AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Draft BOCC Minutes; 9-16-14

Action Requested: Motion

Parties to the Agreement:

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

Summary:
Attached are the draft 9/16/14 meeting minutes.

Fiscal Impact: None.

Submitted by: Katherine Haase **Submitter's Email Address:** khaase@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: 9/25/2014

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 10/7/2014 Follow Up Agenda Date:

Revised April 2013

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
September 16, 2014

The September 16, 2014 meeting was held in the Planning Commissioners' boardroom in the Blackstock Government Center located at 221 N. Wisconsin Street, Gunnison, Colorado. Present were:

Paula Swenson, Chairperson
Phil Chamberland, Vice-Chairperson
Jonathan Houck, Commissioner
Marlene Crosby, Deputy County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

CALL TO ORDER: Chairperson Swenson called the meeting to order at 8:27 am.

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

MINUTES APPROVAL: **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the meeting minutes for September 2, 2014. Motion carried unanimously.

CONSENT AGENDA: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the Consent Agenda as presented. Motion carried unanimously.

1. Acknowledgment of County Manager Authorization to Submit; Community of Excellence - COACT Colorado System of Care Initiative Grant Application; Gunnison/Hinsdale Interagency Oversight Group; 10/1/14 thru 9/30/15; $40,000
2. Acknowledgment of County Manager's Signature; Department of Public Safety, Division of Criminal Justice Grant Agreement; $33,115
3. Memorandum of Understanding between Delta, Gunnison, Montrose, San Miguel and Ouray Counties with Hilltop Community Resources, Inc.; 10/1/14 thru 6/30/15; Up to $822
4. Caring for Colorado Grant Renewal Request for Multicultural Position; 3/1/15-2/1/16; $61,561
5. West Central Public Health Partnership Subcontract; 1/15/14 thru 1/14/15; $2,000

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Aberdeen Quarry. Deputy County Manager Crosby informed the Board that she visited the quarry with some representatives from the Pioneer Museum. Her office will evaluate the best alternative so that the quarry can be opened for public benefit, and she will present a recommendation during a future meeting.
2. Former Public Works Facility. Deputy County Manager Crosby informed the Board that the old facility has been demolished and that the crews were in the process of ripping up the remaining concrete. The demolition will yield a great deal of recyclable materials.
3. Presentation of CR #888 Trailhead Alternatives. Deputy County Manager Crosby recommended that the County continue to work with the US Forest Service to allow day-use recreational parking in the right-of-way; no commercial use will be allowed. Attorney Marcus Lock, representing Crossbar Ranch and present for the discussion, stated that his client would continue to oppose parking at the ranch as his client believes it will result in trespassing. He asked that the County work with his clients on signage, and he offered to reach out to the commercial operators. Deputy County Manager Crosby suggested that signage be placed on the lower side of the road. Deputy County Manager Crosby noted that she didn't include Whitepine parking at the State Wildlife Area in order to be fair to the commercial entities that pay for the associated plowing. Chairperson Swenson clarified to the audience that the County would grant one permit per property owner for overnight parking in the Whitepine right-of-way, that the County would not allow commercial parking, and that the other parties could work toward agreement on how the plowing to the State Park would be paid. Deputy County Manager Crosby noted that Saguache County would soon be providing a baseline cost per hour for plowing, and she will relay that info to Mr. Lock after it has been received. Related to enforcement, Deputy County Manager Crosby will be asking for permission for her crews to ticket vehicles since they are already working in those areas. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adopt Alternative #3 for the trailhead parking at CR 888. Motion carried unanimously.
4. Waste Transportation and Disposal Agreement; Clean Harbors Environmental Services; Annual BOPA Recycling Event. Deputy County Manager Crosby explained that the County does not go out to bid on this event because it would require a very sophisticated bid and the County has successfully used Clean Harbors in the past. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to authorize the contract with Clean Harbors for the BOPA event and authorize the Chairperson's signature. Motion carried unanimously.

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RESOLUTIONS; CORRECTIONS TO BUILDING CODE ADOPTION RESOLUTIONS: Building/Environmental Health Official Crystal Lambert was present for discussion and explained that both previously adopted resolutions contained a clerical error.

