

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
March 6, 2012**

The March 6, 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  
Bobbie Lucero, Deputy Clerk to the Board  
Others Present as Listed in Text

**CALL TO ORDER:** Chairperson Channell called the Gunnison County Housing Authority Board meeting to order at 8:29 am.

**GUNNISON COUNTY HOUSING AUTHORITY BOARD:** The Board discussed the Claims-Made Public Officials and Employment Practices Liability Renewal Application for renewal of Directors and Officers Liability Insurance for the Gunnison County Housing Authority Board. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve signature by County Manager Birnie on this document for renewal of liability insurance. Motion carried unanimously.

**ADJOURN:** **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adjourn. The Gunnison County Housing Authority Board meeting adjourned at 8:30 am.

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS:**

**CALL TO ORDER:** Chairperson Channell called the Gunnison County Board Of County Commissioners meeting to order at 8:30 am.

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

**CONSENT AGENDA:** Chairperson Channell requested that Consent Agenda Items #7-14 and #25 be pulled for further discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Consent Agenda, excluding Items #7-14 and #25. Motion carried unanimously.

1. Delivery and Acceptance Certificate; Wells Fargo Financial Leasing, Inc.; Plotwave 300, Serial #330109078
2. Ratification of County Manager Signature; Release of Agreement Regarding Repayment of Gunnison County Loan; Robert and Jeraldine A. Lodato
3. Ratification of County Manager Signature; FAA Entitlement Grant Application; Fog Seal Repaint Project on Runway, Taxiway and GA Ramp at the Gunnison-Crested Butte Regional Airport
4. Acknowledgment of County Manager Signature; 2012 Agreement between the Office for Resource Efficiency and Board of County Commissioners of the County of Gunnison, Colorado: 1/1/12 thru 12/31/12; \$12,000
5. Acknowledgment of County Manager Approval to Submit; Division of Criminal Justice (JAG) Justice Assistance Grant; Part-time High Fidelity Wraparound Facilitator; 10/1/12 thru 9/30/13; \$29,523
6. Professional Services Agreement; AMEC Environmental and Infrastructure, Inc.; Multi-jurisdictional Natural Hazard Mitigation Plan; 3/15/12 thru 9/30/12; \$55,498.48
7. **Pulled for Discussion and Separate Action:** Memorandum of Agreement; Gunnison Hinsdale Youth Services, Inc., d/b/a Gunnison Country Partners; 1/1/12 thru 12/31/12; \$7,500
8. **Pulled for Discussion and Separate Action:** Memorandum of Agreement; Safe Ride of Gunnison, Inc.; 1/1/12 thru 12/31/12; \$2,500
9. **Pulled for Discussion and Separate Action:** Memorandum of Agreement; Crested Butte/Mt. Crested Butte Bartenders and Servers Association; 1/1/12 thru 12/31/12; \$2,500
10. **Pulled for Discussion and Separate Action:** Memorandum of Agreement; Gunnison Valley Animal Welfare League; 1/1/12 thru 12/31/12; \$2,000
11. **Pulled for Discussion and Separate Action:** Memorandum of Agreement; Gunnison Conservation District; 1/1/12 thru 12/31/12; \$2,000
12. **Pulled for Discussion and Separate Action:** Memorandum of Agreement; Six Points Evaluation and Training, Inc.; 1/1/12 thru 12/31/12; \$12,000
13. **Pulled for Discussion and Separate Action:** Memorandum of Agreement; Crested Butte/Mt. Crested Butte Chamber of Commerce/Visitor's Center; 1/1/12 thru 12/31/12; \$8,000
14. **Pulled for Discussion and Separate Action:** Memorandum of Agreement; Gunnison Country Chamber of Commerce; 1/1/12 thru 12/31/12; \$12,000
15. Acknowledgment of County Manager Approval to Submit; Title X Family Planning and Colorado Family Planning Initiative (CFPI) FY 13 Estimated Funding Amounts for Budget Work Sheet and Budget Narrative; State of Colorado Department of Public Health and Environment
16. ADS-B WAM Radio Site Facility and Tower Sublease Agreement; Exelis, Inc.; Comstock Mountain

