AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: DRAFT BOCC Meeting Minutes; 20190917

Action Requested: Motion

Parties to the Agreement:

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

Summary:

The draft 9/17/19 BOCC 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 10/9/19

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 10/9/2019 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 10/9/2019

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

Agenda Date: 10/15/2019

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
September 17, 2019

The September 17, 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
Roland Mason, Commissioner
Matthew Birnie, County Manager
Elizabeth Mense, Deputy County Clerk
Others Present as Listed in Text

GUNNISON COUNTY BOARD OF HEALTH: Health & Human Services Director Joni Reynolds, Senior Resources Program Manager Betsy Holena and Early Childhood Program Coordinator Margaret Wacker were present for the discussion.

CALL TO ORDER: Commissioner Jonathan Houck called the Gunnison County Board of Health meeting to order at 8:30 am.

Consumer Protection Program Update:
PM Holena provided the Board with a Consumer Protection Program Update. The primary activity of the Consumer Protection Program is to conduct regulatory inspections of retail food establishments in accordance with state laws, regulations and standards. The second primary activity is to uniformly implement and administer the Food Protection Act. The Consumer Protection Program is run by two employees, one full-time and 1 part-time (30 hour per week) employee. Consumer Protection staff inspects restaurants, schools, summer camps and childcare centers. The state requirement is to inspect 25% of the restaurants in the valley per quarter which equals 16 to 17 inspects per month.

Public Health Improvement Plan (PHIP) Review:
ECC Program Coordinator Wacker discussed the West Central Public Health Partnership Public Health Improvement Plan (PHIP). The priorities areas within the PHIP include: Behavioral Health, Health Equity, Healthy Eating & Active Living, Healthy Housing and Health Access.

Staffing Update:
Director Reynolds reported that the clinical team is currently fully staffed.

ADJOURN: **Moved** by Commissioner Houck to adjourn the meeting. The meeting adjourned at 9:00 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Commissioner Houck called the meeting to order at 9:00 am.

AGENDA REVIEW: There were no changes to the agenda.

Public Hearing; Request for Waiver of Standard Specifications for Road & Bridge Construction; Roper Subdivision:

Deputy County Manager Marlene Crosby and Angela and Albert Roper were present for the hearing.

1. Open Public Hearing: Chairperson Houck opened the Public Hearing at 9:01 am.

2. Public Notice Confirmation: DCM Crosby confirmed public notice.

3. Identify Ex Parte Communications: There were no ex parte communications identified.

4. Staff Presentation: DCM Crosby explained the applicant is currently working with the Gunnison County Planning Commission to subdivide lots on their ranch. Normally, the request for a road waiver is run concurrently with that process. This request is for a waiver of Gunnison County Standards to change the width of a road from 22 feet to 16 feet on Roper Lane from Dragon Lane to the farthest proposed lot. DCM Crosby provided the Board with a map. DCM Crosby received a phone call from the Forest Service, but they were looking at the Lost Canyon Road not the road in question. No other comments were received.

5. Applicant Presentation: The applicant welcomed questions from the Board.

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6. Board Questions: Commissioner Messner asked if the road provided access to three lots. DCM Crosby confirmed that it does. Commissioner Houck inquired if a 16-foot road is adequate for emergency response needs. DCM Crosby confirmed that it is.

7. Public Comments: There were no public comments.

8. Acknowledge Correspondence Received: DCM Crosby stated that the only contact was from the Forest Service as mentioned above.

9. Applicant Response: N/A.

10. Close Public Hearing:
Moved by Commissioner Houck to close the public hearing. The hearing closed at 9:05 am.
Moved by Commissioner Mason, seconded by Commissioner Messner to approve the Request for Waiver of Standard Specifications for Road & Bridge Construction for Roper Subdivision to change the width of the road from 22 feet to 16 feet and direct the County Attorney to draft a Resolution. Motion carried.

MINUTES APPROVAL: Moved by Commissioner Mason, seconded by Commissioner Messner to approve the meeting minutes of 8/20/19 as presented. Motion carried.

1. 8/20/19 Regular Meeting

CONSENT AGENDA: Moved by Commissioner Messner, seconded by Commissioner Mason to approve the Consent Agenda as presented. Motion carried.

1. Contract; Continuation Funding; Colorado Department of Public Health & Environment – Office of Planning, Partnership & Improvement; West Central Public Health Partnership; $30,000
2. Contract Amendment #1; Colorado Department of Public Health & Environment; Women, Infants & Children Program
3. Contract Amendment #3; Colorado Department of Public Health & Environment; Opioid Use Reduction
4. Contract Amendment #4; Colorado Department of Public Health & Environment; Family Planning
5. Grant; Temple Hoyne Buell Foundation; Early Childhood Council; $30,000
6. Lease Agreement; Services Polling Center; 2019 Coordinated Election
7. Grant Award; Emergency Management Performance Grant; 19EM-20-23
8. Grant Modification; 2020 U.S. Forest Service; Noxious Weed Management
9. Liquor License Renewal; Black Mesa Lodge LLC dba Black Mesa Lodge; September 6, 2019 – September 6, 2020

