

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
October 5, 2010**

The October 5, 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 8:03 am.

AGENDA REVIEW: There were no changes to the agenda.

MINUTES APPROVAL: **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve the Regular Meeting minutes for August 17, 2010, the Special Meeting minutes for August 24, 2010 and the Special Meeting minutes for September 14, 2010 as submitted. Motion carried unanimously.

CONSENT AGENDA: **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Consent Agenda, as submitted. Motion carried unanimously.

1. Acknowledgment of County Manager Signature; Federal Forest Payment & Secure Rural Schools and Community Self Determination Act Election Form
2. Acknowledgment of County Manager Signature; Location Release Form; Trevor Mark; Permission, Right and License to Photograph, Film, and Videotape the Premises Located at County Courthouse for a Media Production; 10/15/10 - 10/16/10
3. Acknowledgment of County Manager Signature; Natural Gas Distribution Main Extension Agreement; Atmos Energy Corporation; Detention Center Facility; \$2,617
4. 7th Judicial District Victim Assistance and Law Enforcement Board Grant Contract; Gunnison County Sheriff's Office, Victim Services; Grant Number VA-11-009; 1/1/11 thru 12/31/11; \$16,000
5. Consulting Agreement; Dr. John Tarr, MD; Professional Services Regarding Medical Consultation for the Public Health Nurse and the Environmental Health Official and Other Duties of the Gunnison County Medical Officer for the County Health Department; Shared Portion of Malpractice Insurance; 10/1/10 thru 12/31/10; \$847.50
6. Consulting Agreement; Dr. John Tarr, MD; Professional Services Regarding Medical Consultation for the Public Health Nurse and the Environmental Health Official and Other Duties of the Gunnison County Medical Officer for the County Health Department; Shared Portion of Malpractice Insurance; 1/1/11 thru 12/31/11; \$2,550
7. Consulting Agreement; Dr. Marie Matthews, MD; Professional Services Regarding Medical Consultation for the Gunnison County Public Health Family Planning Program; 1/1/11 thru 12/31/11; \$1,200
8. Grant of Temporary Construction Easement; Realignment and Construction of Taylor River Road (aka County Road 742); Duffy Hutchins and Alyson McGinty
9. Grant of Temporary Construction Easement; Realignment and Construction of Taylor River Road (aka County Road 742); Louise D. Cross
10. Purchase of Service Contract, Regional Substance Abuse Services; Mental Health Service Plan for Montrose, Delta, Gunnison, Hinsdale, San Miguel and Ouray Counties; Ouray, San Miguel, Gunnison, Hinsdale, Delta and Montrose County Departments of Social Services (Midwestern Colorado Counties) and West Slope CASA; Drug and Alcohol Services Using Core Services and ADAD Additional Family Services Dollars; 6/1/2010 thru 5/31/2011

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 informed the Board that the building sites have been active. Dirt work has begun and concrete will be poured next week.
2. Strategic Planning Update. County Manager Birnie informed the Board that approximately 50 managers and supervisors will attend management training in mid-November. Elected officials will be invited to attend the training. This training was designed to connect strategic business plans to management practices and will be given by Weidner, Inc.
3. Tourism Association Assessment. County Manager Birnie informed the Board that TA Executive Director Jane Chaney will organize a group to review the four proposals that were submitted for consideration. The group will provide a recommendation to the Board on 10/7/10; the Board will

make a formal decision on 10/19/10. The assessment may cost up to \$15,000. The County solicited bids from targeted firms.

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

1. Gunnison County Landfill; Winter Hours of Operation. Assistant County Manager Crosby informed the Board that Vicki James resigned her position as the landfill's gatekeeper. Assistant County Manager Crosby stated that she would probably not fill the position this winter. Further, she recommended closing the landfill on Saturdays from 11/1/10 until 5/15/11. She noted that all landfill closures are posted on the County website, at the landfill and in paid display advertisements in the newspaper. Commissioner Swenson proposed closing until only 4/1/11 in order to evaluate the closure in the spring. The Board agreed to close the landfill on Saturdays from 11/1/10 until 4/1/11.
2. Amendment to Ground Lease Agreement; B.A.M.P., LLC; Identify Legal Description for the Current Leased Premises. Assistant County Manager Crosby recommended a change to the lease that would allow the Gunnison Valley Animal Welfare League to lease a portion of the lot previously leased to B.A.M.P. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve the B.A.M.P. lease amendment in the Gold Basin Industrial Park and authorize the Chairperson's signature. Motion carried unanimously.
3. Award Bid; Watson Flats Gravel Pit Crushing Operation. Assistant County Manager Crosby recommended awarding the bid to Elk Creek Sand and Gravel Company from Conifer. She requested authorization for the County Manager to sign the contract, when available. She stated that the total cost will be \$97,936.40, but that the US Forest Service would provide \$21,936.40 of that total cost, which will reduce the County's cost to \$77,000. She confirmed that no local firms have this crushing capability, which is why she could not recommend a local firm. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to award the bid to Elk Creek Sand and Gravel Company, and to authorize the County Manager's signature on the contract. Motion carried unanimously.
4. County Road 10 Completion Update. Assistant County Manager Crosby informed the Board that the shoulder work is complete and that, due to financial issues, some sections are paved while others are not. Striping should be completed before the end of the week, which will leave only culvert work to be done.
5. USDA Engineering Contract for Antelope Water. County Attorney David Baumgarten confirmed that he was agreeable to the language within the contract.

BREAK: The meeting recessed from 8:56 until 9:00 am in order to hold the below Public Hearing.

