**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS**
**REGULAR MEETING MINUTES**
**March 19, 2013**

The March 19, 2013 meeting was held in the Commissioners' boardroom in the Courthouse located at 200 E. Virginia, Gunnison, Colorado. Present were:

Paula Swenson, Chairperson
Phil Chamberland, Vice-Chairperson
Jonathan Houck, Commissioner
Others Present as Listed in Text

Matthew Birnie, County Manager
Bobbie Lucero, Deputy Clerk to the Board

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS:**

**CALL TO ORDER:** Chairperson Swenson called the Gunnison County Board of County Commissioners meeting to order at 8:32 am.

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

**CONSENT AGENDA:** Commissioner Chamberland requested that Consent Agenda Item #2 be pulled for further discussion. Commissioner Houck requested that Consent Agenda Items #5 and #8 be pulled for discussion. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the Consent Agenda, excluding Items 2, 5 & 8. Motion carried unanimously.

1. Professional Services Agreement; Welborn and Associates; Services to the Gunnison County Department of Health and Human Services Regarding Grant Development; 3/15/13 thru 7/31/13; Not to Exceed $1,300
2. **Pulled for Discussion and Separate Action:** Acknowledgment of County Manager Signature; Amendment to Standard Consulting Agreement; MJM Project Consulting, LLC; Gunnison County Courthouse Renovation Project
3. CivicPlus Marketing Agreement for Gunnison County, CO; Extreme Website Makeover Grand Prize; Project Development; First and Second Year Annual Support, Maintenance and Hosting; LDAP Integration; $1,800
4. Protocol for Quality Care of At-Risk Adults with Developmental Disabilities between the Gunnison County Department of Health and Human Services (APS) and Community Options, Inc. (CCB)
5. **Pulled for Discussion and Separate Action:** Colorado Department of Local Affairs, Search and Rescue Fund, Year End Award Application, FY 2013; Search and Rescue Equipment; $13,137.17
6. Amendment #2 to Architect Agreement, Gunnison County Courthouse Adaptive Re-Use and Renovation Project - Needs Assessment, Space Planning and Basic Programming Services; $800
7. Amendment #1 to Architect Agreement, Gunnison County Courthouse Adaptive Re-Use and Renovation Project - Needs Assessment, Space Planning and Basic Programming Services; $2,000
8. **Pulled for Discussion and Separate Action:** 2013-2015 Gunnison County Mosquito Control Services Renewal Proposal; Colorado Mosquito Control, Inc.; 1/1/13 thru 12/31/15; $247,650
9. 2013 Intergovernmental Agreement Regarding Undesirable Plant Management; Gunnison County, Saguache County, Hinsdale County, Town of Crested Butte, Town of Mt. Crested Butte, City of Gunnison and Town of Pitkin

**CONSENT AGENDA:**

**CONSENT AGENDA ITEM #2:** Commissioner Chamberland inquired why the amendment does not have a contract end date. County Manager Birnie explained that the first agreement did not bill for extra hours worked. This amendment extends the agreement from February to March to receive the Courthouse Needs Assessment and allow the Board to be able to reach a decision on how to move forward in this project. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve Consent Agenda Item #2. Motion carried unanimously.

**CONSENT AGENDA ITEM #5:** Commissioner Houck inquired why there is no fiscal amendment to this item. County Manager Birnie explained that this was a clerical error on this item and this document is actually a grant. **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to approve Consent Agenda Item #5. Motion carried unanimously.

**CONSENT AGENDA ITEM #8:** Commissioner Houck inquired if Gunnison County is covered if this document is for multiple years. County Manager Birnie informed the Board there is an exit clause in the agreement. **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to approved Consent Agenda Item #8. Motion carried unanimously.

