AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: BOCC Meeting Minutes; 8/21/18 DRAFT

Action Requested: Motion

Parties to the Agreement:

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

Summary:

The draft 8/21/18 meeting minutes 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:
ok db 9/14/18

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 9/14/2018 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\emense Discharge Date: 9/14/2018

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

Agenda Date: 9/18/2018

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
August 21, 2018

The August 21, 2018 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
Matthew Birnie, County Manager
Elizabeth Mense, Deputy County Clerk
Others Present as Listed in Text

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Chairperson Chamberland called the meeting to order at 8:29 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.

SCHEDULING:

1. Chairperson Chamberland will be out of the office and unable to attend the next Club 20 meeting scheduled for 9/7/18. Commissioner Messner will attend.
2. The Work Session scheduled for Tuesday, 8/28/18 has been cancelled.
3. The next Mayors and Managers Meeting will be 9/6/18.
4. Commissioner Messner and County Manager Birnie will attend the CAST meeting on 8/24/18 in Crested Butte.
5. The Colorado Wildland Fire Council conference will be held in Crested Butte September 18-20th. Scott Morrill is the point of contact for additional information.
6. Mt Emmons open house is scheduled for 8/30/18.

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

1. The County has received four responses to the request for qualifications for the airport terminal project.
2. CM Birnie provided an update on the Stallion Park project.
3. The Health & Human Services building is nearly complete. Employees should be moved in the Tuesday after Labor Day.
4. CM Birnie stated that it is budget season for the County for next month and a half.

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

1. Master Schedule A Agreements-
   DCM Crosby discussed the changes made to the Master Schedule A Agreements.
   Moved by Commissioner Houck, seconded by Commissioner Messner to approve the updates made to the Master Schedule A Agreements and authorize the use of the Board of County Commissioners signature stamps. Motion carried.
2. The Snow & Ice Conference will be held the Thursday and Friday after Labor Day. DCM Crosby invited the Board to attend.
3. DCM Crosby provided an overview of the annual landfill inspection. She also stated that landfill volume is up significantly and the recycling center continues to stay busy.
4. DCM Crosby inquired when the Board would like to visit Marble and Somerset areas. She provided possible dates and discussed current concerns in the area.
5. DCM Crosby discussed the recent chip sealing on a five mile stretch on Ohio Creek Road that occurred on 8/20/18.
6. DCM Crosby discussed parking issues at the Crested Butte Public Works building due to the close proximity to Baxter Gulch trail.

Continuation Hearing; Petition for Abatement or Refund of Taxes; Property Tax Years 2016 & 2017; R001699, Lots 13-23 Blk First Addition #641478; PPI Gunnison LLC:
Senior Appraiser Analyst William Spicer was present for the discussion as well as Deputy County Attorney Matthew Hoyt. The petitioner participated by phone. SAA Spicer explained that this is a continuation hearing from July 3rd, 2018 in which the petitioner is requesting abatement or refund of taxes for the years 2016 and 2017. The petitioner is requesting the tax exemption under the statue that allows exemption for properties that are leased to either the State or a political subdivision of the State. The property is leased to Gunnison Valley Hospital which is a part of County Government, qualifying this property for the exemption under the statue, should the all the statutory requirements be met. SAA Spicer explained that the statuary language states that the financial benefit of the exemption would have to directly benefit the Governmental entity, in this case, Gunnison Valley Hospital. The terms and conditions of the long-term lease through August 2018 were negotiated in 2013 with the previous owner. The petitioner later purchased the property but agreed to original lease terms and conditions. The lease indicates that the property owner

would be financially responsible for the property taxes. Deputy County Attorney Hoyt explained that the petitioner did not come forward with any evidence or testimony that confirms that the exemption will benefit the Governmental entity. The Assessor's Office is in agreement that the statutory requirement has not been met, and therefore the request for abatement or refund of taxes should be denied. The petitioner was provided an opportunity to present his argument. After thorough discussion from both sides, the Board agreed that the statutory requirement has not been met in this case.
Moved by Commissioner Houck, seconded by Commissioner Messner to deny the Petition for Abatement or Refund of Taxes; Property Tax Years 2016 & 2017; R001699, Lots 13-23 Blk First Addition #641478; PPI Gunnison LLC. Motion carried unanimously.

BREAK: The Board took a break at 9:11 am. The meeting resumed at 9:15 am.

VOUCHERS AND TRANSFERS APPROVAL:
Finance Director Linda Nienhueser presented the voucher approval report dated August 21, 2018 and the cash transfer authorization dated July 2018 for discussion and approval.
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the vouchers in the amount of $1,602,716.72. Motion carried.
Moved by Commissioner Houck, seconded by Commissioner Messner to authorize the cash transfers in the amount of $3,062,623.63. Motion carried.

DRAFT CAPITAL IMPROVEMENT PLAN 2019-2023:
Finance Director Linda Nienhueser and Accountant Alicia Corliss were present for the discussion.
The draft Capital Improvement Plan for 2019-2023 was discussed. Finance Director Nienhueser explained that this is a planning document, not a budget document. Questions from the Board were welcomed and addressed. Finance Director Nienhueser requested a motion for approval of the draft Capital Improvement Plan 2019-2023 at a future meeting in September when vouchers and transfers are presented, allowing additional time for Board review and questions.

