AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Draft 1/24/17 BOCC Meeting Minutes

Action Requested:

Parties to the Agreement:

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

Summary:

Attached are the draft 1/24/17 BOCC meeting minutes for consideration.

Fiscal Impact:

Submitted by: Josh Ost **Submitter's Email Address:** jost@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: 2/1/2017

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 1

Agenda Date: 2/7/2017

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
January 24, 2017

The January 24, 2017 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Phil Chamberland, Chairperson
Jonathan Houck, Vice-Chairperson
John Messner, Commissioner
Matthew Birnie, County Manager
Josh Ost, Deputy County Clerk
Others Present as Listed in Text

CALL TO ORDER: Chairperson Chamberland called the meeting to order at 8:33 am.

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

CONSENT AGENDA: **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the consent agenda as presented. Motion carried unanimously.

1. Agreement for Consulting Services; Gunnison Conservation District; Protection and Conservation of the Gunnison Sage-grouse; 1/1/17 thru 12/31/17; $10,000
2. Acknowledgment of County Manager Signature; Amendment No. 1; Grant Agreement between the U.S. Department of Transportation and Gunnison County, Colorado, Acting on Behalf of the Community of Gunnison, Colorado under the Small Community Air Service Development Program
3. Out-of-State Travel Request; 2017 Educode Building Conference, Las Vegas, NV; Building and Environmental Health Official; 3/23/17 thru 3/27/17; $1,750
4. Consulting Agreement; Dr. Laura Villaneuva; Medical Consultation for the Gunnison County Public Health Family Planning Program; 1/1/17 thru 12/31/17; $1,200
5. Consulting Agreement; Dr. John Tarr; Medical Consultation for the Public Health Division and Consumer Protection Specialist, and Other Duties of the Gunnison County Medical Officer; 1/1/17 thru 12/31/17; $1,200
6. Correspondence; Public Lands Partnership; Nomination of Jonathan Houck to Serve on the Adaptive Management Group
7. Acknowledgment of County Manager Signature; Grant Contract #2017-01-021; History Colorado, the Colorado Historical Society; Ohio City Town Hall Renovation Project; 2/15/17 thru 2/15/19; $97,427
8. Acknowledgment of County Manager Signature; Agreement; Michael Lynam; Building Maintenance and Repair Services at Mountain View Apartments; 1/10/17 thru 12/31/17
9. Airline Operating Agreement and Lease of Airport Facilities; American Airlines, Inc.; 11/1/14 thru 10/31/17
10. Acknowledgment of County Manager Signature; State of Colorado, Department of Human Services; Request for Proposal #IHJA 2017000144; Communities of Excellence, Statewide System of Care Expansion and Sustainability Program; 1/1/17 thru 9/30/17 for $47,977.23; 10/1/17 thru 9/30/18 for $49,904.32
11. Contractor Agreement; Aspen Enterprises, LLC; Janitorial Services for Blackstock Government Center; 1/1/17 thru 12/31/18; $64,800
12. Contractor Agreement; Aspen Enterprises, LLC; Janitorial Services for Family Services Center; 1/1/17 thru 12/31/18; $45,000
13. Colorado Department of Local Affairs Community Development Block Grant Program Application; Gunnison Family Services Facility Remodel; $600,000

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

COUNTY MANAGER'S REPORTS:

1. County Manager Matthew Birnie reported that he along with Emergency Manager Scott Morrill and Deputy Emergency Manager Bobbie Lucero have been updating Emergency Operation Plans for the County.
2. CM Birnie reported on the recent inadvertent panic alarms have been pulled in County buildings in the last week or so. He stated that there will be more drills on the various alarms in the County buildings in the near future.
3. CM Birnie reported he attended the Colorado Association of Ski Towns meeting in Ketchum, ID last week. He stated it was one of the best meetings he has attended.

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

1. Colorado Department of Transportation Annual Highway User's Tax Report. DCM Crosby stated she did not have the finalized report at this time. She explained the report and that there were some technical difficulties in compiling the data. DCM Crosby asked for approval to submit the report and have the Board sign when completed. **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the report for signatures by the Board once the report is finalized. Motion carried unanimously.

