# AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

**AgendaTitle:**
Draft Regular Meeting Minutes; 9/3/13

**Action Requested:** Board of County Commissioners' Signature

**Parties to the Agreement:**

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

**Summary:**
Draft Meeting Minutes; 9/3/2013

**Fiscal Impact:** n/a

**Submitted by:** B. Lucero **Submitter's Email Address:** blucero@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: 10/30/2013

○ Consent Agenda ● Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 11/5/2013 Follow Up Agenda Date:

*Revised April 2013*

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS**
**REGULAR MEETING MINUTES**
**September 3, 2013**

The September 3, 2013 meeting was held in the Commissioners' boardroom in the Courthouse located at 200 E. Virginia, Gunnison, Colorado. Present were:

Paula Swenson, Chairperson
Phil Chamberland, Commissioner
Jonathan Houck, Commissioner
County Manager Matthew Birnie
Bobbie Lucero, Deputy Clerk to the Board
Others Present as Listed in Text

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

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

**MINUTES APPROVAL:** There were no minutes to approve.

**CONSENT AGENDA:** **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the Consent Agenda, excluding Items 3 and 4. Motion carried.

1. Ratification of Chairperson Signature; Agreement for Use of Colorado Parks and Wildlife Electronic Information
2. Memorandum of Understanding Subcontract, Nurse Home Visitor Program; Gunnison and Montrose Counties; 7/1/13
3. **Pulled for Discussion and Separate Action:** Ratification of Chairperson Signature; Subdivision Road Improvements Agreement for Alpine Meadows Subdivision; Alpine Meadows Property Owners Association; 8/19/13
4. **Pulled for Discussion and Separate Action:** Contract for Services; Healthy Kids Colorado Survey, Survey Administration and Reporting; 8/5/13 thru 6/30/14
5. Community of Excellence Grant Funding Application; Department of Human Services and Gunnison/Hinsdale Interagency Oversight Group; Support Planning and Implementation of System of Care Work; $30,000
6. Contract for Services; Hilltop Health Services Corporation; Provide Health Coverage Guide Services for the Connect for Health Assistance Network; 9/1/13 thru 8/31/14; $21,677
7. Grant Contract; Temple Hoyne Buell Foundation; Gunnison Hinsdale Early Childhood Council; 9/1/13 thru 8/31/14; $10,000
8. Grant Contract; Temple Hoyne Buell Foundation; Nurturing Parenting Program; 9/1/13 thru 8/31/14; $8,000

**SCHEDULING:** The Upcoming Meetings Schedule was discussed and updated.

1. 2014 and 2015 BOCC Meeting and Holiday Schedules. The Board discussed the 2014 and 2015 BOCC Meeting and Holiday Schedules. They agreed to change the schedule for the next years of 2014 and 2015 and revisit the holiday schedule in 2016. The board directed staff to send a survey to the County employees for their consensus. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve to work the Columbus Day holiday in 2014 and 2015 and the 11th holiday of the year will be 12/26 in 2014 and 12/24 in 2015. The Holiday Schedule will be discussed again in 2016. Motion carried unanimously.
2. Commissioner Meetings Schedule. The Board discussed their Tuesday meeting schedules. The Board agreed that Regular Meetings should begin at 8:30 am on the first and third Tuesday of the month. Work Sessions should begin at 1 pm on the second and fourth Tuesday of the month. The Board agreed that there will not be a meeting held on the fifth Tuesday of the month. Chairperson Swenson called for a vote and all commissioners were in support of the motion. Motion carried unanimously.

**COUNTY MANAGER'S REPORT:** There were no issues for the County Manager to report.

**DEPUTY COUNTY MANAGER'S REPORTS AND PROJECT UPDATES:** Deputy County Manager Marlene Crosby was present for discussion. She reported to the Board that she was able to get ahold of the gentleman at McLachlan Water regarding the repair at the White Water Park and they are going to do a site visit in the next few weeks. She also informed the Board that there was a flash flood in the Big Cimarron. Some wash outs were 30 feet deep. She reported that they may have to replace the pipe, and the power line and phone line will need to be killed. There were three semi loads of trees in debris that had to be removed. The board directed Deputy County Manager Crosby to draft a letter to Montrose County thanking them, from the Public Works department, and copy the Board.