TREASURER'S REPORT:
County Treasurer Debbie Dunbar presented the July 2018 Treasurer's report and Investment report dated July 31, 2018.
Moved by Commissioner Houck, seconded by Commissioner Messner to accept the reports as presented. Motion carried.

UNSCHEDULED CITIZENS: There were no Unscheduled Citizens present

COMMISSIONER ITEMS:
Jonathan Houck

1. Commissioner Houck is currently working on comments for the U.S. Forest Service regarding the Wilderness Inventory. The comments are due by 9/4/18.
2. The Fish & Wildlife Service has begun a five-year review on Gunnison Sage Grouse. Commissioner Houck is planning on meeting with County Coalition Groups in Ridgway and Ann Timberman from the Fish & Wildlife Service in Grand Junction.
3. Commissioner Houck discussed the request from Colorado Counties, Inc. for legislative committee member appointments. The correspondence will appear on the next agenda. The next CCI legislative meeting is scheduled for 9/28/18 in Denver. There is a CCI conference call scheduled for 8/22/18.
4. Commissioner Houck and Chairperson Chamberland attended the Mt Emmons mine site visit. Commissioner Houck attended the work session afterwards. Commissioner Houck mentioned that the site has had three different owners and has not had any water treatment violations in its thirteen years of operation.

BREAK: The Board of County Commissioners regular meeting recessed at 9:45 am for the Gunnison County Board of Equalization meeting to take place.

GUNNISON COUNTY BOARD OF EQUALIZATION

CALL TO ORDER: Chairperson Chamberland called the meeting to order at 9:45 am.

Denied Senior Property Tax Exemption Hearing; Steve Eberhardt; Lime Point No. 2 & No. 3 North Tract #14311 Quartz Creek Subdivision B523 P642 #504950 #540033:
Deputy County Assessor Vicki Hildreth, Deputy County Attorney Matthew Hoyt and the petitioner were present for the hearing. DCA Hildreth explained that each year seniors can submit an application for the Senior Property Tax Exemption. The Assessor's office is required to review the applications to determine if statutory qualifications have been met. If requirements have not been met, then denial letters are mailed to the applicants explaining the reasoning behind the denial. The Assessor's Office opinion in this particular case is that petitioner does not qualify under statute because he has not maintained primary residency in Gunnison County for ten consecutive years. The petitioner was registered to vote in Delta County from 2012 until August of 2018 when he registered to vote in Gunnison County. He voted in the 2012/2013 elections in Delta County, further indicating his primary residence as Delta County. The State

of Colorado Division of Property Taxation reviewed the petitioner's application and agreed with the Assessor's Office decision. The petitioner was provided an opportunity to present his case. After hearing both sides, the Board was in agreement to affirm the denial of the Senior Property Tax Exemption. **Moved** by Commissioner Houck, seconded by Commissioner Messner to affirm the Assessor's denial of the Senior Property Tax Exemption; Steve Eberhardt; Lime Point No. 2 & No. 3 North Tract #14311 Quartz Creek Subdivision B523 P642 #504950 #540033. Motion carried unanimously.

ADJOURN: Moved by Commissioner Houck, seconded by Commissioner Messner to adjourn the meeting. Meeting adjourned at 10:03 am.

NOTE: The Gunnison County Board of Equalization adjourned at 10:03 am. The Gunnison/Hinsdale Board Human Services was held directly afterward. See Separate minutes. The Board of County Commissioners regular meeting resumed at 10:25 am.

CONTINUED COMMISSIONER ITEMS:

John Messner-

1. Discussion ensued regarding the possibility of drafting a Resolution opposing Ballot Initiatives 97 and 108. Deputy County Attorney Hoyt was present for the discussion.
2. Commissioner Messner discussed the draft letter supporting the Federal Land and Water Conservation Fund. The Board was in support of the letter and recommended ratification of BOCC signature at the next meeting should the letter need to be sent out before then.
3. Commissioner Messner stated that the Coal Mine Methane Working Group is holding a lunch briefing regarding the Energy Summit in Delta on 9/18/18. Commissioner Houck mentioned that the Mayors & Managers meeting is going to be held on 9/13/18 rather than 9/6/18 as previously mentioned.
4. Commissioner Messner provided an update regarding the Gallagher Interim Committee.
5. Commissioner Messner attended a meeting regarding the Gunnison Rising Proposal and provided an overview to the Board.

Phil Chamberland-

1. Chairperson Chamberland stated that the Colorado Health Foundation will be visiting the area soon. He anticipates discussing what grants are available for programming.
2. Chairperson Chamberland discussed USDA grants with Joni Reynolds. He stated that there are a number of grants available.

ADJOURN: Moved by Commissioner Houck to adjourn the meeting. The meeting adjourned at 10:54 am.

_____
Phil Chamberland, Chairperson

_____
Jonathan Houck, Vice-Chairperson

_____
John Messner, Commissioner

Minutes Prepared By:

_____
Elizabeth Mense, Deputy County Clerk

Attest:

_____
Kathy Simillion, County Clerk

DRAFT