AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Draft 10/21/2014 BOCC Min

Action Requested:

Parties to the Agreement:

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

Summary:
Draft 10/21/2014 BOCC Min

Fiscal Impact: n/a

Submitted by: Blucero **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: 11/12/2014

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 11/18/2014 Follow Up Agenda Date:

Revised April 2013

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
October 21, 2014

The October 21, 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
Matthew Birnie, County Manager
Bobbie Lucero, Deputy Clerk to the Board
Others Present as Listed in Text

CALL TO ORDER: Chairperson Swenson called the meeting to order at 9:15 am.

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

MINUTES APPROVAL: **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to approve meeting minutes from 10/7/14 as presented. Commissioner Houck abstained because he was absent from that meeting. Motion carried. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve meeting minutes from 10/15/14. Motion carried unanimously.

CONSENT AGENDA: **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to approve the Consent Agenda, except for item #6. Motion carried unanimously.

1. Acknowledgment of County Manager Signature; Authorization for Additional Work at the Blackstock Government Building; Jim Thomas Construction, Inc.; $1,400
2. Professional Services Agreement; Hinsdale County School District; Provide Services to the Gunnison County Department of Health and Human Services Regarding Assessment, Service Planning, Case Management and Clinical Services to Promote Health and Wellness to Individuals and Families Referred from the Department; 6/1/14 thru 5/31/15; $5,000
3. West Central Public Health Partnership Office of Planning and Partnerships Public Health Improvement Plan Implementation Grant; 2014-2015 Scope of Work; 10/1/14 thru 9/30/15; $20,000
4. Colorado Local Public Health Agency Indirect Cost Negotiation Agreement; Colorado Department of Public Health and Environment; 1/1/15 thru 12/31/15
5. Colorado Department of Public Health and Environment, FHHA-IMM, FAAA, Contract Routing Number 15-73719; Amendment for Task Orders #1; 10/7/14 thru 12/31/14; $15,762
6. **Pulled for Discussion and Separate Action:** Return Form; Blackbaud Software Subscription Cancellation; $4,798.08
7. Acknowledgment of County Manager Signature; Contractor Agreement; Apeiron Construction; Conduit Structure for Fiber Optic Cable for the Gunnison County Courthouse Project; 10/7/14 thru 12/31/14; $9,315

CONSENT AGENDA ITEM #6: There was discussion about the Blackbaud software subscription cancellation. There was discussion that this is the software company the Finance office uses. County Manager Birnie informed the Board that there was a new update and the Finance office attempted using the system, but it isn't working out. He informed the Board that in 2016 they will be looking for a new software company because it is not budgeted in 2015. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve Consent Item #6. Motion carried unanimously.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Stallion Park. County Manager Birnie informed the Board that the foundations that the County had recently acquired at Stallion Park were removed. He also reported that the new HOA president has been persistent, yet patient and polite about removing them. He also reported that there is another unit for sale up there that will be sold in the near future. Once that unit sells, Gunnison County will own four units in one building at Stallion Park.
2. Human Resources Director Interviews. County Manager Birnie informed the Board that Human Resource Director interviews will occur on 11/12 and 11/13, and that there is a healthy applicant pool.
3. Courthouse Renovation Project. County Manager Birnie informed the Board that the drillers had sent a sonic rig from Telluride, which had broken due to the Gunnison soil. He reported that the other drill, that is really noisy, is on site, and it also had been broken while it was in Telluride. He reported that it is on scene. He reported that as soon as they can get the equipment working, they plan on working straight through to finish the project. He reported that they will work 11 straight days, sun up to sun down, and it may be a nuisance to the neighbors. He informed the Board that he will provide a notice to those who have complained about the noise in the past. He reported that after the drilling is complete the noise from the project should decrease. He reported that

others parts of the project are doing well and are on schedule. Commissioner Chamberland asked County Manager Birnie to contact Harv Rees to discuss if there is capability to perform broadcasts. There was discussion that they are building an AV controller that will have the capability to perform broadcasts.