1. Cottonwood Pass Project: Forman Jim Kint was present for the discussion. Deputy County Manager Crosby informed the Board that they did not get a reimbursement agreement from Micah Leadford with the Central Federal Highway Division, when she was there Sunday she did not know that it was not a regular work day, but it was the only day she had to go up to the Taylor project. She reported that she counted 100 RVs on Sunday in the Cottonwood Pass area. Timeline suggested the MOA and Reimbursement Agreement have to be returned by October 1st. There was discussion if the County has any "outs" if there is any concerns on the cash flow. Commissioner Chamberland opined that right now he doesn't have a lot of confidence in it, but he is in favor of paving Cottonwood Pass. He opined that he would be in favor of proceeding as long as there is a way out of the agreement, if the cash flow is not there. The Board expressed concerns about committing to this project when there isn't an official plan. Deputy County Manager Crosby opined that she would see value in having the Central Federal highway Division do the engineering and environmental portion. County Manager stated that his biggest concern is there is no exit strategy for the County, if needed. He informed Deputy County Manager Crosby that they need to clarify the mutual agreement. County Manager Birnie suggested that this needs to be placed on the next regular agenda so that the County Attorney's Office has time to review the agreement. The Board agreed that this item needs to be placed on the 9/17/2013 meeting agenda for discussion.

2. Antelope Hills Water Division Project.
   a. Resolution; Authorizing the Issuance of the Water Revenue Bond (Antelope Hills Water Division Project), Series 2013; Prescribing the Form of Said Bond; Providing Other Details Concerning the Bond, and the System and Funds Appertaining Thereto. Finance Director Linda Nienhueser was present for the discussion. She provided four copies of the documents for the Board to sign. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve Resolution 2013-21: A Resolution authorizing the issuance of the Water Revenue Bond (Antelope Hills Water Division Project), Series 2013; prescribing the form of said bond; providing other details concerning the bond, and the system and funds appertaining thereto. Motion carried unanimously.
   b. Omnibus Certificate; $1,288,000 Gunnison County, Colorado Taxable Water Revenue Bond (Antelope Hills Water Division Project) Series 2013. **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to authorize signatures on the Omnibus Certificate. Motion carried unanimously.

3. State of Colorado, Department of Natural Resources, Division of Parks and Wildlife Grant Agreement with Gunnison County Trails Commission; Anthracite Creek Bridge for the Crested Butte to Carbondale Trail; $108,000 Grant; $32,000 Match and In-Kind Contributions; $8,000 from Trails Commission. Deputy County Manager Crosby provided three grant documents for the Board to sign. She asked the Board to sign and not date the grant documents. **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to approve signature on the Division of Parks and Wildlife grant. Motion carried unanimously.

**GRANT AGREEMENT; FEDERAL AVIATION ADMINISTRATION:** County Manager Birnie informed the board that Airport Manager Rick Lamport's advice is to execute this agreement, although there are still a few questions about this agreement. County Manager Birnie informed that the three lots are worth more than what the previous Airport Manager had the lots valued at. **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to execute this agreement and authorize signatures. Motion carried unanimously.

**CORRESPONDENCE: NATIONAL FOREST COUNTIES and SCHOOLS COALITION, AND PARTNERSHIP FOR RURAL AMERICA; REQUEST FOR LETTER OF SUPPORT; HR 1526:** The Board discussed the letter of support request. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to send a letter of support of their own, and use signature stamps so that the letter can be sent out by 9/6/13. Motion carried unanimously.

**GUNNISON COUNTY BOARDS AND COMMISSIONS; GUNNISON COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES: Moved** by Commissioner Houck and seconded by Commissioner Chamberland to appoint Kathy Norgard as a member of the Gunnison County Library Board. Motion carried unanimously.