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

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

1. Courthouse Renovation Project. County Manager Birnie informed the Board that he met with the architects last week, and they decided to not do Option #1, they agreed to do the exact footprint of the Courthouse. County Manager Birnie reported that the big risk in the remodel is the cost in replacing the roof trusses. He informed the Board that the Courthouse Needs Assessment will be discussed at the 3/26/2013 Work Session.
2. YourGunnisonCounty.com. County Manager Birnie informed the Board that the new citizen participation website is active. They are using social media to interact with the public's questions about specific topics. He informed the Board that there are two topics on the website right now. One topic is about the Gunnison Sage-grouse proposed listing, and the second is about the Gunnison/Crested Butte Regional Airport. Within the next week they will add a topic regarding the Courthouse Renovation Project.
3. Gunnison County Strategic Business Plan. County Manager Birnie informed the Board that the Gunnison County Strategic Business Plan has been revised. He asked the Board to email him with feedback regarding the document. He informed the Board that the Performance Report for 2012 will be similar to what is in the budget. Next year, the report will expand to include all of the result measures from all of the departments.
4. Sequester. County Manager Birnie informed the Board the sequester is cutting some funds by 5.2%. He informed the Board that he was not anticipating receiving any of this money and budgeted conservatively, yet this may affect some grants.
5. Riverland Fire Protection District. County Manager Birnie informed the Board that John Nichols will attend the Unscheduled Citizens agenda item today to discuss his issues. Commissioner Chamberland informed that he will be meeting with Adaptive Sports regarding their issues. County Manager Birnie informed the Board that he received a letter from the Crested Butte Fire Protection District regarding the permitting process, and denied Mr. Nichols' proposal. It is unclear if anyone took a formal request for variance to the Board. County Manager Birnie informed that he will need direction on the Land Use Regulations (LUR) policy for the Board and how they want to approach this issue.

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

1. Recycling Center. Assistant County Manager Crosby informed the Board that, effective on 7/1/2013, the Recycling Center cannot accept any type of electronics. She will begin advertising press releases in the local papers and she will notify the trash companies. She explained that the Recycling Center will have to prove to the Department of Health they are doing their due diligence. She will advertise that the City of Gunnison has a program that accepts electronics.
2. Ohio City Town Hall. Gunnison County Paralegal Rachel Magruder and Finance Director Linda Nienhueser were present for the discussion. Assistant County Manager Crosby asked the Board for confirmation to proceed and to have authorization for the County Manager's signature on the April 1, 2013 Colorado Historical Society Grant Application. The Board confirmed the cash match of $39,444. There was discussion that this is a highly competitive grant. Finance Director Nienhueser informed that there is $50,000 possible in the budget for this grant and she can do an amendment to the budget, if this is approved. There was discussion that the $50,000 can be split into two years. The Board discussed that the building needs to be updated. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to authorize the County Manager's signature on the Colorado Historical Society Grant Application, and authorize up to $50,000 as match for Ohio City Town Hall restoration, and also authorize County Manager signature on the grant application. Motion carried unanimously.
3. Colorado Department of Transportation (CDOT) Division of Aeronautics Grant Agreement. Assistant County Manager Crosby provided the CDOT Division of Aeronautics Grant Agreement at the meeting. She informed the Board that she named County Manager Matthew Birnie as the authorized individual on the grant. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve County Manager Birnie's signature on the CDOT Division of Aeronautics Grant Agreement. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adopt Resolution #2013-03. Motion carried unanimously.
4. Out of State Travel Request for Mandatory ARFF Live Fire Training. Assistant County Manager Crosby explained to the Board that this is mandatory ARFF live fire training. She informed the Board that she would like to send a few employees to the two trainings. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the out of state travel request for mandatory ARFF Live Fire Training, up to $12,000 for airfare, lodging, etc. Motion carried unanimously.
5. Mudslide on Kebler Pass. Assistant County Manager Crosby informed the Board about the mudslide that occurred on Kebler Pass. She informed the Board that the mudslide was reported over dispatch. She informed that two rocks fell in the road and one rock fell into the ditch. The people who reported the rockslide moved the rocks with a backhoe, to open the road. Crosby expressed she was frustrated because reverse 911 was sent out and it could have been avoided.

There was an impromptu discussion regarding if the Board should be approving all out of state travel at these regular meetings because the travel is already approved in the individual department's budget. The Board agreed this will be discussed at a future meeting.

**BREAK:** The meeting recessed from 9:18 until 9:30 am.

**LETTER OF SUPPORT; CRESTED BUTTE LAND TRUST'S SLATE RIVER VALLEY APPLICATION FOR GREAT OUTDOORS COLORADO GRANT FUNDING:** Crested Butte Land Trust Executive Director Ann Johnston was present for the discussion. She explained that they have a new project. She asked for confidentiality for the first few months for the client. She explained the property is 2½ miles north of the Town of Crested Butte, and is adjacent to two other land trust properties. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the letter of support that was presented for Crested Butte Land Trust's Slate River Valley application for Great Outdoors Colorado. Motion carried unanimously.

**DONATION TO THE GUNNISON COUNTRY FOOD PANTRY; IN HONOR OF COMMUNITY DEVELOPMENT DIRECTOR JOANNE WILLIAMS RETIREMENT: Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approved a donation in the amount of $500 to the local food pantry in honor of Community Development Director Joanne William's retirement. Motion carried unanimously.

