

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
December 4, 2012**

The December 4, 2012 meeting was held in the Commissioners' boardroom in the Courthouse located at 200 E. Virginia, Gunnison, Colorado. Present were:

Hap Channell, Chairperson	Matthew Birnie, County Manager
Paula Swenson, Vice-Chairperson	Katherine Haase, Clerk to the Board
Phil Chamberland, Commissioner	Others Present as Listed in Text
David Baumgarten, County Attorney	

CALL TO ORDER: Chairperson Channell called the meeting to order at 12:48 pm.

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

CONSENT AGENDA: Consent Agenda Item #12 was pulled from consideration as it was mistakenly added to the agenda. Commissioner Chamberland requested that Items #3 and #4 be pulled for further discussion, and Chairperson Channell requested that Item #1 be pulled for further discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Consent Agenda with the deletion of Item #12, the addition of Items #15, #16 and #17, and excluding Items #1, #3 and #4 for discussion. Motion carried unanimously.

1. **Pulled for Discussion and Separate Action:** Memorandum of Agreement; Midwestern Colorado Mental Health Center; 1/1/12 thru 12/31/12; \$11,000
2. Resolution; Ratifying the Inclusion of Approved Amendments and Ministerial Changes to the Gunnison County Land Use Resolution
3. **Pulled for Discussion and Separate Action:** Landscaping Improvements Agreement; Riverland Industrial Park, Lot 4; John Nichols
4. **Pulled for Discussion and Separate Action:** Acknowledgment of County Manager Signature; VRCompliance, LLC Master Service Agreement
5. Acknowledgment of County Manager Signature; Colorado Children's Trust Fund Grant Application; Nurturing Parenting Program for Parents with Adolescent Children; 1/1/13 thru 6/30/13; \$5,000
6. Form of Notice of Lease Renewal; Zions First National Bank
7. Intergovernmental Agreement for Winter Road Maintenance; Town of Marble; 11/1/12 thru 5/31/13
8. Intergovernmental Agreement for Winter Road Maintenance; County of Montrose; 11/1/12 thru 4/30/13; \$5,000
9. Ratification of Chairperson Signature; Contract Agreement; Spallone Construction, Inc.; Gunnison County Landfill Excavation Project; 10/24/12 thru 7/30/13; \$310,000
10. Colorado Department of Human Services Certification of Compliance, County Merit System, Year 2013
11. Acknowledgment of County Manager Signature; Colorado Department of Public Health and Environment, Colorado Immunization Program Statement of Work; Support the Sustainable Delivery of Immunization Services to Insured Individuals; 12/3/12 thru 6/30/13; \$1,800
12. Draft Regular Meeting Minutes; 10/16/12
13. Draft Regular Meeting Minutes; 11/20/12
14. Third Amendment to the Gunnison County, Colorado Employee Benefit Plan as Amended and Restated Effective January 1, 2010
15. Ratification of Approval; Tier I Energy and Mineral Impact Assistance Program Application; Gunnison County Courthouse Adaptive Re-Use & Renovation Project; Architectural Design Phase; \$199,000
16. Cooperative Agreement between Law Enforcement and Child Protective Services; Protocol for Investigation of Child Abuse and Neglect
17. Interagency Coordination Cooperative Agreement; Gunnison/ Hinsdale County Adult Protective Services Protocol for Investigation of Reports Made Regarding Possible Mistreatment of Self-Neglect Involving At-Risk Adults

CONSENT AGENDA ITEM #1: Chairperson Channell requested discussion of this item due to the timeliness of the contract. County Manager Birnie explained that the contract was in negotiation and that all issues have since been resolved. **Moved** by Chairperson Channell, seconded by Commissioner Chamberland to approve Consent Agenda Item #1. Motion carried unanimously.

CONSENT AGENDA ITEM #3: Commissioner Chamberland asked for discussion on this item as letter "D" within Section 7 should have been "E". The Board and County Attorney David Baumgarten agreed that this ministerial change was warranted. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson to approve Consent Agenda Item #3 as amended. Motion carried unanimously.

