

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
May 15, 2012**

The May 15, 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 8:30 am.

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

CONSENT AGENDA: Commissioner Swenson requested that Consent Agenda Item #1 be pulled for further discussion. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Consent Agenda, excluding Item #1. Motion carried unanimously.

1. **Pulled for Discussion and Separate Action:** Amendment No. 2 to the Memorandum of Agreement Made Effective January 1, 2012 between Gunnison/Crested Butte Tourism Association and Board of the Gunnison River Valley Local Marketing District of Gunnison County, Colorado
2. Out-of-State Travel Request; Gunnison-Crested Butte Regional Airport Deputy Airport Security Coordinator; Airport Security Training Course; Minneapolis, MN; 6/21/12; \$1,412.34
3. Grant Application; Colorado Secretary of State; Americans with Disabilities Act / Help America Vote Act Compliance; Emergency, Early, Mail and Vote Registration; \$4,266.85
4. Grant Application; Colorado Secretary of State; Americans with Disabilities Act / Help America Vote Act Compliance; Parish Hall, Crested Butte, CO, Precinct 3; \$4,740.50
5. Grant Application; Colorado Secretary of State; Americans with Disabilities Act / Help America Vote Act Compliance; Town Hall, Mt. Crested Butte, CO, Precinct 4; \$5,101.89
6. Grant Application; Colorado Secretary of State; Americans with Disabilities Act / Help America Vote Act Compliance; Sunset Hall, Crested Butte South, Precinct 5; \$465.50
7. Grant Application; Colorado Secretary of State; Americans with Disabilities Act / Help America Vote Act Compliance; Fred Field Western Heritage Center, Precincts 6-15; \$5,960.11
8. Amendment for Task Orders #6; Colorado Department of Public Health and Environment PSD-WIC, FLA, Contract Routing Number 12-43090; \$1,838 Reduction
9. Provider Agreement; Adge Murziano; Professional Services Regarding Facilitation, Leadership, Planning and Oversight to the Crested Butte Youth to Promote Community Inclusion, Substance Abuse Prevention and Wellness to Crested Butte Youth through the Office of Juvenile Services; 5/15/12 thru 12/31/12; \$1,600
10. Acknowledgment of County Manager Signature; Community Foundation of the Gunnison Valley Grant Application; Nurse Partnership Program; 7/1/12 thru 4/30/13; \$3,000
11. Acknowledgment of County Manager Signature; Community Foundation of the Gunnison Valley Grant Application; Juvenile Services Activities; 7/1/12 thru 4/30/13; \$6,500

CONSENT AGENDA ITEM #1: Commissioner Swenson requested additional discussion of this item because the Board previously authorized up to \$40,000 for the website and redesign, specifically. County Manager Birnie agreed to amend the contract to specifically state the funding purposes and that the amount should be up to \$40,000, not simply \$40,000. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve Consent Agenda Item #1 as amended. Motion carried unanimously.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

1. Work Session; Amendments to the Gunnison County Temporary Regulations for Oil and Gas Operations. Work sessions were scheduled to take place on 6/12/12 and 7/10/12 for three hours each, beginning at 2:00 pm.

COUNTY MANAGERS REPORT: County Manager Birnie was present for discussion.

1. Gunnison Valley Observatory Roof. County Manager Birnie informed the Board that the GVO roof is leaking. Facilities and Grounds Supervisor Rich Corbett evaluated the situation and found that the roof membrane has completely failed. He will be looking into warranty issues on the dome portion of the building. The contract between the County and the GVO outlines that GVO is responsible for all maintenance and repairs to the building.
2. Intergovernmental Agreement with the Colorado Oil and Gas Conservation Commission. County Manager Birnie met last week with Assistant Community Development Director Neal Starkebaum and Community Development Director Joanne Williams to create an implementation plan for inspections. A request for qualifications is being developed, and he will work with the COGCC regarding training and other details. The County will go through the selection process, and the

selected inspectors will go through the COGCC training. The request for qualifications will run for approximately four weeks.