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

1. Intergovernmental Agreement for Winter Road Maintenance; Town of Marble; 11/1/14 thru 5/31/15. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve signatures on the Intergovernmental Agreement for Winter Road Maintenance in Marble as presented and authorize signatures. Motion carried unanimously. Deputy County Manager Crosby informed the Board that an agreement will be coming in the near future with Montrose County for plowing and blading in Cimarron.
2. Beautification Grant Money. Deputy County Manager Crosby informed the Board that she has around $2,000 in beautification money for clean-up projects. She reported that she received a request from a property owner that owns the trailer park on Rio Grande Street, south of the fairgrounds. She reported that the property owner is trying to clean up the trailer park and is decommissioning the trailers as the renters move out. She informed the Board that after the asbestos testing, mitigation, and disposing of the trailers appropriately, it will cost too much. She reported that the best price they have received for asbestos testing is from an inspector in Salida and he can perform the inspections at a discount. She reported that they will need to have the Housing Authority Construction Trailer inspected and removed. **Moved** by Commissioner Chamberland and Chairperson Swenson to use the beautification money for this project. Motion carried unanimously.

VOUCHERS AND TRANSFERS APPROVAL: Finance Director Linda Nienhueser presented the voucher approval report dated October 21, 2014 and the cash transfer authorization dated July 2014 for discussion and approval. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the vouchers in the amount of $1,236,222.50. Motion carried unanimously. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the cash transfers in the amount of $2,897,901.06. Motion carried unanimously.

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

ACCEPTANCE OF A PORTION OF LOST RIVER LANE AS A PUBLIC ROAD: Gunnison County Electric Association representative Bruce Stevens, resident Molly Sloan, resident Luke Costello and Deputy County Manager Crosby were present for the discussion.

Deputy County Manager Crosby informed that the name of the road doesn't show on the special permit because they were a part of the addressing program that Geographic Information Services had to name the road for emergency purposes. **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to accept the portion (.05 miles) of Lost River Lane as a public road as detailed in the packet information. Motion carried unanimously.

GUNNISON COUNTY BOARDS AND COMMISSIONS APPOINTMENTS: **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to appoint Ann Bertschy to the Community Corrections Board for a two year term, which will expire in 2016; and also appoint Andy Keck to the Library Board for term five year term, which will expire 2/2018. Motion carried unanimously.

BREAK: The meeting recessed from 9:57 until 10:54 am in order to hold the Gunnison/Hinsdale Board of Human Services (see separate minutes).

PUBLIC HEARING; REGULATIONS FOR THE USE OF GEOTHERMAL RESOURCES FOR THE COMMERCIAL GENERATION OF ELECTRICITY; PLANNING COMMISSION RECOMMENDATION: Assistant Community Development Director Neal Starkebaum, Community Development Director Russ Forrest, Wildlife Conservation Coordinator Jim Cochran, public citizen Steven Schechter, public citizen Butch Clark and Gunnison County Electric Association representative Bruce Stevens were present for the public hearing.

1. Open Public Hearing. Chairperson Swenson opened the Public Hearing at 10:58 am.

2. Public Notice Confirmation. Assistant Community Development Director Starkebaum confirmed that the Public Hearing had been properly public noticed in the Crested Butte News and the Gunnison Times.

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

4. Staff Presentation. N/A

5. Applicant Presentation. Assistant Community Development Director Starkebaum gave the presentation for the applicant, Gunnison County. He informed the Board that this began with the Board of County Commissioners Strategic Results. He read item number D2, which states "*By December 31, 2014, Gunnison County will have adopted a regulatory regime for geothermal projects that facilitates development while mitigating any negative impacts.*" He reported that staff has been working on regulations for geothermal projects for about a year and the draft has been through several reiterations. He informed that the last draft is provided in the Commissioner's packets and was recommended for adoption by the Planning Commission. He informed this is also for adoption with regulations for the commercial production of electricity as an activity of state interest, pertaining to state statute. He informed that he received comments from Ralph Clark III and High Country Conservation Advocates. Assistant Community Development Director Starkebaum will forward the correspondence.

