AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Draft BOCC Meeting Minutes; 10-6-15

Action Requested: Motion

Parties to the Agreement:

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

Summary:

Attached are the draft 10/6/15 meeting minutes for consideration.

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:

Reveiwed by: Discharge Date: Certificate of Insurance Required

Yes ○ No ○

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 10/27/2015

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 11/3/2015

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
October 6, 2015

The October 6, 2015 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Paula Swenson, Chairperson
Phil Chamberland, Vice-Chairperson
Jonathan Houck, Commissioner
Matthew Birnie, 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 8:30 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. Motion carried unanimously.

1. 9/22/2015 Special Meeting

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

1. Ratification of Correspondence; Coroner Frank Vader; Office Space
2. Ratification of Correspondence; Colorado Department of Revenue; Driver's License Office Space Lease
3. US Department of Transportation Federal Aviation Administration, Antenna and Rack Space Lease for Real Property; Lease No. DTFAWN-15-L-00118; 6/1/16 thru 9/30/35
4. Acknowledgment of County Manager Signature; Amendment to Memorandum of Agreement between the Board of County Commissioners of the County of Gunnison, Colorado and the West Region Wildfire Council Regarding USDA Rural Secure Schools and Community Self-Determination Act, Award No., Title III Funds Associated with Wildfire Mitigation Activities in Gunnison County, Colorado; $83,226.62
5. Release of Reclamation Agreement for Lots 12 and 13, Block 1, the Homestead; James E. McMurry and Gene Mason; Restoration of the Embankment Area of the Gunnison River Adjacent to Lots 12 and 13, Block 1
6. Purchase Order, Statement of Work; Office of Planning, Partnership and Improvement (OPP); West Central Public Health Partnership; Public Health Improvement Plan; 10/1/15 thru 9/30/16; $20,000
7. Acknowledgment of County Manager Signature; Agreement Regarding Payment for Coroner's Work Space; Frank L. Vader; 10/1/15; $4,200 Annually, Plus Utilities
8. Grant Acceptance; El Pomar Foundation; Multicultural Resources Program; $2,000
9. Memorandum of Agreement on Notice to Airmen (NOTAM) Manager System between Aeronautical Services (AJM-336) of the Federal Aviation Administration (FAA) and County of Gunnison – Gunnison-Crested Butte Regional
10. Grant Application; Colorado Department of Education; Gunnison Hinsdale Early Childhood Council; Expansion of Quality in Infant and Toddler Care Program (EQIT) Class; 7/1/15 thru 6/30/16; $3,815
11. Grant of Perpetual Easement; North Gunnison Sewer Extension; Namaste of Western Colorado, LLC; $500
12. Grant of Perpetual Easement; North Gunnison Sewer Extension; Mary Greenberg Trust; $3,000
13. Change Order; Gunnison County Mountain View Apartments Roof Project; Centennial State Roofing; $5,480

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Request to Meet; Senator Donovan. CM Birnie asked the Board if they would like to meet with Senator Donovan. The Board agreed that there are some legislative issues that are on CCI's agenda, so it might be good to discuss those with her. CM Birnie will schedule a work session.
2. Rotary Club Meeting. CM Birnie informed the Board that he would be speaking with the Rotary tomorrow regarding Cottonwood Pass and the Courthouse Construction Project.
3. 2016 Gunnison County Budget. CM Birnie stated that the document that will be presented to the Board next week will capture the overall budget without a lot of detail such as performance information.
4. SB152 Update. CM Birnie requested guidance related to this issue, and he asked if the Board would like for County Attorney David Baumgarten to create a pro/con statement. Per Chairperson Swenson, the Clerk's office only does a pro/con statement when there is a fiscal attachment. CM Birnie will discuss with CA Baumgarten. CM Birnie asked that the Board let him know if they would like for staff to provide any work related to this matter.