**PROCLAMATION; CONFLICT RESOLUTION MONTH; OCTOBER 2013:** The Board reviewed the proclamation for Conflict Resolution Month for October of 2013. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to sign the proclamation and authorize signatures. Motion carried unanimously.

**COMMISSIONER ITEMS:** The Commissioners discussed meetings they have attended.

**Commissioner Houck:**

1. Tin Cup. Commissioner Houck informed the Board that he spoke with Sheriff Besecker, and they addressed the issues with traffic in the Town of Tin Cup. He met with Deputy County Manager Crosby before the meeting to go over ways to minimize speed violations. He reported that Public

Works has ordered materials. He informed that he was asked to discuss the Travel Management Plan and he informed Tin Cup that it is the Forrest Service issue and they are willing to be include in the conversation. Things are moving forward in Tin Cup and residents have flexibility with dealing with the speed issues.

2. Colorado Association of Ski Towns (CAST) Dinner. Commissioner Houck informed the Board that he attended the CAST dinner with County Manager Birnie and Commissioner Chamberland.
3. Community Foundation. Commissioner Houck informed the Board that he will have an update on the Community Foundation later this week.
4. Gunnison City Council. Commissioner Houck informed the Board that he will be presenting the Region 10 Vader Development Plan to the City Council tonight. He reported that the City of Gunnison has offered to be the applicant because the land is within City limits.

**Commissioner Chamberland:**

1. Oil and Gas Meeting. Commissioner Chamberland informed the Board that there is no activity going on in the county.
2. Colorado State Bureau of Land Management Director Helen Hankins Announced Retirement. Commissioner Chamberland informed the Board that Helen Hankins announced her retirement effective September 30, 2013.
3. CAST Meeting. Commissioner Chamberland informed the Board he attended the CAST meeting, and he informed that there was a lot of discussion in regards to Amendment 64 and the taxes associated with it.

**Commissioner Swenson:**

1. MT. Crested Butte Meeting. Chairperson Swenson informed the Board that she attended the Mt. Crested Butte meeting on 8/20 regarding the Housing project in Crested Butte. She reported that Mt. Crested Butte voted unanimously in support of the project. Tonight, Mt. Crested Butte will be having a Work Session. She reported that this is what they had hoped for when they passed the linkage fee. The Gunnison Valley Housing Foundation is very excited about it as well.
2. Senator Michael Bennet's Office. Chairperson Swenson reported to the Board that she went on a tour with Senator Bennet's Chief of Staff to discuss the proposed listing of the Gunnison Sage-grouse and also to discuss the Antelope Hills Home Association sending a letter in regards to the waterline project. She reported that she also had lunch with John Whitney regarding the Antelope Hills waterline project.

**UNSCHEDULED CITIZENS:** Mark Schumacher was present for the discussion. He opined that there were many obligations the County did not keep with regard to the Taylor Project. Mr. Schumacher reported the following:

1. He opined that he did not disagree with the easements for the project. He was informed that if the project had a late start it would be a two-year project, but had an early start date to make it a one-year project. He opined that he was not informed when the project went to full road closures.
2. He informed that he reported the Jacks Cabin safety issue about the cattle guards.
3. He reported that in June he had seven days, at 7 am, a jack hammer working 200 feet right outside his business. He reported he asked if they could begin their start time later, such as 8 am or 9 am, but he was told no. He reported that he had nine days in June that he would not be disturbed in the agreement for this project, which he did not get.
4. The first road closure lasted until 7/12/13. Then the second road closure was in effect two week after that.
5. 7/17/13: Mr. Schumacher reported he spoke with Deputy County Manager Crosby about when the second road closure would be opened, and that she would run ads in the paper that week, which they agreed upon. He informed he spent $900 in the paper that the road closure was now open up to the 2.5 mile marker. He reported to the board that Deputy County Manager Crosby pulled her ads from the paper, saying "I dropped the number of my ads I ran this week, but I was not comfortable I was sending the Clerk a concise, accurate message so I pulled them from the Times and Shopper, I am willing to try again next week if things are easy to understand."
6. 7/26/13: Mr. Schumacher reported that Eric Zeller with the Federal Highway Administration sent out a flagger message, which was never put in the paper. The flagger message went out because Lacey Construction (Lacey) hired his own flaggers to inform the public that they will want to go around to the Jack's Cabin cutoff. He reported that the flaggers were told to stop everyone at the Almont Post Office and discourage everyone from going up the road. There has been a flagger at the Post Office since the beginning of the project.
7. Mr. Schumacher reported that one of his employees, Ann Marie Jenkins, reported that she had a fishing trip down the river and she had an extremely rude conversation with one of Lacey's employees. She reported that one of Lacey's employees told her it was okay to bring the client up the river, and follow one of Lacey's trucks up to their destination spot. About five minutes after achieving their destination and walking down to the river bank, the same Lacey Construction employee came screaming at her and yelling at her that she did not listen to them, and that he was going to take her license plate and call the police. She reported that the Lacey employee was also rude to her client. She reported that she and her client were both upset. She reported that while she was leaving the construction zone, a different Lacey employee was polite and told

her that there was no problem with her and her client fishing in the location that they were just run out of. Mr. Schumacher opined that basically there has been a full closure of the canyon during the whole project.

8. Mr. Schumacher reported that he was not informed that Labor Day weekend the road would be closed. He informed that he was told that he would be notified of any closures and he was not informed about the Labor Day weekend closure.
9. 7/23/13: Mr. Schumacher reported that he attended the BOCC meeting. He said Forman Jim Kint was supposed to be his liaison with Gunnison County and he was to inform him about any changes. He informed that he has not spoken to Forman Kint since June. He informed that he asked, at the 7/23 meeting, when are they going to upgrade Jack's Cabin cutoff because it is in the worst shape it has been all summer and Forman Kint replied "it would not be this week. It will not be next week. And, it will be Marlene's call." Mr. Schumacher reported that he had to cancel raft trips because the rains hit the next few days. He reported that the road was so rough they had to wait for a dozer to clean the road out while they waited. He reported that he had to go buy a $4,000 pressure washer so that he can clean his vehicles, because of all the mud from the rains.
10. Labor Day Weekend: Mr. Schumacher reported that there was a pilot car from the lower closure all the way up to Jack's Cabin. He informed that Lacey was telling the public that the pilot car would be a 30-minute wait, and they will want to use the Jack's Cabin cutoff because it would be quicker. He reported that no one could use the canyon the whole weekend because they had to follow the pilot car. He reported that they couldn't fish or take pictures of the raft trip.

Mr. Schumacher asked the board why didn't anyone come tell him anything, especially anything that was outside of the contract. He inquired, why in three weeks, no one informed anyone in the canyon there were changes to the project? County Manager Birnie informed Mr. Schumacher that Gunnison County does not have signatory on the contract. Mr. Schumacher opined that Gunnison County didn't have the common courtesy to inform them that the road would be closed. There was a disagreement that changes in the contract would not occur without approval from Gunnison County.

Mr. Schumacher opined that Forman Kint doesn't understand the agreements, and what was agreed upon last October, and what the difference is between a full closure and partial closure. He opined that the Board should be thanking him for not needing to blast during this project, but nobody has.

The Board thanked Mr. Schumacher for bringing in his concerns and they informed him that they will try to get this project completed as soon as they can.

County Manager Birnie will follow up with the Assessor's Office regarding vacation/cabin rental compliance. There was a discussion regarding reporting personal property tax that has not been in compliance with the Department of Revenue.

**ADJOURN: Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adjourn the September 3, 2013 meeting. Motion carried unanimously. The meeting adjourned at 10:12 am.

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Paula Swenson, Chairperson

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Phil Chamberland, Vice-Chairperson

_____
Jonathan Houck, Commissioner

Minutes Prepared By:

_____
Bobbie Lucero, Deputy County Clerk

Attest:

_____
Stella Dominguez, County Clerk

Bobbie – we need to add the resolution language.