AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Draft BOCC Minutes; 6/20/2017

Action Requested:

Parties to the Agreement:

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

Summary:

Attached are the draft 6/20/17 meeting minutes for consideration.

Fiscal Impact:

Submitted by: Josh Ost **Submitter's Email Address:** jost@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 7/21/17

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 7/21/2017 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\jost Discharge Date: 7/21/2017

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 1

Agenda Date: 7/25/2017

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
June 20, 2017

The June 20, 2017 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Phil Chamberland, Chairperson
Jonathan Houck, Vice-Chairperson
John Messner, Commissioner
Marlene Crosby, Deputy County Manager
Josh Ost, Deputy County Clerk
Others Present as Listed in Text

CALL TO ORDER: Chairperson Chamberland called the meeting to order at 8:30 am.

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

CONSENT AGENDA: **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the consent agenda as presented. Motion carried unanimously.

1. Acknowledgement of County Manager's Signature; Contractor Agreement; Spallone Construction, Inc.; Compressed Natural Gas Fill Station Electric Line Installation; $5,562
2. Acknowledgement of County Manager's Approval of Grant Application Submission; Colorado Health Foundation; Health Navigation for the Immigrant Community in Gunnison; $34,258
3. Memorandum of Understanding; Collaborative Management Incentive Funding Award
4. Agreement; Jim Lewis, dba Eco-Right Solutions; Professional Services Regarding Application of Herbicide to Control Noxious Weeds Mandated for Control within Gunnison County; 6/20/17 thru 10/30/17; $8,000
5. Contractor Agreement; Clemmer Welding, LLC.; Welding Service for the Compressed Natural Gas Fill Station; $90,000
6. Contract; Election Materials Printing; Integrated Voting Systems, Inc.; 6/20/2017 thru 12/31/2017
7. Acknowledgement of County Manager's Signature; State of Colorado Grant Agreement 2018-DV-18-20018-07; Juvenile Diversion Program; 7/1/2017 thru 6/30/2018; $35,000
8. Landscaping Improvements Agreement; John Nichols Lot 4, Riverland Industrial Park, Filing No: 1
9. Acknowledgement of County Manager's Signature; Approved Task Order Contract; #18 FAA 97464; Office of Planning, Partnerships and Improvement; $74,334.37
10. Third Modification to Real Estate Mortgage; Verzuh Ranch Inc,; Shady Island Development
11. Care Coordination Grant Contract; Women's Wellness Connection; 6/30/2017 thru 2/28/2018; $1,584
12. Delta, Gunnison, Hinsdale County Options for Long Term Care Agency Subcontract; 7/1/2017 thru 6/30/2018; $85,129
13. Contractor Agreement; J&K Services; Janitorial Services for the Gunnison-Crested Butte Regional Airport Passenger Terminal Building; 12/1/2017 thru 3/31/2018; $5,750/month

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Gunnison River Festival: DCM Crosby reported that the event is still scheduled to take place. There will be no community float or the raft race due to the high water conditions.
2. Cottonwood Pass: The construction crews paving the pass are having OHV and mountain bikes coming through project even though the road is closed. DCM Crosby stated that the Forest Service officer will not be there to enforce.
3. Forest Road and Trail Act Easement; County Road #55: DCM Crosby explained the area and the easement to the Board. **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the Forest Road and Trail Act Easement; County Road #55. Motion carried unanimously.
4. Modification of Grant or Agreement; U.S. Forest Service Grant 14-RO-11020407-052; Willow Creek Bridge Replacement; $17,585: DCM Crosby explained the area and the agreement that is currently in place. **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the Modification of Grant or Agreement; U.S. Forest Service Grant 14-RO-11020407-052; Willow Creek Bridge Replacement; $17,585 for the Chairperson's Signature. Motion carried unanimously.
5. Road Closure Request; County Road #49; Xcel Energy/Public Service Company Gas Pipeline Replacement: DCM Crosby explained where the project will be and why they are requesting the closure. A representative from Xcel Energy and also I Bar Ranch were present for the discussion. The Board discussed, along with the representatives, about the impacts of this road closure. The Board stated the conditions of their approval would be to add signage and variable message boards to let the public know of the road closures, to include width widening and mag chloride application to County Road #49, extension of a utility permit to include fence damage, and a temporary road use agreement. **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the Road Closure Request; County Road #49; Xcel Energy/Public Service Company Gas Pipeline Replacement with conditions to be signed by the Deputy County Manager. Motion carried unanimously.

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Region 10 Board Vacancy Discussion:
The Board stated that they would like the vacancy to go into the papers this week and to run for 1 week. The deadline for submissions would be June 30th.