**VOUCHERS AND TRANSFERS:** Finance Director Linda Nienhueser was present for the discussion. There were no questions from the Board. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the vouchers in the amount of $1,041,246.21 as presented. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve the cash transfers in the amount of $1,907,234.79 for February 2013. Motion carried unanimously.

**TREASURER'S REPORT:** Treasurer Melody Marks was present for the discussion. She reported that the software in her office is getting better all the time. She explained the FDIC raised the limit for Deposit Insurance Coverage from $100,000 to $250,000. She explained another change is negotiable CDs, which is a note on a bank that you can sell on the market, have been deemed by the Securities Commissioner of the Department of Regulatory Agencies to be legal investments. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to accept the Treasurer's Report as presented. Motion carried unanimously. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve Resolution 2013-04: A Resolution Authorizing Depositories for Public Monies and Superseding Resolution 2006-24. Motion carried unanimously. **Moved** by Commissioner Houck and seconded by Commissioner Chamberland to approve Resolution 2013-05: A Resolution Authorizing the Gunnison County Treasurer to Deposit and Invest Public Funds. This Resolution Supersedes Resolution 2004-47. Motion carried unanimously.

**BREAK:** The meeting recessed from 10:15 until 10:18 am in order to call to order as the Gunnison/Hinsdale Board of Human Services (see separate minutes). The meeting then immediately recessed again for a short break from 10:18 until 10:30 am.

**GUNNISON COUNTY BOARD OF HEALTH MEETING:** County Medical Officer Dr. John Tarr, Health and Human Services Director Renee Brown, Public Health Director Carol Worrall, West Central Public Health Partnership Coordinator Margaret Walker, Environmental Health Official Richard Stenson, Montrose County Environmental Health Director Jim Austin, and Montrose County Environmental Health Specialist Katherine Schriener were present for discussion.

**CALL TO ORDER:** Chairperson Swenson called the meeting to order at 10:31 am.

**ACKNOWLEDGMENT OF OFFICERS, PUBLIC HEALTH DIRECTOR AND COUNTY MEDICAL OFFICER FOR 2012:** Chairperson Swenson acknowledged that the Chairperson for the Board of Health is the (BOCC) Chairperson, the Vice-chairperson is the (BOCC) Vice-chairperson, the Public Health Director is Carol Worrall, and the County Medical Officer is Dr. John Tarr.

**DESIGNATE 2013 MEETING DATES AND TIMES:** Chairperson Swenson acknowledged that the Board of Health meetings will be quarterly meetings on the third Tuesday of the month.

**DESIGNATE 2013 AGENDA POSTING LOCATIONS:** **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to make the posting locations the same as they are for the Board of County Commissioners. Motion carried unanimously.

**PUBLIC HEALTH PROGRAM UPDATES:** Public Health Director Worrall informed the Board that they hired a new employee; her name is Sara Hindes, she will be a nurse in the Public Health department. They also hired Emergency Preparedness Nurse Kathy Norris. Public Health Director Worrall informed the Board that there is discussion for a possible formal contract for coalition for

emergency response. She also informed the Board that Gunnison County is in the top 15 for the National County Health Ratings. She will release the information once it is allowed to be released. The National Association of Counties may be sending the Board information regarding the national rankings.

**PRESENTATION ON PUBLIC HEALTH IMPROVEMENT PLAN AND ENVIRONMENTAL HEALTH WORK PLAN:** West Central Public Health Partnership Coordinator Walker and Environmental Health Official Richard Stenson gave a presentation to the Board. The Board reviewed the Board of Health's work plans and the Food Safety Data. Montrose County Environmental Health Specialist Schriener provided the Restaurant Inspection Report form to the Board, and she informed that this information is provided on the Gunnison County Health and Human Services website. She reported that every complaint is followed up with the restaurant manager, and the percentage of food borne illness violations per inspection has gone down. Food safety classes are still being issued by the Colorado State University Extension office.

**ADJOURN: Moved** by Chairperson Swenson and seconded by Commissioner Chamberland to adjourn the Board of Health meeting at 11:16 am. The Board reconvened the Board of County Commissioners meeting at 11:16 am.

**LOT CLUSTER AGREEMENTS:** Community Development Administrative Services Manager Beth Baker was present for the discussion.

