

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
September 21, 2010**

The September 21, 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 8:17 am.

AGENDA REVIEW: There were no changes to the agenda.

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

1. Approval of County Clerk Signature; Addendum to the Warrant, Support, and License Agreement; Hart InterCivic, Inc.; Term Expires 4/18/13
2. Acknowledgment of County Manager Signature; Agreement Between Owner and Engineer for Professional Services; Jerry Greene Consulting Engineering; Preparation of the Preliminary Engineering Report and Environmental Report with Attachments, Preparation of Contract Documents, Contract Administration and Full-Time Resident Inspection; Antelope Hills Water Line Project
3. Acknowledgment of County Manager Signature; Funding Request Form, Conservation Trust Funds; Gunnison County Metropolitan Recreation District; Cycle Ending 9/30/2010; Enhancements/Improvements at the Fairgrounds and/or Trails Enhancements
4. Acknowledgment of County Manager Signature; Statement of Work; Innoprise Software, Inc.; Community Development Permit-Tracking Software Project
5. Acknowledgment of County Manager Signature; Colorado Department of Public Health and Environment, Prevention Services Division, Children with Special Health Care Needs (CSHCN) Unit, Health Care Program for Children with Special Health Care Needs (HCP), Budget Narrative FY11
6. Acknowledgment of County Manager Signature; State of Colorado, Department of Local Affairs; Contract Amendment #1, Encumbrance #L10CSBG19, Original Contract CLIN #09-1142; \$1,838
7. Ratification of Correspondence; Value-Added Development Board, Colorado Department of Agriculture; Support for an Advancing Colorado's Renewable Energy Grant Application; 9/15/2010
8. Ratification of Correspondence; Congresswoman Diana DeGette; West Elk and Powderhorn Wilderness Areas; 9/15/2010
9. Resolution; Concerning Fees Charged by the Gunnison County Sheriff's Office Relating to the Service of Process Pursuant to 2010 Amendments to §30-1-104, 30-1-105.5, 30-1-106, 30-1-107, and 30-1-116, C.R.S. (House Bill 10-1057)
10. Provider Agreement; Wyoming Children's Society; Professional Services Regarding Post Placement Supervisory Services for Children and Youth Referred from Gunnison County Department of Health and Human Services; 11/1/10 thru 12/31/10; \$830
11. Delta, Gunnison, Hinsdale County Options for Long Term Care Agency Subcontract; Case Management Services and Home Health Oversight for Applicants and Recipients of the Colorado Medical Assistance Program (Medicaid)
12. 2010 Curecanti National Recreation Area Noxious Weed Annual Operating Plan and Contract; Modification #2 under Master Agreement Number H1379080012
13. Grant Contract; Temple Hoyne Buell Foundation; Nurturing Parenting Program; Grant #5432; 9/1/10 thru 8/31/11; \$8,000
14. State of Colorado, Department of Local Affairs; Certification of Eligibility to Receive Conservation Trust Funds (CTF) for Period January 1 to December 31, 2011
15. **Pulled for Discussion and Separate Action:** Resolution; Opposing Proposition 101 and Amendments 60 and 61
16. Out-of-State Travel Request; Required Travel for National Association of County and City Health Officials) Emergency Preparedness Grant; Westin, Rhode Island; 10/19/2010 - 10/22/2010; Public Health Nurse Jean Kelley; \$1,508
17. Contract Agreement; Asphalt Specialists & Supply, Inc.; Gunnison-Crested Butte Regional Airport, Gunnison, Colorado; AIP Project No. 3-08-0030-43; Construction of Airport Improvements Including Rehabilitate Taxiway A (TW A1 to TW A3) and Install Surface Painted Guidance Signs, Runway 6/24 Striping, and Other Incidental Work at the Gunnison-Crested Butte Regional Airport
18. Addendum to the Development Improvements Agreement for Ute Trail Ranch; Ute Trail Ranch Foundation; Extension of Work Completion Date to 6/30/2011
19. Consulting Agreement; Sturgeon Electric Company, Inc.; Professional Network Wiring and Infrastructure Installation

20. CORE Services Program Three Year Plan, SFY 2010-2011, SFY 2011-2012, SFY 2012-2013, for Gunnison and Hinsdale Counties

CONSENT AGENDA ITEM #15: Chairperson Starr asked for additional discussion because he wanted to insert language regarding the detrimental effect to the public within the document. Modifications were discussed and agreed upon. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #15, which is Resolution #2010-41, and authorize signatures. 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. Cost of Government. County Manager Birnie informed the Board that his recent travel to Washington, DC to attend this conference, hosted by Governing Magazine, yielded valuable insight and information.
2. Construction Projects Update. County Manager Birnie informed the Board that a total of \$600,000 was awarded to local firms during the first bid package. Almost all local bids were awarded.
3. Tourism Association Assessment. County Manager Birnie informed the Board that targeted firms were sent proposal requests. A subcommittee to evaluate any submitted proposals may be assembled. Commissioner Channell will participate on that subcommittee as a member of the Gunnison River Valley Local Marketing District Board.
4. Governor's Energy Office Funding Update. County Manager Birnie explained that the County submitted a request for a commissioning agent at approximately \$60,000. The County may also be able to apply for a LEED grant this fall. Smaller funding amounts will be available for biomass applications.

THOMPSON DIVIDE COALITION CAMPAIGN: West Elk Scenic Loop and Byway board member Dave Roberts, High Country Citizens' Alliance representative Matt Reed, Gunnison Energy Corporation Director of Environment and Planning Lee Fyock, Thompson Divide Coalition President Jock Jacober and Thompson Divide Coalition board member Marj Perry were present for discussion.

Mr. Jacober stated that maps were created to account for natural phenomenon such as wildlife migration. He confirmed that Garfield County signed a support letter on 9/15/2010. Ms. Perry noted that this is an important corridor as it would be much easier for large animals to migrate if there were no roads. She stated that Garfield and Pitkin County Mule deer populations and health are declining, so migration is an important issue. Mr. Jacober explained that the plan is to withdraw leasing as leases expire and then work with current leaseholders to the betterment of the area.

Commissioner Swenson noted that Gunnison County has oil and gas regulations in place, which the other affected counties do not, so Gunnison County has a permitting process to go through prior to the creation of any wells. She further stated that Gunnison County has regulatory authority on anything within the boundaries of Gunnison County, including Forest Service land.

Mr. Reed felt that the Board has the opportunity to make a meaningful impact to wildlife and land.

Mr. Roberts informed the Board that the Byway Committee would prefer that the corridor protection goals and objectives mirror those of the Coalition.

Mr. Fyock stated that leases are given 10 years to be able to show productivity. As it stands right now, leases can be reoffered.

Commissioner Channell proposed that the County support the legislation. He provided draft correspondence for Board consideration and read it out loud for the audience members. Modifications to the draft correspondence were discussed and agreed upon by Chairperson Starr.

Commissioner Swenson was not ready to send correspondence, not because she did not see the merits of the proposed legislation, but because the County already has local tools in place and because she felt that this legislation may be overreaching in Gunnison County. Commissioner Channell acknowledged her concerns, but felt that sending the correspondence would not threaten the relationship between the County and the current leaseholders in the County. **Moved** by Commissioner Channell, seconded by Chairperson Starr to adopt a position of support and forward the letter as amended. Motion carried. Commissioner Swenson voted against the motion.

CLOUD SEEDING PROGRAM UPDATE: Senior Accountant Jane Wyman and North American Weather Consultants representative Don Griffith were present for discussion.

Mr. Griffith gave a visual presentation of the Cloud Seeding program, including its history and the proposal for the upcoming season from 11/15/2010 thru 4/15/2011 at an estimated total cost of \$92,000.

Senior Accountant Wyman informed the Board that the County carried forward approximately \$6,700 in 2009 funds and that all funding partners except for Crested Butte Mountain Resort and the City of Gunnison are anticipated to provide funding again this year. CBMR and the City of Gunnison both stated support for the program, but neither anticipates having any available funding.

BREAK: The meeting recessed from 10:02 until 10:15 am.

FAIRGROUNDS MASTER PLAN ADOPTION: Gunnison County Director of the CSU Cooperative Extension Eric McPhail, Fairgrounds Manager Melody Roper, Geographic Information Services Manager Mike Pelletier, Facilities Maintenance Supervisor Rich Corbett and Gunnison County Fire Protection District Fire Chief Dennis Spritzer were present for discussion.

Mr. McPhail presented the Fairgrounds Master Plan for consideration. He stated that the document was the result of input from organizations and persons that utilize the fairgrounds as well as a public outreach campaign completed by the Fairgrounds Master Planning Committee.

Chief Spritzer informed the Board that the City of Gunnison and the Fire Protection District would like to obtain the land directly to the south of the current firehouse. County Manager Birnie felt that the County could continue to lease this land in lieu of changing ownership. Chief Spritzer noted that he would rather change ownership because the City and District will likely plan to expand the firehouse structure onto this land. County Manager Birnie recommended suspending any Board decision on this piece of land until all parking issues relative to the PUD process have been resolved.

Moved by Commissioner Swenson, seconded by Commissioner Channell to adopt the Fairgrounds Master Plan, as presented by the task force today, and direct staff to come back with an implementation update. Motion carried unanimously.

BOUNDARY LINE ADJUSTMENT; LOT 6, CRYSTAL CREEK SUBDIVISION: County Planner Cathie Pagano and John Belkin, attorney representing the applicant, were present for discussion.

County Planner Pagano presented the Boundary Line Adjustment request. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Boundary Line Adjustment of Lot 6, Creek Side Subdivision and authorize the Chairperson's signature on the plat. Motion carried unanimously.

LOT CLUSTER APPLICATION; LOTS 1 & 2 BLOCK 10, MARBLE SKI AREA FILING #2, AND LOT 38, MARBLE SKI AREA FILING # 3; BENJAMIN COLLETT: County Planner Pagano was present for discussion.

County Planner Pagano presented the Lot Cluster Application for consideration. Commissioner Channell wondered whether or not the County would be compounding the problem of development on Serpentine Trail by approval of the application. County Planner Pagano noted that, theoretically, approval will reduce the development because one potential building lot will be eliminated. Commissioner Channell still questioned whether or not the County would be encouraging the development of the lot by approving the cluster. The Board agreed that this type of issue should be discussed during the next joint meeting with the Planning Commission. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Lot Cluster Application, Lots 1 and 2, Block 10, Marble Ski Area Filing #2, and Lot 38, Marble Ski Area Filing #3 and authorize signatures. Motion carried unanimously.

SADDLE RIDGE EASEMENT UPDATE; EXECUTION OF ACCEPTANCE OF DEDICATION OF TRAILS: Deputy County Attorney Tom Dill was present for discussion.

Deputy County Attorney Dill informed the Board that County Attorney David Baumgarten was in agreement with this acceptance and draft resolution. Modifications were discussed and agreed upon. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve Resolution #2010-42, a Resolution Accepting the Dedication of Public Trails Through Saddle Ridge Ranch Estates, as edited. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: County Treasurer Melody Marks presented the August 2010 Treasurer's Monthly Report and an Investment Report dated August 31, 2010 for discussion and acceptance. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to accept the Treasurer's Report for August 2010 and authorize the Chairperson's signature. Motion carried unanimously.

WARRANTS AND TRANSFERS: Finance Director Linda Nienhueser presented the Warrant Report dated September 21, 2010 and the Cash Transfer Authorization dated August 2010 for discussion and approval. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the warrants for September 21, 2010 through Warrant #102493 in the amount of \$1,056,550.52. Motion carried unanimously. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to authorize the Cash Transfer in the amount of \$2,032,998.57. Motion carried unanimously.