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

1. Request to Use Fairgrounds; Bonfils Blood Center. DCM Crosby informed the Board that Bonfils would like to use the fairgrounds six times per year to collect donated blood. Since the County doesn't charge Bonfils for this use, she requested BOCC approval. County staff will set up tables and chairs, and the events benefit the community as a whole. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to waive the fee. Motion carried unanimously.
2. Whiteriver Forest Update. DCM Crosby informed the Board that she and CA Baumgarten recently visited Crystal to meet with several representatives from the Whiteriver Forest. Those representatives advised that the County could claim RS2477 status on Gothic Road and Crystal Road, but that it would take action by the Courts. Because of this, the representatives suggested that the County pursue the Federal Road and Trails Act rather than RS2477 on both roads due to the amount of time and costs that would be required. The possibility of pursuing easements on many roads that cross federal lands was also discussed because, without the easements, the federal government retains all control. She suggested that the County could enter into a Schedule A agreement to clarify the responsibilities, but she would want written confirmation from the Forest Service that doing so would not negatively impact any future actions. This fall, her department will complete approximately $5,000 of work on the Crystal Road.
3. Riverwalk HOA Request for Assistance. DCM Crosby informed the Board that the trail is washing away due to high water. The HOA has some money would like for the County to haul rock this month. DCM Crosby stated that, while she doesn't have the necessary staff and equipment this month, she could possibly help to preserve this portion of trail if the HOA can wait a while.
4. Memorandum of Agreement; Colorado Department of Transportation; Property Acquisition; Project No. NH 050A-015; $500. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve and authorize signatures. Motion carried unanimously.
5. Change in Winter Plowing Responsibility; County Road 2 and County Road 77. DCM Crosby stated that this change will save the County approximately $8,000 annually. She has left messages for the property owner on CR 77, but there hasn't been a response. She is also working to contract for plowing on Buzzard divide, which will help to reduce the number of employees in District 4. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to change the winter plowing responsibilities on CR 2 and CR 77. Motion carried unanimously. .
6. First Amendment to Ground Lease Agreement; CCCenterSeven, LLC. DCM Crosby indicated that the lease must include a street address, pursuant to Colorado law. She noticed a typo on the contract, so she requested authorization for the County Manager's signature once it had been corrected. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve with signature by the County Manager. Motion carried unanimously.

REQUEST TO USE COUNTY MAP; WESTERN STATE COLORADO UNIVERSITY: Chairperson Swenson was contacted by Western State Colorado University to request use of a map that the County owns to promote WSCU. The map in question was developed by the lodging tax panel, so the County has the rights. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to allow (use of the map by WSCU). Motion carried unanimously.

BREAK: The meeting recessed from 9:06 until 9:09 am for a short break.

REQUEST TO ASSUME ALL YEAR-ROUND MAINTENANCE OF WEST ELK LANE IN WEST ELK RIDGE SUBDIVISION: DCM Crosby, Gunnison Wildlife Conservation Coordinator Jim Cochran and property owner Steve Anderson were present for discussion.

DCM Crosby confirmed that, if approved, this would be an insignificant extension for plowing to the cul-de-sac, though she would need to formalize an easement with one owner. The homeowners agreed to contribute some money toward the costs of gravel. GWCC Cochran acknowledged that there is an advantage to having the County take this responsibility, but he asked that the Board remain aware that there are sage-grouse issues related to other roads in that subdivision. The property owners agreed to bring the road up to County standards before the County assumes responsibility. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the request. Motion carried unanimously.

UNSCHEDULED CITIZENS:

1. Alli Melton; High Country Conservation Advocates. Ms. Melton provided copies of a press release, issued on 10/5, related to HCCA's lawsuit involving the Forest Service. She indicated that HCCA had been raising the issue with the Forest Service since approximately 2011, and there hasn't been any resolve, so they filed a lawsuit.
2. Cameron Wookey. Mr. Wookey provided hard copies of a letter addressed to the Board. He stated that he was not able to read the letter aloud at the time.

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

Commissioner Chamberland:

1. Broadband Update. On 10/5, Commissioner Chamberland conferenced with representatives from Montrose, Ouray and Delta, who are moving forward with the first phase of the project.

Another meeting is scheduled to take place later in the week to gauge interest in our valley and to see if there is interest in a regional plan. A pricing model should also be available at the next meeting.

Commissioner Houck:

1. Gunnison Conservation District Meeting. Commissioner Houck and Gunnison Wildlife Conservation Coordinator Jim Cochran attended the District meeting on 10/5 to discuss the transition of GWCC Cochran's duties upon his planned retirement in 2016. The District will evaluate the financial needs in order to assume the role. Another element to be considered is the process for receiving recommendations from the District, and the group thought that the recommendations could come from the District to the Planning Commission, and ultimately the Board.
2. Public Lands Process Update. Commissioner Houck explained that the current recommendation from John Washbush is that the relevant bylaws could be amended to give the County a seat at the table without accepting any financial obligations. The recent $2,000 funding request was also discussed, though the County could elect to fund with a lesser amount, if any. Discussions will continue, and Commissioner Houck will bring a proposal to the Board in the near future.
3. Thompson Divide Update. Commissioner Houck and John Whitney recently discussed this issue. A local map will be created, similar to what Delta County created.
4. Sage-grouse Discussions. Commissioner Houck continues to work with representatives from the Governor's office, Colorado Parks and Wildlife, and the Department of Natural Resources to discuss the sage-grouse issues; there was nothing new to report during the meeting. He also attended BLM Gunnison Field Manager Elijah Waters' swearing in ceremony, and he has an upcoming meeting to discuss the Gunnison Sage-grouse and related topics. USFWS Western Colorado Field Supervisor Ann Timberman will be visiting Gunnison tomorrow to take a tour with GWCC Cochran, and Commissioner Houck will meet with her during her visit.
5. Discovery Center Update. Commissioner Houck informed the Board that the Great Outdoors Colorado (GOCO) grant wasn't funded. While Colorado Parks and Wildlife appears to favor the idea of creating a center, it seems as though they may prefer to build it closer to Denver. Satellite campuses may be built around the state. He will participate in a phone conference to follow up.
6. Peoples' Choice; Elected Official. Commissioner Houck informed the Board that he was recently won the Peoples' Choice Award for Best Elected Official, which was voted on by the local communities.

Commissioner Swenson:

1. Gunnison Valley Regional Housing Authority (GVRHA) Board; Appeals Committee. Chairperson Swenson informed the Board that she is serving on the Appeals Committee regarding the letter recently received by Cameron Wookey. She also noted that, procedurally, the letter should have been directed to the GVRHA, not the Board.
2. Colorado Counties, Inc. (CCI) Legislative Committee Update.
   a. Medical Marijuana Testing Facilities Licensed by Local Governments. This has been moved to Table 2.
   b. Joint Powers Authority Agreement. This originated from La Plata County, and it is related to having the authority to work with and foster relationships with other counties outside of Colorado. This was moved forward as a CCI legislative initiative.
   c. Minors in possession of Cigarettes and Tobacco Products. This was moved forward as a CCI legislative initiative.
   d. Increasing Clerk's Office Copy Fees. Ouray County brought this forward, but CCI determined that the Clerk's Association should be working on this, not CCI. If the Clerk's Association moves it forward, CCI will likely take a position.
   e. Local Control on Restaurant Impact Fees. This was moved forward.
   f. Oversight on Federal Public Health Grants. Mesa County brought this forward, and it was pulled from consideration.
   g. Childcare Provider Rate Increase and Children's Code. Weld County brought these forward, and they were pulled from consideration.
   h. State Funding to Support Deputy District Attorneys. CCI will support this, though it will not be moved forward as a CCI legislative initiative.
   i. State Funding for Courthouse Facilities and County Courts. Pueblo County began this discussion, and CCI is moving it forward.
   j. Taxes and Finance. Saguache County began this item, and CCI moved it to Table 2.
   k. DDA (Downtown Development) TIF Equality. This item is being moved forward.
   l. Workforce Initiatives. This item is moving forward, though CCI agreed that Colorado Workforce Development Council and Colorado Department of Labor should participate in the development of this item.
3. Colorado Association of Ski Towns (CAST) Meeting. Chairperson Swenson attended the recent meeting. The dinner and discussions were good.

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ANNUAL PERFORMANCE EVALUATION; COUNTY MANAGER MATTHEW BIRNIE; POSSIBLE EXECUTIVE SESSION: CM Birnie stated his preference that the review take place during an executive session. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to go into executive session for the purpose of discussing personnel issues with the County Manager and doing a performance review, and that nothing else will be discussed. Motion carried unanimously. An audio recording of the session will be kept. In attendance were the commissioners and CM Birnie.

The board went into executive session at 9:42 am. *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).*

Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the 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, Chairperson
Gunnison County Board of Commissioners

The Board came out of executive session at 11:22 am. Chairperson Swenson 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. She also stated that CM Birnie would be bringing a contract amendment forward for consideration.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:22 am.

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice-Chairperson

_____
Jonathan Houck, Commissioner

Minutes Prepared By:

_____
Katherine Haase, Deputy County Clerk

Attest:

_____
Kathy Simillion, County Clerk

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