# AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

**Agenda Item:** DRAFT BOCC Meeting Minutes; 05/21/19

**Action Requested:** Motion

**Parties to the Agreement:**

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

**Summary:**

The draft minutes from the 5/21/19 meeting are attached for consideration.

**Fiscal Impact:**

**Submitted by:** Liz Mense **Submitter's Email Address:** EMense@gunnisoncounty.org

**Finance Review:** ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

**County Attorney Review:** ◉ Required ○ Not Required

Comments:

Reveiwed by: GUNCOUNTY1\mhoyt Discharge Date: 6/14/2019 Certificate of Insurance Required Yes ○ No ◉

**County Manager Review:**

Comments:

Reveiwed by: GUNCOUNTY1\emense Discharge Date: 6/14/2019

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 5

Agenda Date: 6/18/2019

*Revised April 2015*

# GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
## REGULAR MEETING MINUTES
## May 21, 2019

The May 21, 2019 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Jonathan Houck, Chairperson
John Messner, Vice-Chairperson (ABSENT)
Roland Mason, Commissioner
Matthew Birnie, County Manager (ABSENT)
Elizabeth Mense, Deputy County Clerk
Others Present as Listed in Text

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:**

**CALL TO ORDER:** Chairperson Houck called the meeting to order at 8:31 am.
He noted for the record that Commissioner Messner may or may not call into the meeting. He is in Denver attending a meeting. He was appointed to the Colorado Oil & Gas Conservation Commission (COGCC) by Governor Polis.

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

**CONSENT AGENDA:** **Moved** by Commissioner Houck, seconded by Commissioner Mason to approve the Consent Agenda as presented with the exception of Consent Agenda Item No. 7. Motion carried.

1. Contract Amendment #2; Colorado Department of Public Health & Environment; Immunization Funding; $25,063
2. Contract Amendment #2; Colorado Department of Public Health & Environment; Core Public Health Services; $75,151
3. Agreement Amendment; Triad Employee Assistance Program
4. Grant Application; Energy Outreach Colorado; Bill Payment Assistance; $21,000
5. Grant Application; Rotary Club of Crested Butte; Suicide Prevention; $2,000
6. Grant Application; CompreCare Fund; Aging Mastery Program; $16,057
7. Service Agreement; 10th Amendment; CoreSource, Inc.; Effective January 1, 2019
8. Consulting Agreement; MJM Consulting, LLC; Gunnison County Library Project
9. Contract; Colorado Department of Public Health & Environment; 2019-2020 Annual Emergency Preparedness & Response; $23,152
10. Liquor License Renewals; John Ferro LLC dba Ferros Liquors 4/30/19-4/30/20 & Irwin Backcountry Guides LLC dba Taylor River Lodge 7/6/19-7/6/20
11. Liquor License Renewal; Three Rivers Resort dba Three Rivers Resort; 6/21/19-6/21/20
12. Ratification of County Manager's Signature; Letter of Support; Community Foundation of the Gunnison Valley Re: Health & Human Services Nurturing Parenting Program
13. Modification of Premises; Kebler Corner Liquors, LLC

**Consent Agenda Item No. 7; Service Agreement; 10th Amendment; CoreSource, Inc.; Effective 1, 2019:**
Consent agenda item No. 7 was pulled from the agenda at the request of Cheryl Seling, Gunnison County Human Services Director. This item will appear on a future agenda.

**SCHEDULING:**
-The June 4, 2019 BOCC Regular Meeting is cancelled. The commissioners will be attending the Colorado Counties, Inc. (CCI) Summer Conference in Keystone, CO.
-Commissioner Houck will be out of the office 6/12/19-6/21/19. Commissioner Messner will call into the 6/18/19 meeting.
-The Joint Meeting with Gunnison City Council is scheduled for Tuesday, 5/28/19 at 5:00 pm.
-The Elected Officials dinner that Gunnison County is hosting is scheduled for 5/29/19.

**DEPUTY COUNTY MANAGER'S REPORT:** Deputy County Manager Marlene Crosby was present for the discussion. The Board thanked DCM Crosby for her efforts in putting the Employee Benefit dinner together.

1. **Construction Agreement; Multi-Agency Paving & Street Rehabilitation Project**
   The county received two bids for the multi-agency paving and street rehabilitation project. Initially the project included three projects—one joint project with Gunnison Valley Health and the Gunnison Home Association, paving of the new parking area at the fairgrounds multi-purpose building and paving on Antelope. The Antelope paving was pulled for now. DCM Crosby is requesting that the Board award the bid to United Companies for the two projects and authorize County Manager Birnie or DCM Crosby's signature on the agreement. DCM Crosby will issue the Notice of Award.
   **Moved** by Commissioner Mason, seconded by Commissioner Houck to approve the Construction Agreement for the two locations mentioned above and authorize County Manager Birnie or

Deputy County Manager Crosby's signature. Motion carried.

2. **Temporary Road Use Agreement; Kebler Pass – Annual Chainless Bike Race 6/28/19**
   **Moved** by Commissioner Houck, seconded by Commissioner Mason to approve the Temporary Road Use Agreement on Kebler Pass for the Chainless Bike Race on 6/28/19 from 3:00 – 6:00 PM and authorize Deputy County Manager Crosby's signature on the agreement. Motion carried.

-The county received $22,542 additional dollars of funding from the U.S. Forest Service for the Willow Creek Bridge project on Cumberland Pass. DCM Crosby signed the modification.
-DCM Crosby provided an update on Cottonwood Pass and requested a delay in the opening due to high snow pack. This item will be placed on a Special Meeting agenda on 5/28/19 for further discussion and decision.
-DCM Crosby provided an update on Kebler Pass. Public Works hopes to open the Pass within the next few weeks.

**Land Use Change Application; Morrissette Ridgeline Residence:**
Rachel Sabbato, Planner II from Community Development was present for the discussion. The applicants' Attorney, David Leinsdorf was also present. She explained the Land Use Change Application that was submitted by Amy & Leo Morrissette. The application is requesting approval of construction of a single-family residence with an attached garage. The application was approved by the Planning Commission on April 19, 2019. It is now pending BOCC approval.
**Moved** by Commissioner Houck, seconded by Commissioner Mason to approve Resolution 2019-12; A Resolution Approving the Land Use Change Permit No. 2019-00003 A Land Use Change Permit for Amy and Leo Morrissette. Construction of a Single-Family Residence Located at Lot 25, Trapper's Crossing at Wildcat. Motion carried.

**VOUCHERS AND TRANSFERS:**
Finance Director Linda Nienhueser presented the voucher approval report dated May 21, 2019 and the cash transfer authorization report dated April 2019 for discussion and approval.
**Moved** by Commissioner Houck, seconded by Commissioner Mason to approve the cash transfer in the amount of $2,612,054.20. Motion carried.
**Moved** by Commissioner Houck, seconded by Commissioner Mason to amend the previous motion to include vouchers instead of cash transfers. Motion carried.
**Moved** by Commissioner Houck, seconded by Commissioner Mason to authorize the cash transfers in the amount of $2,657,439.24 Motion carried.

**Sales Tax, Local Marketing District & Purchasing Card Reports:**
FD Nienhueser presented the March 2019 Sales Tax and Local Marketing District reports. The January and February 2019 purchase card reports were also presented.

**TREASURER'S REPORT:**
Treasurer Debbie Dunbar was present for the discussion. The April 2019 Treasurer's report, Investment report dated April 30, 2019 were presented for Board review.
**Moved** by Commissioner Messner, seconded by Commissioner Mason to approve acceptance of the Treasurer's reports as presented. Motion carried.

**BREAK:** The Board took a break at 9:06 am. The meeting resumed at 9:11 am.

**John Biro, Lake Irwin Coalition v. JW Smith, et al.; 2017CV030060; Joinder of the Board of County Commissioners of the County of Gunnison, Colorado; Possible Executive Session Pursuant to Colo. Rev. Stat. §24-6-402(4)(b) Conference with the County Attorney and Deputy County Attorney to receive legal advice; and Colo. Rev. Stat. §24-6-402(4)(e)(I) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators:**
Deputy County Attorney Matt Hoyt provided an update on the lawsuit. The case is now in Federal court. It it not set for trial yet. The pre-trial date is scheduled for June 11th.

**Moved** by Commissioner Houck, seconded by Commissioner Mason to enter an executive session Pursuant to C.R.S. 24-6-402 (4)(b), Conference with the County Attorney and Deputy County Attorney to receive legal advice; and C.R.S. 24-6-402 (4)(e)(I) determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators. In attendance would be Commissioner Jonathan Houck, Commissioner Roland Mason, Deputy County Attorney Matthew Hoyt, County Attorney David Baumgarten and Deputy County Manager Marlene Crosby. Motion carried.

The Board went into executive session at 9:22 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) and C.R.S. 24-6-402 (4)(e)(I).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(2)(d.5)(II)(B) and 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: _____ _____

Jonathan Houck, Chairperson
Gunnison County Board of Commissioners

**Moved** by Commissioner Houck, seconded by Commissioner Mason to come out of executive session. Motion carried. The Board came out of executive session at 9:55 am. Commissioner Houck 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.

**UNSCHEDULED CITIZENS:** There were no Unscheduled Citizens present

**COMMISSIONER ITEMS:**

Roland Mason-

1. Commissioner Mason discussed a recent Sage Grouse meeting he attended.
2. Commissioner Mason discussed the 3-day Colorado Water Conservation Conference he attended.
3. Commissioner Mason discussed the Region 10 meeting in Montrose that he attended. He briefly discussed the Colorado Department of Transportation 2045 year plan. Commissioner Mason was elected to the Region 10 Executive Committee.

Jonathan Houck-

1. Commissioner Houck discussed the Basin Roundtable meeting he attended.
2. Commissioner Houck attended a Special Meeting for the Colorado River District for the State for the State of the River Address.
3. Commissioner Houck will discuss the National Association of Counties conference he attended in Spokane, WA during an upcoming Work Session.

-There will be a Work Session with Somerset residents on June 5th, 2019.

**ADJOURN: Moved** by Commissioner Mason, seconded by Commissioner Messner to adjourn the meeting. The meeting adjourned at 10:13 am.

_____
Jonathan Houck, Chairperson

_____
John Messner, Vice-Chairperson

_____
Roland Mason, Commissioner

Minutes Prepared By:

_____
Elizabeth Mense, Deputy County Clerk

Attest:



DRAFT

_____
Kathy Simillion, County Clerk