1. Lot Cluster Agreement; Richard L. and Connie K. Murdie; Lots 6 and 7, Antelope Hills Mobile Home Subdivision. Community Development Administrative Services Manager Baker informed the Board that the Murdies would like to combine two lots in the Antelope Hills Subdivision to avoid having neighbors too close. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approve Lot Cluster Agreement for Richard L. and Connie K. Murdie for Lots 6 and 7 in Antelope Hills Subdivision. Motion carried unanimously.
2. Lot Cluster Agreement; William and Roxanna Marshall; Lots 7, 8, 9, 10 and 11, Block 30, Town of Tincup. Community Development Administrative Services Manager Baker informed the Board that there is a cabin on Lot 7 and the propane is on Lot 8. The Marshalls would like to cluster these lots. **Moved** by Commissioner Chamberland and seconded by Commissioner Houck to approved Lot Cluster Agreement with William and Roxanna Marshall for Lots 7, 8, 9, 10 and 11, Block 30, in the Town of Tincup. Motion carried unanimously.

**UNSCHEDULED CITIZENS:**

1. John Nichols and President of the Riverland Industrial Park Property Owners Association Danny D'Aquila were present for the discussion. Mr. Nichols opined that this problem can be resolved by adding one sentence to the Riverland Industrial Park Guidelines. The Board reviewed the document Mr. Nichols provided at the meeting. Mr. Nichols is proposing to add "dry hydrant." Mr. Nichols informed that the Crested Butte Fire District denied his proposal. Chairperson Swenson informed Mr. Nichols that he needs to provide documentation that the Riverland Industrial Park HOA Board voted and also provide documentation of the denial received from the Crested Butte Fire District. Mr. D'Aquila informed the Board that John Rossman thought he was going to have access to a water supply, which would be a fire truck pumping 1,500 gallons a minute, near his haul road. He explained that if they pumped water with the truck, the fire department, the 32 buildings, and the six new properties get water. Mr. D'Aquila stated that the Fire District said it would be a step in the right direction, but then they need to also install pump houses, infrastructure, electricity and a holding pond. There was a discussion on how much it would cost to install pump houses, infrastructure, electricity and a holding pond. The Board agreed that a Work Session needs to be scheduled on this topic.

**BOARD OF COUNTY COMMISSIONER ITEMS:**

**COMMISSIONER HOUCK:**

1. Meeting with Judge Patrick. Commissioner Houck reminded the Board that they need to set up a meeting with Judge Patrick. County Manager Birnie informed the Board that he is attempting to set up a meeting on Thursday, March 21st.
2. Listening Tour. Commissioner Houck informed the Board that he attended the Listening Tour that was sponsored by the Community Foundation. Rural Philanthropy Days donors are touring around the region meeting with locals to discuss their needs and looking at how non-profits work around the community. He informed that the funders expressed one of the missing pieces at Rural Philanthropy Days is elected officials and representatives. He informed the Board that he plans to attend the 1st day of Rural Philanthropy Days. Commissioner Chamberland informed the Board that he was planning to attend as well.
3. Community Foundation Board Meeting. Commissioner Houck informed the Board that the Community Foundation Board meeting is March 20th.
4. Carbon Task Force Policy Meeting. Commissioner Houck informed the Board that he attended an Office of Resource Efficiency (ORE) Board meeting last week regarding the Carbon Task Force Policy recommendations and funding. He informed the Board that he spoke with ORE regarding

their partnership, and encouraged ORE to work into gaining a business relationship with the electric company and the City of Gunnison.

5. Lee Spann's Meeting. Commissioner Houck informed the Board that he and Commissioner Chamberland attended Lee Spann's meeting regarding the listing if the Gunnison Sage-grouse. He reported that there was a large attendance from the recreational community. They had an opportunity to speak with retired Fish and Wildlife Service employee Al Pfister, regarding the Proposed Rule written in 2004.

**COMMISSIONER CHAMBERLAND:**

1. Broadband Meeting. Commissioner Chamberland informed the board that there will be an Open Technology meeting on March 27th. He reported that they are expecting to get funding within 30 days. They are working on a commercial easement and working with Senator Bennet and Senator Tipton's offices on legislation. He reported that the City of Gunnison is discussing having an external access road for the Communications Center.
2. Colorado Counties, Inc. Commissioner Chamberland informed the Board that he attended the Colorado Counties, Inc (CCI) meeting. There was discussion regarding CCI being opposed to the Collective Bargaining Bill.

**CHAIRPERSON SWENSON:**

1. Dolores County Meeting. Chairperson Swenson informed the Board that the meeting in Dolores County was very productive and will prospectively get eight counties to participate in the Memorandum of Understanding for working relationships regarding the conservation of the Gunnison Sage-grouse. She informed the Board that there will be a conference call with San Miguel County Attorney on March 20th.

**ADJOURN: Moved** by Commissioner Chamberland and seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:36 am.

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice-Chairperson

_____
Jonathan Houck, Commissioner

Minutes Prepared By:

_____
Bobbie Lucero, Deputy County Clerk

Attest:

_____
Stella Dominguez, County Clerk

**GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES**