

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
May 3, 2011**

The May 3, 2011 meeting was held in the Commissioners' boardroom in the Courthouse located at 200 E. Virginia, Gunnison, Colorado. Present were:

Hap Channell, Chairperson  
Paula Swenson, Vice-Chairperson  
Phil Chamberland, Commissioner

Matthew Birnie, County Manager  
Katherine Haase, Clerk to the Board  
Others Present as Listed in Text

**CALL TO ORDER:** Chairperson Channell called the meeting to order at 8:37 am.

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

**MINUTES APPROVAL:** Moved by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Regular Meeting minutes for March 1, 2011. Motion carried unanimously. Moved by Commissioner Swenson, seconded by Chairperson Channell to approve the Regular Meeting minutes for March 15, 2011, as amended with LLC being changed to LLLP in two places. Chairperson Channell noted that the electronic version reflects those changes. Motion carried. (Commissioner Chamberland could not vote to approve the minutes of the 3/15/11 meeting as he was not present for that meeting.)

**CONSENT AGENDA:** Chairperson Channell requested that Consent Agenda Item #18 be pulled for further discussion. Moved by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Consent Agenda excluding Item #18 and authorize signatures. Motion carried unanimously.

1. Acknowledgment of County Manager Signature; Colorado Department of Public Health and Environment, Routing No. 12 FLA 30004; Approved Task Order Contract - Waiver #154; Women's Wellness Connection Program, Breast and Cervical Screening for Women Over 40
2. Acknowledgment of County Manager Signature; Community Foundation of the Gunnison Valley Grant Application; Nurturing Parenting Program; 7/1/11 thru 4/30/12; \$2,500
3. Acknowledgment of County Manager Signature; Temple Hoyne Buell Grant Application; Nurturing Parenting Program; 7/1/11 thru 6/30/12; \$8,000
4. Ratification of Chairperson Hap Channell Signature; State of Colorado, Department of Local Affairs, Contract Amendment #3, EIAF #6236, Gunnison County Utility Department Garage
5. Colorado Interactive Change Request Form; Online PayPort Application; Colorado Statewide Internet Portal Authority and Colorado Interactive
6. Rescission of Amendment to Ground Lease Agreement; BAMP, LLC
7. Colorado Department of Public Health and Environment, PSD-FPP, FLA; Contract Routing Number 11-30211; Amendment for Task Orders #2; Family Planning
8. Federal Aviation Administration Application for Federal Assistance; Reconstruction of Commercial Apron Rehabilitation at the Gunnison-Crested Butte Regional Airport; \$2,500,000
9. Amendment No. Two (2) to Contract Dated February 23, 2010 between Jviation, Inc. and Gunnison County and the Gunnison Crested Butte Regional Airport, Gunnison, CO; Engineering Services to Rehabilitate Commercial Ramp; \$479,290
10. Amendment No. Three (3) to Contract Dated February 23, 2010 between Jviation, Inc. and Gunnison County and the Gunnison Crested Butte Regional Airport, Gunnison, CO; Engineering Services to Repair Perimeter Fence; \$25,120
11. 2011 Memorandum of Agreement; Crested Butte Mountain Theatre; Community-Based Organization Funding; \$750.00
12. 2011 Memorandum of Agreement; Midwestern Colorado Mental Health Center; Community-Based Organization Funding; \$11,000
13. 2011 Memorandum of Agreement; Gunnison River Festival; Community-Based Organization Funding; \$2,500
14. 2011 Memorandum of Agreement; Crested Butte Nordic Council; Community-Based Organization Funding; \$4,000
15. Colorado Department of Public Health and Environment, PSD-CFPI, FLA; Contract Routing Number 12-30061; Amendment for Task Orders #6; 7/1/11 thru 6/30/12; \$53,467
16. 2011 Memorandum of Agreement; Six Points Evaluation and Training, Inc.; Community-Based Organization Funding; \$12,000
17. Agreement; EB Customs, LLC; Professional Services Regarding Repairs of Damage that Have Already Been Identified at 1420 Rock Creek; 5/1/11 thru 5/31/11; \$3,205
18. **Pulled for Discussion and Separate Action:** Acknowledgment of County Manager Signature; Provider Agreement; Stepping Stones Children's Center; Professional Services Regarding Implementation of the Pyramid Model in Collaboration with the Gunnison Hinsdale Early Childhood Council and the Gunnison County Department of Health and Human Services; 4/1/11 thru 1/31/12; \$20,000

