

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
July 3, 2012**

The July 3, 2012 meeting was held in the Commissioners' boardroom in the Courthouse located at 200 E. Virginia, Gunnison, Colorado. Present were:

Hap Channell, Chairperson
Paula Swenson, Vice-Chairperson
Phil Chamberland, Commissioner

Matthew Birnie, County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

CALL TO ORDER: Chairperson Channell called the meeting to order at 9:00 am.

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

CONSENT AGENDA: Moved by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Consent Agenda in its entirety. Motion carried unanimously.

1. Acknowledgment of County Manager Signature; Women's Wellness Connection Funding Application; 7/1/12 thru 6/30/13; \$32,946
2. Acknowledgment of County Manager Signature; Colorado Division of Criminal Justice State of Grant Award; Juvenile Diversion Program; 7/1/12 thru 6/30/13; \$46,667
3. Agreement between Gunnison County Health and Human Services and Region 10 League for Economic Assistance & Planning, Inc., Region 10 Area Agency on Aging; Senior Resources Information and Assistance Services; 7/1/12 thru 6/30/13; \$33,000
4. Agreement between Gunnison County Health and Human Services and Region 10 League for Economic Assistance & Planning, Inc., Region 10 Area Agency on Aging; Senior Transportation Program; 7/1/12 thru 6/30/13; \$20,000
5. Colorado Department of Public Health and Environment, Colorado Immunization Program Statement of Work; Private Insurance Companies for Immunization Billing; 9/1/11 thru 8/31/13; \$5,000
6. Gunnison Hinsdale Early Childhood Council – Pyramid Plus Project, Daniels Fund Grant Application for 2012; \$123,200
7. Acknowledgment of County Manager Approval to Submit; Colorado Department of Public Health and Environment Grant Application; Multicultural Resources Services for Health Navigation, Chronic Disease and Oral Health; 10/1/12 thru 6/30/13; \$84,054
8. Acknowledgment of County Manager Approval to Submit; Colorado Department of Public Health and Environment Grant Application; Tobacco Coalition, Youth Council and Increase Quit-Line Referrals; 10/1/12 thru 6/30/13; \$19,653
9. Acknowledgment of County Manager Approval to Submit; Colorado Department of Public Health and Environment Grant Application; Cancer, Cardiovascular Disease, and Pulmonary Disease (CCPD); 10/1/12 thru 6/30/13; \$82,975
10. Draft Regular Meeting Minutes; 6/5/12

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

1. 2013 Gunnison County Budget Work Sessions. Work sessions were scheduled for 10:00 am until noon on 11/3, and from 8:00 am until noon on 11/19.

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

1. Housing Authority Executive Director Vacancy Update. County Manager Birnie informed the Board that six candidates were interviewed last week. Most of the candidates were strong, and background checks will be run for five of them. Some of the individuals on the interview panel are slated to serve on the Board of Directors. Once the Intergovernmental Agreement establishing the regional housing authority has been fully executed and the board members have been designated, the finalists will be interviewed in person.
2. Mosquito Update. County Manager Birnie informed the Board that he and Colorado Mosquito Control had received complaints from local fishing guides about the recent mosquito spraying. In addition to mosquitoes, some believe that the spraying also killed some flies, though the low water levels are most likely the cause. If the river is low again in 2013, the spraying buffer will be increased.

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

1. Somerset Sewer Project Update. Assistant County Manager Crosby informed the Board that there had been some confusion related to what information was requested from the State versus what information should have been requested. She noted that the County may already be compliant with regard to water discharge for a portion of the project because the river is in close proximity to the leach field.

2. Bicycle Tour Colorado in 2013. Assistant County Manager Crosby informed the Board that she received a brochure about this race, which apparently intends to travel across both Kebler and Cottonwood Passes. She explained the need for proper special events permits to the race organizers.
3. Road Maintenance Issues. Assistant County Manager Crosby informed the Board that her department is struggling with maintenance issues as there has been an increase in complaints this year. The Ohio Creek and Mill Creek roads are in bad shape, but the work is taking longer than expected because of having to haul the water to the sites due to low water levels in the ditches. Magnesium chloride will be applied to Ohio Creek next week. The Board asked that she issue a public service announcement regarding this issue.
4. Taylor Canyon Construction Update; Pro-Challenge Bike Race. Chairperson Channell asked for an update on this construction. Assistant County Manager Crosby informed him that construction will cease during the race. Organizers are currently working with her staff on utility issues.
5. Antelope Hills Water Project Update. Assistant County Manager Crosby informed the Board that her crews will resume work on 7/9, and that the project is ahead of schedule.
6. Crested Butte South Recycling Program Update. Assistant County Manager Crosby informed the Board that the program is strong. She is evaluating ways to expand the operation for greater efficiency, beginning with cardboard pickup next week. She noted that the Western State Colorado University student center has recycling for the County, but that the new buildings will be contracting with Waste Management.

GUNNISON COUNTY BOARDS AND COMMISSIONS APPOINTMENT; GUNNISON VALLEY REGIONAL HOUSING AUTHORITY: Moved by Commissioner Swenson, seconded by Commissioner Chamberland to appoint Kelly McKinnis as our at-large appointee to the Gunnison Valley Regional Housing Authority board. Motion carried unanimously.

CASH TRANSFER AUTHORIZATION; MAY 2012: Moved by Commissioner Chamberland, seconded by Commissioner Swenson to approve the cash transfers in the amount of \$2,216,522.47 for May 2012. Motion carried unanimously.