6. Board Questions. There were no questions from the Board.

7. Public Comments. Chairperson Swenson opened the Public Hearing to comments at 11:01 am.

   Steven Schechter; representing self: Mr. Schechter informed the Board that he went over the draft regulations and the oil and gas regulations. He mentioned that there is a huge disparity. He opined you want a hydrologist to study ground water effects with geothermal development, but there isn't any ground water study by hydrologists in the oil and gas regulations. He recommended that the Board go back to the oil and gas regulations and require them to do water inspections and ground water studies before they are given permits. He opined that water quality is really important because ground water is where we are likely to see pollution first from oil and gas and fracking. He informed the Board that he serves on the Upper Gunnison River Conservancy District Board and water is very important. He opined that he thinks they should be studying the ground water.

   Mike McBride; CEO of Gunnison County Electric Association (GCEA): Mr. McBride informed the Board that he wanted to provide a general comment that GCEA supports and encourages local development of renewable energy, either by GCEA or someone else. He would like to encourage the County to make the process as easy as possible and that GCEA can support how it can be connected to the grid. He opined they would like to see these projects happen.

   Butch Clark III: Mr. Clark thanked Assistant Community Development Director Starkebaum for distributing his comments. He also submitted a copy of the international symposium on subsurface microbiology. He informed the Board that it terminated on the 10th of September, and it has abstracts and talks about a lot of different ways to assess the bacterial and viral material. He opined that it may be helpful with connecting with people who are performing these studies and offer that Gunnison is an opportunity to do studies. He suggested looking at this and performing measurements when the opportunity arises. He informed that there is not much studying being done in Colorado but there are in other states. He also suggested that the County contact the Rocky Mountain Biological Laboratory because they may know of who might be performing the research here in Gunnison.

   Chairperson Swenson closed the Public Hearing for comments at 11:08 am.

   Commissioner Chamberland asked if anyone knows what the process is with the water after it has been taken out. He inquired if the water was put back in, and Assistant Community Development Director Starkebaum informed the water is typically taken off the surface and injected into the aquifer.

8. Acknowledge Correspondence Received. County Manager Birnie informed the Board that he received an email from Jerry Smith with Pagosa Verde and that he forwarded him Butch Clark's email. He informed the Board that he will provide that email to the group.

9. Applicant Response. N/A.

10. Close Public Hearing. Chairperson Swenson closed the Public Hearing at 11:09 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

Commissioner Chamberland opined that the comments received are important to keep in mind and that good work was done to draft this. He encouraged staff to continue to look for things to look at as information comes forward. He also mentioned he is comfortable at this point in time to recommend approval of these regulations. Commissioner Houck opined that he is also comfortable with these regulations and that he did not see any glaring holes or pieces not addressed.

Assistant Community Development Director Starkebaum mentioned there is one correction on page 16. He informed that there is a typo, under section B: Applications and Fees, 2A. Assistant Community Development Director Starkebaum informed that the second sentence needs to say that the applicant will

pay fees for outside consultants, not the County. He mentioned that staff will also bring back a fee schedule in the near future. The Board directed staff to develop a resolution for adoption.

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

COMMISSIONER ITEMS:

Commissioner Houck:

1. Gunnison Sage-grouse. Commissioner Houck informed the Board that he and Wildlife Conservation Coordinator Jim Cochran attended a meeting for Gunnison Sage-grouse in Denver. He reported that there were no new plans, and that November 12th is still the decision deadline.

Commissioner Chamberland:

1. Region 10. Commissioner Chamberland informed the Board that there is a Request for Proposal for the grant for Region 10.
2. Ebola Pandemic Planning Committee Meeting. Commissioner Chamberland reported that he attended this meeting and that they will also be meeting next week. He reported that if there are no new domestic cases of Ebola by the next meeting, the committee will deescalate. He mentioned that the Gunnison Valley Hospital is very active in response if there is an Ebola patient in Gunnison.

Commissioner Swenson:

1. Colorado Workforce Development Council Meeting. Chairperson Swenson reported to the Board that region wide they are still working on outdoor initiatives. She opined that this western bill will be really good. There was discussion that the aerospace industry is actively looking to bringing jobs to the Western Slope.

ADJOURN: **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:23 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