19. Grant Agreement Between State of Colorado Department of Local Affairs and Gunnison County; Direct Emergency Assistance to Health and Human Services Department Clients; 3/1/11 thru 2/28/12; \$13,849
20. Acknowledgment of County Manager Signature; Temple Hoyne Buell Grant Application; Early Childhood Council Coordinator; 7/1/11 thru 6/30/12; \$26,717
21. Provider Agreement; Gunnison Area Restorative Practices; Professional Services Regarding Assessment, Service Planning and Clinical Services to Promote Health and Wellness to Individuals and Families Referred from Gunnison County Department of Health and Human Services; 5/1/11 thru 6/30/12

**CONSENT AGENDA ITEM #18:** Chairperson Channell requested a definition for pyramid model. County Manager Birnie explained that this relates to the curriculum for specific programming that will be implemented in the local preschools. County Manager Birnie will determine the exact meaning and then email the information to the Board. **Moved** by Chairperson Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #18. Motion carried unanimously.

**SCHEDULING:** The Upcoming Meetings Schedule was discussed and updated.

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

1. Capital Projects Update. County Manager Birnie distributed copies of GE Johnson's current list of local contractors. He also noted that Buckhorn Geotech also has contracted locally for approximately \$65,000, Headwaters Exploration has contracted approximately \$4,000, and Resource Engineering Group was contracted for \$50,000. He agreed to send the Board an email with the additional information. Other benefits to the community, such as how much money the contractors spend locally, have not been calculated. The Board will perform site visits to the two facilities on 6/24/11.
2. County Board of Equalization Hearing Officer. County Manager Birnie informed the Board that he had been discussing the possibility of utilizing a hearing officer with a potential candidate. He asked that the Board confirm the intention of utilizing an officer for one of the hearing dates in July or August at a cost of approximately \$300 per day. The Board confirmed this intention.
3. Tour of Arch Coal Mine. County Manager Birnie informed the Board that a summertime opportunity to tour the mine has been offered to the County. He will check on potential tour dates and then report back to the Board.
4. Highway 50 speed limit signage update. County Manager Birnie stated that he and Assistant County Manager Crosby would be following up with the Colorado Department of Transportation on this issue. A speed study is likely to be scheduled.

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

1. Resolution: Amending Certain Charges and Fees for Integrated Solid Waste Services Effective April 1, 2011, This Resolution Supersedes Resolution 10-58. Assistant County Manager Crosby noted that the County's fees are lower than those charged by neighboring landfills. Scales will be utilized in the future to more accurately determine load volume. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adopt Resolution #2011-18, a Resolution Amending Certain Charges and Fees for Integrated Solid Waste Services Effective April 1, 2011, This Resolution Supersedes Resolution 10-58, and authorize signatures. Motion carried unanimously.
2. Grant of Perpetual Easement; Richard S. Simillion; Township 50 North, Range 1 West, NMPM, Section 24 SW1/4SW1/4, Section 25 NW1/4NW1/4; \$3,000. Assistant County Manager Crosby informed the Board that many of these easements will be presented for approval within the next several months. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Perpetual Easement for the North Gunnison Sewer with Richard Simillion and authorize the Chairperson's sign. Motion carried unanimously.
3. Application for Gunnison Sage Grouse Conservation Trust Funds; Gunnison Ranchland Conservation Legacy; Peterson Razor Creek Ranch Project, Final Phase; \$40,000. Gunnison Wildlife Conservation Coordinator Jim Cochran was present for discussion of this application that was unanimously approved by the Sage Grouse Mitigation Committee. Per Gunnison Wildlife Conservation Coordinator Cochran, the Gunnison Valley Land Preservation Fund approved \$142,400 in case the additional \$40,000 is not also approved. The Board agreed that \$37,500 could be paid from the Trust while the remaining \$2,500 could be paid from funding that is currently designated for Saguache County easement efforts. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to authorize \$37,500 from the Sage Grouse Conservation Trust Fund to go towards the Peterson Razor Creek Ranch Project, and that we also allocate the \$2,500 from Saguache County holdings in the Sage Grouse Fund for easements to go to this project for a total of \$40,000. Motion carried unanimously.
4. Taylor River Right-of-Way Certification. Assistant County Manager Crosby explained that the Board had previously authorized her signature on this document in December 2010, but that she just recently received it. She brought it to the meeting in the event that the Board would prefer to sign the document instead. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Chairperson's signature on the Right of Way and Utility Certification with a Federal Highway Right-of-Way. Motion carried unanimously.

**ROAD CLOSURE REQUEST; LEADVILLE 100 QUALIFYING RACE; 7/31/2011:** Assistant County Manager Crosby and Dave Ochs were present for discussion.

Assistant County Manager Crosby informed the Board that the only comments received were those from a resident of Schofield and from Randi Stroh. Those comments expressed concern about emergency access. She proposed that the County distribute flyers around town, place bordered ads in the newspaper, and utilize the electronic sign during the week prior to the event. Mr. Ochs volunteered to contact Ms. Stroh.

Chairperson Channell felt that spectator management will be important. Mr. Ochs felt that there will not be as many spectators on the course as Ms. Stroh stated concern about, largely due to access. The Board asked Mr. Ochs to plan for more spectators.

**Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the road closures for the Leadville 100 Qualifying Race to be held on July 31<sup>st</sup> in the Crested Butte area, and on the roads that have been identified in the document (provided by Mr. Ochs and included within the Board meeting packet), understanding that actual race times are flexible and may be changing. Assistant County Manager Crosby noted that the times may change as we near the race, so she asked that this be accounted for in the motion. The previous motion was modified accordingly by Commissioner Swenson and Commissioner Chamberland seconded the modified motion. Motion carried unanimously.

**SETTLEMENT AGREEMENT; VERZUH RANCH, INC. / SHADY ISLAND SUBDIVISION; POSSIBLE EXECUTIVE SESSION:** County Attorney David Baumgarten, County Paralegal Rachel Magruder, Assistant County Manager Crosby and attorney Marcus Lock were present for discussion.

Assistant County Manager Crosby explained that execution of this Agreement will allow for the extension of the North Gunnison sewer to those residents who are currently served by Individual Sewage Disposal Systems (ISDS). County Attorney Baumgarten confirmed that the drafted documents were appropriate for approval, will memorialize a previous Board direction to staff, and that one document was modified over the weekend. Mr. Lock confirmed that Lot 2 was substituted for Lot 4 because of an existing encumbrance. If properties are sold, the developer may switch to a bond in lieu of a property for the County to hold.

1. Settlement Agreement. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Settlement Agreement between Verzuh Ranch, Inc. and Gunnison County, and authorize signatures. Motion carried unanimously.
2. Resolution; Reapproving the Final Plan of Land Use Change Application No. 2005-73, a Land Use Change Permit for Verzuh Ranch, Inc. for the Shady Island Subdivision. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adopt Resolution #2011-19, a Resolution Reapproving the Final Plan of Land Use Change Application No. 2005-73, a Land Use Change Permit for Verzuh Ranch, Inc. for the Shady Island Subdivision, and authorize all of the Commissioners' signatures. Motion carried unanimously.
3. Real Estate Mortgage. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Real Estate Mortgage, as presented with Lots 2 and 3, and authorize the Chairperson's signature. Motion carried unanimously.
4. Development Improvements Agreement. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Development Improvements Agreement, as proposed, and authorize the Chairperson's signature. Motion carried unanimously.
5. Grant of Temporary Construction Easement for Sewer Line. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Grant of Temporary Construction Easement for Sewer Line Construction and authorize all of the Commissioners' signatures. Motion carried unanimously.
6. Grant of Perpetual Nonexclusive Easement for Sewer Line. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Grant of Perpetual Nonexclusive Easement for Sewer Line and authorize signatures. Motion carried unanimously.

**LOT CLUSTER APPLICATION; LOTS 15-20, BLOCK 7 AND LOTS 11-12, BLOCK 8, TOWNSHIP OF TINCUP, COUNTY OF GUNNISON, STATE OF COLORADO; HOWARD L. AND NARCISSA L. CHANNELL:** Chairperson Channell recused himself from the discussion and decision due to a conflict of interest. Community Development Department Services Manager Beth Baker was present for discussion.

Community Development Department Services Manager Baker confirmed that the request had been reviewed and approved for submission to the Board by County Attorney Baumgarten and Community Development Department Director Joanne Williams. A variance from the ISDS regulations was also applied for and approved. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson to approve the Lot Cluster Application with the Channells. Motion carried. (Chairperson Channell did not take part in the discussion and action.)

**BOUNDARY LINE ADJUSTMENTS:**

1. Two Parcels North of the City of Gunnison; Richard Simillion and William Goddard, Represented by Attorney David Leinsdorf. Assistant Community Development Director Neal Starkebaum and

attorney David Leinsdorf were present for discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Goddard/Simillion Boundary Line Adjustment and authorize signatures. Though public benefit was not necessarily proven, it was agreed that approval would cause no harm to the public. Motion carried unanimously.

2. Blue Mesa Subdivision Parcels; Willow Creek Landholdings and the Melvin Revocable Trust. County Planner Cathie Pagano was present for discussion and explained that this adjustment is necessary because one owner's driveway is located on the other owner's property. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Melvin Boundary Line Adjustment and authorize the Chairperson's signature. Motion carried unanimously.
3. Lot 3, Crystal Creek Subdivision; Corbin Robertson and Crystal Creek Homeowner's Association, Represented by Jacob With and Marcus Lock. County Planner Pagano and attorneys Marcus Lock and Jacob With were present for discussion. County Planner Pagano confirmed that the HOA approved of this request. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Lot 3 Crystal Creek Subdivision Boundary Line Adjustment between Corbin Robertson and the Crystal Creek Homeowner's Association and authorize signatures. Motion carried unanimously.

**BREAK:** The meeting recessed from 10:23 until 10:41 am.

**DIRECTION REGARDING POTENTIAL AMICUS BRIEF TO COLORADO SUPREME COURT; GRAND VALLEY CITIZENS' ALLIANCE V. COLORADO OIL AND GAS CONSERVATION COMMISSION; POSSIBLE EXECUTIVE SESSION:** County Attorney Baumgarten and attorney Luke Danielson were present for discussion.

County Attorney Baumgarten explained that a Denver County District Court decision in 2009 allowed drilling using underground nuclear devices. These were failed experiments. In the past, hearings were requested by interested parties, but the hearings were denied under the old laws. At that time, the County was granted amicus status to the Court of Appeals. Currently, the Supreme Court has agreed to hear this case and has issued two questions that it will hear. One of those questions is in regards to who can request a Colorado Oil and Gas Conservation Commission (COGCC) hearing. County Attorney Baumgarten suggested that Gunnison County participate in this current hearing process.

Mr. Danielson informed the Board that he currently represents some of the persons involved. He explained that the COGCC created a situation whereby landowners' concerns cannot be heard by the State unless the statements come from the County. Garfield County took some of these cases on and it cost approximately \$80,000 each case to do so. He stated his belief that citizens should be able to go directly to the COGCC, and Garfield County is in agreement with this belief. He feels that this is an unfunded mandate because counties bear the burden of the cost of involvement as the citizens cannot address the State directly. County Attorney Baumgarten agreed that this was an unfunded mandate and, possibly, even an unwarranted mandate.

County Attorney Baumgarten estimated that it would take between 40 and 80 hours of attorney time to prepare and submit a brief. Mr. Danielson and County Attorney Baumgarten agreed that other counties are expected to concur with this assessment. Mr. Danielson informed the Board that many other states currently allow property owners to be heard directly by the permitting agency.

**Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to direct the County Attorney to draft an amicus brief to the Colorado Supreme Court regarding the Grand Valley Citizens' Alliance vs. the Colorado Oil and Gas Conservation Commission. Motion carried unanimously.

**CORRESPONDENCE; US POSTAL SERVICE; PROPOSED PARLIN, COLORADO POST OFFICE CLOSURE:** Letters and correspondence were received in support of keeping the Parlin Post Office open. Modifications to the draft correspondence were discussed and agreed upon. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the letters to go out to the congressional delegation and US Postal Service folks regarding the closure of the Parlin Post Office. Motion carried unanimously.

**BOARDS & COMMISSIONS APPOINTMENT; ALTERNATE PLANNING COMMISSION MEMBER:** **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson to appoint Warren Wilcox for the remainder of the term for the vacancy for an alternate on the Planning Commission. Chairperson Channell felt that the Board should possibly include a scientist on the Planning Commission in the future. One of the current applicants, a scientist, is new to the area. Motion carried unanimously.

**COLORADO RIVER WATER CONSERVATION DISTRICT REPORT:** CRWCD representative Bill Trampe was not present, so this discussion was cancelled.

**UNSCHEDULED CITIZENS:**

1. Mark Schumacher. Mr. Schumacher expressed his concern related to the Rocky Mountain Biological Laboratory's (RMBL) building/ISDS permits. He felt that the discharge amounts should

trigger a State review for a discharge permit. He stated that he had been informed by many staff members that County Attorney Baumgarten is in the process of creating a Development Improvements Agreement to ensure that there will be sufficient funding for an ISDS system. He opined that this private non-profit organization should abide by the current regulations, since RMBL received the land use review decision in 1989 to construct 900 square foot research center and may currently be planning to increase that size to 5,000 square foot. County Manager Birnie will look into this situation immediately and then report back to the Board.

#### COMMISSIONER ITEMS:

##### Commissioner Chamberland:

1. Bureau of Land Management Fracking Forum. Commissioner Chamberland attended this interesting and informative forum. A video presentation will be available soon.

##### Commissioner Swenson:

1. Gunnison-Crested Butte Regional Airport; Terminal Rehabilitation Meeting. Commissioner Swenson met with Airport Manager John DeVore, Assistant County Manager Crosby and a representative from the Gunnisack Restaurant to discuss the need for bathrooms and restaurant service in the secured area. The secured area may be expanded. The group will request that the Transportation Security Administration evaluate the way it does business at the airport in order to keep the security station open longer. A family bathroom may be added to the upstairs area.
2. Gunnison Rotary Club Meeting. Commissioner Swenson attended a recent meeting during which the Economic Development plan was rolled out. Work will progress to a regional level.
3. Region 10 Transit Meeting. Commissioner Swenson attended this meeting on 4/29/11 with representatives from Montrose, Delta, Ouray and San Miguel Counties to work on transit issues.
4. Region 10. Commissioner Swenson attended this recent meeting. Businesses have been able to receive advice and assistance relevant to energy-efficiency upgrades from the Office for Resource Efficiency and the Governor's Energy Office. Region 10 is evaluating whether or not it might be able to grant loans to businesses for these upgrades. Region 10 loaned money to a new martial arts business in Gunnison and another business, currently operating out of Crested Butte, will be completing a loan to expand its business into the Gunnison area.

##### Chairperson Channell:

1. Office for Resource Efficiency Board Meeting. Chairperson Channell noted that there have been 33 inquiries into the Energy Wise Business Program, which may be in excess of what the current staffing can manage. There have been five energy-efficient conversions thus far. A Building and Sustainable Business course, offered through Western State College, had 15 enrollees comprised of students and local business representatives. A group or institute may be formed in the future to address sustainable living in cold climates. Eagle County has been slow to respond with regard to the Energy Smart Loan Program, which is causing problems for Pitkin and Gunnison Counties.
2. Gunnison County Substance Abuse Prevention Project (GCSAPP) and Family Advocacy and Support Team (FAST) Gathering. Chairperson Channell attended this recent gathering during which a doctor of clinical chemistry and expert on drug chemistry and abuse gave a very sobering presentation. He felt that the Board should see the marijuana portion of the presentation since the County will likely be asked at some point in the future to take a stand on the issue.

**ADJOURN:** Moved by Commissioner Swenson, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:57 am.

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Hap Channell, Chairperson

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Paula Swenson, Vice-Chairperson

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Phil Chamberland, Commissioner

Minutes Prepared By:

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Katherine Haase, Deputy County Clerk

Attest:

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Stella Dominguez, County Clerk

**GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES**

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 11-18**

A RESOLUTION AMENDING CERTAIN CHARGES AND FEES FOR INTEGRATED SOLID WASTE SERVICES  
EFFECTIVE APRIL 1, 2011  
THIS RESOLUTION SUPERSEDES RESOLUTION 10-58

WHEREAS, the Gunnison County Landfill, also known as the Six Mile Lane Landfill ("Landfill") was established pursuant to Resolution No. 18, Series 1985; and

WHEREAS, the Solid Waste Fund is operated and funded through charges and fees for services at the Landfill site and sales of materials at the Gunnison County Recycling Center located at Tenth Street and Rio Grande Avenue; and

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado, wants to adjust the charges and fees for the Landfill to better fund that operation and make it self-supporting; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting any and all costs of a County administered recycling program; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting any and all costs of future closure and post-closure of the Landfill site; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting any and all costs of future Landfill expansion construction costs of the Landfill site; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting costs associated with sage grouse mitigation; and

WHEREAS, a solid waste user fee shall be imposed in addition to all charges and fees specified herewith pursuant to Colorado Revised Statutes § 25-16-104.5;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that the following charges and fees are hereby established, to be effective April 1, 2011:

CHARGE	Landfill	Recycling	Closure	Const.	Sage Grouse	State Fees	TOTAL
Administration Fee	105.00	0.00	0.00	0.00	0.00	0.00	105.00
Appliance Disposal	10.00	0.00	0.00	0.00	0.00	0.00	10.00
Bales: 4'x6'x2.5'	17.22	0.00	0.00	0.00	0.00	0.78	18.00
Beneficial Use Yardage	5.25	0.00	0.00	0.00	0.00	0.00	5.25
Biosolid Yardage	14.15	2.27	0.45	1.74	1.00	0.39	20.00
Car	3.58	1.31	0.26	1.00	0.57	0.13	6.85
Car Wash Sludge	4.40	2.27	0.45	1.74	1.00	0.39	10.25
Clean Wood Yardage	4.54	2.27	0.45	1.74	1.00	0.00	10.00
Concrete < 12" Diameter	1.04	2.27	0.45	1.74	1.00	0.00	6.50
Concrete > 12" Diameter	15.04	2.27	0.45	1.74	1.00	0.00	20.50
Dead Animals	11.72	0.00	0.00	0.00	0.00	0.78	12.50
Friable Asbestos Yards	24.15	2.27	0.45	1.74	1.00	0.39	30.00
Grnd Const Debris Yds	4.02	1.52	0.45	1.74	0.00	0.39	8.12
Loose Yardage	6.15	2.27	0.45	1.74	1.00	0.39	12.00