SCHEDULING:
- The Mayors & Managers Meeting that Gunnison County is hosting on 10/3/19 was discussed.
- Commissioner Messner is going to attend the Gunnison City Council meeting on 9/24/19.
- The Board discussed an upcoming meeting with Congressman Tipton that will be held in Ouray. Commissioner Messner and Commissioner Houck are planning to attend.
- There is a Club 20 meeting 9/20/19 – 9/21/19.
- The Cottonwood Pass ribbon cutting ceremony is scheduled for Thursday, 9/19/19.
- Commissioner Mason is planning to attend a Region 10 meeting on 9/26/19, a Gunnison Valley Rural Transportation Authority meeting on 9/27/19 and an upcoming Region 10 Opportunity Zone meeting in Montrose.

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

1. **County Forest Payment / SRS Funds Distribution:**
Moved by Commissioner Mason, seconded by Commissioner Messner to distribute 100% of the County Forest Payment / SRS Funds to the school district. The total amount is $735,598.68. Motion carried.
2. **Residential Lease Agreement; Gunnison Valley Hospital**
Moved by Commissioner Mason, seconded by Commissioner Messner to approve the Residential Lease Agreement with Gunnison Valley Hospital and authorize County Manager Matthew Birnie to sign and execute the agreement. Motion carried.
The Board consensus was to authorize leasing of the unit to a full-time, in valley employee.

- CM Birnie provided an update on the refunding / refinancing of the Build America Bonds.
- CM Birnie discussed the Stallion Park Units. They are going to be leased instead of sold. Four units will be reserved for Gunnison County employees to lease with priority going to employees that work in the North end of the valley. No pets and no smoking will be permitted.
- CM Birnie discussed the recent Kids Count presentation and provided the Board with information that was dispersed during the presentation.

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

- DCM Crosby discussed recent work done on the landfill road and County Road 12.
- The agenda for the upcoming Work Session in Marble was briefing discussed.

Gunnison County Master Deed Restriction; Gunnison Valley Regional Housing Authority:
CM Birnie discussed the Master Deed Restriction and explained that this is essentially a template and revisions will be made. He requested to use the template in the interim, if needed. A clean, revised version will be presented to the Board on a future agenda.
Moved by Commissioner Messner, seconded by Commissioner Mason to approve the Gunnison County Master Deed Restriction template as presented with the understanding that revisions will be made and a revised copy will be presented to the Board on a future agenda.

BOCC Comments Re: Proposed Section 386 Energy Corridor:
County Attorney David Baumgarten and Deputy County Attorney Matthew Hoyt were present for the discussion. CA Baumgarten discussed the proposed section 386 energy corridor comments. The comments address concerns regarding Gunnison County sage grouse, conservation easements, soil and natural hazards and the width of the corridor. CA Baumgarten welcomed and addressed questions from the Board. The Board requested that private property rights, open space impacts and big game habitat impacts be addressed in the comments. The CAO will make revisions before submittal of the comments and ratify the final comments on a future agenda.

BREAK: The Board briefly recessed at 9:58 am. The meeting resumed at 10:05 am.

Boundary Line Adjustment; Centennial Storage LLC; LUC-19-00033:
Cathie Pagano, Director of Community & Economic Development and Hillary Seminick, Planner II were present for the discussion. The applicant was also present. The request is for a boundary line adjustment between two parcels, 1725 and 1825 SH 135, located North of Gunnison. The proposal would increase the size of the 1825 parcel from 2.9 acres to 9.51 acres. The 1725 parcel would be decreased from 7.5 acres to 1.27 acres. The applicant welcomed and addressed questions from the Board.
Moved by Commissioner Messner, seconded by Commissioner Mason to approve the Boundary Line Adjustment for Centennial Storage LLC, LUC-19-00033. Motion carried.

Change of Board of County Commissioners' Representative; Gunnison Valley Regional Housing Authority:
Moved by Commissioner Houck, seconded by Commissioner Messner to appoint Commissioner Roland Mason to the Gunnison Valley Regional Housing Authority effective immediately. He will take the place of Commissioner John Messner. Motion carried.

Capital Improvement Plan Adoption:
Finance Director Linda Nienhueser and Accountant Emily Smith were present for the discussion.
Moved by Commissioner Messner, seconded by Commissioner Mason to adopt the 2020-2025 Capital Improvement Plan as presented. Motion carried.

North Fork Mancos Master Development Plan Comments:
Cathie Pagano, Community & Economic Development Director was present for the discussion. Director Pagano discussed the BOCC comments regarding the Final Environmental Assessment for the North Mancos Master Development Plan. The Board requested additions to the comments. Director Pagano will revise the comments to include additions requested by the Board. Comments will be submitted prior to the September 30th deadline and ratified on a future agenda.
Moved by Commissioner Mason, seconded by Commissioner Messner to approve the North Fork Mancos Master Development Plan comments with the additions requested by the Board. The final comments will be placed on a future consent agenda. Motion carried.