3. Bike to Work Day. County Manager Birnie informed the Board that the first Bike to Work Day will be held on 5/18, with a short celebration to follow in the Blackstocks parking lot from 8:30 until 9:30 am. The Green Team refurbished four old bicycles for employees to take on official errands within the city and between the County buildings.
4. Housing Authority Director Position Update. County Manager Birnie informed the Board that he has received approximately 14 applications for this position thus far. Most applicants appear quite qualified, and they live all over the country. He would prefer not to hire for the position until the agreement forming the multi-jurisdictional Gunnison Valley Regional Housing Authority (GVRHA) has been signed, though the hiring process has begun. It is his intent that the ultimate hiring decision be made by the new GVRHA Board of Directors. He stated his belief that all local city and town managers are in agreement with the draft contract.
5. Colorado Counties, Inc. (CCI) Legislative Issues Deadline. County Manager Birnie informed the Board that the deadline for taking new legislative issues to CCI is the end of June. He informed the department directors during a recent meeting.
6. Out-of-State Travel; Human Services Personnel. County Manager Birnie informed the Board that a travel request had been submitted in time to be placed on the agenda, though it was inadvertently not included. This request involves a caseworker traveling with a minor child to New York for placement with a family. The costs are covered in the budget, and he gave permission for the travel. Ratification of his decision will appear on the next agenda.

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

1. Trails Commission Update. Assistant County Manager Crosby informed the Board that the Commission voted to include the CB Land Trust as an ex-officio member on the Commission. This inclusion should help to speed processes.
2. Marble Hub Update. Assistant County Manager Crosby informed the Board that a grant and the lease between the Hub and the County will both end in August. The Hub would like to continue using the facility, and Assistant County Manager Crosby supports this use as it provides an amenity to the community to support non-profit entities and promote camaraderie. The Board agreed to allow her to draft a one-year lease.
3. Quartz Creek Bridge Engineering. Assistant County Manager Crosby reminded the Board that it had previously approved separating this engineering from the Colorado Department of Transportation (CDOT) process. After additional research, she is placing the project on hold until further notice as the necessary width is 39.8 feet while CDOT will only approve structures as wide as 30 feet.
4. Bid Award; Steel Materials; Gunnison County Roads and County Shop; \$5,925.16. Assistant County Manager Crosby suggested contracting with Recla Metals, a company in Montrose with a bid approximately 8% lower than the lowest local bid. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to award the bid to Recla Metals in the amount of \$5,925.16. Motion carried unanimously.
5. Bid Award; Culvert Materials; Gunnison County Roads; \$20,562.98. Assistant County Manager Crosby stated that she had originally recommended awarding this bid to Recla Metals as the low bidder; however, additional clarification of the materials changed her recommendation to Gunnison Manufacturing. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to award the culvert bid to Gunnison Manufacturing in the amount of \$20,562.98. Motion carried unanimously.
6. Bid Award; Sign Materials; Gunnison County Roads and Projects; \$4,373.60. Assistant County Manager Crosby recommended awarding the bid to Newman Signs. **Moved** by Commissioner Chamberland, seconded by Commissioner Swenson to give this sign bid to Newman Signs in the amount of \$4,373.60. Motion carried unanimously.
7. Temporary Road Use Agreement; Crested Butte / Mt. Crested Butte Chamber of Commerce; Portion of County Road 12; Kebler Chainless Race; 6/22/12. Assistant County Manager Crosby noted that there were ambulance concerns during the last race, so language has been added to the presented draft. Her department will be placing message boards about a week prior to the closure. The draft agreement was discussed and amendments were agreed upon. She will make the changes and then bring the document to the Board at a later date for approval.
8. Temporary Road Use Agreement; Rotary Club of Gunnison, CO, USA, Inc.; Portion of County Road 49; Fireworks Display; 7/4/12 thru 7/5/12. Assistant Airport Director Walt Cranor was present for discussion of the draft agreement. He confirmed that Airport Director John DeVore was in agreement with the draft language. County Attorney David Baumgarten suggested that the Board may want to reserve unilateral authority to call off the fireworks display if a fire ban is in effect. The Board agreed and Assistant County Manager Crosby agreed to modify the contract for later approval.

RESOLUTION; IMPLEMENTING STAGE 1 FIRE RESTRICTIONS: County Attorney Baumgarten, Assistant County Manager Crosby, Sheriff Rick Besecker, Undersheriff Randy Barnes, Emergency Manager Scott Morrill and Gunnison County Fire Protection District Fire Chief Dennis Spritzer were present for discussion.

Mr. Spritzer informed the Board that the County has not implemented Stage 1 Fire Restrictions since 2006. If the County goes to Stage 2, there would be absolutely no burning allowed, though he doesn't believe that we will need to go to Stage 2 at this time.

Modifications to the draft resolution were discussed and agreed upon. In order to eventually lift the Stage 1 ban, the Board will have to authorize it.