Mini Pickup	7.86	2.86	0.57	2.19	1.26	0.26	15.00
Minimum Charge	3.61	0.00	0.00	0.00	0.00	0.39	4.00
Organic Material Yards	5.25	0.00	0.00	0.00	0.00	0.00	5.25
Packed Yardage	6.15	2.27	0.45	1.74	1.00	0.39	12.00
Refrigerator/Freezer	15.00	0.00	0.00	0.00	0.00	0.00	15.00
Special Waste Yardage	6.15	2.27	0.45	1.74	1.00	0.39	12.00
Standard Pickup	12.82	4.54	0.90	3.48	2.00	0.26	24.00
Tire Rims	1.25	0.00	0.00	0.00	0.00	0.00	1.25
Tires-Loader	10.36	0.00	0.02	0.08	0.04	0.00	10.50
Tires-Passenger	4.11	0.00	0.02	0.08	0.04	0.00	4.25
Tires-Truck	5.11	0.00	0.02	0.08	0.04	0.00	5.25

Uncovered, blowable loads shall be charged double the above charges.

The Finance Department may, at its discretion, charge a \$5.00 service charge for copies of landfill invoices.

BE IT FURTHER RESOLVED that the above fees amend and supersede any previous conflicting fees and shall remain in full force and effect until changed by resolution of the Board of County Commissioners.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Chamberland, and adopted this 3<sup>rd</sup> day of May, 2011.

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO  
RESOLUTION NO. 19, SERIES 2011**

A RESOLUTION REAPPROVING THE FINAL PLAN OF LAND USE CHANGE APPLICATION NO. 2005-73 A  
LAND USE CHANGE PERMIT FOR VERZUH RANCH INC. FOR THE  
SHADY ISLAND SUBDIVISION

WHEREAS, Verzuh Ranch, Inc. has applied for a Gunnison County Land Use Change Permit to subdivide a 10.36-acre parcel into sixteen single-family residential lots and common open space area of 4.74 acres on a parcel legally described as the SW ¼ NE ¼ and the NW ¼ NE ¼, Section 24, Township 50 North, Range 1 West, N.M.P.M.; and

WHEREAS, after a review of the application and all information, documentation and testimony related to it, the Gunnison County Planning Commission did, on April 4, 2008 forward to the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") a Recommendation of approval of the Preliminary Plan application with certain Findings and Conditions and whereas on April 15, 2008 the Board did approve with certain Findings and Conditions the Shady Island Preliminary Plan;

WHEREAS, the Board approved the Final Plan of Land Use Change Application No. 2005-73 on May 20, 2008, which final approval was recorded in the office of the Gunnison County Clerk & Recorder on May 21, 2008, at Reception No. 584019; and

WHEREAS, the Board and Verzuh Ranch, Inc. entered into that certain Settlement Agreement on May 3, 2011 which satisfies certain conditions of the aforementioned approval and contemplates the reapproval of said land use change;

**FINDINGS AND CONDITIONS:**

1. The findings and conditions set forth in RESOLUTION REAPPROVING THE FINAL PLAN OF LAND USE CHANGE APPLICATION NO. 2005-73 A LAND USE CHANGE PERMIT FOR VERZUH RANCH INC. FOR THE SHADY ISLAND SUBDIVISION, except as modified or otherwise set forth in that certain Settlement Agreement between the Board and Verzuh Ranch, Inc., dated May 3, 2011 are incorporated herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that the Final Plan for Land Use Change application No. 2005-73 is hereby reapproved; and

WHEREAS, THIS APPROVAL is affected noting that decision documentation includes, but is not limited to the application and the entire Planning Department Land Use Change Permit No: 2005-73 application file. This reapproval is founded on each individual finding and requirement, except as modified or otherwise set forth in that certain Settlement Agreement between Gunnison County and Verzuh Ranch,

Inc. dated May 3, 2011. Should Verzuh Ranch, Inc. successfully challenge any such finding or requirement, this approval is null and void.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County, Colorado.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Chamberland, and passed on this 3<sup>rd</sup> day of May, 2011

BOARD OF COUNTY COMMISSIONERS  
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.