AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Draft BOCC Minutes; 12/22/2014

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:
Draft BOCC Minutes; 12/22/2014

Fiscal Impact:

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: 1/5/2015

○ Consent Agenda ● Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 1/13/2015 Follow Up Agenda Date:

Revised April 2013

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING MINUTES
December 22, 2014

The December 22, 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
David Baumgarten, County Attorney
Bobbie Lucero, Deputy Clerk to the Board
Others Present as Listed in Text

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

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT SPECIAL MEETING:

CALL TO ORDER: Chairperson Swenson called the meeting to order at 1:00 pm.

RESOLUTION AMENDING THE GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT BUDGET FOR FISCAL YEAR 2014 AND AMENDING THE APPROPRIATION RESOLUTION. Moved by Commissioner Chamberland and seconded by Commission Houck to approve Resolution 2014-3: A Resolution Amending the Gunnison River Valley Local Marketing District Budget for Fiscal Year 2014 and Amending the Appropriation Resolution. Motion carried unanimously.

MEMORANDUM OF AGREEMENT; GUNNISON-CRESTED BUTTE TOURISM ASSOCIATION; 1/1/15 THRU 3/31/15; $298,200. Moved by Commissioner Chamberland and seconded by Commissioner Houck to approve the Memorandum of Agreement with the Gunnison-Crested Butte Tourism Association. Motion carried unanimously.

ADJOURN: Moved by Commissioner Chamberland and seconded by Commissioner Houck to adjourn the Local Marketing District meeting. Motion carried unanimously. The meeting adjourned at 1:01 pm.

GUNNISON COUNTY HOUSING AUTHORITY SPECIAL MEETING:

CALL TO ORDER: Chairperson Swenson called the meeting to order at 1:01 pm.

RESOLUTION AMENDING THE GUNNISON COUNTY HOUSING AUTHORITY BUDGET FOR FISCAL YEAR 2014 AND AMENDING THE APPROPRIATION RESOLUTION. Moved by Commissioner Houck and seconded by Commissioner Chamberland to approve Resolution 2014-003: A Resolution Amending the Gunnison County Housing Authority Budget for Fiscal Year 2014 and Amending the Appropriation Resolution. Motion carried unanimously.

ADJOURN. Moved by Commissioner Houck and seconded by Commissioner Chamberland to adjourn the Housing Authority meeting. Motion carried unanimously. The meeting adjourned at 1:02 pm.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS SPECIAL MEETING:

CALL TO ORDER: Chairperson Swenson called the meeting to order at 1:02 pm.

MEETING MINUTES: Moved by Commissioner Houck, seconded by Chairperson Swenson to approve the 11/25/14 draft minutes. Commissioner Chamberland abstained from the motion because he was not present for that meeting. Motion carried. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the 12/15/14 draft minutes. Motion carried unanimously.

RESOLUTION AMENDING THE GUNNISON COUNTY BUDGET FOR FISCAL YEAR 2014 AND AMENDING THE APPROPRIATION RESOLUTION. Moved by Commissioner Chamberland and seconded by Commissioner Houck to approve Resolution 2014-45: A Resolution Amending the Gunnison County Budget for Fiscal Year 2014 and Amending the Appropriation Resolution. Motion carried unanimously.

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

1. Airline Operating Agreement and Lease of Airport Facilities; Gunnison-Crested Butte Regional Airport, Gunnison, Colorado; United Airlines, Inc.; 11/1/14 thru 10/31/17
2. Affiliate Airline Operating Agreement; Gunnison-Crested Butte Regional Airport, Gunnison, Colorado; Envoy Air, Inc.; 11/1/14 thru 10/31/15 with Automatic Renewal
3. Operating Agreement; Gunnison-Crested Butte Regional Airport, Gunnison, Colorado; Key Lime Air; 11/1/14 thru 10/31/16 with Option to Extend

VOUCHERS AND TRANSFERS APPROVAL: Finance Director Linda Nienhueser presented the voucher approval report dated November 18, 2014 and the cash transfer authorization dated November 2014 for discussion and approval. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the vouchers in the amount of $1,511,107. Motion carried unanimously. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the cash transfers in the amount of $2,858,457.21. Motion carried unanimously.