Bureau of Land Management Gunnison Field Manager Brian St. George cautioned the Board about the potential negative economic impacts of the ban that will be a result of enforcing the restrictions at the campsites during the Memorial Day weekend. He stated his preference to suspend enacting the ban until after Memorial Day. He also informed the Board that Saguache and Hinsdale Counties do not intend to enact any fire bans at this time. Emergency Manager Morrill explained that the Saguache County Sheriff is supportive of the decision to enact restrictions in Gunnison County, and that Saguache County won't be restricting fires due to recently receiving some moisture. He also stated that the decision to ask the Board to enact these restrictions was not taken lightly, and that the economic impacts of a fire are far worse than the impacts of enforcement.

Chairperson Channell thanked everyone for working on this recommendation. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adopt Resolution #2012-14, a Resolution Implementing Stage 1 Fire Restrictions, as amended by the County Attorney. Motion carried unanimously.

APPROVAL FOR COUNTY MANAGER SIGNATURE; US DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT; GUNNISON-CRESTED BUTTE REGIONAL AIRPORT PROJECTS 3-08-0030-45 AND 3-08-0030-46; RECONSTRUCTION OF COMMERCIAL RAMP AND FOG SEALING OF ALL AIRSIDE ASPHALT SURFACES AND REPAINTING ALL AIRSIDE MARKINGS; \$1,000,000: Assistant County Manager Crosby and Assistant Airport Director Cranor were present for discussion.

County Manager Birnie relayed Airport Director John DeVore's request that the Board authorize County Manager Birnie to sign the document as soon as it is available. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the County Manager's signature on the final contract with the FAA regarding the entitlement grant. Motion carried unanimously.

BID AWARD; GUNNISON-CRESTED BUTTE REGIONAL AIRPORT FOG SEAL PROJECT: Assistant County Manager Crosby and Assistant Airport Director Cranor were present for discussion.

Assistant Airport Director Cranor explained that this project will necessitate a four-day closure of the airport. The airport has notified all applicable airlines and the hospital, and advertisements will appear in the newspapers to keep citizens informed. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the contract with Maxwell Asphalt, Inc. for the Gunnison-Crested Butte Regional Airport Fog Seal Project. Motion carried unanimously.

BOUNDARY LINE ADJUSTMENTS:

1. SE1/4NW1/4, Section 27, T 14S, R 85W, 6th PM; CB South Metro District and Jack Dietrich. Planner Cathie Pagano and property owner Jack Dietrich were present for discussion. This adjustment will facilitate compliance with setback requirements for the expansion of the CB South Metro District shop/office building. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Boundary Line Adjustment between CB South Metropolitan District and Jack Dietrich and authorize the Chairperson's signature on the plat. Motion carried unanimously.
2. Lot 15, Crystal Creek Subdivision, Filing 2; Crystal Creek Homeowners Association and Family Fishing, LLC. Planner Pagano explained that this adjustment was requested in order to move the property line out of Bristlecone Trail. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the Boundary Line Adjustment for Crystal Creek Homeowners Association and Family Fishing, LLC and authorize the Chairperson's signature. Motion carried unanimously.

REQUEST FOR LETTER OF SUPPORT; MOUNTAIN COAL COMPANY, LLC ROYALTY RATE REDUCTION APPLICATION FOR THE WEST ELK MINE: Senior Mine Geologist for Mountain Coal Company, LLC Wendell Koontz was present for discussion.

The draft correspondence was discussed. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to approve the letter to Governor Hickenlooper regarding the Mountain Coal Company, LLC royalty rate reduction. Motion carried unanimously.

POSSIBLE MODIFICATION OF GUNNISON COUNTY HOUSING AUTHORITY DEED RESTRICTIONS; 1416 ROCK CREEK VILLAGE: County Manager Birnie explained that this County-owned property has been advertised for rent, but that the deed restrictions are prohibitive because qualified tenants cannot own any interest in other residential real property. He also explained that,

although the 80% of AMI income restriction has not been assigned to this property, the County is applying this general rule in order to meet the intent of the Housing Authority's program. He asked the Board to consider a temporary waiver of Section 2.c. of the deed restrictions for the duration of the lease currently being negotiated with prospective tenants. **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to temporarily waive qualification 2.c. of the deed restriction for Rock Creek unit #1416 for the duration of the contract currently being negotiated and for its duration. Motion carried unanimously.

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

ADJOURN: **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 10:14 am.

Hap Channell, Chairperson

Paula Swenson, Vice-Chairperson

Phil Chamberland, Commissioner

Minutes Prepared By:

Katherine Haase, Deputy County Clerk

Attest:

Stella Dominguez, County Clerk