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2. DCM Crosby reported on the pending tax increase in the state legislature. She stated she would like the Commissioners to let Colorado Counties Incorporated know to keep an eye on this legislation as it seem no money would be going to the local governments if passed.
3. DCM Crosby that the summer paving budget may be reduced because of the increase in budget used for the recent snow removal in the County. Chamberland asked about funding options available. It was stated that there is few options and the best thing to do is manage the expectations of the public.
4. DCM showed the Board the proposed thank you advertisement for the Gunnison County Boards and Commissions for the newspapers to get the Board opinion on the best layout.

GUNNISON COUNTY BOARDS AND COMMISSIONS APPOINTMENTS; GUNNISON VALLEY HEALTH BOARD OF TRUSTEES: **Moved** by Commissioner Houck, Seconded by Commissioner Messner to appoint Kathleen Gentry to a regular five year term on the Gunnison Valley Health Board of Trustees. Motion carried unanimously.

VOUCHERS AND TRANSFERS APPROVAL: Finance Director Linda Nienhueser presented the voucher approval report dated December 20, 2016 and the cash transfer authorization dated December 2016 for discussion and approval. **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the vouchers in the amount of $2,797,145.61. Motion carried unanimously. **Moved** by Commissioner Houck, seconded by Commissioner Messner to authorize the cash transfers in the amount of $2,814,425.58. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: County Treasurer Debbie Dunbar presented the December 2016 Treasurer's report, Investment report dated December 31, 2016 and Quarterly Interest Report for October-December 2016 for discussion and acceptance. **Moved** by Commissioner Houck, seconded by Commissioner Messner to accept the reports as presented. Motion carried unanimously.

PETITIONS FOR ABATEMENT OR REFUND OF TAXES: County Assessor Kristy McFarland was present for the discussion

1. Property Tax Year 2015; R031154, Tract 34, Island Acres Subdivision, .67AC, #635296; Tracey and Kenneth Coleman Family Trust, c/o Duff & Phelps. Property owner Ken Coleman was present for the discussion. CA McFarland explained the property and the details regarding the abatement. She explained that the current property owners did not purchase the property until the middle of 2015 so they do not have standing. CA McFarland stated it will be classified as residential for 2016. **Moved** by Commissioner Houck, seconded by Commissioner Messner to deny the request for abatement for R031154. Motioned carried unanimously.
2. Property Tax Year 2015; R041950, Lot 5, Spring Creek Resort Development, #628344; Paulette Blanchet, c/o Duff & Phelps. Petitioner and agent were not present for the discussion. Commissioner Messner recused himself from the discussion. CA McFarland explained the property and that the two parcels are not contiguous. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to deny request for abatement for R041950. Motioned carried.

CORRESPONDENCE:

1. County Assessor Kristy McFarland; Request to Use the Alternate Protest and Appeal Procedure in 2017: County Assessor Kristy McFarland was present for the discussion. She explained the reasoning behind the request. CA McFarland explained that the petitioners still have the same amount of time for appeal and the same rights. **Moved** by Commissioner Houck, seconded by Commissioner Messner to adopt the alternate protest schedule for 2017. Motion carried unanimously.
2. Correspondence; U.S. Geological Survey; Request for Opinion; Naming of Wander Ridge and Chipeta Mountain: The Board discussed the area under consideration and stated they support the name changes. **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the name changes for Wander Ridge and Chipeta Mountain. Motioned carried unanimously.
3. Transfer of Public Lands. The board discussed changes that they would like to see in the letter. The Board directed County staff to make the changes and place the letter on a future agenda.

BASELINE TRAILS REPORT UPDATE: Community and Economic Development Director Cathie Pagano and Western State Colorado University Graduate Student Tim Kugler were present for discussion. CEDD Pagano explained who helped on the project and updated the Board on the progress of the report. She explained that the final draft should be completed in the next week or so. CEDD Pagano discussed the people and groups surveyed and their priorities. She explained what the various groups would like to see in the future for trails within the County, along with the items that the various County stakeholders would not like to happen or are not happy with. WSCU Graduate Student Kugler explained he role in the process and his actions taken to work with Federal land managers and local groups to identify the issues with trails around the County. The Board discussed their ideas on funding options that could be explored to help trail maintenance.

BREAK: The Board recessed the meeting at 10:00 am and resumed the meeting at 10:06 am.

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EXECUTIVE SESSION; POTENTIAL SALE OF REAL PROPERTY; INSTRUCTIONS TO NEGOTIATORS; POSSIBLE ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS; PURSUANT TO C.R.S. 24-6-402(4) County Attorney David Baumgarten and County Manager Matthew Birnie

CA Baumgarten explained that the Board had the authority to go into an executive session, if desired, to discuss potential sale of real property, instructions to negotiators, and conference with the County Attorney for the purposes of receiving legal advice regarding such potential sale and instructions to negotiators. **Moved** by Commissioner Houck, seconded by Commissioner Messner to go into executive session for discussion of potential sale of real property, instructions to negotiators and conference with the County Attorney for the purposes of receiving legal advice regarding such potential sale and instructions to negotiators; all pursuant to C.R.S. 24-6-402(4). The participants will be the Board, CM Birnie, CA Baumgarten. An audio recording of the executive session was will not be kept as it is an attorney-client privileged conference. Motion carried unanimously.

The Board went into executive session at 10:08 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).*

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 topics that were identified and authorized for discussion pursuant to C.R.S. 24-6-402(4), and the participants were limited to those identified.

Date: _____ _____

Phil Chamberland, Chairperson
Gunnison County Board of Commissioners

The Board came out of executive session at 10:57 am. Chairperson Chamberland confirmed that the discussion remained on-topic, that all persons in attendance were limited to the Board, CM Birnie, and CA Baumgarten; that no decisions were made; and no electronic recording was kept.

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(2)(d.5)(II)(B), 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

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

COMMISSIONER ITEMS:

Commissioner Houck:

1. Commissioner Houck reported that he would like the Board to meet with some of the neighboring county's boards specifically Chaffee County to help promote our region. Commissioner Chamberland stated he would reach out the Chair of the Chaffee County Board of County Commissioners to get something set up.
2. Commissioner Houck reported on the Oil and Gas comment letter received from the County Attorney. He stated he would like the comment period to be extended to 60 days instead of 30.
3. Commissioner Houck stated he would be heading to the CCI conference on Thursday and Friday. He stated he would like to have a legislative update at a future meeting to discuss the upcoming legislation and issue that would affect the County.
4. Commissioner Houck reported on the progress of conservation issues on Six Mile Lane.

Commissioner Messner:

1. Commissioner Messner asked about SB17-81 the state broadband fund being considered at the state level. Commissioner Chamberland gave what he knew on the subject and stated he will get more information from Club 20.

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2. Commissioner Messner reported that he is continuing his orientation with the various County Departments.
3. Commissioner Messner stated he attended the Colorado Parks and Wildlife deer and elk baiting meeting. He said it was a well-executed meeting by CPW.
4. Commissioner Messner will be heading to Montrose on Thursday for the District Court reception.
5. Commissioner Messner will have his first meeting with the Coldharbour Board on Friday.

Commissioner Chamberland:

1. Commissioner Chamberland reported on the progress of the WAPA fiber project.
2. Commissioner Chamberland reported on Club 20's stance on the repeal of Colorado SB05-152.

ADJOURN: **Moved** by Commissioner Houck, seconded by Commissioner Messner to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:31 am.

_____
Phil Chamberland, Chairperson

_____
Jonathan Houck, Vice-Chairperson

_____
John Messner, Commissioner

Minutes Prepared By:

_____
Josh Ost, Deputy County Clerk

Attest:

_____
Kathy Simillion, County Clerk

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