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

RESOLUTION EFFECTUATING TAX ABATEMENTS AND REFUNDS FOR RESERVE METROPOLITAN DISTRICT 2 SHOULD MILL LEVIES IN EXCESS OF RESERVE METROPOLITAN DISTRICT 2'S APPROVED SERVICE PLAN BE DEEMED ILLEGAL: Reserve Metropolitan District 2 Attorney Randy Livingston was present for the discussion via conference phone. County Attorney David Baumgarten informed the Board that Deputy County Attorney Art Trezise had sent the Board an email over the weekend, which recommended removing this item from the agenda. County Attorney Baumgarten agreed it should be removed from the agenda. The Board agreed to remove this item from the agenda.

EXECUTION OF 60-DAY NOTICE OF INTENT TO INITIATE LITIGATION AGAINST SALLY JEWELL, SECRETARY OF THE INTERIOR, THE UNITED STATES FISH AND WILDLIFE SERVICE, AND DANIEL ASHE, DIRECTOR OF THE US FISH WILDLIFE SERVICE REGARDING THE ENDANGERED SPECIES ACT LISTING OF THE GUNNISON SAGE GROUSE AS A THREATENED SPECIES, AND THE DESIGNATION OF CRITICAL HABITAT: **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to approval of sending the Notice of Intent to Initiate Litigation for the violation of the Endangered Species Act related to listing of the Gunnison sage-grouse as a threatened species, and the designation of critical habitat; also approval of Commissioner's signatures and submittal of the correspondence. The Commissioners thanked Wildlife Conservation Coordinator Jim Cochran, who was not present, and the County Attorney's Office for their hard work on this subject. There was no audience for the discussion. Motion carried unanimously.

SET GUNNISON COUNTY MILL LEVY AND CERTIFY ALL TAXING ENTITIES' MILL LEVIES TO COUNTY ASSESSOR: Reserve Metropolitan District 2 Attorney Randy Livingston was present for the discussion via conference phone. County Attorney Baumgarten recommended to the Board that they remove Reserve Metro District 2 from their motion of approval. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve setting the Gunnison County Mill Levies as presented except Reserve Metropolitan District 2. Motion carried unanimously.

County Attorney Baumgarten suggested the following language for Reserve Metropolitan District 2: *Gunnison County hereby puts the Reserve Metropolitan District 2 board, individual board members in their official capacity and property owners within its borders on notice that use of funds obtained by the certification of mill levies in excess of the mill levy cap, contained in the approved service plan, may result in a cause of action by the BOCC to recuperate those funds, plus interest and attorney's fees. Gunnison County respectfully suggests that any funds obtained in such matter be segregated by the district, pending further order of the courts.* **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the Reserve Metropolitan District 2 mill levy that was presented, including the language articulated by County Attorney Baumgarten. Motion carried unanimously. There was discussion that the motion includes approval of the 116.471 mill levy.

ADJOURN: **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 1:18pm.

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice-Chairperson

_____
Jonathan Houck, Commissioner

Minutes Prepared By:

_____
Bobbie Lucero, Deputy County Clerk

Attest:

_____
Stella Dominguez, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT
RESOLUTION NO. 2014-3

A RESOLUTION AMENDING THE GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT BUDGET FOR FISCAL YEAR 2014 AND AMENDING THE APPROPRIATION RESOLUTION.

WHEREAS, at the time of the adoption of the budget for the Gunnison River Valley Local Marketing District for fiscal year 2014 certain revenues were unassured and certain expenditures were not anticipated; and

WHEREAS, revenues can now be identified for such expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Gunnison River Valley Local Marketing District, that a supplemental budget and appropriation resolution be adopted in the following respects:

1. Marketing District Fund. The expenditures are increased in the amount of $48,682 as detailed by account number on Appendix A attached.

The above sums of money, or as much thereof as may be authorized by law and as may be deemed necessary to defray the expenses and liabilities of the Gunnison River Valley Local Marketing District are hereby appropriated. It is the intent of the Board to make the necessary amendments and supplements to the budget adoption and appropriation resolutions - Resolution Nos. 2013-1 and 2013-2 respectively - for the River Valley Local Marketing District for the fiscal year beginning January 1, 2014 and ending December 31, 2014; but except as specifically provided for herein, to make no further changes in the budget adoption or appropriation resolutions adopted with respect to said fiscal year.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 22nd day of December 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

GUNNISON COUNTY HOUSING AUTHORITY
RESOLUTION NO. 2014-003

A RESOLUTION AMENDING THE GUNNISON COUNTY HOUSING AUTHORITY BUDGET FOR FISCAL YEAR 2014 AND AMENDING THE APPROPRIATION RESOLUTION.

