Channell agreed to pen correspondence.
6. Memorandum of Understanding with the Bureau of Land Management; Geothermal Leasing. Commissioner Channell requested an update. County Manager Birnie confirmed that he had signed the agreement, as approved by the Board.

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

1. North Bridge Pedestrian Trail Project. Assistant County Manager Crosby informed the Board that this project is underway.
2. North Valley Sewer Project. Assistant County Manager Crosby informed the Board that this project had resumed activity.
3. Antelope Hills Water Project. Assistant County Manager Crosby stated that this project was proceeding well; she is scheduled to meet with the Planning Commission next week to continue discussions.
4. Riverland Industrial Park; Intersection Status Report. President of the Riverland Industrial Park Property Owners Association Danny D'Aquilla and John Councilman were present to request assistance with either materials and/or chip seal for this project. Assistant County Manager Crosby felt that the County could assist with chip seal on the highway. Mr. D'Aquilla presented an engineering map outlining the proposal and the work that is planned to be completed by John Councilman's construction company, including acceleration and deceleration lanes on both sides. Mr. D'Aquilla stated that he is prepared to finalize a contract, but that he is coming up short on material. Assistant County Manager Crosby felt that utilizing the County's stockpile of road base in the north end of the valley would result in replacement costs double the amount that was originally paid since she purchased the stockpile when the prices were low. Mr. D'Aquilla stated that he had no other source for funding. Assistant County Manager Crosby felt that the material could be paid back to the County, over time and at the current cost. She will determine the possibility of locking in a price to replace the stockpile. She also felt that the County could commit to the chip seal portion of the request. Mr. D'Aquilla confirmed that the State has been pleased with the progress. **Moved** by Commissioner Channell, seconded by Commissioner

Swenson to authorize the Assistant County Manager to negotiate and finalize a deal on the road base for the realignment of the south entrance of Riverland and the chip seal assistance. Motion carried unanimously.

BREAK: The meeting recessed from 9:09 until 9:12 am in order to hold the below Public Hearing.

PUBLIC HEARING; VACATION OF ROADS IN CRYSTAL CREEK SUBDIVISION: Attorney Marcus Lock and County Attorney Baumgarten were present for discussion.

1. Open Public Hearing. Chairperson Starr opened the Public Hearing at 9:09 am.
2. Public Notice Confirmation. County Attorney Baumgarten confirmed that the Public Hearing had been properly noticed.
3. Identify Ex Parte Communications. There were no ex parte communications identified.
4. Staff Presentation. County Attorney Baumgarten explained that a set of right-of-way easements will need to be completed along with resolution vacating certain public roads that cross Crystal Creek. He noted that the documents were not yet reviewed by all properties, so he requested that this Public Hearing be continued to May 4, 2010.
5. Applicant Presentation. N/A.
6. Board Questions. N/A.
7. Public Comments. There were no members of the public present for comment.
8. Acknowledge Correspondence Received. No additional correspondence was identified.
9. Applicant Response. N/A.
10. Close Public Hearing. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to continue this Public Hearing for the vacation of roads in Crystal Creek Subdivision to 5/4/10 at 9:50 am. Motion carried unanimously.

FUNDING REQUEST; SOMERSET PARK: Assistant County Manager Crosby and County Attorney Baumgarten were present for discussion.

Assistant County Manager Crosby felt that, since Facilities Maintenance Supervisor Rich Corbett already provided a lawnmower, a riding mower was not warranted. She didn't feel that flowers should be paid for since the County initially planted these items. She also felt that the County had covered more than agreed to in the beginning with the contract. Commissioner Channell felt that some maintenance issues are related to upkeep of the County's investment, such as blowing out the sprinkler and keeping the fence oiled. Commissioner Swenson felt that the County could commit to a certain dollar amount each year. Assistant County Manager Crosby agreed that \$300 was appropriate with the flexibility to pay for repairs. Commissioner Channell felt that the Park should be able to use this discretionary money for what they prioritize. Chairperson Starr felt that the County should blow out the sprinkler and give \$500 annually. Assistant County Manager Crosby will draft a letter and provide a recommended cost to the Board.

APPROVAL OF SETTLEMENT OF ARROWHEAD / GUNNISON COUNTY / MAESTAS LITIGATION; POSSIBLE EXECUTIVE SESSION: County Attorney Baumgarten was present for discussion.