CONSENT AGENDA ITEM #4: Commissioner Chamberland asked County Manager Birnie when a report on this issue may be available. County Manager Birnie explained that the information was being loaded and that an initial report would be ready within a few months. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson to approve Consent Agenda Item #4. Motion carried unanimously.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Gunnison County Electric Association Meeting. County Manager Birnie informed the Board that he and Gunnison Wildlife Conservation Coordinator Jim Cochran met with GCEA's new CEO, Mike McBride, and Vicki Shaw on 12/3/12 to discuss sage-grouse issues since GCEA has been one of the largest funders of the program and since the previous CEO had thought about ending this funding. Mr. McBride has been brought up to speed on potential impacts to GCEA operations and is supportive of continuing to fund this program.
2. Gunnison Valley Hospital Bond Refinance. County Manager Birnie informed the Board that draft options will be presented to the Board during the next meeting. The Hospital's CEO, Rob Santilli, told County Manager Birnie that the discussion related to the CHC Ops Assessment would have to wait until sometime in January.
3. Courthouse Remodeling Project Update. County Manager Birnie informed the Board that the needs assessment phase of the project is ongoing. A grant application was submitting to DOLA requesting assistance with design costs. The grant is expected to be highly competitive. If funding is not awarded, the County will pay for the design with money that will have been saved through the end of 2013. The County will submit an additional grant application for the construction phase of the project. The architects spoke with all offices last week to determine the operational needs. The process is starting to produce a preliminary work product, which has revealed that some of the building's systems are in worse shape than originally believed.
4. Strategic Planning Process. County Manager Birnie informed the Board that the department directors and elected officials will be brought in for a half-day session at some point during the two-day retreat scheduled for 2/25 and 2/26.
5. Granicus. County Manager Birnie informed the Board that the County will be utilizing Granicus' citizen participation module to gain citizen feedback related to the upcoming courthouse remodeling project. The program will cost \$300 per month, on a month-to-month basis with no ongoing commitment. The County's communications consultant, Molly Mugglestone, will be running this program as the capacity doesn't exist with current staffing.
6. Rock Creek Subdivision. Chairperson Channell asked for an update on this issue. County Manager Birnie explained that the declarations document is being reworked and that the trail of documentation is being researched so that corrections can be made. The County will need to reconcile the fundamental legal documents before moving forward, hopefully in the spring.
7. Bear Ranch Gravel Pit Application. Chairperson Channell asked if this project will require a Land Use Change Permit. Commissioner Chamberland and County Manager Birnie agreed that it would. County Manager Birnie will contact the Community Development Department to get an update and ensure that the process is on target.

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

1. ISF-I Update. Finance Director Linda Nienhueser was present for discussion and explained that her projections for revenue were high, which will create a shortfall. As well, some of the budgeted engine overhauls were done in-house at a savings, and some additional beneficial equipment was obtained. These modifications will result in a budget amendment that will take \$108,000 from the 2013 budget and put it into the 2012 budget.
2. Somerset Project Update. Assistant County Manager Crosby informed the Board that, per the State, this project meets the criteria for a surface discharge permit. A monitoring location will need to be designated. Quarterly monitoring of water as it is discharged into the stream may begin as early as June.
3. CB South to Skyland Trail Project Update. The CB South Property Owners' Association (POA) would like to create a trail from CB South to Skyland. While this project is given support in the Trails Commission's master plan, the Trails Commission would prefer to finish the next phase of the Kebler Pass trail first. As proposed, this new project isn't feasible because it crosses private land. The trail is estimated to cost approximately \$1,800,000, and the POA is looking into all potential funding sources. There is an opportunity for funding through a Safe Routes to Schools grant as the trail is within a two-mile radius from the Crested Butte school, and the POA would like to request \$248,000 for this project (the maximum dollar amount of this grant is \$250,000). The grant application would have to be submitted by the County. Assistant County Manager Crosby stated her belief that this is a good project to support since 128 students living in CB South attend school in Crested Butte. Other grants will be applied for as opportunities become available. The County will maintain the trail after it's created, though the trail will not be accessible during the winter. The grant application deadline is 12/7/12. The Board gave verbal approval to proceed. Ratification of that approval will be scheduled on the 12/18/12 agenda.

- 4. Ohio City Town Hall Renovation Project Update. Assistant County Manager Crosby informed the Board that Ben White completed the evaluation of the Hall. To move forward with the State Historical Fund grant funding requirements, a contractor’s estimate will need to be obtained. The required funding match for the County to bear will be \$25,000, which has not been budgeted. Additional fundraising options will be sought for the project.
- 5. Antelope Hills Water Project Update. Telemetry and pump testing will be conducted at the end of the week.
- 6. Compressed Natural Gas. Chairperson Channell stated his impression that governments can bridge the gap between limited/no use and ultimate private involvement. He wondered if governments had the technology and could sell compressed natural gas to the public, if the public would get accustomed to purchasing these types of vehicles. County Manager Birnie said that the opportunity is there, and that some states have leveraged pricing for compatible passenger vehicles. He checked into the possibility of grant funding for along Hwy 50 to help with the cost of installing gas stations, though nothing has been found so far. This is an emerging technology, and the County will want to obtain information relative to performance at altitude. A compressed natural gas pump station can cost between \$1,000,000 and \$1,500,000, though it is believed that there may be long-term cost savings.

COMMISSIONER ITEMS: This discussion began earlier than scheduled due to a gap in the meeting.

Commissioner Channell:

- 1. Colorado Counties, Inc. (CCI) Off-Highway Vehicle/All-Terrain Vehicle Preconference. Chairperson Channell attended this recent meeting during which the components of what might go into a new bill were discussed. Chaffee County believes that licensed drivers should be allowed to license these types of vehicles, which is one end of the spectrum. Commissioner Chamberland stated that some of our neighboring states license these vehicles, which causes issues for Colorado. Judge Patrick has ruled that those out-of-state licenses will be honored in Gunnison County.

CONTRACTS FOR SERVICES FUNDING DECISIONS: Finance Director Nienhueser was present for discussion.

A total of \$95,899 in grant funding was requested by 10 organizations. The 2013 draft budget includes a total of \$81,500 for these services contracts, the same amount as was allocated in the 2012 budget.

Ms. Karen Williams, Development Director from Confidential Advocacy Center (CAC), formerly known as Jubilee House, explained that Jubilee House has had financial troubles, and that there does seem to be a slight duplication of efforts between CAC and Nancy Dolezal’s new organization. So far this year, 75 people have been served by CAC. She didn’t know how that figure relates to previous years, but she estimated that it might be low due to the change in the organization.

The Board agreed to the following funding amounts, which will be reflected in the budget.

• Gunnison Conservation District	\$	2,000
• Gunnison Country Partners	\$	7,500
• Gunnison Valley Animal Welfare League	\$	4,500
• Confidential Advocacy Center (formerly known as Jubilee House)	\$	10,000
• Midwestern Colorado Mental Health Center	\$	11,000
• Office for Resource Efficiency	\$	12,000
• Safe Ride	\$	2,500
• Six Points Evaluation and Training	\$	12,000
• Crested Butte Chamber of Commerce	\$	8,000
• Gunnison Chamber of Commerce	\$	<u>12,000</u>
Total	\$	\$81,500

BREAK: The meeting recessed from 2:39 until 2:49 pm.

UNSCHEDULED CITIZENS:

- 1. Butch Clark; Beetle Kill Timber. Mr. Clark provided printed references related to beetle kill timber and possible local uses. Chairperson Channell asked if the Forest Service has estimated the amount of beetle kill, and Mr. Clark stated that estimates are currently being assembled. The Board thanked him for the information.
- 2. Warren Wilcox; Compressed Natural Gas. Mr. Wilcox said that he has heard that Caterpillar is making strides in the area of compressed natural gas.
- 3. Sandy Shea; Warren Wilcox. Mr. Shea stated that he had sent a letter to local newspaper concerning Warren Wilcox and a possible community-wide perception of conflict of interest in his position as a member of the Gunnison County Planning commission. Mr. Shea stated that Mr. Wilcox has accepted money from an entity that Mr. Wilcox is making decisions about via his

position on the Planning Commission. He asked the Board to consider whether or not they would have acted similarly.