Resolution; A Resolution Approving the Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of the Shady Island River Park project:
Cathie Pagano, Community & Economic Development Director was present for the discussion. She explained that the County is applying for a Great Outdoors Colorado (GOCO) grant for the Shady Island River Park project. The grant application requires a Resolution.
Moved by Commissioner Messner, seconded by Commissioner Mason to approve Resolution 2019-22; A Resolution Approving the Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of the Shady Island River Park project. Motion carried.

UNSCHEDULED CITIZENS: There were no Unscheduled Citizens present

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COMMISSIONER ITEMS:
Roland Mason-

1. Commissioner Mason stated that the playground at the Crested Butte Center for the Arts opens on Friday, 9/20/19.
2. Commissioner Mason discussed a recent Gunnison Valley Regional Housing Authority meeting he attended.
3. Commissioner Mason discussed the Health & Human Services Community Block Grant.

John Messner-

1. Commissioner Messner is unable to attend the Sustainable Tourism & Outdoor Recreation meeting on Thursday, 9/19/19. Commissioner Houck will attend.
2. Commissioner Messner will be attending Colorado Oil & Gas Commission hearings on the 9/25/19 & 9/26/19.

Jonathan Houck-

1. Commissioner Houck will be attending the Colorado Counties, Inc. Steering Committee meeting on 9/27/19.
2. Commissioner Houck discussed the Energy Legislative review he attended at Colorado Mesa University in Grand Junction.
3. Commissioner Houck discussed a recent meeting with Colorado Parks & Wildlife. The Waunita Watchable Wildlife site was discussed. There is follow up meeting is scheduled for 9/18/19.
4. Commissioner Houck discussed a Gunnison Basin Roundtable meeting he attended.

Possible Executive Session; Pursuant to C.R.S. 24-6-402 (4)(b) Conference with the County Attorney, Deputy County Attorney & County Manager 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:
Moved by Commissioner Houck, seconded by Commissioner Mason to enter an executive session Pursuant to C.R.S. 24-6-402 (4)(b) to Conference with the County Attorney, Deputy County Attorney & County Manager 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 John Messner, Commissioner Roland Mason, County Attorney David Baumgarten, Deputy County Attorney Matthew Hoyt, and County Manager Matthew Birnie. Motion carried.

The Board went into executive session at 11:04 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 unanimously**.** The Board came out of executive session at 12:07 pm. 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.

Possible Executive Session; Pursuant to C.R.S. 24-6-402 (4)(f)(I); Personnel Matter:
Moved by Commissioner Houck, seconded by Commissioner Mason to enter an executive session

Pursuant to C.R.S. 24-6-402 (4)(f)(I) Personnel Matter. In attendance would be Commissioner Jonathan Houck, Commissioner John Messner, Commissioner Roland Mason and Deputy County Attorney Matthew Hoyt. Motion carried.

The Board went into executive session at 12:09 pm. *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)(f)(I).*

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 unanimously**.** The Board came out of executive session at 1:08 pm. 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.
Moved by Commissioner Messner, seconded by Commissioner Mason to approve the Employment Agreement with Deputy County Attorney Matthew Hoyt.
Moved by Commissioner Messner rescind his motion. The contract will be routed for Finance review and presented at a future meeting. Motion carried.

ADJOURN: Moved by Commissioner Messner, seconded by Commissioner Mason to adjourn the meeting. The meeting adjourned at 1:15 pm.

_____
Jonathan Houck, Chairperson

_____
John Messner, Vice-Chairperson

_____
Roland Mason, Commissioner

Minutes Prepared By:

_____
Elizabeth Mense, Deputy County Clerk

Attest:

_____
Kathy Simillion, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 2019 - 22

A Resolution Approving the Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of the Shady Island River Park project.

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WHEREAS, the Gunnison County Board of Commissioners supports the Great Outdoors Colorado grant application for the Shady Island River Park project. If the grant is awarded, Gunnison County supports the completion of the project.

WHEREAS, Gunnison County has requested $350,000 from Great Outdoors Colorado to implement the Shady Island River Park project.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE GUNNISON COUNTY BOARD OF COMMISSIONERS THAT:

1. The Gunnison County Board of Commissioners strongly supports the application and has appropriated matching funds for a grant with Great Outdoors Colorado.
2. If the grant is awarded, the Gunnison County Board of Commissioners strongly supports the completion of the project.
3. The Gunnison County Board of Commissioners authorizes the expenditure of funds necessary to meet the terms and obligations of any Grant awarded.
4. The project site is owned by Gunnison County and will be owned by Gunnison County for the next 25 years.
5. The Gunnison County Board of Commissioners recognizes that as the recipient of a Great Outdoors Colorado Local Government grant the project site must provide reasonable public access.
6. The Gunnison County Board of Commissioners will continue to maintain Shady Island River Park in a high quality condition and will appropriate funds for maintenance in its annual budget.
7. If the grant is awarded, the Gunnison County Board of Commissioners hereby authorizes the designated Official to sign the grant agreement with Great Outdoors Colorado.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Messner, seconded by Commissioner Mason, and adopted on this 17th day of September, 2019.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Houck – yes; Messner – yes. Mason – yes.