County Attorney Baumgarten explained that an agreement had been reached regarding the garage that eventually became livable space, complete with plumbing and utilities. The only remaining issue involved attorney's fees and costs. He suggested that the seasonal and time sensitive issues regarding the building and ISDS permitting be solved now and that the issue regarding fees wait until a later date. He provided a draft agreement that would solve the immediate issues. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve the Partial Settlement Agreement, an agreement made between the Board of County Commissioners of the County of Gunnison, the Arrowhead Improvements Association, Inc. and Vernon Maestas and Cathy Maestas, and authorize the Chairperson's signature. Motion carried unanimously.

BOARDS AND COMMISSIONS APPOINTMENTS: **Moved** by Commissioner Channell, seconded by Commissioner Swenson to appoint the following people to the following boards for the following terms: Lorraine Rup to the Beautification/Scenic Corridors Committee for a one-year term, Peter Caloger to the Gunnison Basin Sage-grouse Strategic Committee for a two-year term, Anthony Poponi to the Environmental Health Board for a one-year term, Phil Lambert to the Gunnison County Trails Commission for a three-year term, Edmund Seymour to the Library Board for a five-year term, and Mary Vader to the Library Board for a five-year term as well. Motion carried unanimously.

BREAK: The meeting recessed from 9:42 until 10:18 am.

CAPITAL PROJECTS UPDATE: Project One Integrated Services representative Mike Mismash, Blythe Group Principal Roy Blythe, Sheriff Rick Murdie, Undersheriff Rick Besecker and Fleet Manager Lee Partch were present for discussion.

Mr. Blythe explained that two teams are working on these projects; one for the jail facility and one for the public works facility. Kick-off meetings had been completed for both projects. As well, both facilities have been toured, a history of both projects had been reviewed, and pertinent staff members and users had been given the ability to provide input.

Mr. Mismash confirmed that the projects are on schedule given certain goals and objectives. The jail facility's construction schedule will be determined somewhat by Cattlemen's Days and the seasonality of construction. This week, ads will be placed for interest in the Construction Manager / General Contractor position.

Mr. Blythe reviewed the extensive schedule for both projects. The public works facility will be ready for occupancy by March 2011 while the jail facility will take longer to build. Construction will be purposely phased to accommodate issues such as weather and availability of local contractors.

Mr. Mismash stated that the County would hire one general contractor with sufficient experience with both types of projects. He anticipates that numerous good firms will submit interest. Facilities Maintenance Supervisor Rich Corbett will be included in the scheduling process to the extent feasible.

County Manager Birnie stated that both facilities will be built to comply with 2009 building design standards. Phasing will be worked out once a general contractor has been selected. Utilizing local workers will be a priority of both projects. A sustainability charrette will be held on 4/28/10, possibly at the rodeo grounds. Project One and Blythe Group will provide updates to the Board approximately every five weeks.

Copies of the construction schedule were given to representatives from the Gunnison Country Times and the Crested Butte News.

County Manager Birnie will compile a list of community and Board meetings relative to both projects.

FUNDING REQUEST; YOUNG AT HEART: Commissioner Swenson reminded the Board that she had mentioned this issue during her report a couple of weeks ago. The Young at Heart program is operating as a 501c3 non-profit entity without insurance for the operations, officers, practices and cooks, which can be obtained for a quoted price of \$1,635 annually. Commissioner Swenson felt that this viable community service should be funded and that the funding should be made part of the County's agreement with Young at Heart.

County Manager Birnie agreed that a separate insurance policy was in order and that it could be paid via discretionary funding. He noted that the Young at Heart employees cost the County approximately \$20,000 plus administrative costs annually. Region 10 doesn't provide any funding for the food program. Commissioner Swenson agreed to get per capita figures related to how much the State provides to senior citizen programs in the counties within our region. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to take \$1,635 out of our discretionary money for a year's worth of insurance premiums for Young at Heart liability insurance with the understanding that it will be part of our contractual agreement with them next year and that we move forward with the contractual agreement for the remainder of this year. Motion carried unanimously.

BREAK: The meeting recessed from 11:41 until 11:42 am in order to hold the below Public Hearing.

PUBLIC HEARING; STREET VACATION REQUEST, MICHAEL LANE; CONTINUATION REQUEST TO MAY 4, 2010 AT 11:30 AM:

1. Open Public Hearing. Chairperson Starr opened the Public Hearing at 11:41 am.
2. Public Notice Confirmation. Clerk to the Board Haase confirmed that the Public Hearing had been properly noticed.
3. Identify Ex Parte Communications. N/A.
4. Staff Presentation. N/A.
5. Applicant Presentation. N/A.
6. Board Questions. N/A.
7. Public Comments. N/A.

8. Acknowledge Correspondence Received. N/A.
9. Applicant Response. N/A.
10. Close Public Hearing. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to continue the Public Hearing for street vacation for Michael Lane to 5/4/10 at 11:30 am. Motion carried unanimously. This continuation was requested by the applicants.

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

COMMISSIONERS MEETING REPORTS:

Commissioner Swenson:

1. Gunnison Valley Rural Transportation Authority (RTA). Commissioner Swenson informed the Board that the RTA is still in negotiations for next year's airline schedule, but that it should be final within a month. A community meeting was held with attendance from both local Chambers of Commerce, Crested Butte Mountain Resort (CBMR) and the Tourism Association. The busses seem to be working well and ridership has increased. Service to Crested Butte South began this month. The Board felt that the bus service was a huge benefit, particularly to the college-student population.

Chairperson Starr:

1. Hidden Gems Work Session. Chairperson Starr stated that he had been receiving telephone calls from citizens on this issue, but that the Hidden Gems group has decided to wait until a later date to seek support since Senator John Salazar is unlikely to support anything this year.
2. Tourism Association (TA); Mt. Crested Butte Request to Evaluate. Chairperson Starr informed the Board that Mt. Crested Butte would like to initiate discussions about evaluation of the TA program. Chairperson Starr supported the idea. Commissioner Channell acknowledged that he had been receiving mixed messages about this issue and, therefore, could not confirm that a problem exists. Commissioner Swenson felt that the local entities such as the TA, Chamber of Commerce, Western State College and CBMR need to meet separately to discuss local marketing efforts prior to any involvement by the Board.

BREAK: The meeting recessed from 12:05 until 1:37 pm for lunch and to call to order as the Gunnison/Hinsdale Board of Human Services (see separate minutes).

APPROVAL OF TIER III FUNDS EXPENDITURE; WEST REGION WILDLIFE COUNCIL COMMUNITY WILDFIRE PROTECTION PLAN; \$78,000: Emergency Manager Scott Morrill, Fire Mitigation & Education Specialist for the Montrose Interagency Fire Management Unit Chris Barth, and Colorado State Forest Service District Forester Tim Cudmore were present for discussion.

Emergency Manager Morrill presented the proposal submitted by Anchor Point Group, LLC. He noted that another proposal came from the San Luis Valley area; however, he felt that the product usefulness and quality were lower. He has been conversing with Anchor Point Group, LLC and pricing has been agreed upon.

Mr. Cudmore explained that establishing the plan had become a mandate and that he would like to work with Anchor Point Group, LLC.

Mr. Barth explained that Title III funds have very limited uses. He felt this use was a good match for use of the funds.

Commissioner Channell requested information about what Title III funds have previously been used for. Assistant County Manager Crosby explained that the funds are for specific uses and that use of the funds requires a 45-day advertisement period. She thinks this is an appropriate use of funds and she would like to combine the advertisement with work on two County roads.

Commissioner Channell questioned whether or not use of these funds would take away from a higher priority. Assistant County Manager Crosby felt that it would not.

Emergency Manager Morrill stated his desire to ensure that stakeholders and community members have the opportunity to provide input, and that there are measurable goals to accomplish. The Board agreed to allow Emergency Manager Morrill to move forward with the process.

FUNDING REQUEST; FIRST RESPONDERS AWARDS BANQUET: Gunnison Valley Health Emergency Medical Services representative Brian Hess and Emergency Manager Morrill were present for discussion.

Mr. Hess presented the request for corporate table sponsorship in the amount of \$2,000 of the Red Cross Awards Banquet scheduled for 4/30/10 in Grand Junction. Funding would pay for seats at the table. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to allocate \$750 from discretionary funds to fund a corporate sponsor table at the First Responders Awards Banquet. Motion carried unanimously.

VISITOR; GEORGE TINKER; ANNUAL COUNTY TECHNICAL SERVICES, INC. (CTSI) LOSS ANALYSIS: Finance Director Linda Nienhueser, Human Resources Director Debbie Moore, and Mr. Tinker were present for discussion.

Mr. Tinker informed the Board that the County's loss rate is very low and that interest on the \$91,272 original contribution, in the amount of \$16,485, will be returned to the County. The equity distribution is \$55,460.

