

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
February 2, 2016**

The February 2, 2016 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

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 8:34 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 as presented. Motion carried unanimously.

1. 1/5/2016; Regular Meeting

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

1. Out-of-State Travel; 2016 American Planning Association National Planning Conference; Phoenix, AZ; County Attorney David Baumgarten; 4/2/16 thru 4/5/16; \$900
2. Reclamation Agreement; W.K. Edwards and Link, LLC; Identify the Reclamation Activities and Responsibilities of the Property Owner and Project Manager for the Restoration of the Road Improvements Initiated; \$5,772
3. Acceptance of Nomination; Bureau of Land Management Representatives to Serve on the Gunnison Basin Sage-grouse Strategic Committee; Regular Member Elijah Waters and Alternate Member Mark Thonoff
4. Acceptance of Nomination; High Country Conservation Advocates Representatives to Serve on the Gunnison Basin Sage-grouse Strategic Committee; Regular Member Sue Navy and Alternate Member Matt Reed
5. Acceptance of Nomination; National Park Service Representatives to Serve on the Gunnison Basin Sage-grouse Strategic Committee; Regular Member Ken Stahlnecker and Alternate Member Bruce Noble
6. Acceptance of Nomination; Natural Resources Conservation Service Representatives to Serve on the Gunnison Basin Sage-grouse Strategic Committee; Regular Member Elizabeth With and Alternate Member Steve Woodis
7. Acceptance of Nomination; US Fish and Wildlife Service Representatives to Serve on the Gunnison Basin Sage-grouse Strategic Committee; Regular Member Ann Timberman and Alternate Member Gina Glenne
8. Contract for Services; Saint Joseph Hospital – SCL Health; Women's Wellness Connection Program; 7/28/15 thru 6/29/16

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

1. Employee Appreciation Dinner. The dinner was scheduled to take place at the Palisades Restaurant on 3/11 at 6:00 pm. The restaurant can comfortably seat 145, and there were 125 at the dinner last year.

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

1. Vehicle Accident in Marble. DCM Crosby informed the Board that a policy violation resulted in an accident, and the citizen involved has asked the County to pay their \$500 deductible. Alternatively, a claim would cost approximately \$3,500. The Board agreed to pay the deductible, and CA Baumgarten stated that an agreement could be created.
2. Dos Rios Water Update. DCM Crosby informed the Board that the repair work and installation of a leak detection system would be costly, although the total is expected to be approximately \$70,000-\$85,000, which is within the County Manager's spending authority. She and Finance Director Linda Nienhueser will assemble pricing for future consideration, and there may not be sufficient funding in the Dos Rios reserves to handle this repair.
3. Taylor Canyon Accident Update. DCM Crosby informed the Board that, during a recent US Army bivouac exercise, a tanker carrying approximately 600 gallons of gas had an accident on Taylor Canyon Road. There may have been some leakage from the engine's tank, but not the large tank. Also, the US Army has requested permission to plow Tincup Road to the dump station, so she asked for correspondence to consider.

GUNNISON COUNTY BOARDS AND COMMISSIONS APPOINTMENTS:

1. Board of Adjustments. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Don Crosby, Jerry Kowall, Les White and Bob Williams to three-year terms. Motion carried unanimously.
2. Board of Appeals. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Don Crosby, Jerry Kowall and Les White to three-year terms. Motion carried unanimously.
3. Cemetery Board. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Camille Besse to the Cemetery Board for a six-year term. Motion carried unanimously.
4. Environmental Health Board. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Eddy Balch, Ed Bavouset and Lucinda Clauter-Lull to three-year terms, and Steve Glazer to an alternate one-year term. Motion carried unanimously.
5. Extension Advisory Board. Since there were no applicants for the open vacancy, this will be readvertised.
6. Historic Preservation Commission. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Jordan Cooper, Jody Reeser and Elinda Card to regular three-year terms. Motion carried unanimously.
7. Gunnison Valley Housing Foundation. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Jim Starr to a three-year term. Motion carried unanimously.
8. Land Preservation Board. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Sandy Guerrieri to a four-year term. Motion carried unanimously.
9. Library Board of Trustees. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Sherryl Peterson for a five-year term. Motion carried unanimously.
10. Medical Health Officer. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Dr. John Tarr to a two-year term. Motion carried unanimously.
11. Planning Commission. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Kent Fulton and AJ Cattles to three-year terms as regular members, and Molly Diachok-Mugglestone and John Messner as alternates. Motion carried unanimously.
12. Region 10. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Paula Swenson as a regular member, and Paula Swenson and Bob Drexel as loan fund members. Motion carried. (Chairperson Swenson recused herself from this vote.)
13. Sage-grouse Mitigation Committee. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Mike Babler to a four-year term. Motion carried unanimously.
14. Gunnison Basin Sage-grouse Strategic Committee. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Dave Wiens as a recreation regular member, Polly Obersoler as a recreation alternate member, Peter Caloger as a community regular member, Mike Babler as a community alternate member, and Erich Ferchau as a development community regular member. Motion carried unanimously.
15. Trails Commission. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Joellen Fonken and Kay Peterson-Cook to three-year regular terms. Motion carried unanimously.
16. Western Regional EMS Council. **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Erik Forsythe to a four-year term. Motion carried unanimously.
17. Gunnison-Crested Butte Tourism Association (TA). **Moved** by Commissioner Chamberland, seconded, by Commissioner Houck to appoint Ken Stone and Leia Morrison, upon approval of the TA's bylaws, to three-year regular positions on the Gunnison-Crested Butte Tourism Association. Motion carried unanimously. (*Note: These appointments will be scheduled for ratification by the Gunnison River Valley Local Marketing District on 2/16.*)

