

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
October 18, 2011**

The October 18, 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 8:29 am.

AGENDA REVIEW: There were no changes to the agenda.

MINUTES APPROVAL: There weren't any sets of minutes ready and available for approval.

CONSENT AGENDA: Commissioner Chamberland requested that Consent Agenda Item #5 be pulled for further discussion. Chairperson Channell requested that Consent Agenda Items #1 and #6 be pulled for further discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Consent Agenda excluding Items #1, #5 and #6. Motion carried unanimously.

1. **Pulled for Discussion and Separate Action:** Cobra Combo Cashier Service Agreement; Swanson Services Corporation; 8/3/11 thru 8/3/16
2. Provider Agreement; Laurie Boscaro; Professional Services Regarding Assessment, Service Planning and Clinical Services to Promote Health and Wellness to Individuals and Families Referred from Gunnison County Family Advocacy and Support Team through the Office of Juvenile Services; 10/18/11 thru 6/30/12
3. First Amendment to ADS-B WAM Radio Site Facility & Tower Sublease Agreement; ITT Information Systems; W Mountain, aka Tenderfoot Mountain
4. Acknowledgment of County Manager Signature; West Central Public Health Partnership Office of Planning and Partnerships 2010-2011 Scope of Work; 10/1/11 thru 9/30/12; \$10,000
5. **Pulled for Discussion and Separate Action:** Out-of-State Travel Request; San Diego International Conference on Child and Family Maltreatment; San Diego, CA; Deputy County Attorney Art Trezise; 1/24/12 thru 1/26/12; \$1,525
6. **Pulled for Discussion and Separate Action:** Memorandum of Understanding Regarding Provisions of Legal Services; Between the Board of County Commissioners of Gunnison County and the Gunnison-Hinsdale Board of Human Services; 7/1/11 thru 6/30/12
7. Acknowledgment of County Manager Signature; Request for Proposal for Two-Day Workshop; National Women's Health Week 2012; 5/13/12 and 5/19/12

CONSENT AGENDA ITEM #1: Chairperson Channell asked for further discussion about this kiosk. County Manager Birnie explained that this automated commissary kiosk will be placed in the Public Safety Center. The Board agreed that the entity name and signature lines need to be corrected. **Moved** by Chairperson Channell, seconded by Commissioner Swenson to approve Consent Agenda Item #1, with the recommended strikethroughs. Motion carried unanimously.

CONSENT AGENDA ITEM #5: Commissioner Chamberland asked for further discussion about the cost of the airfare and whether it would be paid from 2011 or 2012 funds. It was agreed that the airfare will be paid via 2011 funds. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson to approve Consent Agenda Item #11. Motion carried unanimously.

CONSENT AGENDA ITEM #6: Chairperson Channell asked for further discussion on this item due to the timeliness of the contract. County Manager Birnie explained that most Human Services contracts come to us already in arrears, and he agreed to verify the cause for delay related to this particular contract with Health and Human Services Director Renee Brown. The delay may have been caused by the increased allocation. **Moved** by Chairperson Channell, seconded by Commissioner Chamberland to approve Consent Agenda Item #6. Motion carried unanimously.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

1. Set Public Hearing Date; Gunnison County Land Use Resolution (LUR) Amendments. Assistant Community Development Director Neal Starkebaum was present for discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to set a Public Hearing for amendments to the Gunnison County Land Use Resolution on December 6, 2011 at 10:45 am. Motion carried unanimously.
2. Robert A. Watters American Legion Post #54 Historical Building Designation Celebration; 10/19/11; 6:00 pm. Chairperson Channell will attend this event.

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

1. Treasurer's Office Software Update. County Manager Birnie informed the Board that he had received reports of progress from the Treasurer's Office. The first quarter of 2011 has been reconciled and balanced, and the second quarter is near completion. Monthly reports to the Board will resume on 10/25/2011.
2. Capital Projects Update. County Manager Birnie informed the Board that the open house for the Public Works facility would be on 10/20. The shop is in use, the County has accepted the building, and the budget is in good shape. The Public Safety Center is on track and the Certificate of Occupancy may be issued as early as 11/4.

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

1. Public Works Open House. Assistant County Manager Crosby informed the Board that she advertised the open house in the local newspapers. Refreshments and snacks will be served in the shop. A series of talking point documents have been created for areas and equipment.
2. Real Property Donation and Permanent Maintenance Easement; Taylor River Canyon, LLC; Taylor River Road Project CO PFH 59-1(4). **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to authorize the Assistant County Manager's signature on the donation form for Taylor River Canyon. Motion carried unanimously. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to authorize our signatures on the Grant of Permanent Maintenance Easement on the Acceptance (the portion of the document to be signed). Motion carried unanimously. Assistant County Manager Crosby confirmed that this is the last easement necessary for the project.
3. Cottonwood Pass Seasonal Closure; No Later Than 11/7/11. Assistant County Manager Crosby reminded the Board that this discussion was held over from the last meeting so that Chairperson Channell could contact property owners. Chairperson Channell acknowledged that he had made the contacts and that those contacted agreed with Assistant County Manager Crosby's assessment. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson to authorize the closure date for Cottonwood Pass as 11/7/2011 or earlier weather requires it. Motion carried unanimously.
4. Snowplowing Agreement; Town of Marble. Assistant County Manager Crosby informed the Board that the Town has expressed interest in entering into another snowplowing agreement for the areas around the church and school, which would be Main Street from County Road 3 up to the school, around the 4-way stop, the west side of the church, and up to the bridge. She noted that she only charges the Town for the cost of fuel. The Board agreed to pursue the agreement.
5. Marble Hub Update. Assistant County Manager Crosby attempted to visit the Hub, but it was closed at the time of her arrival. She noted that the Hub is experiencing staffing issues while trying to transition to the winter months. The Hub is not getting any assistance from the school, which came as a surprise as support was initially expected. The Hub may pay someone to keep the facility open on the weekend. Assistant County Manager Crosby expressed her opinion that, if the Hub becomes financially successful, the County may need to consider that the Hub helps with more of the operational costs. The Board asked Assistant County Manager Crosby to continue her discussions with the Hub.
6. Marble Culvert Update. Assistant County Manager Crosby informed the Board that Assistant Public Works Director Allen Moores will be working with a local excavation contractor to finish the project before the winter.
7. Snowplowing Agreement; Montrose County. Assistant County Manager Crosby asked the Board whether or not she should continue discussions to formalize a \$5,000 agreement with Montrose County. Last year, the contract was worth approximately \$4,200. The Board agreed and asked Assistant County Manager Crosby to put this agreement on an upcoming agenda for consideration.

BREAK: The meeting recessed from 9:21 until 9:32 am in order to hold the below Public Hearing.

PUBLIC HEARING; PETITION TO VACATE CERTAIN STREETS AND ALLEYWAYS IN THE TOWNSITE OF TIN CUP, COLORADO; PORTION OF 11TH STREET BETWEEN WILLOW STREET AND OAK STREET ADJACENT TO LOTS 1 AND 24, AND THE ALLEY WITHIN BLOCK 1 EXTENDING NORTH TO THE TOWN BOUNDARY LINE, AND THE ALLEY IN ITS ENTIRETY LYING WITHIN BLOCK 1; LYLE B. AND TONI K. JOHNSTON: Assistant County Manager Crosby and Community Development Department Services Manager Beth Baker were present for discussion.

1. Open Public Hearing. Chairperson Channell opened the Public Hearing at 9:22 am.
2. Public Notice Confirmation. Assistant County Manager Crosby confirmed that the Public Hearing had been properly public noticed.
3. Identify Ex Parte Communications. There were no ex parte communications identified.
4. Staff Presentation. Assistant County Manager Crosby explained that Mr. Johnston applied for this vacation almost a year ago and that, if the Board vacates land within a town boundary, all of the vacated land has to remain within the boundary. She also recommended that Mr. Johnston cluster the relevant lots.

5. Applicant Presentation. N/A.
6. Board Questions. Chairperson Channell expressed concern about the concept of ensuring a public benefit for a street vacation as this would be taking public land and giving it to private individuals. Assistant County Manager Crosby explained that this vacation of almost an acre of land will protect a wetland area while it will also keep a road from being built in the wooded area on the town boundary. She also noted that this lot cluster would reduce 24 lots down to just two lots, and that Mr. Johnston has stated his willingness to pay for the portion of 11th Street, if necessary. Chairperson Channell requested that the public benefit be clearly identified in the record for this and every other subsequent vacation. The Board agreed that this request fits the public benefit requirement.
7. Public Comments. Chairperson Channell opened the Public Hearing to comments at 9:32 am, but no comments were offered.
8. Acknowledge Correspondence Received. No additional correspondence was identified.
9. Applicant Response. N/A.
10. Close Public Hearing. Chairperson Channell closed the Public Hearing at 9:32 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

RESOLUTION; VACATING A PORTION OF ELEVENTH STREET LYING BETWEEN WILLOW STREET AND OAK STREET AND THE ALLEY LYING WITHIN BLOCK 1, TOWNSITE OF TIN CUP, COUNTY OF GUNNISON, STATE OF COLORADO: The draft resolution was discussed and amendments were agreed upon. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adopt Resolution #2011-39 as amended, a Resolution Vacating a Portion of Eleventh Street Lying Between Willow Street and Oak Street and the Alley Lying Within Block 1, Townsite of Tin Cup, County of Gunnison, State of Colorado and authorize signatures. Motion carried unanimously.

LOT CLUSTER APPLICATIONS: Community Development Department Services Manager Baker explained was present for discussion and confirmed that the clustering would result in parcels in excess of an acre in size. She noted that both parcels currently include houses with septic systems, so these clusters will bring both lots into compliance with regulations. Both applications have been reviewed and approved by Community Development Director Joanne Williams, County Attorney David Baumgarten and the utility companies.

1. Lots 1 thru 5 and Lots 20 thru 24, Block 1, Town of Tin Cup; Lyle B. and Toni K. Johnston. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Lot Cluster Agreement for Lots 1 thru 5 and Lots 20 thru 24, Block 1, Town of Tin Cup, Lyle B. and Toni K. Johnston. Motion carried unanimously.
2. Lots 6 thru 19, Block 1, Town of Tin Cup; Lyle B. and Toni K. Johnston. **Moved** by Commissioner Swenson, seconded by Chairperson Channell to approve the Lot Cluster Agreement for Lots 6 thru 19, Block 1, Town of Tin Cup, Lyle B. and Toni K. Johnston and authorize signatures. Motion carried unanimously.

AWARD BID; NORTH GUNNISON SEWER PROJECT: Assistant County Manager Crosby was present for discussion.

Assistant County Manager Crosby informed the Board that nine sets of plans were available for consideration and that three local companies submitted bids. She recommended awarding the bid to Schmalz Construction for all sections (Sections #1, #2 and #4) of the project. Schmalz's bid is well within the project budget. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to award the contract for the extension of the North Gunnison Sewer Project to Schmalz Construction for all phases that were bid for that project, and authorize the Manager's signature on the contract when it's complete. Motion carried unanimously.

BREAK: The meeting recessed from 9:45 until 9:48 am in order to hold the below Public Hearing.

PUBLIC HEARING; LIQUOR LICENSE APPLICATION; CB SOUTH GENERAL STORE, LLC, DBA TULLY'S GENERAL STORE: Gunnison County Clerk and Recorder Stella Dominguez and Burton Blair Tulliver were present for discussion.

1. Open Public Hearing. Chairperson Channell opened the Public Hearing at 9:46 am.
2. Public Notice Confirmation. Gunnison County Clerk and Recorder Dominguez confirmed that the Public Hearing had been properly public noticed.
3. Identify Ex Parte Communications. There were no ex parte communications identified.

4. Staff Presentation. Gunnison County Clerk and Recorder Dominguez explained that this grocery store sells a lot of "to-go" hot food, and that the applicant hopes to keep customers in the store for longer periods of time by being able to serve alcohol.
5. Applicant Presentation. N/A.
6. Board Questions. While there were no questions asked, Commissioner Chamberland acknowledged that the establishment serves great hamburgers.
7. Public Comments. Chairperson Channell opened the Public Hearing to comments at 9:48 am. Though no verbal comments were provided, two audience members noted their support by giving the thumbs up hand signal.
8. Acknowledge Correspondence Received. No additional correspondence was identified.
9. Applicant Response. N/A.
10. Close Public Hearing. Chairperson Channell closed the Public Hearing at 9:48 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

Moved by Commissioner Chamberland, seconded by Commissioner Swenson to approve a new tavern liquor license for the CB General Store, LLC, dba Tulley's General Store. Motion carried unanimously.

ECONOMIC DEVELOPMENT FUNDING: Finance Director Linda Nienhueser was present for discussion.

County Manager Birnie confirmed that \$30,000 was loaded into the 2012 staff-proposed County budget document. Finance Director Nienhueser explained to the Board that she evaluated 2010 gross receipts to be able to approximate that vendor fees could equal around \$20,000 annually. County Manager Birnie added that the County may be able to get share back from the local municipalities on this part of the funding structure, but that the County's portion would be restricted to capital.

Commissioner Swenson noted that many restaurants and hotels are located outside of the city limits of Gunnison, but County Manager Birnie stated his opinion that, without the creation of a County business license, collecting from these establishments would include the burden of high transactional costs for the County. Chairperson Channell stated his belief that the County doesn't have that kind of authority.

Chairperson Channell stated that the County has set aside \$150,000 in the 2012 budget for what was formerly called the Community Based Organization Program, and that \$85,000 of that will likely be used for contracting services. He stated that he would be in favor of appropriating \$25,000 for economic development purposes, provided that contingencies are included in case the business community doesn't agree to provide its expected portion of funding. County Manager Birnie confirmed that the County would enter into a contract before any funding would be released, which would provide the opportunity for conditions. He also noted that it could be quite some time before the economic development group is able to collect up to the \$100,000 proposed annual budget.

Commissioner Swenson stated that the vendor fee portion of the discussion can wait.

COMMISSIONER ITEMS: Began earlier due to a break in the schedule.

Commissioner Chamberland:

1. Jessica Young Email Correspondence. Commissioner Chamberland informed the Board that he received an email from Ms. Young related to the possibility of Western State College enhancing and growing the high altitude laboratory with the hope of making it a regional project. He forwarded the email to the rest of the Board this morning. More information will follow at a later date. Initial comments are being sought at the present time.

Commissioner Swenson:

1. Broadband Update. Commissioner Swenson informed the Board that discussions continued last week and that a team may be assembled to address this issue. So far, approximately a dozen people have been identified as potential members that will serve on the team comprised of representatives from the County, local jurisdictions, IT professionals and local private industry. The team will be considered a subcommittee of the Economic Development Council, and the first meeting will be held in November.
2. Regional Economic Development Training. Commissioner Swenson informed the Board that nine people have volunteered to participate so far, which represents a cross-section of local business owners. The first meeting will be in November.
3. Powderhorn Post Office. Commissioner Swenson stated that she and Commissioner Chamberland attended a meeting at the Post Office on 10/11/11 to hear and provide comments related to the potential closure of the Post Office. She stated that she would be

providing suggested edits to the correspondence scheduled to be discussed later in the meeting. She stated that closure of the post offices identified by the US Postal Service will only save 0.7 of 1% of the USPS's annual budget.

4. Low Altitude Training Meeting. Commissioner Swenson stated that she and Commissioner Chamberland attended this meeting on 10/13/11, along with approximately 35 other persons. She agreed to assemble notes for the Board's review. She confirmed that Gunnison Wildlife Conservation Coordinator Jim Cochran was present during the meeting to articulate ranching and wildlife concerns. He will be working with Geographic Information Services Manager Mike Pelletier to digest the content of the draft Environmental Assessment, and the Gunnison Basin Sage Grouse Strategic Committee is scheduled to discuss its comments during a meeting on 10/19/11. The deadline for comments is 11/5/11. Commissioner Chamberland stated his belief that the next Environmental Assessment needs to address sage grouse in some way because the first draft did not.

Chairperson Channell:

1. CCI Legislative Committee Meeting Update. Chairperson Channell attended all eight recent meetings. A total of 12 bills were forwarded to CCI staff to begin obtaining sponsorship. He will provide more details soon.
2. Meeting with City of Gunnison Mayor Jonathan Houck. Chairperson Channell recently met with Mayor Houck to discuss the details and future of the County's Community Based Organization process. Mayor Houck was interested in the County's preliminary thoughts on which local organizations may receive County funding in 2012. Chairperson Channell is optimistic about this sign of improved communication between the City and the County.
3. Gunnison County Substance Abuse Prevention Project Coalition Meeting. Chairperson Channell attended this recent meeting. He noted that it was also well attended by all relevant groups. He explained that the Coalition members have worked with Crested Butte Mountain Resort to revive the drug-free skiing pass called the "Choice Pass". Awarding the Choice Pass to individuals will include contingencies.
4. Emergency Relief for Gunnison Community. Chairperson Channell attended a recent meeting to discuss this issue that essentially boils down to communication between the local agencies that assist our underserved population. The County's Health and Human Services Department will act as a clearinghouse to coordinate necessary services.
5. Mayors and Manager's Meeting. Chairperson Channell attended this recent meeting hosted by the Gunnison RE1J School District, during which the main discussion was related to educational partnerships in the valley. A portion of the discussion focused on ways that the community might be able to benefit from improved and increased use of Western State College interns. Chairperson Channell intends to have a conversation with WSC Dean of Students Gary Pearson about a clearinghouse for interns. The meeting also included a discussion related to the possibility of formerly changing the name of WSC.

BREAK: The meeting recessed from 10:32 until 10:36 am in order to call to order as the Gunnison/Hinsdale Board of Human Services. Chairperson Channell then immediately recessed the Board of County Commissioners meeting from 10:36 until 11:00 am.

AGREEMENT; BEAR RANCH, LLC: Assistant County Manager Crosby, Deputy County Attorney Art Trezise and Bear Ranch, LLC Manager Rob Gill were present for discussion.

Assistant County Manager Crosby informed the Board that she sent the proposed document to the Trails Commission this morning, which unfortunately did not give the Commission enough time to provide comment.

Deputy County Attorney Trezise stated that he worked with County Attorney David Baumgarten and County Manager Birnie to draft the agreement to represent the discussions held to date. Mr. Gill confirmed that the draft agreement is consistent with the discussions held during negotiations.

Chairperson Channell noted that a timeline is referred to in Section 2A, but not in Section 2B. County Manager Birnie explained that elements of Section 2B rely on the legislation, while those elements of Section 2A do not.

Chairperson Channell stated his desire for as much iron-clad assurance as possible within the agreement that the intent of the agreement will be carried out as described. Mr. Gill added that Bear Ranch would prefer to include deadlines within the legislation for anything appropriate, and he confirmed that Bear Ranch is committed to the Buck Creek purchase.

Chairperson Channell stated his belief that the Forest Service will be in opposition to the parallel trail and that, while he understands that legislation can trump the opposition, the County needs to be mindful of the consequences.

Chairperson Channell reiterated his stance that, if any one of the components is not included within the legislation, he cannot support the agreement. County Manager Birnie explained that the contract

language is boilerplate and that it does not contemplate this argument. Deputy County Attorney Trezise agreed that the language can be refined, if desired, and he recommended the addition of a clause specifically stating that Gunnison County's support is contingent upon the entire agreement being adopted as legislation. Mr. Gill had no objection to the addition of this clause.

The draft letter was discussed and amendments were agreed upon. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the agreement between Gunnison County and Bear Ranch, LLC as amended and authorize signatures. Motion carried unanimously. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the letter to Senators Udall and Bennet and Congressman Tipton supporting the Bear Ranch Land Exchange, as amended, with approval of the amendments. Motion carried unanimously.

AWARD PRESENTATION; GOVERNMENT FINANCE OFFICERS ASSOCIATION DISTINGUISHED BUDGET PRESENTATION AWARD; 2011 GUNNISON COUNTY BUDGET: City of Gunnison Finance Director Wendy Hanson and the Gunnison County Finance Program staff were present for discussion.

Chairperson Channell congratulated the Administration Department and the Finance Program staff for an extremely well done job.

Ms. Hanson, former GFOA President, presented the award along with a plaque commemorating the achievement. She explained that the GFOA has been in operation since 1984.

County Manager Birnie thanked the Finance Program staff for their dedication, though he noted that this achievement took the work of all County staff members. Performance management has allowed us to track what we are achieving for the dollars spent. He stated his opinion that it will be an ongoing challenge to completely change the current culture, but that this approach gives us an easier way to manage and provides the citizens with a good budget document.

Chairperson Channell explained to the audience that the County adopted the Managing for Results model a few years ago, which filtered to the departments via the creation of strategic business plans. This award is a gratifying culmination of the process that started a few years ago. He stated that he is very proud of the County staff, and the other commissioners agreed with him.

CORRESPONDENCE:

1. Request for Letter of Support; Pitkin Post Office. Commissioner Swenson wondered whether the Board should make the letter more of a conversation about all of the post offices regarding budget and flexibility. Commissioner Chamberland felt that the Board should create both letters since the one relevant to the Pitkin Post Office was specifically requested. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the letter supporting the Pitkin Post Office. Motion carried unanimously. Chairperson Channell asked the Board to craft the generic letter.
2. Request for Letter of Support; 2012 USA Pro Cycling Challenge. Assistant County Manager Crosby was present for discussion. She stated that City of Gunnison Facility / Events Manager John Messner would like for the County to be involved on the front end of the process. The 2011 race had over 1,000,000 spectators, which is the largest event in Colorado State history. As well, this was the biggest international cycling event in US history, and it is second only to the Tour de France in world history. The letter of support is due 10/31/11. Assistant County Manager Crosby acknowledged that the bid process will become more competitive as a total of 27 bids were submitted for the 2011 event and there are expected to be well over 50 bids submitted for the 2012 event. She noted that our area is geographically positioned well, considering our environment, so she is confident in our chances of being named the 2012 host. The draft letter was discussed and modifications were agreed upon. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the letter supporting the 2012 Pro Cycling Challenge coming to our valley, as amended, and authorize signatures. Motion carried unanimously.

INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO AND THE GUNNISON COUNTY LIBRARY DISTRICT REGARDING ALLOCATION OF MILL LEVY: Deputy County Attorney Trezise and Library District Executive Director Larry Meredith were present for discussion.

Commissioner Swenson stated that the ballot language asks the citizens to approve \$1,100,000 for operations. She requested clarification related to whether or not the District would still be requesting \$700,000 annually from the County. Mr. Meredith explained that the Library District Board went on the assumption that the County would continue to fund the District, which is why the District is asking the citizens to fund 1.0 mill now and then 1.5 mills in 2013. Mr. Meredith confirmed that the District can operate on what it has been operating on as it currently receives approximately \$1,000,000 annually from all funding sources. The additional funding, if approved, would assist the District with preparing for 2013.

Chairperson Channell stated that the intent of the agreement is to reduce County funding as voter-approved funding increases. Commissioner Swenson wanted to suspend a decision about the agreement until the outcome of the election is known. Mr. Meredith confirmed that the District has prepared two draft budgets for 2012, depending on the outcome of the election. He felt that, perhaps, the District was presumptuous in thinking that the County funding would continue past voter-approved funding. County Manager Birnie reminded him that the District is asking the voters to approve 3.5 mills.

Board agreed to suspend further discussion until after the 11/1/11 election.

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

ADJOURN: Moved by Commissioner Swenson, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 12:17 pm.

Hap Channell, Chairperson

Paula Swenson, Vice-Chairperson

Phil Chamberland, 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: 11-39**

A RESOLUTION VACATING A PORTION OF ELEVENTH STREET LYING BETWEEN WILLOW STREET AND OAK STREET AND THE ALLEY LYING WITHIN BLOCK 1, TOWNSITE OF TIN CUP, 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 an adjacent property owner to vacate the following:

That portion of Eleventh Street lying between Willow Street and Oak Street adjacent to Lots 1 and 24 and the Alley within Block 1 extending north to the town boundary line; and the Alley in its entirety lying within Block 1, all situated within the disincorporated Townsite of Tin Cup according to the original town plat of Tin Cup, County of Gunnison, State of Colorado; and

WHEREAS, the vacation of that portion of Eleventh Street and the Alley 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 that portion of Eleventh Street and the Alley described herein; 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 that portion of Eleventh Street and the Alley described herein; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the following shall be and hereby is vacated:

That portion of Eleventh Street lying between Willow Street and Oak Street adjacent to Lots 1 and 24 and the Alley within Block 1 extending north to the town boundary line; and the Alley in its entirety lying within Block 1, all situated within the disincorporated Townsite of Tin Cup according to the original town plat of Tin Cup, County of Gunnison, State of Colorado; and

FURTHERMORE, the vacated portion of Eleventh Street and the Alley described herein shall accrue to and vest in the record owners of the adjacent property pursuant to C.R.S. §43-2-301 et seq.

This resolution shall not be effective until it has been recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Chamberland, and adopted on this 18th day of October, 2011.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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