AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Draft Minutes; 7-15-14

Action Requested: Motion

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:
Attached are draft meeting minutes for the 7/15/14 regular meeting.

Fiscal Impact: None.

Submitted by: Katherine Haase **Submitter's Email Address:** khaase@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date: Certificate of Insurance Required

Yes ○ No ○

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\mbirnie Discharge Date: 7/28/2014

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 8/5/2014 Follow Up Agenda Date:

Revised April 2013

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
July 15, 2014

The July 15, 2014 meeting was held in the Planning Commissioners' boardroom in the Blackstock Government Center located at 221 N. Wisconsin Street, Gunnison, Colorado. Present were:

Paula Swenson, Chairperson
Phil Chamberland, Vice-Chairperson
Jonathan Houck, Commissioner
Matthew Birnie, County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

CALL TO ORDER: Chairperson Swenson called the meeting to order at 9:15 am.

AGENDA REVIEW: County Manager Birnie informed the Board that Deputy County Manager Marlene Crosby would not be present for her reports, and that the Board would need to call to order as the Gunnison River Valley Local Marketing District for the last discussion listed on the agenda.

MINUTES APPROVAL:

1. Draft Special Meeting Minutes; 6/24/2014. **Moved** by Commissioner Houck, seconded by Chairperson Swenson to approve the special meeting minutes for June 24, 2014. Motion carried. Commissioner Chamberland did not vote on the minutes since he was not present for that meeting.
2. Draft Regular Meeting Minutes; 6/17/2014. **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to approve the minutes as presented for June 17, 2014. Motion carried. Commissioner Houck did not vote on the minutes since he was not present for that meeting.
3. Draft Regular Meeting Minutes; 7/1/2014. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the July 1, 2014 meeting minutes. Motion carried unanimously.

CONSENT AGENDA: Commissioner Chamberland requested that Item #6 be pulled for further discussion. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the Consent Agenda, excluding Item #6. Motion carried unanimously.

Pulled for Discussion and Separate Action:

1. Community Development Block Grant Program; Gunnison County Citizen Participation Plan for Community Development Block Grant Business Loan Funds; Gunnison County Residential Antidisplacement and Relocation Assistance Plan for Community Development Block Grant Business Loan Funds; Intergovernmental Agreement for Community Development Block Grant Business Loan Funds
2. Contract Amendment #2; CMS #15 IHA 70653; State of Colorado, Department of Human Services, Office of Early Childhood; 7/1/14
3. Acknowledgment of County Manager Signature; Amendment Number 1, Construction Management Contract; GE Johnson Construction Company, Inc.; 6/30/14 thru 6/30/16; $13,745,522
4. Clinical Affiliation Agreement between Gunnison County and the University of Louisville; Internship Program; 8/25/14
5. Public Sector Technical Support Services Agreement; Oracle America, Inc.; $1,232.22
6. **Pulled for Discussion and Separate Action:** Agreement for Independent Contractor Services; Patriot Planning, LLC; 7/15/14 thru 8/31/14; Up to $5,451.50
7. Contract Agreement and Notice to Proceed; TerraVision Contracting Group; Ohio City Town Hall Restoration Project, Phase I, Foundation Stabilization and Electrical Upgrades; $98,488.62
8. Letter of Support; Transportation Alternatives Program (TAP) Grant Application; Mt. Crested Butte; Gothic Trail Project
9. Grant of Perpetual Easements for Underground Sewer Line; City of Gunnison, CO; $10.00

CONSENT AGENDA ITEM #6: Commissioner Chamberland asked for clarification, and County Manager Birnie explained that Gunnison County is serving as the fiscal agent for the parties. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Consent Agenda Item #6. Motion carried unanimously.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Property at 202 E. Georgia, Gunnison. County Manager Birnie informed the Board that he has participated in some informal conversations related to future ownership of this property, and he asked the Board for direction. He noted that the staff suggestion is to sell the property since it is labor intensive and does not currently house any County functions. County Manager Birnie has discussed this issue with the current tenants, and it is believed that alternative locations will be available within the community to meet their needs. The Board agreed that the building should be sold.

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2. Approval to Submit; State of Colorado, Department of Local Affairs, Energy and Mineral Impact Assistance Program Application; Gunnison County Courthouse Construction Project; Furniture; Fixtures and Equipment. County Manager Birnie informed the Board that he would like to submit another grant, this time for furniture, fixtures and equipment. The application has not yet been developed, but it will be similar to those submitted in the past. The application is due 8/1/14 and award notifications will be released in November. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the County Manager's submittal and signature on the DOLA grant for furniture, fixtures and equipment for the courthouse. Motion carried unanimously.
3. Correspondence; United States Department of the Interior, Bureau of Land Management (BLM) Invitation to Participate as a Cooperating Agency in Formulating a Plan Amendment/Environmental Impact Statement (EIS); Gunnison Sage-grouse Habitat on BLM-Administered Public Lands. Gunnison Wildlife Conservation Coordinator Jim Cochran was present for discussion, and he agreed that the County should participate. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Gunnison County to participate as a cooperating agency in formulating a plan amendment/Environmental Impact Statement for Gunnison Sage-grouse habitat on BLM-administered public lands. Motion carried unanimously.

DEPUTY COUNTY MANAGER'S REPORT AND PROJECT UPDATES: Special Projects Foreman Jim Kint was present for discussion.

1. Highway Easement Deed; US Department of Transportation, Federal Highway Administration; New Mexico Principal Meridian, Township 51 North, Range 1 East, Sections 11, 14 and 23. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the highway easement deed. Motion carried unanimously.

AUTHORIZATION FOR ENFORCEMENT OF GUNNISON COUNTY LAND USE RESOLUTION, GUNNISON COUNTY INDIVIDUAL SEWAGE DISPOSAL SYSTEM REGULATIONS, AND 2009 INTERNATIONAL BUILDING CODE; GOLDEN GLEN PROPERTIES, LLC; MONICA AND PATRICK WILD; REDDEN RANCHES, LLC: Community Development Director Russ Forrest, Planner Cathie Pagano and Building/Environmental Health Official Crystal Lambert were present for discussion.

Building/EH Official Lambert informed the Board that all internal remedy procedures have been exhausted for these cases. Golden Glen Properties, LLC applied for a building permit to build a greenhouse, but built the structure without permission. A Stop Work Order was issued after-the-fact. Planner Pagano stated that neither the owner nor the contractor would agree to provide a floodplain certificate.

Monica and Patrick Wild's tenant inquired about building a greenhouse, but did so without being issued a permit. The owners were sent a Notice of Violation and a Stop Work Order, and they did not respond to either. The tenant has stated that he is working to complete the application, but there is no proof. As well, the homeowners association has issued two formal complaints.

The Redden Ranches, LLC owner reported concerns to Community Development that something was being built on her leased property. Community Development's inspection of the property found many life, health and safety code violations. Essentially, a barn was made into habitable space. A Notice of Violation, a Stop Work Order and an Order to Cease and Desist were all issued. The property owner informed the Department that she had retained an attorney to pursue an eviction. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck for authorization for enforcement of Gunnison County Land Use Resolution, the Individual Sewage Disposal System Regulations, and the 2009 International Building Code for the greenhouses built on the Golden Glenn property and Monica and Patrick Wild property, and for the barn that has residential habitable space on the Redden Ranches property, up to and including litigation. Michael P. O'Loughlin, attorney for the Redden Ranches tenant, was present for discussion and stated that his client was operating pursuant to his lease. The Board explained that regardless of fault, owner or tenant, the violations still exist. Motion carried unanimously.

GUNNISON COUNTRY CHAMBER OF COMMERCE, CRESTED BUTTE / MT. CRESTED BUTTE CHAMBER OF COMMERCE AND GUNNISON-CRESTED BUTTE TOURISM ASSOCIATION MEETING FACILITATION COSTS: Community Development Director Forrest and County Attorney David Baumgarten were present for discussion.

Community Development Director Forrest provided copies of a progress update from the Weidner team, and he relayed the facilitator's request for an additional $8,500 to complete the process. He explained that the original purpose for the facilitation was to clarify roles and define desired results; however, the scope of work quickly grew as other entities became involved in the process. To date, five results have been discussed. The next steps will involve one-on-one meetings with the Chambers, Tourism Association and various stakeholders such as Western State Colorado University, Crested Butte Mountain Resort and the local municipalities. The second facilitated meeting will take place on 8/27 to review the defined results and decide on actions that will help to achieve those results. The final step will be to provide a written report to the Board.

Chairperson Swenson stated that she has been participating in the process and that she believes progress is being made. County Attorney Baumgarten confirmed that the Board could utilize Gunnison River Valley

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Local Marketing District funds for this purpose. Commissioner Houck stated his support of the investment and his understanding that the work is more extensive than originally recognize. Commissioner Chamberland noted that he was tentatively supportive.

Chairperson Swenson recessed the Gunnison County Board of County Commissioners meeting at 10:11 am and called to order the Gunnison River Valley Local Marketing District. **Moved** by Commissioner Houck, seconded by Chairperson Swenson to authorize the expenditure of up to $8,500 to complete the work that has been developed so far to continue forward with a scope of work with Managing for Results to get completion. Motion carried unanimously. Chairperson Swenson adjourned the Gunnison River Valley Local Marketing District and called the Gunnison County Board of County Commissioners back to order at 10:12 am.

UNSCHEDULED CITIZENS:

1. Jen Bickford; Three Rivers Resort General Manager; Managing for Results Services. Ms. Bickford asked if this service had been put out to bid or if it was simply awarded to the Weidners. Chairperson Swenson explained that it was awarded to the Weidners without going to bid. Ms. Bickford asked if this aligns with policy when spending public money. Community Development Director Forrest explained that the Weidners' services are a continuation of the County's planning processes. Ms. Bickford asked if the fact that the Weidners are campaign contributors to two of the commissioners should be considered a conflict of interest. County Manager Birnie explained that work like this is almost never put out to bid because the lowest bid would get the work, hence it would normally necessitate a request for proposals. He further explained that the County sought the Weidners' specific type of assistance, and that no other contractor can utilize the Weidners' proprietary process.

   Ms. Bickford asked for information regarding the Radcliffe Study that was completed in 2011, specifically the cost and what happened to the recommendations. Chairperson Swenson explained that the study was performed at the request of the Gunnison-Crested Butte Tourism Association and that the Gunnison River Valley Local Marketing District authorized the expenditure for it. The study has been utilized by the Tourism Association and some of the recommendations have been implemented over the years. The recommendations have been reviewed by the Weidners.

   Ms. Bickford asked about the process for transparency to the public for any progress being made by the facilitated group. Chairperson Swenson confirmed that the progress report distributed today and the final report will both be discussed during a public meeting.

2. Pamela Loughman; Gunnison-Crested Butte Tourism Association Executive Director; Managing for Results Services. Ms. Loughman asked if there would be an opportunity during future meetings for public comment. Community Development Director Forrest stated that any future recommendations provided by the facilitators will be provided in the Board packets. Chairperson Swenson explained that today's action was to decide on funding, so there was no place for public comment, but that the opportunity will be provided when a final report is ready for consideration.

3. Jim McDonald; Gunnison-Crested Butte Tourism Association President; Managing for Results Services. Mr. McDonald stated that scheduling is an issue and that the opportunity for full dialogue should seek to include all participants.

COMMISSIONER ITEMS:

Commissioner Houck:

1. Gunnison Sage-grouse; Signal Peak Planning Process Subcommittee. Commissioner Houck informed the Board that he is chairing this subcommittee.
2. Gunnison County Substance Abuse Prevention Project (GCSAPP) Meeting. Commissioner Houck informed the Board that he met with GCSAPP representatives to ensure that they have a clear understanding of the new marijuana regulations.
3. Office for Resource Efficiency Board. Commissioner Houck informed the Board that this group will be meeting soon to discuss the reduction in funding.
4. Senator Michael Bennet Visit; Gunnison Sage-grouse. Commissioner Houck stated that he and others met with Senator Bennet when he recently visited Gunnison. Discussions included the Gunnison Sage-grouse and working with local governments to protect the species. Chairperson Swenson noted that Commissioner Houck and Gunnison Wildlife Conservation Coordinator Jim Cochran also met recently with US Fish and Wildlife Service (USFWS) Regional Director Noreen Walsh to discuss other measures that the USFWS would like to put in place, but without being clear about how to put them in place. The Board firmly believes that compensatory mitigation will not protect the species.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 10:38 am.

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Paula Swenson, Chairperson

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Phil Chamberland, Vice-Chairperson

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Jonathan Houck, Commissioner

Minutes Prepared By:

_____
Katherine Haase, Deputy County Clerk

Attest:

_____
Stella Dominguez, County Clerk

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