1. Resolution; Correcting the 145th Word of Paragraph Six of Page One of Resolution No: 05-67 which is a Resolution Adopting the 2003 Editions of the "International Building Code", the "International Residential Code for One and Two Family Dwellings", the "International Fuel Gas Code", the "International Mechanical Code, and the "International Energy Conservation Code", with Amendments. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Resolution #2014-27, a Resolution Correcting the 145th Word of Paragraph Six of Page One of Resolution No: 05-67. Motion carried unanimously.
2. Resolution; Correcting the 24th Word of Paragraph Eight of Page One of Resolution No: 11-16 which is a Resolution Adopting the 2009 Editions of the "International Building Code", the "International Residential Code for One and Two Family Dwellings", the "International Energy Conservation Code", the "Fuel Gas Code" and the "International Mechanical Code", with Amendments. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Resolution #2014-28, a Resolution Correcting the 24th Word of Paragraph Eight of Page One of Resolution No: 11-16. Motion carried unanimously.

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

Commissioner Houck:

1. Amanda Bickel, Chief Legislative Analyst for State Joint Budget Committee. Commissioner Houck informed the Board that he and Ms. Bickel had lunch during the previous week to discuss Western State Colorado University.
2. Gunnison Sage-grouse Update. Commissioner Houck reported that he is continuing to work on strategy with state representatives. He noted that he and Commissioner Chamberland would be attending a presentation and forum hosted by Wild Earth Guardians later that night. Commissioner Houck will also be continuing his work with the subcommittee on a recommendation for the Signal Peak area.

TREASURER'S REPORT: Deputy Treasurer Debbie Dunbar was present for discussion. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to accept the Treasurer's report as presented. Motion carried unanimously.

REGULATIONS FOR THE USE OF GEOTHERMAL RESOURCES FOR THE COMMERCIAL GENERATION OF ELECTRICITY: County Attorney David Baumgarten and Assistant Community Development Director Neal Starkebaum were present for discussion.

County Attorney Baumgarten explained the staff recommendation to create this separate set of regulations, independent of other County regulations. He suggested that the draft regulations be provided to the Planning Commission for review and a possible public hearing, if desired, even though it was not necessary. Prior to adoption, the Board must hold a public hearing that has been noticed at least 30 days in advance to the public. The regulations could then either be adopted immediately after the public hearing or within 30 days afterward. The Board scheduled a public hearing to begin at 11:00 am on 10/21. The Board also asked that the draft regulations be sent to the Planning Commission for review.

UNSCHEDULED CITIZENS: There were no Unscheduled Citizens present for discussion.

COMMISSIONER ITEMS (continued):

Commissioner Chamberland:

1. NEO Fiber Meeting. Commissioner Chamberland informed the Board that NEO Fiber held an initial meeting in Gunnison and that discussions are ongoing.

Commissioner Swenson:

1. Thompson Divide Area Meeting. Chairperson Swenson informed the Board that she would be meeting with Gunnison Energy Corporation President Brad Robinson on 9/19 to discuss this issue.
2. Gunnison Valley Rural Transportation Authority. Chairperson Swenson indicated that the RTA is continuing to work on senior transportation issues.

GUNNISON BASIN INDUSTRIAL PARK UPDATE: Deputy County Manager Crosby informed the Board that the Department of Energy is planning to perform a study on the persistence of the plume. The study will be comprised of three phases, and it will take place only within the Park boundaries.

MARBLE HUB UPDATE: Deputy County Manager Crosby informed the Board that the Hub is not being supported by neither the Marble Town Council nor the Historical Society. She asked the Board to help the Town Council see the benefit of the Hub to the Town. The Board asked her to determine whether or not the Marble Crystal River Chamber is supporting the Hub.

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ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The Board of County Commissioner meeting adjourned at 9:40 am.

GUNNISON COUNTY BOARD OF HEALTH: Public Health Director Carol Worrall, County Medical Officer Dr. John Tarr, Montrose County Environmental Health and Education Manager Jim Austin, Colorado Office of Planning and Partnerships Director Kathleen Matthews, and Colorado Division of Environmental Health and Sustainability Director Jeff Lawrence and Deputy Director Sean Scott were present for discussion.