Mr. Tinker informed the Board that the County's share of the workman's compensation pool exposure was 2.4%, while the County's share of the losses was 2.62% and the County's loss rate is 1.09%. The original contribution was \$284,821 and the equity distribution was \$16,000.

In 2010, rates and contributions were figured on the first three of the last five years, so 2005, 2006 and 2007. We had 90 vehicle claims, most within the Road and Bridge activities, totaling \$190,000 during those years, which Mr. Tinker felt reflected a good loss ratio. However, he noted that we evaluate a potential emerging trend. He suggested that the County establish a written policy outlining who drives County vehicles, how they drive, periodic training and records checks, and remedial training for drivers involved in chargeable accidents.

Mr. Tinker explained that the workman's compensation claims were distributed among many departments and that there was nothing out of the ordinary. He noted that the County's percentage is high due to a large claim in 2007, which will eventually not be counted toward the County's percentage. A large portion of the slips, trips and falls were associated with ice. He offered to present a free two-hour class on lifting, slips, trips and falls that would focus on body mechanics and personal risk management.

BREAK: The meeting recessed from 2:36 until 2:46 pm.

COOPERATIVE AGREEMENT WITH THE US FOREST SERVICE (FS) REGARDING GEOTHERMAL LEASING:

County Manager Birnie informed the Board that he met with FS representatives during the previous week to discuss this agreement. He confirmed that the Bureau of Land Management agreement had been signed, but that the FS follows a different process in which there will not be much opportunity for public input. He is working with the FS on contractual language and asked that the Board authorize him to sign the agreement when it is ready. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to authorize the County Manager's signature on the cooperative agreement with the Forest Service with regard to geothermal leasing, including review by the County Attorney's Office. Motion carried unanimously.

BREAK: The meeting recessed from 2:50 until 3:32 pm to call to order as the Gunnison River Valley Local Marketing District (see minutes below). Clerk to the Board Ruth Dukeman took the minutes for this meeting.

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT; TOURISM ASSOCIATION QUARTERLY REPORT: Gunnison-Crested Butte Tourism Association Director Jane Chaney, Gunnison-Crested Butte Tourism Association Marketing Coordinator/Web Master Rob Strickland and Gunnison-Crested Butte Tourism Association Board member Carolyn Riggs were present for discussion.

CALL TO ORDER: The meeting of the Gunnison River Valley Local Marketing District was called to order at 2:50 pm.

GUNNISON/CRESTED BUTTE TOURISM ASSOCIATION (TA) QUARTERLY REPORT: Director Chaney reviewed several graphs provided with the packet materials. Specifics related to the website and search engine optimization efforts were reviewed with a 12% increase in website traffic reported. It was wondered how many visitors were going directly to the service provider websites, like the ski resort, after being exposed to information from the TA promoting the area. Additional website efforts and promotions that brought people to the site were presented with the generalization made that those interested in the promotion did not appear to come to the area and just visited the site to participate in the promotional activities, like entering a drawing.

Other media advertising efforts including radio ads, print ads, magazine publications and data collection efforts about visitors were presented. It was noted during a recent survey that 24% of the participants reported being friends and family of locals or return guests.

Commissioner Channell asked about the number of inquiries for the upcoming summer season. The information was not available for the meeting. However, Marketing Coordinator Strickland would attempt to analyze the information at that level and provide a report. It was thought that the number of heads-in-beds, resulting in an increase in lodging tax revenue, could be a potential way to track marketing effort success. Discussion then moved to the logistics related to those travelers who camp versus use lodging facilities. The difficulty collecting data for campers, the relationship to local retail operations, the 13% increase in walk-in guests at the Visitor Center/Chamber of Commerce and a potential invitation to local Park Service representatives to attend future TA meetings were deliberated.

The increased number of wedding groups for the summer season was discussed. Bridal publications featuring the area, increased membership to this market valley wide and the economic advantages of meetings, conferences and weddings to the area were presented.

Commissioner Starr asked about the sales tax report numbers. Director Chaney explained that when businesses submit their information could influence reporting, she recommended comparing the quarterly numbers versus monthly numbers.

Discussion about the airline program, relationships with carriers, different marketing locations and strategies commenced.

Local restaurant owner Carolyn Riggs from the Brick Cellar presented information about the success of a recent cooperative marketing campaign with other restaurants. Future events were planned. Upcoming summer events, activities and potential for event coordination were further discussed.

ADJOURN: The meeting was adjourned at 3:32 pm.

RECONVENE: The Board of County Commissioners meeting reconvened at 3:32 pm.

WARRANTS AND TRANSFERS: Finance Director Linda Nienhueser presented the Warrant Report dated April 20, 2010 and the Cash Transfer Authorization dated March 2010 for discussion and approval. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve the warrants in the amount of \$792,654.62. Motion carried unanimously. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the March 2010 Cash Transfers in the amount of \$1,678,275.33. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: County Treasurer Melody Marks presented the March 2010 Treasurer's Monthly Report for discussion and acceptance. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to accept the Treasurer's monthly report for March 2010 and authorize signature. Motion carried unanimously.

REQUEST FOR EXTENSION OF WORK COMPLETION DATE; SKYLAND FILING III, PHASE 2; GK INVESTMENTS: County Paralegal Rachel Magruder, attorney Mike Dawson and property owner John Reed were present for discussion.

Mr. Reed presented the request for extension due to a poor real estate market.

County Paralegal Magruder confirmed that the County has security through end of November 2012. If the County extends the work completion date three years, then the County should ensure security through four years from now.

The Board requested that staff create the documents extending the work completion date to November of 2013 and extending the security through November 2014, renewing at least 60 days prior to the current expiration.

BUILDING ENVELOPE ADJUSTMENT PLAT; LOTS 1, 2 AND 4; TOMICHI CREEK PRESERVE: Assistant Community Development Director Neal Starkebaum and Dan Brauch, owner of Lot 2, were present for discussion.

Assistant Community Development Director Starkebaum explained that the request, including an adjustment in the ditch easement, originated from three different property owners in the Tomichi Creek Preserve. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the amended building envelope within Lots 1, 2 and 4 of Tomichi Creek Preserve and authorize the Chairperson's signature. Motion carried unanimously.

REQUEST FOR TEMPORARY CLOSURE OF A PORTION OF KEBLER PASS; FAT TIRE BIKE WEEK: Assistant County Manager Crosby, Assistant Public Works Director Allen Moores, attorney Aaron

Huckstep and Crested Butte Chamber of Commerce Event Coordinator Scott Still were present for discussion.

Attorney Huckstep explained that Fat Tire Bike Week was scheduled for 6/22/10 thru 6/27/10. For this event, approximately 150 bike riders would begin at the top of Kebler Pass, without the use of brakes. The closure would last approximately 60 to 90 minutes.

Attorney Huckstep outlined the plan and all safety measures that would be taken. He noted that the event had caused safety concerns during 2009. Preparations this year will include monitoring how people get to the top of the pass. Participants will have to register and comply with safety rules.

Assistant County Manager Crosby asked that this not be scheduled on a Friday afternoon in the future so that it doesn't interfere with weekend and tourist traffic. This year, it will also conflict with the Public Safety Expo and the Gunnison River Festival. Because of this, she expressed concern that the race must start on time in order to limit the amount of time that the pass is closed.

Commissioner Channell requested that signage be in place days in advance to alert travelers. Assistant County Manager Crosby felt that signage should be placed on the Friday of the weekend before the event. Plans were made for emergency vehicles to pass through and for emergency medical staff in the event that participants need any care.

County Manager Birnie stated that the County would need to be protected from liability if authorizing the closure of the road, thereby endorsing the event. Assistant Public Works Director Moores felt that port-a-potties should be required for the top of the pass.

The Board was supportive of the creation of a Memorandum of Understanding between the County and the Crested Butte Chamber of Commerce.

COMMISSIONERS MEETING REPORTS (continued):

Commissioner Channell:

1. Colorado Counties, Inc. Legislative Reports. Commissioner Channell informed the Board that CCI assembled an information packet regarding Proposition 101 with Amendments 60 and 61. He provided a copy of the packet.
2. Environment Colorado; Matthew Garrington. At Mr. Garrington's encouragement, Commissioner Channell met with Senator Gail Schwartz to discuss HB 1348. He noted that Senator Schwartz appears to be leaning in the same direction as the County, which is to support.

RESOLUTION FOR BOARDS AND COMMISSIONS APPOINTMENTS: Chairperson Starr requested that this resolution be placed on a future agenda. County Attorney Baumgarten drafted a resolution and County Manager Birnie will schedule this on a future regular agenda for action.

ADJOURN: Moved by Commissioner Swenson, seconded by Commissioner Channell to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 4:46 pm.

Jim Starr, Chairperson

Hap Channell, Vice-Chairperson

Paula Swenson, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk