

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
August 3, 2010**

The August 3, 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	Matthew Birnie, County Manager
Hap Channell, Vice-Chairperson	Katherine Haase, Clerk to the Board
Paula Swenson, Commissioner	Others Present as Listed in Text

**CALL TO ORDER:** Chairperson Starr called the meeting to order at 8:05 am.

**AGENDA REVIEW:** There were no changes to the agenda.

**MINUTES APPROVAL:** **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Special Meeting minutes for May 25, 2010. Motion carried unanimously. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Gunnison County Board of Equalization meeting minutes of July 12, 2010. Motion carried unanimously.

**CONSENT AGENDA:** Commissioner Channell requested that Consent Agenda Item #8 be pulled for further discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Consent Agenda, excluding Item #8. Motion carried unanimously.

1. Acknowledgment of County Manager Signature; Office of Client and Community Relations Grant Application; Gunnison-Hinsdale County Department of Health and Human Services; \$27,301
2. Acknowledgment of County Manager Signature; Gunnison Hinsdale Early Childhood Council; Fiscal Expectations
3. Acknowledgment of County Manager Signature; Purchase of Service Contract; Regional Substance Abuse Services; Between Ouray, San Miguel, Gunnison, Hinsdale, Delta and Montrose County Departments of Social Services (Midwest Colorado Counties) and West Slope Casa; 6/1/10 thru 5/31/11
4. Acknowledgment of County Manager Signature; Contract for Professional Services; Humphries Poli Architects, P.C.; Historic Structure Assessment of the Ohio City Town Hall; \$15,000
5. Authorization for County Manager Signature; Airport and Engineer's Letter of Recommendation/Award Contract, Notice of Award, Notice to Proceed, and Construction Contract; Gunnison-Crested Butte Regional Airport Fog Seal and Pain Markings Project for Taxiway A
6. Baggage Delivery Service Agreement, Gunnison-Crested Butte Regional Airport; The Delivery Company; 5/1/10 thru 4/30/11
7. Caring for Colorado Foundation Grant Agreement; Access to Health Care Project; \$49,088; 8/16/10 thru 8/15/11
8. **Pulled for Discussion and Separate Action:** Community Foundation of the Gunnison Valley 2010 Competitive Cycle Grant Contract; Gunnison County Multicultural Resource Office; \$3,000
9. Interpreter at Gunnison County Independent Contractor Agreement; Karen Immerso; 7/1/10 thru 6/30/12
10. Resolution; Declining to Act as a Reviewing Entity for the State Income Tax Credit Program for Qualifying Rehabilitation Projects Under Colorado House Bill 90-1033 (C.R.S. 39-22-514, as Amended)
11. Amendment No. One (1) to Contract Dated February 23, 2010 Between Jviation, Inc. and Gunnison County and the Gunnison Crested Butte Regional Airport Gunnison, CO

**CONSENT AGENDA ITEM #8:** Commissioner Channell asked for additional discussion on this item to ensure that Deputy County Attorney Tom Dill's comments on the agenda routing sheet had been addressed. County Attorney David Baumgarten was present for discussion and stated that the Board could line through the signature line title and write in "Board of County Commissioners". **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #8 as amended. 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. Out-of-State Travel Request; Governing Summit, Cost of Government; County Manager Matthew Birnie; Washington, DC; 9/14/10 thru 9/15/10. County Manager Birnie explained that most of his expenses will be paid by the Summit and that he would only need to pay for meals and ground transportation. He will be gone from the office beginning 9/13/10 through 9/16/10. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve the County Manager's out-of-state travel for the Governing Summit in Washington, D.C. Motion carried unanimously.

2. Ratings Agency Presentations. County Manager Birnie explained that these presentations were done during the previous week and that the bond ratings should be back 8/9/10. He noted that the County had never been rated before.
3. GE Johnson Meeting. This non-County meeting will be held this evening and will be an opportunity to disseminate information to the public and to vendors. Commissioner Channell mentioned that he may attend.
4. DOLA Grant Application; Gunnison County Detention Center. County Manager Birnie informed the Board that the grant was submitted last week. The application focused on the ability to move the Sheriff's Office and acquire video arraignment technology. Grant decisions will be posted in December. This is a Tier II grant application, which will require a grant defense session.
5. Nature Conservancy Climate Change Group; Gunnison Wildlife Conservation Coordinator Jim Cochran Participation. County Manager Birnie wanted to make sure that the Board had seen the correspondence, which they had not, so he agreed to resend the information.
6. Strategic Business Plan Update; Customer Satisfaction Surveys. County Manager Birnie explained that many of the departmental plans include measurements for customer satisfaction. Since the Board is listed as a customer in some of the plans, a survey will be sent out within the next couple of months.
7. County Medical Officer's Professional Liability Insurance. County Manager Birnie reported that Dr. Tarr had inquired about the possibility of the County paying for his insurance since he will be retiring from his medical practice. County Manager Birnie felt that the nominal annual cost to the County of approximately \$1,500 was reasonable when considering the level of service that Dr. Tarr provides to the County. Commissioner Channell expressed concern about setting precedence of paying for insurance, though he is pleased with the level of service that the County receives from Dr. Tarr. County Manager Birnie stated that the County already pays for insurance for contract nurses and CTSI has an exclusion for physicians, so there must be a separate policy. The Board agreed that the expense was justified.
8. Vacation. County Manager Birnie informed the Board that he would be leaving for vacation on 8/4/10 and will not be back in the office until 8/12/10. He will not have access to electronic communication devices for most of this vacation.

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

1. Bylaws Amendment; Gunnison Basin Weed Commission. Assistant County Manager Crosby informed the Board that the local municipalities would not be participating in the Commission, but that the Forest Service, Hinsdale County and Saguache County would be participating. The Commission will hold quarterly meetings and ex-officio members will be able to vote. She provided a revised draft of the bylaws that incorporated County Attorney Baumgarten's comments that were listed on the agenda submittal form. Modifications were discussed and agreed upon; Assistant County Manager Crosby agreed to make the changes and then provide an updated version for signature. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve and accept the Gunnison Basin Weed Commission revised bylaws, as amended as discussed today. Motion carried unanimously.
2. County Road 10 Update. Assistant County Manager Crosby informed the Board that paving would begin today, weather permitting.
3. Correspondence from John Norton; Cement Creek. Assistant County Manager Crosby received this correspondence on 8/2/10 regarding traffic, dirt bike and ATV usage on Cement Creek. Neither the Board nor County Manager Birnie had seen the correspondence yet. She will respond to Mr. Norton.
4. Traffic Speed on Kebler and Cottonwood Passes. Assistant County Manager Crosby expressed concern related to the increasing traffic speeds on these passes. She noted that any improvements made to roads will tend to increase traffic speeds and that it is becoming problematic and unsafe. She will discuss the idea of additional patrols with the Sheriff's Office.

**LETTER OF SUPPORT; GUNNISON RANGLAND CONSERVANCY; GOCO OPEN SPACE GRANT APPLICATION:** County Manager Birnie confirmed that submitting this letter past the grant deadline would be acceptable. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve the support letter to Great Outdoors Colorado with regard to GOCO's Open Space grant for a Conservation Easement on Greg Peterson's Razor Creek Ranch. Motion carried unanimously.

**COLORADO COUNTIES, INC. (CCI) 2010 LEGISLATIVE COMMITTEE MEMBER APPOINTMENT:** **Moved** by Commissioner Swenson, seconded by Commissioner Channell to reappoint Hap Channell as our (the Board's) CCI legislative committee member. Motion carried unanimously.

**BREAK:** The meeting recessed from 9:04 until 9:11 am in order to hold the below Public Hearing.

**PUBLIC HEARING; PETITION TO VACATE A CERTAIN ALLEY IN THE TOWNSITE OF IRWIN, COLORADO; THE ENTIRE PORTION OF THE ALLEY THAT ABUTS LOTS 1, 2, 3, 4, 5, 6 AND 7 OF BLOCK 32; KARL R. PLAMBECK:** County Attorney Baumgarten, Assistant County Manager Crosby and property owner Karl Plambeck were present for discussion.

1. Open Public Hearing. Chairperson Starr opened the Public Hearing at 9:04 am.
2. Public Notice Confirmation. Assistant County Manager Crosby confirmed that the Public Hearing was properly noticed.
3. Identify Ex Parte Communications. There were no ex parte communications identified.
4. Staff Presentation. Assistant County Manager Crosby explained that the County had been working on this issue since last summer. The house on the property was separated from the foundation. Her office will be issuing a permit for improvements in the right-of-way. Mr. Plambeck would like to have the alley vacated so that he can put the deck back on the house.
5. Applicant Presentation. N/A.
6. Board Questions. Commissioner Channell asked the other commissioners whether or not they were in agreement with the public benefit of granting this request; the Board agreed.
7. Public Comments. Chairperson Starr opened the discussion to public comments at 9:10 am; however, there were no comments given.
8. Acknowledge Correspondence Received. Assistant County Manager Crosby received one email requesting clarification, which she provided. There was no other correspondence identified.
9. Applicant Response. N/A.
10. Close Public Hearing. Chairperson Starr closed the Public Hearing at 9:11 am.

**RESOLUTION; VACATING THE ALLEY LYING WITHIN BLOCK 32, TOWNSITE OF IRWIN, COUNTY OF GUNNISON, STATE OF COLORADO:** County Attorney Baumgarten, Assistant County Manager Crosby and property owner Karl Plambeck were present for discussion.

**Moved** by Commissioner Swenson, seconded by Commissioner Channell to adopt Resolution #2010-28, a Resolution Vacating the Alley Lying Within Block 32, Townsite of Irwin, County of Gunnison, State of Colorado and authorize signatures. Motion carried unanimously.

**RESOLUTION; APPROVING THE EXECUTION AND DELIVERY OF LOAN AGREEMENT AND BOND BY THE GUNNISON VALLEY HEALTH HOSPITAL (GVHH):** County Attorney Baumgarten, GVHH Administrator Randy Phelps and GVHH Chief Financial Officer Tim Cashman were present for discussion. County Manager Birnie informed the Board that Sherman and Howard prepared the draft resolution. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Resolution #2010-29, a Resolution Approving the Execution and Delivery of Loan Agreement and Bond by the Gunnison Valley Hospital and authorize signatures. Motion carried unanimously.

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A GROUND AND IMPROVEMENT LEASE AGREEMENT, A LEASE PURCHASE AGREEMENT, A CONTINUING DISCLOSURE CERTIFICATE, AN OFFICIAL STATEMENT, AND CERTAIN RELATED DOCUMENTS BY THE COUNTY; APPROVING THE FORMS OF RELATED DOCUMENTS; AND PROVIDING FOR OTHER MATTERS RELATING THERETO:** County Attorney Baumgarten was present for discussion.

County Manager Birnie explained that this document, relevant to the detention center construction project, defines the parameters in which the lease purchase can be made and that both principal and interest rate had been identified. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to adopt Resolution #2010-30, a Resolution Authorizing the Execution and Delivery of a Ground and Improvement Lease Agreement, a Lease Purchase Agreement, a Continuing Disclosure Certificate, an Official Statement, and Certain Related Documents by the County; Approving the Forms of Related Documents; and Providing for Other Matters Relating Thereto. Motion carried unanimously.

**BREAK:** The meeting recessed from 9:26 until 9:56 am.

**COMMISSIONER ITEMS:** This discussion began earlier than scheduled due to a gap in the meeting.

**Chairperson Starr:**

1. Proposition #101 and Amendments #60 and #61 Meeting. Chairperson Starr attended this recent meeting, as did many other local leaders. He provided copies of the information to the Board. Per a representative from Denver that was in attendance, the passage of any or all of these ballot measures could equate to the loss of about 73,000 jobs in Colorado. The cost for fishing and hunting licenses would also go up. The State is encouraging local entities to prepare alternative budgets for 2011 in the event that any or all of these pass. The City of Gunnison passed a resolution in opposition and the County will consider such a resolution in September.