4. Anthony Poponi; Warren Wilcox. Mr. Poponi urged the Board to consider the same issue as Mr. Shea. He opined that this issue is not related to simply how Mr. Wilcox may lean on an issue as Mr. Wilcox may be losing his objectivity. He asked that the Board consider that this situation has the appearance of something that warrants additional discussion.

COMMISSIONER ITEMS (continued):

Commissioner Channell (continued):

1. Mayors/Managers Subcommittee Update. Chairperson Channell met with the committee regarding membership and other issues. The committee's recommendation has been submitted to the members for review.

DISTINGUISHED WOOD SUPPLY; POSSIBLE COURT ENFORCEMENT ACTION; POSSIBLE EXECUTIVE SESSION: Assistant County Manager Crosby, County Attorney David Baumgarten and Paralegal Rachel Magruder were present for discussion.

Assistant County Manager Crosby explained that Distinguished Woods had leased the five-acre parcel just north of the Public Works facility. As a result of the economy and ownership issues experienced by Distinguished Woods, she worked with them to resolve this issue. A repayment plan for unpaid rent was developed, and Distinguished Woods was to vacate the parcel earlier this year and relocate to a one-acre parcel near the Recycling Center. Materials are currently strewn on the parcel without order. Payments ceased in March and the five-acre parcel hasn't been vacated, so Assistant County Manager Crosby requested that the Board instruct the County Attorney's Office to initiate legal action against whomever the business owner is determined to be. **Moved** by Commissioner Swenson, seconded by Chairperson Channell to instruct the County Attorney's Office to initiate legal action to get it (the property) vacated and receive payment. Motion carried unanimously.

REQUEST FOR LETTER OF SUPPORT; CITY OF GUNNISON; USA PRO CHALLENGE BICYCLE RACE: Assistant County Manager Crosby was present for discussion, and she stated that the last event was easier to manage since she was included at the start of the conversations. She stated that she couldn't gauge the possible economic benefits to the area, and that her staff had a lot to do to prepare for the event. The draft letter was discussed and amendments were agreed upon. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the letter, as amended, and authorize signatures. Motion carried unanimously.

BREAK: The meeting recessed from 3:26 until 3:34 pm.

2010 AND 2011 PETITION FOR ABATEMENT OR REFUND OF TAXES; MICHALEK TIMOTHY L. FAMILY TRUST: Appraiser Analyst George Lickiss was present for discussion. Mr. Michalek was available for discussion via telephone.

Appraiser Analyst Lickiss presented the Petition for Abatement. He explained that this property's valuation was appealed to the County Board of Equalization in 2009, and that a higher value was granted per the request. For 2010, the Assessor's Office included the improvements and revalued the land. The Assessor's Office valuations of \$463,000 for 2010 and \$460,280 for 2011, while the petitioner requested values of \$320,000. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to accept the recommendation from the Assessor's Office on the Petition for Abatement or Refund of Taxes with keeping the actual for 2010 the same and reducing the value in 2011 to \$460,280. Motion carried unanimously.

REQUEST FOR AMENDMENT TO COVENANTS; GUNNISON RIVERBANKS RANCH; DAVID LEINSDORF: Assistant Community Development Director Neal Starkebaum and attorney David Leinsdorf were present for discussion.

The draft resolution was discussed and amendments were agreed upon. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adopt Resolution #2012-36, a Resolution Approving an Amendment to Declaration of Protective Covenants of Gunnison Riverbanks Ranch, as amended and authorize signatures. Motion carried unanimously.

BREAK: The meeting recessed from 3:48 until 4:03 pm.

REQUEST FOR VARIANCE TO DECLARATION OF PROTECTIVE COVENANTS; RIVERLAND INDUSTRIAL PARK; OUTSIDE STORAGE OF EQUIPMENT; LOT 4; JOHN NICHOLS: Assistant Community Development Director Starkebaum and applicant John Nichols were present for discussion.

Assistant Community Development Director Starkebaum stated that the Planning Commission had unanimously approved the permit in November, and that the approval process requires approval by the Board. He noted that the purpose to this application is to create a concrete batching operation, and he

asked that any Board approval not set a precedent. He confirmed that the Property Owners' Association (POA) granted a variance to allow for outside storage, not normally otherwise permitted. The Planning Commission agreed that the landscaping will be sufficient to mitigate the visual impacts.

Mr. Nichols stated that the Riverland businesses agreed by vote to allow outdoor storage, but that it was not pursued except for on a case-by-case basis. There are 38 lot owners associated with the Riverland Industrial Park. Assistant Community Development Director Starkebaum added that this request was submitted to the County a few years ago, but the Beautification and Scenic Corridors Committee (now defunct) took issue with it so it was withdrawn. County Attorney Baumgarten confirmed that the process had been appropriately followed.

Mr. Nichols stated that indoor storage is an issue due to current fire regulation requirements as the fire district requires the installation and use of sprinkler systems. He feels that this requirement makes building in Riverland, which is approximately 90% built out at the current time, financially unfeasible. The Board suggested that he submit a formal request for waiver to the POA. If denied, the County may be able to get involved.

It was discussed that the water involved in this operation may not produce wastewater. Per Mr. Nichols, the residual in the water is actually dirt, not cement.

Moved by Commissioner Swenson, seconded by Commissioner Chamberland to approve the variance for the Riverland Industrial Park Protective Covenants for outside storage, Lot 4, Mr. John Nichols. Motion carried unanimously.

BREAK: The meeting recessed from 4:23 until 4:33 pm.

ANNUAL PERSONNEL EVALUATION; COUNTY MANAGER; POSSIBLE EXECUTIVE SESSION: County Manager Birnie was present and requested that the discussion take place in an executive session. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to go into executive session for the purpose of the annual evaluation of the County Manager. Motion carried unanimously.

The board went into executive session at 4:33 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).*

Vice-Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Vice-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).

Date: _____

Paula Swenson, Vice-Chairperson
Gunnison County Board of Commissioners

The Board came out of executive session at 4:56 pm. Chairperson Channell 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. An audio recording of the session was kept.

ANNUAL PERSONNEL EVALUATION; COUNTY ATTORNEY; POSSIBLE EXECUTIVE SESSION: County Attorney Baumgarten was present and requested that the discussion take place in an executive session. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to go into executive session for an annual performance evaluation and that, since the discussion would not be an attorney-client privileged communication, a contemporaneous recording would be kept. Motion carried unanimously.

The board went into executive session at 4:57 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).*

Vice-Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Vice-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).

Date: _____

Paula Swenson, Vice-Chairperson
Gunnison County Board of Commissioners

The Board came out of executive session at 5:09 pm. Chairperson Channell 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. An audio recording of the session was kept.

BREAK: Moved by Commissioner Swenson, seconded by Commissioner Chamberland to break until 7:30 pm. Motion carried unanimously. The meeting recessed from 5:10 until 7:34 pm for dinner and then from 7:34 until 7:45 pm in order to hold the below Public Hearing.

PUBLIC HEARING; 2013 GUNNISON COUNTY BUDGET: Finance Director Linda Nienhueser was present for discussion.

1. Open Public Hearing. Chairperson Channell opened the Public Hearing at 7:34 pm.
2. Public Notice Confirmation. Clerk to the Board Haase confirmed that the Public Hearing had been properly public noticed.
3. Identify Ex Parte Communications. There were no ex parte communications identified.
4. Staff Presentation. Finance Director Nienhueser stated that a few changes were made to the document since the staff-proposed draft was presented to the Board in October. Those changes will be reflected in the final document, including a change made earlier in the day relative to the Public Works Department. She noted that the Assessor's Office has provided the final assessed valuations, which slightly lower than expected and will result in a \$9,700 decrease in property tax collections for CY 2013.
5. Applicant Presentation. N/A.
6. Board Questions. Commissioner Chamberland noted that Page 16 was mislabeled as "County" when it should have been "State". The Board agreed and the change will be made.
7. Public Comments. Chairperson Channell opened the Public Hearing to comments at 7:40 pm.