RESOLUTION; CREATING A COURTHOUSE RENOVATIONS AND CONSTRUCTION FUND; \$301,188.27: County Manager Birnie confirmed that the County has budgeted and begun saving funds for this purpose, and that adoption of the resolution would simply create the dedicated fund. As of 6/30/12, the County has saved \$301,188.27. Considering the accumulation of interest and other savings, this should increase to approximately \$400,000 by the end of the year. Moved by Commissioner Swenson, seconded by Commissioner Chamberland to adopt Resolution #2012-19, a Resolution Creating a Courthouse Renovations and Construction Fund and authorize signatures. Motion carried unanimously.

BREAK: The meeting recessed from 9:58 until 10:06 am.

DRAFT 2013-2017 CAPITAL IMPROVEMENT PLAN (CIP): Assistant Finance Director Ben Cowan was present for discussion.

Assistant Finance Director Cowan presented the draft CIP for discussion. He noted that this will be the 11th year of the CIP, which establishes the County's capital needs for the next five years. Of the 29 projects listed in the 2012-2016 plan, 11 are either complete or in progress. No significant airport projects are planned for 2013, and he will remove the temporary morgue from the draft as that project is now in process. The Board expressed appreciation for his work on the presentation. The final CIP was scheduled for adoption on 7/17.

UNSCHEDULED CITIZENS: County Attorney David Baumgarten was present for discussion and, in anticipation of the discussion, created a memo for the Board to explain and condense applicable statutes. Within the memo, he explained that the Board of Trustees (BOT) can run the hospital without oversight of the Board of County Commissioners. The memo was entered into the permanent record.

Those in attendance who asked the Board for assistance with this issue were Christa Brockschmidt, Marilyn Tibljas, Dr. Jay McMurren, Jim Barry, Julie Bremer, Lynn Havel, Warren Wilcox, Dr. Roger Sherman, Sarah Hindes and Marianne Tarr.

Chairperson Channell explained that the Board is aware of the circumstances and takes this issue seriously. He confirmed that the Board has authority over the makeup of the BOT, but that the Board cannot project itself as a board into the discretion of the BOT. The BOT is statutorily protected, though the Board has some oversight because of the power to appoint and remove trustees.

Commissioner Swenson thanked the attendees for their courage. She noted that she has had conversations with BOT members, and that she is concerned about the communication between the BOT and the employees. She will work to affect that positively.

Commissioner Chamberland asked for confirmation that BOT Chairperson Dr. Bob Brickman said during a recent meeting, "We can't afford excellent care, we may have to settle for adequate." **Ms.** Tibljas

confirmed that those were Dr. Brickman's words. Commissioner Chamberland added that he has been involved with the hospital since 1994 and that he trusts the employees.

On an unrelated topic, Mr. Ricki Santarelli asked the Board to proceed with the Mile 200, LLC Land Use Change application. He stated that he was not speaking on behalf of Mile 200, LLC and that he doesn't care what violations may have occurred. As a former county commissioner, he stated that he has spent most of his career trying to create citizen-friendly government. He believes that the County's actions are illegal, and he asked the Board to move forward with some sort of punishment phase. He also opined that setting the precedent to restore the land to its original condition before being able to request permission is illogical and wrong.

ADJOURN: Moved by Commissioner Swenson, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The Gunnison County Board of County Commissioners meeting adjourned at 10:59 am.

GUNNISON COUNTY HOUSING AUTHORITY BOARD: Finance Director Linda Nienhueser was present for discussion.

CALL TO ORDER: Chairperson Channell called the Gunnison County Housing Authority meeting to order at 10:59 am.

CONTRACT TO SELL REAL ESTATE; HABITAT FOR HUMANITY OF GUNNISON VALLEY, INC.: County Manager Birnie explained that this contract was originally approved by the Board of County Commissioners, while the Housing Authority owns the property. He also confirmed that the contract reflects the terms of the earlier approval, and that payment will be made on 7/10 to pay off the note. Moved by Commissioner Chamberland, seconded by Commissioner Swenson to approve the sales contract for the property as described in the contract and authorize signatures. Motion carried unanimously.

ADJOURN: Moved by Commissioner Swenson, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The Gunnison County Housing Authority Board meeting adjourned at 11:02 am.

Hap Channell, Chairperson

Paula Swenson, Vice-Chairperson

Phil Chamberland, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2012-19**

**A RESOLUTION CREATING A COURTHOUSE RENOVATIONS AND
CONSTRUCTION FUND**

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado desires to reserve money in a specifically identified account for potential Courthouse renovations and construction; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that a committed balance account in the amount of Three Hundred One Thousand One Hundred Eighty-Eight Dollars and 27/100 cents (\$301,188.27) is immediately created (in the General Fund) for Courthouse renovations and construction. Interest accruing on such committed balance account shall be added to the principal of such account.

IT IS FURTHER RESOLVED that additional funds may be authorized to be placed in the committed balance account in 2012 and future years.

IT IS FURTHER RESOLVED that money from such account may be used for Courthouse renovations and construction upon majority vote of the Board of County Commissioners.

IT IS FURTHER RESOLVED that money from such account may be used for purposes other than Courthouse renovations and construction only upon unanimous affirmative vote of the Board of County Commissioners.

IT IS FURTHER RESOLVED that in the event of a unanimous affirmative vote to use the money from such account for purposes other than Courthouse renovations and construction, then such money may not be withdrawn from such committed balance account or used until thirty (30) days after the unanimous affirmative vote on its use by the Board of County Commissioners.

INTRODUCED by Commissioner Swenson, seconded by Commissioner Chamberland, and adopted this 3rd day of July, 2012.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.