

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
June 15, 2010**

The June 15, 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 8:03 am.

AGENDA REVIEW: Commissioner Channell informed the Board that CRWCD Representative Bill Trampe would not be available for his report, so it was removed from the agenda.

MINUTES APPROVAL: Moved by Commissioner Swenson, seconded by Commissioner Channell to approve the Special Meeting minutes for June 8, 2010. Motion carried unanimously.

CONSENT AGENDA: Commissioner Channell requested that Consent Agenda Items #1, #7, #8, #13, #17 be pulled for further discussion. Moved by Commissioner Swenson, seconded by Commissioner Channell to approve the Consent Agenda, excluding Items #1, #7, #8, #13 and #17. Motion carried unanimously.

1. **Pulled for Discussion and Separate Action:** Authorization for Geographic Information Systems Coordinator Jeff Guy Signature; Colorado Department of Transportation Special Use Permit #3100126-S; All State Right-of-Way in Gunnison County except 050A MM 190.607 to MM 199.285
2. Acknowledgment of County Manager Signature; Memorandum of Understanding Between Colorado Department of Public Health and Environment, Prevention Services Division, Children with Special Health Care Needs Unit, Traumatic Brain Injury
3. Acknowledgment of County Manager Signature; Acceptance of Proposal; North Star Surveying, Inc.; Jail and Public Works Building Facilities; \$8,442
4. Acknowledgment of County Manager Signature; Approved Task Order Contract – Waiver #154; Department of Public Health and Environment, Routing No. 11 FAA 16637; \$36,027
5. Acknowledgment of County Manager Signature; Lease Agreement; Office for Resource Efficiency; 202 E. Georgia, Gunnison, CO 81230; 6/1/10 thru 12/31/10; \$2,100 (\$300/month)
6. Acknowledgment of County Manager Signature; Colorado Department of Public Health and Environment, Office of Health Disparities, FAA, Contract Routing #11-162-05, Amendment for Task Orders #1
7. **Pulled for Discussion and Separate Action:** Contract; Anchor Point Group, LLC; Fire Management Services; Community Wildfire Protection Plan (CWPP)
8. **Pulled for Discussion and Separate Action:** Contract No. 3000056582, Amendment 2; QinetiQ, Ltd.; Provision of Aircraft Rescue Fire Fighter (ARFF) Coverage
9. Correspondence; Congressman John T. Salazar; Curecanti National Recreation Area
10. Agreement Between Gunnison County Board of County Commissioners and Region 10 League for Economic Assistance and Planning, Inc., Region 10 Area Agency on Aging; Senior Resources Coordinator Services; \$30,000; 7/1/10 thru 6/30/11
11. Agreement Between Gunnison County Board of County Commissioners and Region 10 League for Economic Assistance and Planning, Inc., Region 10 Area Agency on Aging; Senior Transportation; \$15,000; 7/1/10 thru 6/30/11
12. Provider Agreement; Linda Williams; Services Regarding Assessment, Service Planning and Clinical Services to Promote Health and Wellness to Individuals and Families Referred from Gunnison County
13. **Pulled for Discussion and Separate Action:** Out-of-State Travel Request; National Business Aviation Association (NBAA) Conference; Atlanta, GA; \$5,500
14. 2010 Memorandum of Agreement; Gunnison Valley Animal Welfare League; Community-Based Organization Funding; \$2,500
15. Amendment to Lease Agreement; Paradise Animal Welfare Society
16. Colorado Historical Society, GCA, Approved Waiver Form #37-D; Contract #2010-HA-024; Historic Structure Assessment of the Ohio City Town Hall
17. **Pulled for Discussion and Separate Action:** Vendor Disclosure Statement; CCTF Grant for Gunnison County Department of Health and Human Services

CONSENT AGENDA #1: Commissioner Channell requested further discussion on this item since CDOT is supposed to be listed on the insurance with the County. He suggested that the Board approve it and then route the information to the Finance Office. Moved by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #1. Motion carried unanimously.

CONSENT AGENDA #7: Commissioner Channell requested further discussion on this item so that the County Attorney's notes could be reviewed. County Attorney David Baumgarten confirmed that his notes must be followed. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #7. Motion carried unanimously.

CONSENT AGENDA #8: Commissioner Channell requested further discussion on this item. Airport Director of Administration Kathie Lucas was present for discussion and explained that QinetiQ took some time off and is now ready to resume testing. Commissioner Channell requested that net income versus cost estimates be available the next time this type of contract is set for discussion and approval. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #8. Motion carried unanimously.

CONSENT AGENDA #13: Commissioner Channell requested further discussion on this item. Airport Director of Administration Lucas was present for discussion. Commissioner Channell requested the names of the persons that would attend this conference and Airport Director of Administration Lucas explained that it would be either Airport Manager John DeVore or herself, plus one staff member. She explained that the staff members rotate attendance to allow for sharing experience and knowledge. Commissioner Channell asked County Manager Birnie if there was an analysis on return for these types of purchases. County Manager Birnie stated that there was not, but that this type of analysis is what will ultimately be asked of the departments. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #13. Motion carried unanimously.

CONSENT AGENDA #17: Commissioner Channell requested further discussion on this item related to the utilized acronyms. County Manager Birnie explained that NPP stood for Nurturing Parenting Program. Commissioner Channell requested that acronyms be spelled out on future agendas. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #17. 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 Update. County Manager Birnie reported that the architect team had begun schematic development. The City of Gunnison has decided to begin design development for possible relocation of the 911 Communications Center. The initial financing documents have been received and are being reviewed by staff.

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

1. Snowcat Access in Elkton Update. Assistant County Manager Crosby explained that Mary Frame has given notice that she will request permission for snowcat access to her property in Elkton. Assistant County Manager Crosby will coordinate this issue with Ms. Frame's legal counselor, Luke Danielson.
2. Lifting the North Valley Building Moratorium. Assistant County Manager Crosby stated that, in 1997, the moratorium was put in place by Board action and that, in 2002, part of it was lifted by County resolution. She suggested creating a resolution to address the creation in 1997, the partial lifting in 2002, and the complete lifting at this time. The Board agreed with her suggestion and placed this resolution on the 7/6/10 agenda.
3. Chainless Race on Kebler Pass Agreement. Assistant County Manager Crosby confirmed that the agreement had been signed by the Crested Butte / Mt. Crested Butte Chamber of Commerce. Commissioner Channell wondered if the County should or has ever contemplated a fee for provision of a temporary road closure; neither Assistant County Manager Crosby nor County Attorney Baumgarten could recall any instances. County Manager Birnie felt that road closures should not be granted without first proving that it would benefit the public, but agreed that this could be granted as these requests are rare. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Chainless Race Agreement with the Crested Butte / Mt. Crested Butte Chamber of Commerce and authorize the Chairperson's signature. Motion carried unanimously.
4. Island Acres Response. Assistant County Manager Crosby stated that she would submit her response to the Board via email later in the day. The formal response is due 6/30/10.
5. Consent Agenda Item #16. Commissioner Channell questioned the purpose for the extended contract term of 2010 through 2012. Assistant County Manager Crosby explained that the assessment contract took longer than expected to complete, which will extend the project.

AUTHORIZATION TO INITIATE QUIET TITLE ACTION FOR ROW FOR TAYLOR RIVER ROAD PROJECT; M.N. DAVIS, DWIGHT M. ROUNDS, RALPH C. ROUNDS, QUATRO AMIGOS, GUNNISON COUNTY DEVELOPMENT CORPORATION AND WHITE WATER CORPORATION: Assistant County Manager Crosby, County Attorney Baumgarten and Special Projects Foreman Jim Kint were present for discussion.

Assistant County Manager Crosby explained that this request encompasses a section of the road through the White Water Estates. Small pieces of right-of-way remain unaddressed as some of the property owners are deceased.

County Attorney Baumgarten agreed that, because there are enough potential owners of this land, the only way to straighten this issue out would be with court intervention to determine ownership of the land. This will be published in the paper for 30 days to ensure that any potential owners have been notified and the entire process, if uncontested, could take up to four months. Assistant County Manager Crosby explained that all right-of-way issues must be settled by 12/31/10. County Attorney Baumgarten felt that Assistant County Manager Crosby's staff had used a considerable amount of diligence to properly ensure that the land is handled properly.

Moved by Commissioner Channell, seconded by Commissioner Swenson to authorize to initiate quiet title action for right-of-way for the Taylor River Road Project including M.N. David, Dwight M. Rounds, Ralph C. Rounds, Quatro Amigos, Gunnison County Development Corporation and White Water Corporation. Motion carried unanimously.

