GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING MINUTES
April 23, 2013

The April 23, 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
Matthew Birnie, County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

CALL TO ORDER: Chairperson Swenson called the meeting to order at 1:30 pm.

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

MINUTES APPROVAL: **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adopt the minutes as presented in the packet. *(Note: Minutes for the 3/5/13, 3/12/13 and 4/2/13 meetings were in the packet.)* Motion carried unanimously.

CONSENT AGENDA: **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the Consent Agenda. Motion carried unanimously.

1. Acknowledgment of County Manager Signature; Space Use Agreement; Kindra Luberski, CB Specialty Services; Use of Courthouse Lawn for Wedding Ceremony between Jenna Cope and Travis Coltrinari; 8/3/13; $100
2. Agreement; Tyler Technologies, Inc.; iDoc5 Software for Fee-Based Internet Access to Gunnison County Land Records; $100/month
3. Memorandum of Understanding between Board of County Commissioners of the County of Gunnison, Colorado and Gunnison Valley Health Family Medicine; Implanon Insertion and Removal; IUD/IUS Insertion and Removal; Vasectomy Procedures; 2/1/13 thru 2/1/15
4. Gunnison Watershed School District RE1J Agreement; Early Childhood Council Funding for Pyramid Plus Program; 4/15/13 thru 6/30/13; $3,500
5. Memorandum of Agreement between the Board of the Gunnison River Valley Local Marketing District of Gunnison County, Colorado and Marble Crystal River Chamber of Commerce; 1/1/13 thru 12/31/13; $10,822.30
6. Agreement; Professional Services Regarding Application of Herbicide to Control Noxious Weeds Mandated for Control within Gunnison County; Jim Lewis d/b/a Eco-Right Solutions; 4/23/13 thru 10/30/13; $5,000
7. Acknowledgment of County Manager Signature; Colorado Department of Public Health and Environment, Office of Emergency Preparedness and Response Budget Request Form; 7/1/13 thru 6/30/14; $19,003
8. Gunnison County Boards and Commissions Appointment; Environmental Health Board; Steve Glazer
9. Contract Agreement; Gunnison-Crested Butte Regional Airport, Gunnison, Colorado, CDAG Project No. 13-GUC-02; Taylor Fence Company, Inc.; Wildlife Perimeter Fence; $51,948
10. NAVTEQ B.V. Data Use Terms; Permission to Use Online Mapping Data
11. Grant Application; Temple Hoyne Buell Foundation; Early Childhood Council; 7/1/13 thru 6/30/14; $10,000
12. Grant Application; Temple Hoyne Buell Foundation; Nurturing Parenting Program; 7/1/13 thru 6/30/14; $8,000
13. Base Contract; Jviation, Inc.; Gunnison-Crested Butte Regional Airport Engineering Services; 4/23/13 thru 4/23/18
14. Third Addendum to the Development Improvements Agreement for Wilder on the Taylor – Phase I; Jackson-Shaw/Taylor River Ranch, LLC
15. Development Improvements Agreement for Lot 2, Ragged Meadow Subdivision, County of Gunnison, State of Colorado; 5/7/13 thru 10/1/13
16. Agreement; MGT of America, Inc.; Cost Allocation Plan Services; $4,860; 4/23/13 thru 12/31/13
17. Colorado Department of Public Health and Environment, PSD-STEPP, FLA, Contract Routing Number 14-55413, Amendment for Task Orders #1; Tobacco Education & Prevention; $26,084; 9/30/13 thru 9/29/14
18. 2013 Gunnison County Wildfire Annual Operating Plan; 5/1/13 thru 5/1/14

CORRESPONDENCE:

1. Gunnison Valley Economic Development Team. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the letter for the economic development correspondence and signatures. Motion carried unanimously.
2. Letter of Support; Thompson Divide Withdrawal and Protection Act. Commissioner Chamberland asked about the possibility of this legislation tying up resources. SG Interests representative Eric

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Sanford was present for discussion and stated that his company has land in Thompson Divide Proper within Pitkin County. He provided a map for review as he believed there may be some miscommunication about boundaries. He explained that the proposed legislation deals with protecting existing rights, but that his company is concerned about access issues negatively affecting those existing rights. He noted that some areas could still be developed via horizontal drilling. He asked the Board not to support the legislation with permanent restrictions on resources and to participate in the NEPA process. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to send this letter with the addition on the first paragraph that states "including current natural gas leases and access to those leases" with everything else as written. Motion carried unanimously.

3. Ratification of Board Signature and Submission of 4/2/2013 Correspondence to the US Fish and Wildlife Service; Comments by the Board of County Commissioners of the County of Gunnison, Colorado; Endangered Status for Gunnison Sage-grouse; Proposed Rule; Docket No: FWS-R6-ES-2012-0108; 4500030113,78 Fed. Reg. 8, 2486 (January 11, 2013); and Designation of Critical Habitat for Gunnison Sage-grouse; Proposed Rule; Docket No: FWS-R6-ES-2011-0111; 4500030114, 78 Fed. Reg. 8, 2540 (January 11, 2013). **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to ratify the signatures on the document. Motion carried unanimously.
4. Letter of Support; Gunnison County Electric Association's Grant Application for USDA Rural Energy for American Program Funds; Taylor Reservoir Dam Hydropower Feasibility Study. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to send the letter of support to the USDA in support of the Taylor Dam Hydropower project for GCEA. Motion carried unanimously.