WHEREAS, at the time of the adoption of the budget for the Gunnison County Housing Authority for fiscal year 2014 certain revenues were unassured and certain expenditures were not anticipated; and

WHEREAS, revenues can now be identified for such expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Gunnison County Housing Authority, that a supplemental budget and appropriation resolution be adopted in the following respects:

1. Housing Authority Fund. The revenues are increased in the amount of $19,830 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of $127,566 as detailed by account number on Appendix A attached.
2. Senior Housing Fund. The expenditures are increased in the amount of $68,620 as detailed by account number on Appendix A attached.

The above sums of money, or as much thereof as may be authorized by law and as may be deemed necessary to defray the expenses and liabilities of the Gunnison County Housing Authority, are hereby appropriated. It is the intent of the Board to make the necessary amendments and supplements to the budget adoption and appropriation resolutions - Resolution Nos. 2013-001 and 2013-002 respectively - for the Gunnison County Housing Authority for the fiscal year beginning

January 1, 2014 and ending December 31, 2014; but except as specifically provided for herein, to make no further changes in the budget adoption or appropriation resolutions adopted with respect to said fiscal year.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 22nd day of December 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY
RESOLUTION NO. 2014-45

A RESOLUTION AMENDING THE GUNNISON COUNTY BUDGET FOR FISCAL YEAR 2014 AND AMENDING THE APPROPRIATION RESOLUTION.

WHEREAS, at the time of the adoption of the budget for Gunnison County for fiscal year 2014 certain revenues were unassured and certain expenditures were not anticipated; and

WHEREAS, revenues can now be identified for such expenditures;
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that a supplemental budget and appropriation resolution be adopted in the following respects:

1. General Fund. The revenues are increased in the amount of $239,677 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of $313,308 as detailed by account number on Appendix A attached.
2. Human Services Fund. The revenues are increased in the amount of $10,050 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of $106,770 as detailed by account number on Appendix A attached.
3. Public Health Fund. The revenues are increased in the amount of $5,593 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of $5,593 as detailed by account number on Appendix A attached.
4. Conservation Trust Fund. The expenditures are increased in the amount of $2,000 as detailed by account number on Appendix A attached.
5. Debt Service Fund. The expenditures are increased in the amount of $335,441 as detailed by account number on Appendix A attached.
6. Sales Tax Fund. The revenues are increased in the amount of $67,936 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of $357,740 as detailed by account number on Appendix A.
7. Land Preservation Fund The expenditures are increased in the amount of $42,900 as detailed by account number on Appendix A.
8. Mosquito Control. Fund The expenditures are increased in the amount of $9,600 as detailed by account number on Appendix A.
9. Sage Grouse Trust Fund. The expenditures are increased in the amount of $6,000 as detailed by account number on Appendix A attached.
10. Capital Expenditures Fund. The revenues are increased in the amount of $119,450 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of $184,834 as detailed by account number on Appendix A attached.
11. Sewer Fund. The expenditures are increased in the amount of $81,900 as detailed by account number on Appendix A attached.
12. Water Fund . The expenditures are increased in the amount of $15,270 as detailed by account number on Appendix A attached.
13. ISF-I. The expenditures are increased in the amount of $494,023 as detailed by account number on Appendix A attached.
14. ISF III The expenditures are increased in the amount of $503,000 as detailed by account number on Appendix A attached.
15. Transportation Authority Fund. The revenues are increased in the amount of $101,100 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of $143,191 as detailed by account number on Appendix A attached.
16. Public Trustee Fund. The revenues are increased in the amount of $65,000 as detailed by account number on Appendix A attached. The expenditures are increased in the amount of 65,000 as detailed by account number on Appendix A attached.

The above sums of money, or as much thereof as may be authorized by law and as may be deemed necessary to defray the expenses and liabilities of the County, are hereby appropriated. It is the intent of the Board to make the necessary amendments and supplements to the budget adoption and appropriation resolutions - Resolution Nos. 2013-26 and 2013-27 respectively - for Gunnison County for the fiscal year beginning January 1, 2014 and ending December 31, 2014; but except as specifically provided for herein, to make no further changes in the budget adoption or appropriation resolutions adopted with respect to said fiscal year.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 22nd day of December 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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