17. State of Colorado, Colorado Department of Transportation, Colorado Aeronautics Board, Division of Aeronautics Grant Agreement with Gunnison County; Purchase of Loader and Ramp Blade, Match for AIP 45 State Infrastructure Bank Loan Reimbursement, and AIP 46 Match for Fog Seal and Repaint Markings Project at the Gunnison-Crested Butte Regional Airport; State Funds of \$398,697, Federal Funds of \$957,500, and Local Funds of \$66,697
18. Provider Agreement; Lendol Lawrence; Professional Services Regarding Assessment, Service Planning and Clinical Services to Promote Health and Wellness to Individuals and Families Referred from Gunnison County Family Advocacy and Support Team through the Office of Juvenile Services; 3/6/12 thru 6/30/12
19. Provider Agreement; Erik Krawczyk, LPC; Professional Services Regarding Assessment, Service Planning and Clinical Services to Promote Safety, Stability and Permanency for Children and Families Referred from the Gunnison County Department of Health and Human Services; 3/1/12 thru 2/28/13
20. Colorado Department of Human Services Certification of Compliance, County Merit System, Year 2012
21. Application for the Development, Implementation and Expansion of Community-Based Early Childhood Systems; Colorado Department of Human Services in Partnership with the Colorado Department of Education; Gunnison County Early Childhood Council; 7/1/12 thru 6/30/15; \$231,102
22. Grant Application; Caring for Colorado Foundation; Gunnison County Multicultural Resources; 8/16/12 thru 8/17/13; \$50,000
23. Acknowledgment of County Manager Signature; El Pomar Foundation General Grant Terms and Conditions; Energy Assistance, Food Assistance and Light Medical Program Vouchers; 3/1/12 thru 2/28/13; \$10,000
24. Acknowledgment of County Manager Signature; Division of Criminal Justice Grant Application; 1/1/13 thru 12/31/14; \$51,641
25. **Pulled for Discussion and Separate Action:** Draft Regular Meeting Minutes; 2/7/12

**CONSENT AGENDA ITEM #25:** The Board discussed that Commissioner Chamberland was not present for the February 7, 2012 meeting, so he cannot vote on the minutes. **Moved** by Commissioner Swenson, seconded by Chairperson Channell to approve Consent Agenda Item #25. Commissioner Chamberland abstained from the vote. Motion carried.

**CONSENT AGENDA ITEMS #7-14:** Chairperson Channell asked for discussion of these items to determine whether or not the organizations involved in the CBO process sent in their annual reports and fulfilled their terms. The board discussed that in the future the application process needs to require applicants to clarify how they used the past years funds, and how they intend to use future funds so that they can track progress. **Moved** by Chairperson Channell, seconded by Commissioner Chamberland to approve Consent Agenda Items #7-14. Motion carried unanimously.

**SCHEDULING:** The Upcoming Meetings Schedule was discussed and updated.

1. Joint BOCC/Planning Commission Meeting. The Board brought to attention that there is a scheduling conflict with the joint BOCC and Planning Commission meeting on 5/18/12. The Board would like to reschedule this meeting for June 1<sup>st</sup>.
2. Stronger Economies Together (SET) Training. Commissioner Chamberland informed the Board that there will be SET Training from 3/8-3/9 and 4/13 in Montrose at the Holiday Inn.
3. Sage-grouse Strategic Committee. Commissioner Chamberland informed the Board that there will be Sage-grouse Strategic Committee meetings on 3/15 and 4/19 from 10 am – 2 pm in the BOCC board room.
4. Slate River. The Board brought to attention that the Slate River Planning Session on 3/28 is at the Crested Butte Town Hall.
5. Chairperson Channell Vacation. Chairperson Channell informed the Board that he will be gone from 4/28-5/7 for vacation, and he will be missing the first meeting in May.