REGION 10 AGRICULTURAL PLANNING GRANT APPLICATION CASH MATCH; $1,500: Commissioner Houck explained that this was a placeholder for Region 10 grants that opened this month. Region 10 will make $50,000 in grant monies available in $5,000 increments. He is working with WSCU, the City of Gunnison and the CSU Extension office to prepare an application for planning grant funds to create a local market for local food and, if funds are granted, the City has agreed to serve as the fiscal agent. The City, WSCU and the County would support the grant by matching funds of $1,500 each, and Mountain Roots would contribute the remaining $500 toward the match. He asked that the Board authorize $1,500 from discretionary funds, contingent upon grant award and securing financing from the other parties. Additional information will be available via the grant application. **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to support the agricultural planning grant with a cash match of $1,500 from discretionary funds, contingent upon securing financing from the other parties and securing the grant. Motion carried unanimously.

VOUCHERS AND TRANSFERS APPROVAL: Assistant Finance Director Ben Cowan presented the voucher approval report dated April 23, 2013 and the cash transfer authorization dated March 2013 for discussion and approval. Also discussed was the 2013 County Taxable Sales report. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the cash transfers in the amount of $1,940,637.45. Motion carried unanimously. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the vouchers for this month in the amount of $1,254,183.53. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: County Treasurer Melody Marks presented the March 2013 Treasurer's report for discussion and acceptance. Also discussed was a quarterly interest report for January through March 2013. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to accept the Treasurer's report for March. Motion carried unanimously.

PROCLAMATION; APRIL 2013 AS CHILD ABUSE PREVENTION MONTH IN GUNNISON COUNTY: Family Foster Home Coordinator Joan Grant and Child Welfare Manager Greg Meier were present for discussion. Commissioner Swenson read the proclamation to the audience members. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adopt the proclamation declaring April as Child Abuse Prevention Month. Motion carried unanimously.

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

1. Antelope Hills Water Project Update. Assistant County Manager Crosby informed the Board that the pre-final USDA inspection would be taking place before the end of the week. Water is now running, and billing will begin as of 4/1/13.
2. Map 21 Federal Lands Highway Grant Program. Assistant County Manager Crosby explained that applications are due 5/15/13, and that any funds granted would require a 17.2% match. These grant funds can be for any roads that access federal lands, so she opined that an application for Cottonwood Pass would be the best application to pursue. She doesn't believe that the County can accomplish the paving goal within the County's strategic plan while also paying for the match associated with this grant program. She asked for direction from the Board relative to whether she should submit an application or focus on stated strategic goals as this time. The Board asked her to proceed with an application, and she agreed to have the application ready for consideration during the 5/7/13 meeting.

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3. Bicycle Tour Colorado. Assistant County Manager Crosby informed the Board that she received a call from this organization on 4/19. The organization would like to schedule a tour that would enter the County via Kebler Pass and exit the County via Cottonwood Pass. She referred them to the Community Development Department to ensure that any necessary permits are applied for.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 2:25 pm.

CALL TO ORDER: Chairperson Swenson called the second meeting to order at 5:00 pm.

COLORADO OIL & GAS CONSERVATION COMMISSION; DOCKET #1302-FP-27; SECOND AMENDMENT APPLICATION; PROTEST BY GUNNISON COUNTY: SG Interests representative Eric Sanford, County Attorney David Baumgarten and Deputy County Attorney Art Trezise were present for discussion. Beatty & Wozniak, Commissioner Phil Chamberland attorney Ken Wonstolen and SG Interests Land Vice President Robbie Guinn were available for discussion via telephone.

Deputy County Attorney Trezise expressed concern related to the second amended application tendered by SG Interests to the Colorado Oil & Gas Conservation Commission. He explained that the presented protest document was filed on 4/22 due to a deadline, and he asked that the Board ratify the signatures on the document. He also asked the Board for consent to move forward with the process, which may end up with the County's withdrawal. He noted that the intent is to be collaborative in nature while we delve into the details and provide a future recommendation.

Commissioner Chamberland asked about the timeline and whether or not the County has enough time to formulate a response. Deputy County Attorney Trezise explained that a hearing has been set for 5/6/13 and that he would have a position prepared for Board consideration within a week. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to ratify our protest that was submitted last night for the Colorado Oil & Gas Conservation Commission and direct staff to research that that is the stance that we want to stand by or, if not, to come to us with further recommendations. Motion carried unanimously.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 5:08 pm.

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Paula Swenson, Chairperson

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Phil Chamberland, Vice-Chairperson

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Jonathan Houck, Commissioner

Minutes Prepared By:

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Katherine Haase, Deputy County Clerk

Attest:

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Stella Dominguez, County Clerk

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