CALL TO ORDER: Chairperson Swenson called the meeting to order at 11:00 am.

GIFTS: Public Health Director Worrall brought food gifts for the board from the community garden, including beets, carrots, green beans and other vegetables.

PUBLIC HEALTH EVENTS:

1. Flu Clinics. Clinics have been scheduled to take place in Gunnison on 10/1 and in Crested Butte on 10/22. The Gunnison clinic will include the drive-thru option, and the Crested Butte clinic will extend to childcare centers.
2. First Responder Vaccinations. These vaccinations will take place on 11/5 at the volunteer firefighter meeting.
3. Kids Count Presentation. The presentation was scheduled to take place later on that day.
4. Environmental Health and Restaurant Owners' Meeting. The meeting was scheduled to take place later that day.
5. Nurturing Parenting Classes. The latest round of classes has begun, and classes are held every Thursday evening.
6. "Cooking Matters" Classes. This six-week program had its last class on 9/15. During the program, a chef prepared meals for low-income residents using the kitchen at the fairgrounds. The meals were geared toward eating healthy on a budget. The classes were very successful.
7. "Take Back" Unused Medication. This event was scheduled to take place on 9/27.
8. Early Childhood Council Annual Fall Conference. This conference will be held at Western State Colorado University on 11/8. There are regularly 40-60 participants.

COMMUNICABLE DISEASE UPDATES:

1. Enterovirus D-68. Dr. Tarr informed the Board that there have been no local cases, that no vaccine has been developed, that testing is restricted to clusters only, and that the only treatment is to alleviate symptoms. Preventative measures include good hygiene, including frequent hand cleansing. He believes that the virus will eventually arrive in the County, so public education and health system response will be important. We have reactivated the surveillance process related to daily attendance figures at the school district, and stats from the H1N1 timeframe have provided baseline figures for comparison.
2. Bats and Rabies. Public Health Director Worrall informed the Board that another bat has tested positive in the County, this time within a residence.

ENVIRONMENTAL HEALTH POSITION (1 FTE) PROPOSAL: Public Health Director Worrall explained that she included a staffing enhancement in her budget for this position, and she asked the Board if they had any questions. This work, previously performed by Mr. Austin, includes inspections of restaurants, grocery stores, childcare centers, school facilities, as well as issues that pertain to air quality, wastewater disposal, radon testing, rabies education and drinking water safety. Within the County, there are almost 200 food establishments, 15 health care offices and five schools. For Mr. Austin's services, the County has paid $12,700 annually. The Board indicated that the staffing request should be vetted through the budget process before coming to the Board. Public Health Director Worrall has discussed possible overlap of duties with Community Development Director Russ Forrest, and Deputy County Manager Marlene Crosby indicated that her staff is certified to handle the solid waste issues. The Board asked Public Health Director Worrall to clearly outline the delineation of duties, state how the departments will work together to create the new position, and list the potential benefits to the community.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The Board of Health meeting adjourned at 11:07 am.

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice-Chairperson

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_____
Jonathan Houck, 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: 14-27

A RESOLUTION CORRECTING THE 145TH WORD OF PARAGRAPH SIX OF PAGE ONE OF RESOLUTION NO: 05-67 WHICH IS A RESOLUTION ADOPTING THE 2003 EDITIONS OF THE "INTERNATIONAL BUILDING CODE", THE "INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS", THE "INTERNATIONAL FUEL GAS CODE", THE "INTERNATIONAL MECHANICAL CODE, AND THE "INTERNATIONAL ENERGY CONSERVATION CODE", WITH AMENDMENTS

WHEREAS, on December 20, 2005 the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") adopted the 2003 Editions of the "International Building Code", the "International Residential Code for One and Two Family Dwellings", the "International Fuel Gas Code", the "International Mechanical Code", and the "International Energy Conservation Code" and amendments thereto through Resolution No: 05-67; and

WHEREAS, Resolution No: 05-67 is recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on December 27, 2005, bearing Reception No: 561727; and

WHEREAS, it has come to the Board's attention that the 145th word of paragraph six of page one of Resolution No: 05-67 contains the following clerical error: "incorporated"; and