TAYLOR RIVER ROAD RIGHT-OF-WAY ACQUISITION; POSSIBLE EXECUTIVE SESSION: Assistant County Manager Crosby, County Attorney Baumgarten and Special Projects Foreman Jim Kint were present for discussion.

County Attorney Baumgarten suggested that he and the Board go into an executive session with County Manager Birnie, Assistant County Manager Crosby and Special Projects Foreman Kint because this issue involves property with nominal value and the State requires the Board to instruct staff on how much value to place on the land. He cited C.R.S. 24-6-402(4)(a)(b)(e) as justification for the session. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to go into executive session for the purposes of discussing the Taylor River Road right-of-way acquisition and to give instruction to staff with the Board, the County Attorney, the County Manager, the Assistant County Manager and the Special Projects Foreman. Motion carried unanimously.

The board went into executive session at 9:15 am. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(a)(b)(e).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____

David Baumgarten
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4).

Date: _____

Jim Starr, Chairperson
Gunnison County Board of Commissioners

The Board came out of executive session at 9:28 am. Chairperson Starr confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made.

BREAK: The meeting recessed from 9:33 until 10:00 am in order to hold the below Public Hearing:

PUBLIC HEARING (CONTINUED); ADOPTION OF REVISED INDIVIDUAL SEWAGE DISPOSAL SYSTEM (ISDS) REGULATIONS: County Attorney Baumgarten, Community Development Director

Joanne Williams, Environmental Health Official Richard Stenson and Environmental Health Board Members Anthony Poponi, Lucinda Lull, Eddie Balch and Steve Glazer were present for discussion.

1. Open Public Hearing. Chairperson Starr opened the Public Hearing at 9:33 am.
2. Public Notice Confirmation. This Public Hearing was previously noticed as this was a continuation of an earlier hearing.
3. Identify Ex Parte Communications. There were no ex parte communications identified.
4. Staff Presentation. N/A.
5. Applicant Presentation. N/A
6. Board Questions. Commissioner Channell pointed out a couple of clerical errors in the draft document. He asked about the schedule of fees; Community Development Department Director Williams confirmed that it already exists. He asked how the inventory and repository will be held; Environmental Health Official Stenson explained that the GIS Department will keep all of this information via the use of GPS coordinates.

Environmental Health Official Stenson explained that anyone from the public would have access to locating a septic tank on any property in Gunnison County, but that he will need to clearly define this process. He has considered working with GIS and the Assessor's Office and he felt that a web-based permit tracking system could be used. To begin the process of collecting the information to create a paper record as well as a public record, he stated his opinion that current owners should determine the location(s) of their septic system(s) and then convey that information to the County. He estimated that there may be up to 5,000 septic systems currently in use throughout the county.

Chairperson Starr felt that variances for ISDSs should be in the form of recorded documents that would help to educate future property owners.

Mr. Glazer stated that septic locations are important, but that absorption areas were also important. He felt that unpaid interns or community service workers could be used to gather information. He also felt that the project could be assigned to a staff member to systematically develop the data.

Environmental Health Official Stenson agreed that the documentation should be recorded because he was aware of at least one owner that was not aware of the existence of a variance until after they had purchased their property. He felt that this could be tied into the title search process.

Commissioner Channell questioned whether or not there is an established written test for non-commercial installations prior to granting authorization for the installation. Environmental Health Official Stenson confirmed that there is a test and that his department administers it for a \$25 fee. Commissioner Channell felt that the fee was reasonable.

Environmental Health Official Stenson complimented the septic installers in the area for their work and stated that a list of installers can be found on the County's website.

7. Public Comments. Chairperson Starr opened the Public Hearing to comments at 9:58 am. There were no comments given. Ms. Lull encouraged the Board, as a member of the public, to help work toward ideas where the average person with an average income can still afford to build homes in Gunnison County.
8. Acknowledge Correspondence Received. No additional correspondence was identified.
9. Applicant Response. N/A.
10. Close Public Hearing. Chairperson Starr closed the Public Hearing at 10:00 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

ADOPTION OF REVISED INDIVIDUAL SEWAGE DISPOSAL SYSTEM (ISDS) REGULATIONS: County Attorney Baumgarten, Community Development Director Joanne Williams, Environmental Health Official Richard Stenson and Environmental Health Board Members Anthony Poponi, Lucinda Lull, Eddie Balch and Steve Glazer were present for discussion.

Amendments to the document were discussed and agreed upon. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Resolution #2010-19, a Resolution Amending the Gunnison County, Colorado Individual Sewage Disposal System Regulations, with inserts into sections 3-

120-H and 3-121-H that state, after "be made by", "the applicant and any person who made testimony to the Environmental Health Board to", and that we also insert in the proper locations the same language that exists within the LUR (Gunnison County Land Use Resolution) that there be a Certificate of Approval for actions taken by the County. Motion carried unanimously. The Board thanked the Environmental Health Board and Environmental Health Official Stenson for their long, hard work on these revisions.

ROTARY CLUB REQUEST TO CLOSE A PORTION OF COUNTY ROAD 49 FOR 4TH OF JULY FIREWORKS DISPLAY: County Attorney Baumgarten and Airport Director of Administration Kathie Lucas were present.

Airport Director of Administration Lucas explained that this request was similar to the ones submitted by the Rotary Club in the past and that the Rotary Club was planning to provide the same size of show that had been provided in the past. She noted that the Federal Aviation Administration had not yet granted approval for the request, which was not considered unusual. She stated that she did not anticipate any FAA approval issues since the program would be the same as in the past.

Commissioner Channell suggested that all acronyms be spelled out in any future request documents. He also suggested that future contracts put the responsibility of contacting ranchers on the Rotary Club.

Moved by Commissioner Swenson, seconded by Commissioner Channell to approve the Temporary Road Use Agreement between the Gunnison Rotary Club and Gunnison County for the use of CR 49 for the 4th of July fireworks display. Motion carried unanimously.

GOLD BASIN INDUSTRIAL PARK SPECIAL AREA REGULATIONS; SET OR WAIVE A PUBLIC HEARING; APPROVAL OF PROPOSED AMENDMENTS: Community Development Department Director Williams and Assistant County Manager Crosby were present for discussion.

Community Development Department Director Williams recommended discussing the proposed changes before deciding whether or not a public hearing should be held. Modifications to the draft regulations were discussed and agreed upon. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to set a Public Hearing for 9:20 am on July 6th for the amendments to the Gunnison Basin Industrial Park regulations. Motion carried unanimously.

BREAK: The meeting recessed from 10:55 until 11:10 am.

COLORADO RIVER WATER CONSERVATION DISTRICT UPDATE: This discussion was cancelled at the beginning of the meeting.

SUBDIVISION EXEMPTION; ALHSTROM PARCEL; FIVE ACRES IN NE4NW4, SECTION 7, TOWNSHIP 15 SOUTH, RANGE 86 WEST, 6TH P.M.; REPRESENTED BY RUFUS WILDERSON: County Planner Cathie Pagano and attorney Rufus Wilderson were present for discussion.

County Planner Pagano explained that the Board had approved the subdivision exemption in approximately 1977. However, it was not done correctly and the legal description now needed to be fixed. Mr. Wilderson agreed that the request was appropriate. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Ahlstrom Subdivision Exemption and authorize the Chairperson's signature on the plat. Commissioner Channell questioned whether or not the document should be retitled since the subdivision exemption was already granted. County Planner Pagano explained that calling this a "Corrected Subdivision Exemption" would sufficiently explain the issue. Motion carried unanimously.

LOT CLUSTER APPLICATION; LOTS 1, 2, 3, 19, 20 AND 21, BLOCK 3, MARBLE SKI AREA, FILING NO. 5; BORDERED BY LOT 1, BLOCK 4 AND LOT 1, BLOCK 3, MARBLE SKI AREA FILING NO. 5; AUSTIN R. BROOKS: County Attorney Baumgarten, Assistant Public Works Director Allen Moores, Planning Services Manager Beth Baker and Realtor Sherry Rubin were present for discussion.

County Attorney Baumgarten explained that all of Mica Drive would ultimately be vacated by this approval, that the property owners were all in agreement, that all lots accessed must still be accessed, that the open space in Block 4 would remain open space, that all parties agreed to hold the County harmless and that all appropriate clustering of lots would occur. He stated that, if approved by the Board, the Lot Cluster Agreement, plat and resolution memorializing the Mica Drive vacation would all need to be signed. He suggested that his office retain the signed resolution and Lot Cluster Agreement until the Mylar of the plat became available. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Lot Cluster Agreement for Lots 1, 2, 3, 19, 20 and 21, Block 3, Marble Ski Area Filing No. 5 and the open space that borders Lot 1, Block 4 and Lot 1, Block 3, Marble Ski Area No. 5. Motion carried unanimously.

VACATION OF THAT PORTION OF MICA DRIVE ADJACENT TO LOTS 1 THROUGH 5, BLOCK 3 AND THE OPEN SPACE WITHIN BLOCK 4, MARBLE SKI AREA, FILING 5, COUNTY OF

GUNNISON, STATE OF COLORADO: As a result of previous discussion, **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Resolution #2010-20, a Resolution Vacating Mica Drive Lying Adjacent to Lots 1 Through 6, Block 3 and the Open Space Within Block 4, Marble Ski Area, Filing No. 5, County of Gunnison, State of Colorado and authorize signatures. Motion carried unanimously. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve the Chairperson's signature on the Mylar plat upon arrival that includes the vacation of Mica Drive, Section 26 T.11.S R.88W, Gunnison County, Colorado. Motion carried unanimously.

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

COMMISSIONERS MEETING REPORTS:

Commissioner Channell:

1. Chip Taylor and Michael Smith Meeting. Commissioner Channell reported that this meeting included various discussions including whether or not a county can be an Associate Member of one CCI District and a voting member of another. The organization also discussed trying to remain as non-partisan as possible.
2. Bureau of Land Management (BLM) Open House. Commissioner Channell attended this recent event where geothermal leasing was discussed. The presentation included interesting maps illustrating geology and slope. Only one private section of land is involved with some Forest Service and BLM lands. Commissioner Channell questioned whether or not the State of Colorado has protections for neighboring geothermal uses; County Attorney Baumgarten explained that the State is still trying to find out the specifics and ownership of the heat characteristic. Commissioner Channell will discuss this issue at the next CCI legislative session scheduled for 7/9/10; County Attorney Baumgarten agreed to provide some suggested language. The Board will communicate with Senator Gail Schwartz about this issue.

Commissioner Swenson:

1. Mayors/Managers Meeting. Commissioner Swenson stated that this recent meeting hosted by the Gunnison Valley Health Hospital was poorly attended. During the meeting, the following reports were given:
 - a. Gunnison Valley Health Hospital. A report on the expansion project was given.
 - b. Gunnison RE1J School District. The capital projects are nearing completion and should be finished before school resumes at the end of August.
 - c. City of Gunnison. The medical marijuana issue will be taken to a vote in May.
2. Economic Development Group. Commissioner Swenson stated that she had been having meetings with various people and organizations to explore the issue of Economic Development. Western State College President Jay Helman has appointed a WSC representative to serve in the group that is comprised of approximately six persons from WSC and approximately six persons from the community. The group hopes to assemble a website that will showcase all local entities. A set membership has not been decided upon and the group does not yet have a formal name.

Chairperson Starr:

1. Mountain Express Correspondence. Chairperson Starr informed the Board that Mountain Express submitted correspondence, dated 5/10/10, to the County asking for funding consideration for the Two Buttes Senior Center. County Manager Birnie explained that the County already budgeted funds for this purpose, but that Mountain Express wants to cease all of its financial contributions. This will need further investigation.

BREAK: The meeting recessed from 12:02 until 1:39 pm for lunch and to call to order as the Gunnison/Hinsdale Board of Human Services (see separate minutes). Chairperson Starr reconvened the Board of County Commissioners meeting at 1:39 pm.

COMMISSIONERS MEETING REPORTS (continued):

Chairperson Starr (continued):

2. Rural Transportation Authority. Chairperson Starr reported that the contract with American Airlines has been signed. Increasing airline prices are anticipated and efforts will continue to try to achieve better local airfares. The Board noted that they feel the public understands that the local bus service may need to begin charging.

BREAK: The meeting recessed from 1:48 until 2:33 pm to call to order as the Gunnison County Board of Health (see minutes below).

GUNNISON COUNTY BOARD OF HEALTH: Health and Human Services Director Renee Brown and Public Health Director Carol Worrall were present for discussion. Dr. John Tarr, County Medical Officer, joined the meeting at 2:00 pm.

CALL TO ORDER: Chairperson Starr called the meeting to order at 1:48 pm.

CURRENT GUNNISON COUNTY IMMUNIZATION RATE FOR TWO-YEAR-OLD CHILDREN: Public Health Director Worrall reported that the rate was 67% as of 12/31/2009, compared to 88% as of 12/31/2008. Each year's statistics are based on the births from two years prior to the reporting period. She felt that some of this decrease could be explained by a shortage of HIB vaccinations from 12/2007 thru 6/2009. Adding early-morning appointments in the Crested Butte area has helped to increase the immunization rates. Health and Human Services Director Brown felt that the State policy of authorizing TANF funds without receipt of proof of vaccination was problematic.

SUICIDE PREVENTION PROJECT: A group has been formed to evaluate this issue and the group's second meeting will be held later in the week. Colorado is ranked 8th in the nation for its rate of elderly suicide. Gunnison County is ranked 14th in the State for its rate of youth suicide among the ages of 15 to 24 years old. Public Health Director Worrall felt that the most appropriate method of reducing the risk of suicide would be through public awareness.

ENVIRONMENTAL HEALTH SUPPORT ACTIVITIES: Public Health Director Worrall informed the Board that a reportable disease occurred at a local daycare and that Regional Environmental Health representative Richard Thompson was very helpful when dealing with the occurrence. A food establishment opening during Memorial Day weekend had to be closed because of an incomplete license issue. Commissioner Channell asked that Public Health Director Worrall begin a notification list for future establishment closure information.

MEDICAL MARIJUANA INPUT REGARDING TASK FORCE: Public Health Director Worrall stated her preference that more people would be evaluating this issue, including Gunnison County Substance Abuse Prevention Project Director Molly Mugglestone and local physicians, on some sort of task force. Dr. Tarr stated his willingness to serve the task force and his opinion that some sort of regulation should be done to protect the end-users. Health and Human Services Director Brown agreed that a task force would be viable.

COLORADO COUNTIES, INC. UPDATE; POSSIBLE ADVISORY GROUP TO BOARD OF HEALTH; POSSIBLE OFFICIAL BOARD OF HEALTH MEMBERSHIP AND HANDOUT: Public Health Director Worrall stated that there was a Colorado Association of Local Boards of Health presentation at a recent CCI meeting. County Manager Birnie stated that the County is not a member of CALBOH because we are a member of the national parent organization, NALBOH. This will be discussed at the meeting in September.

QUALITY HEALTH NETWORK (QHN) UPDATE: Dr. Tarr reported that QHN is ramping up to be connected through the Gunnison Valley Health Hospital. The beacon community network will be comprised of seven counties. Participation will involve Board approval of a business agreement with QHN to allow for the sharing of health-related information. One of the capabilities will be disease tracking and Dr. Tarr felt that the potential is revolutionary. Most of the training costs for all providers and their offices, along with participation in the network, will be covered by \$15,000,000 in grant funding. This network will be live by the first quarter of 2011.

ADJOURN: Chairperson Starr adjourned at 2:33 pm.

PERFORMANCE CONTRACT TECHNICAL ENERGY AUDIT (TEA): Assistant Finance Director Ben Cowan, Airport Manager John DeVore, Facilities Maintenance Supervisor Rich Corbett, Trident Energy representative Dan Richardson, and Ennovate Corporation representatives Kim Goodwin, Joe Staibe and Aaron Skroch were present for discussion.

Ms. Goodwin, a sales representative, informed the Board that the preliminary TEA process began in July 2009 and that it was now appropriate timing for a final TEA and a final contract. She provided a PowerPoint presentation outlining the County's needs, Ennovate's observations and the final analysis. Hard copies of the PowerPoint presentation were included within the Board's packet of materials.

Ennovate estimated a 20-year life-cycle cost, without modifications, of \$9,061,794. With modifications, the cost would be \$8,600,915. The highest savings were estimated to be realized through modifications to the County Courthouse, Family Services Center, Tenderfoot, Housing Authority, Airport Terminal, Landfill, Facilities Maintenance, Doyleville Shop and Marble Shop buildings. Assistant Finance Director Cowan noted that the current Public Works facility was not included in this presentation since it is being reconstructed.

The net cost for the 10-year lease purchase agreement with a 5.5% interest rate will be \$1,167,214. Assistant Finance Director Cowan felt that the County might do better than 5.5%. County Manager Birnie asked for authorization to sign the contract, if the Board wanted to proceed with the presented scope of work.

Commissioner Channell asked about the financing details. Mr. Staibe explained that the energy savings or capital cost avoidance will be used to cover the cost of financing the project, per performance contracting laws. County Manager Birnie stated that the previous performance contract completely paid for itself much sooner than what had been projected.

Commissioner Channell asked about the risk on both sides. Ms. Goodwin explained that, should the stated utility savings not be realized, Ennovate will pay the County the difference. She stated that Ennovate had never had this happen before.

The Board agreed that the County should proceed. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to authorize the County Manager to proceed with the Energy Performance Contract and finalize it and authorize him (the County Manager) to sign it. Motion carried unanimously.

REQUEST BY CRESTED BUTTE / MT. CRESTED BUTTE CHAMBER OF COMMERCE AND CRESTED BUTTE MOUNTAIN RESORT (CBMR) FOR DONATION TO HELP FUND AIR SERVICE PROGRAM: CBMR Director of Central Reservations and Revenue Management Jeff Moffett, CB/Mt. CB Chamber of Commerce Director Richard Bond, Gunnison Valley Rural Transportation Authority (RTA) Executive Director Scott Truex, County Attorney Baumgarten, Airport Manager DeVore, Airport Director of Administration Lucas, Tourism Association Executive Director Jane Chaney and Gunnison Country Chamber of Commerce Director Tammy Scott were present for discussion.

Mr. Moffett stated that CBMR was trying to contract with Continental Airlines for additional airline service to the Gunnison-Crested Butte Regional Airport from Houston, Texas. To do this, Continental will incur start-up costs of up to \$60,000 in November or December. Mr. Moffett requested financial assistance from the County and noted that CBMR had only asked the RTA prior to this request.

Airport Manager DeVore stated that the County could anticipate approximately \$78,000 in gross revenue from Continental, but that it would be completely offset by the loss of Delta Airlines. As well, Continental Airlines would only rent the counter during the ski season, whereas Delta rented it year round.

Commissioner Channell felt that Board approval of this request would set precedence for a policy change that County, through whatever means, pays for start-up costs. He acknowledged the economic benefit, but worried about setting precedence.

County Manager Birnie felt that a decision such as this would need to be put into context at a time when the County is laying off child-welfare workers. He stated that the County had some funding left from what the Board had allocated to the Cement Creek park-n-ride, but he felt that a decision should not be made without further discussion with staff.

Commissioner Swenson stated that CBMR has greatly benefitted from the Rural Transportation Authority's dedicated tax stream. She agreed that a decision would take further thought and discussion.

Chairperson Starr felt that this funding request could be paid from the Airport's Enterprise Fund since tourism builds tax revenues. He felt that the County needed to replace the lost income from the cancelled Delta Airlines contract.

Airport Manager DeVore explained that grant assurances mandate that the County cannot discriminate between airlines and must treat them all equally. By funding this request, there may be an expectation by all other airlines that the County will pay for such costs. He noted that the FAA is increasing airport inspections.

Mr. Moffett agreed that all airlines should be treated fairly. He informed the Board that the Continental Airlines contract had not yet been signed and that an invoice for the start-up costs could arrive in November. He acknowledged that CBMR would be the greatest benefactor of Continental being contracted for service.

A work session was scheduled for 7/13/10, beginning at 3:00 pm.

COMMISSIONERS MEETING REPORTS (continued):

Chairperson Starr (continued):

3. Region 10. Chairperson Starr felt that the County should make a decision in August for 2011 budget regarding senior food service programs.
4. Pitkin County Meeting. Chairperson Starr questioned whether or not the Board should meet with Pitkin County this year. County Manager Birnie felt that there were a couple of issues that could be discussed. The Board asked him to check with the Pitkin County administrator about the possibility of scheduling a meeting.
5. Timing of Linkage Fee Payments. A work session was scheduled for 7/27/10 beginning at 8:00 am.

- 6. Slate River Bridge. Chairperson Starr agreed to work with Assistant County Manager Crosby to coordinate a ribbon-cutting ceremony.
- 7. Housing Foundation Update. Chairperson Starr reported that this process was moving forward and that a 501(c)3 application will be submitted to the State. The bylaws are being finalized.
- 8. Housing Authority Governance. Chairperson Starr reported that there had been informal discussion related to whether or not it would benefit the Town of Crested Butte to be part of the Housing Authority. County Manager Birnie stated that the jurisdictions would have to pay a share if the governance were split. The current Intergovernmental Agreement states that the costs are split four ways for the director’s salary and County Manager Birnie felt that a jurisdiction would need to support this in order to be given authority, which was the reasoning behind all jurisdictions being involved with hiring the current director. County Manager Birnie will discuss this issue with Gunnison County Housing Authority Executive Director KT Gazunis and then report back to the Board with a suggestion related to how to move forward.

ADJOURN: Moved by Commissioner Swenson, seconded by Commissioner Channell to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 4:47 pm.

Jim Starr, Chairperson

Hap Channell, Vice-Chairperson

Paula Swenson, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 10-19**

A RESOLUTION AMENDING THE “GUNNISON COUNTY, COLORADO INDIVIDUAL SEWAGE DISPOSAL SYSTEM REGULATIONS”

WHEREAS, pursuant to Part 18-105 of the “Gunnison County, Colorado Individual Sewage Disposal System Regulations” (hereinafter the ISDS Regulations”), the Board of County Commissioners of the County of Gunnison, Colorado (hereinafter the “Board”) may amend the ISDS Regulations; and

WHEREAS, the Gunnison County Environmental Health Board has reviewed and certified to the Board proposed amendments to the ISDS Regulations; and

WHEREAS, a duly noticed public hearing on this matter has been held by the Board; and

WHEREAS, all requirements for amending the ISDS Regulations have been met; and

WHEREAS, the Board has determined that the proposed amendments to the ISDS Regulations are in the best interests of public health, safety and welfare of the citizens of Gunnison County; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the proposed amendments to the “Gunnison County, Colorado Individual Sewage Disposal System Regulations” as identified in Appendix “A” attached hereto and incorporated herein are hereby

adopted; each and every previous iteration of the "Gunnison County, Colorado Individual Sewage Disposal System Regulations" is superseded, effective this date except for applications pending as of this date.

INTRODUCED by Commissioner Channell, seconded by Commissioner Swenson, and adopted this 15th day of June, 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: 10-20**

A RESOLUTION VACATING MICA DRIVE LYING ADJACENT TO LOTS 1 THROUGH 6, BLOCK 3 AND THE OPEN SPACE WITHIN BLOCK 4, MARBLE SKI AREA, FILING NO. 5, COUNTY OF GUNNISON, STATE OF COLORADO

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado (hereinafter the "Board") by virtue of Colorado law, has the authority to vacate any public road in Gunnison County that is not within the limits of a city or town; and

WHEREAS, the Board has received a petition from adjacent property owners to vacate Mica Drive lying adjacent to Lots 1 through 6, Block 3 and the open space within Block 4, Marble Ski Area, Filing No. 5, County of Gunnison, State of Colorado; and

WHEREAS, the adjacent property owners have provided an alternate access to their respective lots as identified on the plat titled "Vacation of Mica Drive Section 26, T.11S., R.88W., 6th p.m. Gunnison County, Colorado", created by Lines In Space, dated _____ and recorded with the Gunnison County Clerk and Recorder's Office on _____, bearing Reception No: _____ and Mica Drive is no longer necessary for access to those lots; and

WHEREAS, the adjacent property owners have agreed and understand that the open space in Block 4 lying adjacent to Mica Drive shall not be considered a buildable site but can be used in calculating setbacks for the lots it adjoins; and

WHEREAS, the vacation of Mica Drive described herein will not hinder any property owners of any lands from having access to their respective land nor disrupt existing travel modes or changed or anticipated conditions in traffic or development patterns; and

WHEREAS, there will be no adverse impact to the natural environment, community needs or public health, safety and welfare from said vacation of Mica Drive; and

WHEREAS, the notices required by Colorado law for such vacation have been given and a public hearing on such vacation has been conducted; and

WHEREAS, the Board has found that it would be in the best interest of the public to vacate Mica Drive as identified above.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that Mica Drive lying adjacent to Lots 1 through 6, inclusive, Block 3 and the open space within Block 4, Marble Ski Area, Filing No. 5, County of Gunnison, State of Colorado be and the same hereby is vacated.

FURTHERMORE, the Board of County Commissioners of the County of Gunnison, Colorado is hereby authorized to sign the acceptance of indemnification identified on the plat referenced above.

NOTWITHSTANDING the provisions of C.R.S. 43-2-301 et seq., vacated Mica Drive should accrue to and vest in the record owners of the adjacent property as identified on the plat referenced above.

This resolution shall not be effective until it has been recorded with the Gunnison County Clerk and Recorder's Office along with the plat identified herein.

INTRODUCED by Commissioner Channell, seconded by Commissioner Swenson, and adopted this 15th day of June, 2010.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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