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

1. Inmates Moved into Public Safety Center. County Manager Birnie informed the Board that the Sheriff's Office moved 25 inmates to the new Public Safety Center last night. The move was previously delayed due to training staff about the new building.
2. In-floor Heating at the Fred R. Field Western Heritage Center. County Manager Birnie informed the Board that the multipurpose building in-floor heating in the concrete room is almost complete. The in-floor heating had to be replaced due to potential failure and was paid for by a settlement from a class action suit. He mentioned to the Board that the heating in the rubber room may need to be replaced in the future as well. He informed the Board that they installed energy efficient boilers and converted to hot water heating in the offices.
3. Housing Authority. County Manager Birnie announced that the municipal managers will be holding their first meeting regarding the Housing Authority on March 7<sup>th</sup>.
4. Resource Engineering Group. County Manger Birnie informed the Board that a grant from the Governor's Energy Office for enhanced upgrading in buildings to increase energy efficiency is available. Due to the inspection results at the new Public Works building, some changes may be made to make it more efficient.

5. Tourism Association and Local Marketing District Meeting. County Manager Birnie informed the Board that the Tourism Association and Local Marketing District will have a discussion on March 20<sup>th</sup>.
6. Colorado City and County Managers Association (CCCMA). County Manager Birnie informed the Board that he was elected to the Board of Directors for a one-year term for the CCCMA. County Manager Birnie attended the CCCMA conference in early February.

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

1. Mine Safety and Health Training. Assistant County Manager Crosby informed the Board that there is Mine Safety and Health training today. She has 32 employees taking the training in the new upstairs training room in the Public Works building, which is working quite nicely.
2. Award Bid: Antelope Hills Water Line. Assistant County Manager Crosby informed the Board that she received approval from the United State Department of Agriculture for Lacey Construction Company, LTD's bid submittal. Assistant County Manager Crosby informed the Board that she has received the Notice of Award and asked the Board to authorize County Manager Birnie to sign the agreement when it arrives. There was discussion on the grant process. **Moved** by Commissioner Swenson and seconded by Commissioner Chamberland to approve the award for the Antelope Hills Water Line project to Lacey Construction Company, LTD in the amount of \$779,602 and authorize County Manager Birnie to sign all documents. Motion carried unanimously.

Chairperson Channell recessed the Board of County Commissioner meeting at 9:19 am in order to hold the below Public Hearing.

**PUBLIC HEARING; LIQUOR LICENSE APPLICATION; DOUBLE J ENTERPRISES, LLC, D/B/A MURPH'S PLACE:** Applicant Jerilyn O. Tharp and County Clerk and Recorder Stella Dominguez were present for public hearing.

Chairperson Channell opened the Public Hearing at 9:19am.

1. Public Notice Confirmation. County Clerk and Recorder Dominguez confirmed that public notice occurred.
2. Identify Ex Parte Communications. There were no ex parte communications identified.
3. Staff Presentation. County Clerk and Recorder Dominguez informed the Board that Ms. Tharp received the 3.2 beer license for her store last year, and now they are installing a small tavern. This is a new business that will be right next to her store.
4. Applicant Presentation. Ms. Tharp informed the Board that a deck area will be included in the tavern.
5. BOCC Questions. Commissioner Chamberland asked about the other names that have been used under the Individual History Record. Ms. Tharp explained that those were her past married last names and that Olson was her maiden name.
6. Public Comment. There was no public comment provided.
7. Acknowledge Correspondence Received. No additional correspondence was received.
8. Applicant Response. There was no applicant response.

Chairperson Channell closed the Public Hearing at 9:24am and immediately reconvened the Board of County Commissioners Regular Meeting. **Moved** by Commissioner Swenson and seconded by Commissioner Chamberland to approve the liquor license for Double J. Enterprises, LLC d/b/a/Murph's Place. Motion carried unanimously.

**CORRESPONDENCE:**

1. Colorado Water Quality Control Commission; Nutrient Standards Proposed Rule Making Hearing of March 12, 2012. Environmental Health Official Richard Stenson was present for the discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the letter to the Colorado Water Quality Control Commission regarding water control and authorize all Commissioners' signatures. Motion carried unanimously.

**CLUB 20 MEMBERSHIP:** Commissioner Chamberland commented that this group is very active on the Western Slope. Commissioner Chamberland opined that the Gunnison County Commissioners should be at the table for discussions. Commissioner Chamberland explained to the Board that there are currently no voting members representing Gunnison County at Club 20. The Board discussed membership with Club 20. Chairperson Channell reminded the Board of the reason the previous Board had dropped Gunnison County's Club 20 Membership, stating that the Club 20's bylaws written the way they are, it is his continued opinion that Club 20 is not an appropriate organization for government to belong to. He

further stated that since the bylaws have not changed he will vote against a motion to rejoin. Commissioner Swenson stated her agreement with Commissioner Chamberland that it is better to be at the Club 20 table than not to be. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson that the County join Club 20 as a corporate member for \$1,000 out of discretionary funds. Motion carried. (Chairperson Channell voted against the motion.)

**CENTRAL ROCKIES LAND EXCHANGE:** Assistant County Manager Crosby, County Attorney David Baumgarten, Western Land Group, Inc. (WGL) Representative Tom Glass, Trails Commission member David Wiens, Trails Commission member Jake Jones, Trails Commission member Don Graham, and Trails Commission member Frank Kugel were present for the discussion.

Mr. Glass explained that one of the reasons that WGL is requesting a change in our agreement is because the Crested Butte Mountain Bike Association does not support the proposed parallel trail due to environmental impacts of two trails. Mr. Glass informed the Board that WGL is proposing an alternative that provides new access. He explained that one of the requested changes to the agreement is asking the County to take the lead on this and build a trail that is consistent with the travel management plan. He said that he would like the County to set a priority on this trail being built, and that WGL will provide funding to the County ensure that the trail is created.

Assistant County Manager Crosby informed the Board that the Crested Butte to Carbondale Trail is the Trail Commissions' priority. If legislation is introduced, \$50,000 in cash will be provided for leveraging grant money, and match money for the bridge and trail planning. Assistant County Manager Crosby explained that, if the legislation is approved, the trail will be funded, but the location will need to be reviewed because the Crested Butte to Carbondale Trail Study referenced certain locations that may need to be modified. If the land exchange is approved, \$300,000 will be given to Gunnison County to assist the Forest Service with study, design and construction of the non-motorized trail between the Kebler Wagon Trail and the Erickson Springs Campground.

The Board reviewed the draft agreement. The Board discussed an amendment to the agreement that making it contingent upon legislation that adheres to the principles and objectives. Mr. Glass commented that WGL is in agreement with the draft document. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the agreement between Gunnison County and Bear Ranch regarding the Beard Ranch Land Exchange, as amended, and a support letter after language is determined. Motion carried unanimously.

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

#### **COMMISSIONER ITEMS:**

##### **Commissioner Swenson:**

1. Region 10. Commissioner Swenson informed the Board that she received the Enterprise Zone Tax credits report from Region 10. She mentioned that 19 new jobs were created, as applied for, and received a tax credit. She informed the Board that there may not be a tax credit in the future and that the City of Montrose is attempting to create their own program for local businesses to enact economic development. She informed the Board that there will be a Region 10 retreat on 3/29/2012.
2. Rural Transportation Authority (RTA). Commissioner Swenson informed the Board that the Chair changed to Chris Morgan, and that she is the Vice Chair. There was a discussion on air service and the fact that a five-year plan can't be created when the RTA doesn't know what the airlines have planned. Annual revenues have gone down \$300,000, and the RTA agreed that it cannot go to the voters for an increase in taxes. Commissioner Swenson informed the Board that, to have a successful air program, the RTA will need \$1.5 million in revenue.

##### **Chairperson Channell:**

1. Mayors and Managers. Snow Pack in the Upper Gunnison Basin is at 69%.
2. Gunnison Valley Hospital Board (GVHB). Chairperson Channell informed the Board that Gunnison Valley Hospital Board Chair Robert Brickman confirmed that GVHB is in support of the nursing home rebuild, and that GVHB has voted to move forward. There will be a work session scheduled in the near future to discuss this topic. County Manager Birnie will be meeting with Gunnison Home Association President Don Crosby shortly and will report back to the Board with additional information.
3. Brooke Harless Resignation Letter. Chairperson Channell read Gunnison County GCSAPP Project Director Brooke Harless' resignation letter.

**ADJOURN:** **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:44 am.

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Hap Channell, Chairperson

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Paula Swenson, Vice-Chairperson

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Phil Chamberland, Commissioner

Minutes Prepared By:

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Bobbie Lucero, Deputy County Clerk

Attest:

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Stella Dominguez, County Clerk