PUBLIC HEARING; AMENDMENTS TO THE GUNNISON COUNTY TEMPORARY OIL AND GAS REGULATIONS; APPLICATION AND CONSULTANT FEES: Assistant Community Development Director Neal Starkebaum was present for discussion.

1. Open Public Hearing. Chairperson Starr opened the Public Hearing at 8:57 am.
2. Public Notice Confirmation. Assistant Community Development Director Starkebaum confirmed that the Public Hearing had been properly and publicly noticed.
3. Identify Ex Parte Communications. There were no ex parte communications identified.
4. Staff Presentation. Assistant Community Development Director Starkebaum explained that the County does not have any adopted fees for oil and gas operations.
5. Applicant Presentation. N/A.
6. Board Questions. Commissioner Channell asked if any industry entities had provided any input prior to the Public Hearing; Assistant Community Development Director Starkebaum stated that no such input had been provided.
7. Public Comments. Chairperson Starr opened the Public Hearing to comments at 8:58 am. No members of the public were present for discussion.
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 9:00 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

RESOLUTION; AMENDMENTS TO THE GUNNISON COUNTY TEMPORARY OIL AND GAS REGULATIONS; APPLICATION AND CONSULTANT FEES: Assistant Community Development Director Starkebaum was present for discussion.

Moved by Commissioner Channell, seconded by Commissioner Swenson to approve Resolution #2010-43, a Resolution Approving an Amendment to the Gunnison County, Colorado Temporary Regulations for Oil and Gas Operations that deals with fees. Motion carried unanimously.

The Board acknowledged that each review, Administrative, Minor and Major, differs in the amount of time necessary to complete the review and that the County should recoup the cost of the applications for the public. A work session related to all Community Development fees will be scheduled by Assistant Community Development Director Starkebaum as soon as is feasible.

BREAK: The meeting recessed from 9:11 until 9:26 am.

MINUTES APPROVAL: After the 8/24/2010 meeting minutes were approved earlier in the meeting, it was determined that Commissioner Channell should not have voted to approve the minutes since he was not in attendance. **Moved** by Commissioner Swenson, seconded by Chairperson Starr to reconsider the August 24, 2010 Special Meeting minutes. Motion carried. Commissioner Channell abstained from the vote. Moved by Commissioner Swenson, seconded by Chairperson Starr to approve the Special Meeting minutes for August 24, 2010. Motion carried. Commissioner Channell abstained from the vote.

PETITION FOR ABATEMENT OR REFUND OF TAXES; LOT 2 LOWER SLATE RIVER RANCH, PLAT #587183; BARRY W. WHITE, ETAL: Assessing Coordinator William Spicer was present for discussion.

Assessing Coordinator Spicer explained that this lot is agricultural land, but that it had been mistakenly reclassified as vacant land at some point in time. The taxpayer didn't notice the error until receipt of the tax bill. Assessing Coordinator Spicer stated that the Assessor's Office recommended approval of the petition. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to approve the Petition for Abatement or Refund of Taxes for Lot 2, Lower Slate River Ranch, and authorize signatures. Motion carried unanimously.

PETITION FOR ABATEMENT OR REFUND OF TAXES; TRACT 1, ISLAND ACRES SUBDIVISION, ADJ 100' NORTH #563442; ISLAND ACRES RESORT, LLC: Assessing Coordinator Spicer was present for discussion.

Assessing Coordinator Spicer explained that the petitioner filed an appeal in 2009, which resulted in an adjusted value based on the physical condition of the property and a review of comparable sales. This petition is for 2008 and the petitioner is seeking an equivalent adjustment. The Assessor's Office recommended approval of the petition. **Moved** by Commissioner Channell, seconded by Commissioner Swenson to approve the Petition for Abatement or Refund of Taxes for 2008 for Tract 1, Island Acres Subdivision. Motion carried unanimously.

REVISED PERSONNEL POLICIES: Human Resources Director Debbie Moore was present for discussion.

Human Resources Director Moore presented draft modifications to the personnel policies. Further modifications were discussed and agreed upon. **Moved** by Commissioner Swenson, seconded by Commissioner Channell to adopt the revised personnel policies, with the additional revisions made today. Motion carried unanimously.

REQUEST FOR FUNDING; BUILDING OUR COMMUNITY; WESTERN STATE COLLEGE AND GUNNISON COUNTRY CHAMBER OF COMMERCE: Gunnison Country Chamber of Commerce President Greg Larson, Gunnison Country Chamber of Commerce Director Tammy Scott and Western State College (WSC) Vice-President of Student Affairs Gary Pierson were present for discussion.

Ms. Scott explained that the Chamber has begun promoting a broader scope of the community, including WSC. Fundraising efforts resulted in the \$1,200 purchase of over-the-highway banners, which will be used until WSC graduation in May 2011. The purchase of smaller flags would enhance WSC's downtown visibility. Because merchants will not likely be able to afford the cost of these materials, Ms. Scott requested financial assistance from the County.

Mr. Pierson stated that WSC purchased t-shirts to give to the employees of downtown businesses to wear on game days and other important WSC weekends. Mr. Pierson would also like to sell WSC merchandise, such as apparel, via placement in downtown stores.

Mr. Larson explained that the downtown flags cost approximately \$75 each, for a total project cost of up to \$6,000. While businesses will still be asked to purchase the flags, financial assistance from the County would help to offset the total cost. Mr. Larson requested \$2,500 to purchase 100 flags and flagpoles.

Moved by Commissioner Channell, seconded by Commissioner Swenson to appropriate \$3,000 for the Western State College Town Flag project from discretionary funds. Motion carried unanimously.

BREAK: The meeting recessed from 10:10 until 10:16 am.