Deputy County Manager Marlene Crosby noted that the sage-grouse mitigation efforts have not been funded for a couple of years, so she will evaluate funding prior to readvertising for that remaining vacancy.

MT. EMMONS NEGOTIATION; POSSIBLE EXECUTIVE SESSION: County Attorney David Baumgarten suggested that the Board enter into an executive session so that he could provide a report to the Board and ask for further instruction. Because of the attorney-client privilege nature of the conversation, there would be no extemporaneous recording. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to go into executive session for the purpose of receiving legal input regarding Mt. Emmons and receiving instruction with the Board, Marlene Crosby, and David Baumgarten. Motion carried unanimously.

The board went into executive session at 9:07 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)(b)(e).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____

David Baumgarten
Gunnison County Attorney

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 9:21 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. The Board directed counsel to continue with negotiations.

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

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

Commissioner Chamberland:

1. Legislative Session. Commissioner Chamberland attended the recent two-day legislative session. He stated his opinion that, going forward, the hospital provider fee issue will be discussed heavily, along with the issue of bonding for Colorado Department of Transportation.

Commissioner Houck:

1. Winter Events. Commissioner Houck the recent summit on fat bike riding to discuss land management and grooming, during which he spoke about the Trails Commission and recreation being a large part of our economy. A total of 270 raced in the recent fat bike event, there were almost 50 participants in the ice event that took place on Blue Mesa Reservoir, and there were approximately 25-30 participants in the recent Kenny Mack event. Commissioner Chamberland stated that the Snowtrackers group is supportive of fat bike grooming, but there is concern related to the safety involved with many bikers being on the trails.
2. Sage-grouse Summit in March. Commissioner Houck stated that he and Gunnison Sage-grouse Conservation Coordinator Jim Cochran will be busy with this event on the Western State Colorado University campus.
3. Colorado Office of Outdoor Recreation Luis Benitez Visit. Commissioner Houck informed the Board that he and Mr. Benitez visited over the past weekend.
4. Drivers' License Office Update. Commissioner Houck informed the Board that the Department of Revenue has narrowed their office location search to two sites. The Board discussed a communications plan to reestablish contact and further this issue since he has not heard from the Department's staff in the last week.

Commissioner Swenson:

1. Colorado Counties, Inc. (CCI) Update. Commissioner Swenson informed the Board that changes in leadership occurred during the recent session. Most disappointing to her was the change in leadership within the Transportation and Telecommunications Committee because the previous leader had established a lot of connections. During the recent meetings, CCI voted to support the issues related to marijuana grow requirements, local licensing of medical marijuana testing facilities, and staff role expansion to advise rural communities. CCI opposed the issues related to county initiative power, local government employee whistleblower protection, local government minimum wage, broadband personal property tax exemption, residential storage units being taxed as residential instead of commercial property, fire protection districts being able to impose impact fees, and legislation to repeal the FASTER program. She noted that the issue related to off-highway vehicle registration might pass, which will enable local communities to require operations to have licensing and wear safety gear if they drive on the road. The county court issue is gaining momentum and the discussion took place this morning, but she noted that there is time to contact the Finance Committee. Lastly, CCI will continue to monitor the I-70 traction issue.

ADJOURN: Moved by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 9:47 am.

Paula Swenson, Chairperson

Phil Chamberland, Vice-Chairperson

Jonathan Houck, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Kathy Simillion, County Clerk