Petition for Abatement or Refund of Taxes; Property Tax Years 2014 & 2015; R012071 & R011735, Lot 17 Blk 15 Arrowhead Filing 2, #622227, #641131; Lot 21 Blk 15 Arrowhead Filing 2, #627222; Kathleen & Richard Krohn, c/o Barbara Butler:
Senior Appraiser Analyst William Spicer was present for the discussion. Barbara Butler representing Kathleen & Richard Krohn attended via phone. SAA Spicer presented the case for the Assessor's Office. SAA Spicer explained the lots the petitioner owns and the location of the properties. The Assessor's Office separated their argument by year with 2014 being first. SAA Spicer stated that the Assessor's Office does not support the residential classification on both parcels due to the parcels not being contiguous and they were not under common ownership. Ms. Butler presented her argument on the classification for year 2014 on the properties. She stated that she agreed with the Assessor's Office in regards to the common ownership issue on account R011735 and they would like to withdraw the petition for 2014. Ms. Butler gave an alternate definition than the Assessor's to the definition of contiguous. The valuation argument for these properties was then given by SAA Spicer. He provided the list of sales inside of the study period. Ms. Butler stated that the valued has been appealed for account R012071 and feels the value is excessive. SAA Spicer stated the sale to the Krohns was after the date to be considered for tax year 2014.
Moved by Commissioner Houck, seconded by Commissioner Messner to deny the Petition for Abatement or Refund of Taxes; Property Tax Year 2014; R012071 & R011735, Lot 17 Blk 15 Arrowhead Filing 2, #622227, #641131; Lot 21 Blk 15 Arrowhead Filing 2, #627222. Motion carried unanimously.
The valuation and classification arguments where then made for the tax year 2015 for both of these properties. SAA Spicer stated that the classification arguments are the same as the arguments made for tax year 2014. Ms. Butler agreed with SAA Spicer. SAA presented the case for the valuation of the properties for 2015. He presented sales to back the Assessor's argument.
Moved by Commissioner Houck, seconded by Commissioner Messner to deny the Petition for Abatement or Refund of Taxes; Property Tax Year 2015; R012071 & R011735, Lot 17 Blk 15 Arrowhead Filing 2, #622227, #641131; Lot 21 Blk 15 Arrowhead Filing 2, #627222. Motion carried unanimously.

Certification of Delinquent Taxes and Authorization for County Treasurer Debbie Dunbar to Collect Those Taxes Pursuant to C.R.S. 30-20-420; Dos Rios, Antelope Hills, Somerset and North Gunnison Divisions of the Gunnison County Sewer and Water District:
Finance Director Linda Nienhueser presented the report to the Board. She stated the document that was presented is still accurate and there has been no payments.
Moved by Commissioner Houck, seconded by Commissioner Messner to Certify the Delinquent Taxes and Authorization for County Treasurer Debbie Dunbar to Collect Those Taxes Pursuant to C.R.S. 30-20-420; Dos Rios, Antelope Hills, Somerset and North Gunnison Divisions of the Gunnison County Sewer and Water District. Motion carried unanimously.

VOUCHERS AND TRANSFERS APPROVAL: Finance Director Linda Nienhueser presented the voucher approval report dated June 20, 2017 and the cash transfer authorization dated May 2017 for discussion and approval. **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the vouchers in the amount of $5,197,753.24. Motion carried unanimously. **Moved** by Commissioner Houck, seconded by Commissioner Messner to authorize the cash transfers in the amount of $4,292,652.63. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: County Treasurer Debbie Dunbar presented the May 2017 Treasurer's report, Investment report dated May 31, 2017, for discussion and acceptance. **Moved** by Commissioner Houck, seconded by Commissioner Messner to accept the reports as presented. Motion carried unanimously.

Amended and Restated Service Plans for the East River Regional Sanitation District and the Skyland Metropolitan District:
County Attorney David Baumgarten was present for the discussion. CA Baumgarten explained the plan and stated he believes that it was not appropriate for the Planning Commission to approve the plan and it therefore should be the Board of County Commissioners. The Board directed CA Baumgarten to arrange for the districts to come before the Board in the future for approval.

Visitor; Scott Armentrout, Forest Supervisor, U.S. Forest Service; Forest Service Plan Revision & District Ranger Update:
Forest Supervisor Scott Armentrout and Wildlife, Fisheries & Rare Plants Program Manger Clay Speas were present for the discussion. Mr. Armentrout discussed the upcoming forest plan revision and the progress that has been made. Mr. Armentrout explained that there will be open houses in the eight counties within the Grand Mesa, Uncompahgre, and Gunnison National Forest area and the roles available to the County in the process. Discussion ensued about what details would be included in the forest plan revision. Commissioner Houck asked Forest Service Supervisor Armentrout about the current issue on the Green Lake Trail near Irwin. Mr. Armentrout explained the Forest Service believes there is a statutory right of public access through the road. He stated that proving this is more of a process and has legal challenges to proving the public access. He stated at this time the Forest Service would advise people to find other

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ways to the area until the issues can be resolved. The Board asked about the new District Ranger for Gunnison and if the search was over. Mr. Armentrout stated that a new District Ranger had been hired. His name is Matt McCombs and is a Colorado native. Mr. McCombs background was described as well as the timeline for his presence in Gunnison.

Visitor; Environmental Protection Agency; Standard Mine Update:
Christina Progess & James Hanley from the Environmental Protection Agency were present for the discussion. Ms. Progess and Mr. Hanley discussed the progress of the site reclamation at the Standard Mine. They described the work that is slated to be done in 2017 and that they hope this to be the last construction season needed at the site.

BREAK: The Board of County Commissioners regular meeting recessed at 10:54 am for the Gunnison/Hinsdale Board Human Services meeting to take place. See Separate minutes. The meeting resumed at 11:29 am.

Executive Session; Martinez v. Colorado Oil and Gas Commission – Discussion with County Attorney:
Moved by Commissioner Houck, seconded by Commissioner Messner to enter an executive session to discuss Martinez v. Colorado Oil and Gas Commission**.** In attendance would be the Board of County Commissioners, County Attorney David Baumgarten, Deputy County Manager Marlene Crosby, Community and Economic Development Director Cathie Pagano and Community and Economic Development Assistant Director Neal Starkebaum. Motion carried unanimously.
The board went into executive session at 11:31 am. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(b).*

Attorney Statement Regarding Executive Session
Pursuant to C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4)(b) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____ _____
David Baumgarten
Gunnison County Attorney

Chairperson Statement Regarding Executive Session
Pursuant to C.R.S. 24-6-402(4), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4)(b).

Date: _____ _____
Phil Chamberland, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Messner to come out of session. Motion carried unanimously**.** The Board came out of executive session at 12:01 pm. Chairperson Chamberland confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made. **Moved** by Commissioner Messner, seconded by Commissioner Houck to direct the County Attorney to affirmatively participate in crafting, with other parties, of pleadings suggesting to the Supreme Court that certiorari ought to be denied in Martinez v. Colorado Oil and Gas Commission. Motion carried unanimously.

Gunnison Valley Regional Housing Authority Resolution Discussion:
Commissioner Messner discussed the correspondence with the Board in regards to the Gunnison Valley Regional Housing Authority needs to put an intuitive on the ballot for fall 2017. Commissioner Messner discussed the options for the funding for the Housing Authority. The Board discussed the options that are available.

BREAK: The Board of County Commissioners regular meeting recessed at 12:17 pm for the Gunnison County Board of Health meeting to take place.

GUNNISON COUNTY BOARD OF HEALTH: Health and Human Services Director Joni Reynolds, Public Health Manager Carol Worrall, Health Educator Emily Mirza, Consumer Protection Specialist Heidi Lovett, and County Health Officer Dr. John Tarr were present for discussion.

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CALL TO ORDER: Chairperson Chamberland called the Gunnison County Board of Health meeting to order at 12:18 pm.

Worksite Wellness: HE Mirza gave an update on the program. She explained the mental health first aid training for staff that took place. HE Mirza explained some of the programs that are in the works and upcoming events. She explained current policies in place and what possibly needs to be changed.

RX Drug Abuse/Heroin/IV Drug Use: HHSD Reynolds and PHM Worrall explained the Healthy Kids survey that was recently released. The main priority areas identified for the County were binge drinking, marijuana and prescription drug use.

Consumer Protection Update: CPS Lovett presented information on the inspections she has performed since starting. This summer a sample will be taken at events to see what risks are currently out there. The need for temporary licenses is an issue that has arose this summer. The Board discussed the requirements for the temporary licenses along with the proposed fees. The Board decided at this time to hold off on charging the fee this year in order to gauge the vendor's willingness to participate in events if they were to pay a fee.

Public Health Emergency Dispensing Exercise: PHM Worrall explained the event that took place last week. She described the event and who was involved and stated that everything went smoothly.

SIM Integrating Mental Health into Primary Care: PHM Worrall explained the Regional Mental Health Summit. The focus of the summit was integrating mental health into primary care. Dr. Tarr attended the summit and stated approx. 47 people attended.

ADJOURN: The Board of Health meeting adjourned at 1:05 pm.

The Board of County Commissioners regular meeting resumed at 1:05 pm.

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

COMMISSIONER ITEMS:

Commissioner Messner:

1. CCI legislative Issues: Commissioner Messner stated that if something is going to be proposed for next year it needs to be done by next week.
2. Spadafora: Commissioner Messner stated he thought it was a good idea to comment on this to find a solution.
3. Shady Island: Commissioner Messner stated he has started conversations with Bill Lacy about his property at Shady Island.

ADJOURN: **Moved** by Commissioner Houck, seconded by Commissioner Messner to adjourn the regular meeting. The meeting adjourned at 1:24 pm.

_____
Phil Chamberland, Chairperson

_____
Jonathan Houck, Vice-Chairperson

_____
John Messner, Commissioner

Minutes Prepared By:

_____
Josh Ost, Deputy County Clerk

Attest:

_____
Kathy Simillion, County Clerk

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