Sally Wilcox asked what the document means by "civilian" on Page 16. Finance Director Nienhueser agreed to find out and then add the clarification to the document.
8. Acknowledge Correspondence Received. Chairperson Channell acknowledged that the 12/3/12 email from Chuck Shaw regarding County subsidization of the restaurant at the Gunnison-Crested Butte Regional Airport has been made part of the official record. He noted that both he and Commissioner Swenson had received other emails from citizens on the same issue.
9. Applicant Response. N/A.
10. Close Public Hearing. Chairperson Channell closed the Public Hearing at 7:45 pm and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

ADJOURN: Moved by Commissioner Swenson, seconded by Chairperson Channell to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 7:46 pm.

Hap Channell, Chairperson

Paula Swenson, Vice-Chairperson

Phil Chamberland, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO.35 SERIES 2012**

**A RESOLUTION RATIFYING THE INCLUSION OF APPROVED AMENDMENTS AND MINISTERIAL CHANGES
TO THE *GUNNISON COUNTY LAND USE RESOLUTION***

WHEREAS, pursuant to the *Gunnison County Land Use Resolution*, Section 1-113, there is a process for initiation, review and Board of County Commissioner action on proposed amendments to the *Gunnison County Land Use Resolution*; and

WHEREAS, the Board pursuant to and in full compliance with that Section 1-113 approved the following series of individual amendments, each action of which was fully memorialized within the respectively-cited Board Resolution, and duly recorded in the Office of the Gunnison County Clerk and Recorder:

- | | |
|---|--------------------------------------|
| Amendments approved June 13, 2006 | <i>Resolution No. 44 Series 2006</i> |
| Amendments approved August 1, 2006 | <i>Resolution No. 56 Series 2006</i> |
| Amendments approved April 3, 2007 | <i>Resolution No. 17 Series 2007</i> |
| Ministerial changes and previously-approved amendments, ratified July 10, 2007 | <i>Resolution No. 28 Series 2007</i> |
| Amendments approved October 16, 2007 | <i>Resolution No. 36 Series 2007</i> |
| Amendments approved October 21, 2008 | <i>Resolution No. 10 Series 2009</i> |
| Amendments approved November 3, 2009 | <i>Resolution No. 47 Series 2009</i> |
| Amendments approved July 6, 2010 | <i>Resolution No. 23 Series 2010</i> |
| Amendments approved December 20, 2011 | <i>Resolution No. 49 Series 2011</i> |
| Ministerial changes and previously-approved amendments, ratified December 4, 2012 | <i>Resolution No. 35 Series 2012</i> |

WHEREAS, on March 4, 2008 and April 1, 2008, in compliance and pursuant to above Resolution No. 44 Series 2006, certain actions were taken by the Board; and

WHEREAS, said amendments and routine ministerial changes have been incorporated by the Community Development Department into the *Gunnison County Land Use Resolution*; and

WHEREAS, the Board of County Commissioners conducted a duly noticed public hearing October 16, 2012 concerning the ratification of the above-cited and previously approved and recorded amendments and of routine ministerial changes to the *Gunnison County Land Use Resolution*; and

WHEREAS, the Board has considered the following review standards, pursuant to Section 1-113: (C), against which each of the previously approved and recorded amendments had been individually evaluated before its approval:

1. Consistency of the proposed amendment with any applicable comprehensive plan adopted by Gunnison County;
2. Changed conditions, including the economy of Gunnison County;
3. Effect of the proposed amendment on the natural environment;
4. Community needs;
5. Development pattern;
6. Changes in applicable law;
7. Public health, safety and welfare;
8. Compliance with any applicable intergovernmental agreements adopted by Gunnison County.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Gunnison, Colorado that the above-cited amendments and routine ministerial changes are hereby ratified and incorporated into the *Gunnison County Land Use Resolution*, as is presented in the attached "Exhibit A."

INTRODUCED by Commissioner Swenson, seconded by Commissioner Chamberland, and passed on this 4th day of December, 2012.

BOARD OF COUNTY COMMISSIONERS

Chamberland – yes; Channell – yes; Swenson – yes.