WHEREAS, the Board has determined that the correct and intentional 145th word of paragraph six of page one of Resolution No: 05-67 is the following: "unincorporated"; and

WHEREAS, the Board has determined that the intent of paragraph six of page one of Resolution No: 05-67 was and is to be:

> "NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the 2003 Editions of the "International Building Code" with amendments as set forth in Appendix "A" attached hereto and incorporated herein, consisting of 2 pages; the "International Residential Code For One And Two Family Dwellings", with the amendments as set forth in Appendix "B" attached hereto and incorporated herein, consisting of 5 pages; the "International Fuel Gas Code", with the amendments as set forth in Appendix "C" attached hereto and incorporated herein, consisting of 1 page; the "International Mechanical Code", with the amendments as set forth in Appendix "D" attached hereto and incorporated herein, consisting of 1 page and the "International Energy Conservation Code" with the amendments as set forth in "Appendix E" attached hereto and incorporated herein, consisting of 3 pages are hereby adopted for the unincorporated area of Gunnison County; the previously adopted 1994 Editions of the Uniform Building Code and Uniform Mechanical Code are superseded, effective this date, by this action."; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that:

1. Paragraph six of page one of Resolution 05-67 was intended and is corrected be:
   "NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the 2003 Editions of the "International Building Code" with amendments as set forth in Appendix "A" attached hereto and incorporated herein, consisting of 2 pages; the "International Residential Code For One And Two Family Dwellings", with the amendments as set forth in Appendix "B" attached hereto and incorporated herein, consisting of 5 pages; the "International Fuel Gas Code", with the amendments as set forth in Appendix "C" attached hereto and incorporated herein, consisting of 1 page; the "International Mechanical Code", with the amendments as set forth in Appendix "D" attached hereto and incorporated herein, consisting of 1 page and the "International Energy Conservation Code" with the amendments as set forth in "Appendix E" attached hereto and incorporated herein, consisting of 3 pages are hereby adopted for the unincorporated area of Gunnison County; the previously adopted 1994

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Editions of the Uniform Building Code and Uniform Mechanical Code are superseded, effective this date, by this action."

2. The corrected paragraph six of page one of Resolution 05-67 shall be applied retroactively to the following period of time: December 20, 2005 to April 19, 2011.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 16th day of September, 2014.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 14-28

A RESOLUTION CORRECTING THE 24TH WORD OF PARAGRAPH EIGHT OF PAGE ONE OF RESOLUTION NO: 11-16 WHICH IS A RESOLUTION ADOPTING THE 2009 EDITIONS OF THE "INTERNATIONAL BUILDING CODE", THE "INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS", THE "INTERNATIONAL ENERGY CONSERVATION CODE", THE "FUEL GAS CODE" AND THE "INTERNATIONAL MECHANICAL CODE", WITH AMENDMENTS

WHEREAS, on April 19, 2011 the Board of County Commissioners of the County of Gunnison, Colorado (herein the "Board") adopted the 2009 Editions of the "International Building Code", the "International Residential Code for One and Two Family Dwellings", the "International Energy Conservation Code", the "Fuel Gas Code" and the "International Mechanical Code" and amendments thereto through Resolution No: 11-16; and

WHEREAS, Resolution No: 11-16 is recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on April 27, 2011, bearing Reception No: 604948; and

WHEREAS, it has come to the Board's attention that the 24th word of paragraph eight of page one of Resolution No: 11-16 contains the following clerical error: "incorporated"; and

WHEREAS, the Board has determined that the correct and intentional 24th word of paragraph eight of page one of Resolution No: 11-16 is the following: "unincorporated"; and

WHEREAS, the Board has determined that the intent of paragraph eight of page one of Resolution No: 11-16 was and is to be:

"NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the following are hereby adopted for the unincorporated area of Gunnison County, for each building which receives a Gunnison County permit on or after the effective date below:"; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that:

1. Paragraph eight of page one of Resolution 11-16 was intended and is corrected be:
   "NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the following are hereby adopted for the unincorporated area of Gunnison County, for each building which receives a Gunnison County permit on or after the effective date below:"
2. The corrected paragraph eight of page one of Resolution 11-16 shall be applied retroactively to April 19, 2011.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 16th day of September, 2014.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

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