AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Draft Regular Meeting Minutes; 7/2/13

Action Requested: Motion

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:
See attached draft minutes.

Fiscal Impact: None.

Submitted by: Katherine Haase **Submitter's Email Address:** khaase@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date: Certificate of Insurance Required

Yes ○ No ○

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\MBIRNIE Discharge Date: 9/12/2013

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 9/17/2013 Follow Up Agenda Date: N/A

Revised April 2013

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
July 2, 2013

The July 2, 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 8:30 am.

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

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

1. Participating Agreement between the Gunnison County and the USDA, Forest Service, Grand Mesa, Uncompahgre and Gunnison National Forests, Gunnison Ranger District; FS Agreement No. 13-PA-11020407-034; Undesirable Plant Management
2. Planned Maintenance Agreement; Cummins Rocky Mountain, LLC; Generator Maintenance; $1,621.50
3. Professional Services Agreement; Marcie Telander; Provide Services to the Office of Juvenile Services Regarding Assessment, Service Planning, Case Management 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; 7/2/13 thru 6/30/14
4. Energy Outreach Colorado Application for Home Energy Assistance Grant, October 1, 2013 through September 30, 2014; $18,900
5. Resolution; Adopting the Gunnison County Natural Hazard Mitigation Plan 2012
6. Professional Services Agreement; Laurie Boscaro; Provide Services to the Office of Juvenile Services Regarding Assessment, Service Planning, Case Management 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; 7/2/13 thru 6/30/14
7. Professional Services Agreement; Gunnison/Hinsdale Youth Services, Inc.; Provide Services to the Office of Juvenile Services Regarding Assessment, Service Planning, Case Management 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; 7/2/13 thru 6/30/14
8. Ratification of Correspondence; Governor John W. Hickenlooper; Invitation to Participate in Meeting in Gunnison; Gunnison Sage-grouse
9. Acknowledgment of County Manager Signature; Amendment No. 1 to Contract Dated April 23, 2013 between JViation, Inc. and Gunnison County and the Gunnison-Crested Butte Regional Airport, Gunnison, CO; JViation Project No. GUC LOC 13-01; Install Airport Perimeter Fence; $25,431
10. Ratification of Chairperson Signature; Conservation Agreement for the Gunnison Sage-grouse
11. Provider Participation Agreement; Colorado Department of Health Care Policy and Financing; CHP+ Client Immunizations and Family Planning Services; 6/30/13 thru 8/30/13
12. Agreement between Gunnison County HHS and Region 10 League for Economic Assistance & Planning, Inc., Region 10 Area Agency on Aging; 7/1/13 thru 6/30/14; $33,000

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Courthouse Project Update. County Manager Birnie informed the Board that the architectural services contract was executed last week, for almost $8,000 less than what was included in the original proposal, and that the architects have begun work. Facilities and Grounds Director John Cattles will be determining the locations for temporary offices for courthouse employees, and he believes that enough availability and flexibility exists to cover the need; he hopes to have all plans firmed up by September. All offices located in the courthouse will probably need to be out by 12/20/13. The Request for Proposals for a Construction Manager / General Contractor will be issued within the coming weeks. The County will apply in August for a DOLA grant, and the results will be released in November. UMB Bank may put in a bid for the financing portion of the project. The County will do a geothermal analysis, and Buckhorn Geotech will begin the geotechnical work next week.
2. 4H Forever Fund. County Manager Birnie asked the commissioners if they would like to donate funding to the 4H Forever Fund again this year, and the Board was supportive. County Manager Birnie will relay the information to CSU Extension Director Eric McPhail.

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

1. Crested Butte South Chip Seal. Assistant County Manager Crosby explained that the County does not maintain the roads in CB South, but that the County does plow during the winter. She recommended entering into a cooperative arrangement for chip sealing whereas the County would provide labor and equipment. The work can be performed around the same time as when her department works on Slate River Road. The Board was supportive of her proposal.
2. Resolution; Adopting 2013 Gunnison County Primary and Secondary Road Maps. It was noted that the maps are referenced within the resolution since maps they are impossible to record with resolutions. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Resolution #2013-15, a Resolution Adopting 2013 Gunnison County Primary and Secondary Road Maps. Motion carried unanimously.
3. Taylor River Road Project Update. Special Projects Foreman Jim Kint was present for discussion. Taylor River Road will opened for the holiday weekend, although Assistant County Manager Crosby noted that the detour seems to be working well. She also stated her appreciation for the Sheriff's Office since the deputies have been helpful with controlling speed.
4. Federal Highway Administration Federal Lands Highway Agreement; Reimbursement for Cottonwood Pass Scoping Costs; $10,000. Special Projects Foreman Jim Kint was present for discussion. Assistant County Manager Crosby informed the Board that the FHA had completed its review of the submitted projects. Many of the projects were urban, which didn't fit the parameters. Cottonwood Pass ranked very high with the FHA, but not as high with the voting team primarily because of associated project costs; the Cottonwood Pass project has made it onto the short list of six projects. She stated the voting team believes that the costs can be lowered and that the County will be able to spread its share of the cost over three years. To begin, project scoping must be done; Assistant County Manager Crosby requested authorization to sign the $10,000 agreement to pay for the County's share of the scoping costs. She will discuss possible road amenities with the Forest Service. The two-year project could begin as early as 2015. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the Federal Highway Administration Federal Lands Highway Agreement for reimbursement for Cottonwood Pass scoping costs not to exceed $10,000 and authorize Assistant County Manager Crosby's signature.
5. Employee Appreciation. Commissioner Chamberland said that a citizen recently told him that the three best County employees are Assistant County Manager Crosby, Assistant Public Works Director Allen Moores and Special Projects Foreman Jim Kint. She appreciated the feedback.

BREAK: The meeting recessed from 9:15 until 9:20 am for a short break, and then again from 9:20 until 9:22 am in order to hold the below Public Hearing.

PUBLIC HEARING; REQUEST TO VACATE THE ALLEY, BLOCK AND LOTS WITHIN BLOCK 37 AND ANY STREETS ADJACENT TO BLOCK 37, TOWNSITE OF GOTHIC, COUNTY OF GUNNISON, STATE OF COLORADO: County Attorney Baumgarten, Assistant County Manager Crosby, Attorney Jim Starr and Lee Spann were present

1. Open Public Hearing. Chairperson Swenson opened the Public Hearing at 9:20 am.

2. Public Notice Confirmation. Assistant County Manager Marlene Crosby confirmed that the Public Hearing had been properly public noticed.

3. Identify Ex Parte Communications. There were no ex parte communications identified.

4. Staff Presentation. County Attorney Baumgarten explained that this was relevant to the interior parcel that had inadvertently been left out of the last resolution.

5. Applicant Presentation. N/A.

6. Board Questions. N/A.

7. Public Comments. Chairperson Swenson opened the Public Hearing to comments at 9:21 am, and no comments were received.

8. Acknowledge Correspondence Received. No additional correspondence was identified.

9. Applicant Response. N/A.

10. Close Public Hearing. Chairperson Swenson closed the Public Hearing at 9:22 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

RESOLUTION; VACATING THE ALLEY, BLOCK AND LOTS WITHIN BLOCK 37 AND THOSE PORTIONS OF SMELTER STREET, GOTHIC STREET AND CLIFF STREET ADJACENT TO BLOCK 37, WITHIN THE TOWNSITE OF GOTHIC, COUNTY OF GUNNISON, STATE OF COLORADO: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Resolution #2013-16, a Resolution Vacating the Alley, Block and Lots within Block 37 and Those Portions of Smelter Street, Gothic Street and Cliff Street Adjacent to

Block 37, within the Townsite of Gothic, County of Gunnison, State of Colorado. Motion carried unanimously.

VISITOR; WESTERN STATE COLORADO UNIVERSITY STUDENT JOSH STUPKA; REPORT ON PUBLIC WORKS DEPARTMENT INTERNSHIP: Assistant County Manager Marlene Crosby and Mr. Stupka were present for discussion.

Assistant County Manager Marlene Crosby introduced Mr. Stupka, a WSCU recreation major who was required to perform an internship and then present a report to an elected board. She stated that the timing worked well due to a staff shortage. His internship at Public Works included a day at the Fairgrounds each week along with other odd jobs, while the most rewarding part of the internship involved his time at the Whitewater Park. He worked with County staff and Gunnison River Festival organizers during his internship. He was impressed with the staff and work environment at Public Works. He stated that he had a lot of freedom to explore ideas, and that Assistant County Manager Crosby was supportive of his involvement.

Mr. Stupka stated that he had spent quite a bit of time at the park over the last several years. He opined that the park can be made to be more inviting, and he said that he'd like to see our park competitive with others in the state. He provided photographs to illustrate his proposal to improve instream fish habitat around the park area by the addition of strategically placed boulders. He also recommended installing a slack line and natural playground playscapes. He noted that there are approximately 30 whitewater parks in the state, and he provided economic impact figures for several of them. He opined that our park is not as attractive for kayakers, which comprise a large percentage of the users. A whitewater design group is being consulted.

Assistant County Manager Crosby explained that Mr. Stupka has expressed concerns about the park, but that he also provided some possible solutions. She also noted that he has managed to generate a lot of enthusiasm in the kayak and boating community, and that he was successful in obtaining funding from WSCU's student government for bicycles that students can ride to the park. When the internship concludes on 7/15/13, Mr. Stupka will continue as a summertime temporary employee. She will consult with an engineering group within the next 10 days to discuss Mr. Stupka's ideas, and she hopes to have enough information regarding the costs for park corrections and/or additional features for inclusion in her annual budget.

RESOLUTION; ESTABLISHING THE SCHEDULE OF FEES AND RATES FOR WATER SERVICE WITHIN THE ANTELOPE HILLS DIVISION OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT: Assistant County Manager Crosby and Assistant Finance Director Ben Cowan were present for discussion.

Assistant County Manager Crosby explained that this resolution will affect those residences outside of Antelope Hills. Assistant Finance Director Ben Cowan explained that the schedule was created by averaging what would be charged to Antelope Hills properties (for just the County's costs) and the Dos Rios rates. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve Resolution #2013-17, a Resolution Establishing the Schedule of Fees and Rates for Water Service within the Antelope Hills Division of the Gunnison County Water and Sewer District. Motion carried unanimously.

POSSIBLE SALE OF COUNTY-OWNED PROPERTY IN THE MARBLE AREA; POSSIBLE EXECUTIVE SESSION: County Attorney Baumgarten was present for discussion.

County Manager Birnie requested that the Board enter an executive session with himself and County Attorney Baumgarten, who confirmed that this would be appropriate so that the Board can discuss the transfer of real property and determine negotiating strategies. An audio recording would be kept. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to go into executive session for all reasons stated. Motion carried unanimously.

The board went into executive session at 9:51 am. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(a)(e).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____ _____

David Baumgarten

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Gunnison County Attorney

Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4).

Date: _____ _____

Paula Swenson, Chairperson
Gunnison County Board of Commissioners

The Board came out of executive session at 9:57 am. Chairperson Swenson confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made. The Board asked staff to continue to pursue the negotiations of the sale of this property, along with the closing documents and deed restriction.

GUNNISON COUNTY WEED MANAGEMENT PLAN INCLUDING, BUT NOT LIMITED TO, THE GUNNISON BASIN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the Gunnison County Weed Management Plan including, but not limited to, the Gunnison Basin. Motion carried unanimously.

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

COMMISSIONER ITEMS: This discussion began earlier than scheduled due to a gap in the meeting.

Commissioner Houck:

1. Community Foundation of the Gunnison Valley. Commissioner Houck reported to the Board that he met with the Foundation to get feedback on Philanthropy Days, but he didn't receive anything definite. The Foundation's board retreat is scheduled to take place on 7/3/13.
2. Office for Resource Efficiency Board (ORE). Commissioner Houck informed the Board that ORE is moving forward with fundraising.
3. Meat Processing Plant Tours. Commissioner Houck is working with Kathleen Curry to schedule meat processing plant tours in the western slope area with Congressman John Salazar.
4. Region 10. Commissioner Houck informed the Board that he attended the recent meeting via telephone. Some small grants have been awarded.

Commissioner Chamberland:

1. North Fork Leasing. Commissioner Chamberland reported to the Board that he discussed this with BLM Uncompahgre Field Manager Barb Sharrow. The process is estimated to take approximately two years. Senator Michael Bennet may be able to address this issue legislatively.
2. Cement Creek Trails. Commissioner Chamberland informed the Board that he met with High Country Citizens' Alliance to discuss this. He also spoke with Gunnison National Forest District Ranger John Murphy. Issues and potential solutions are being vetted.

Commissioner Swenson:

1. Gunnison Sage-grouse Update. Chairperson Swenson informed the Board that the regional US Fish and Wildlife Service staff came to Gunnison, and that some good conversations took place. The population estimate was updated for the group, and she will have Gunnison Wildlife Conservation Coordinator Jim Cochran send it to the Board. The upcoming tour schedule is being developed.

ADJOURN: **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 10:24 am.

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice-Chairperson

_____
Jonathan Houck, Commissioner

Minutes Prepared By:

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_____
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 #2013-14

A RESOLUTION ADOPTING THE GUNNISON COUNTY NATURAL HAZARD MITIGATION PLAN 2012

WHEREAS, Gunnison County recognizes the threat that natural hazards pose to people and property within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, an adopted Natural Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

WHEREAS, Gunnison County is within the FEMA Planning Area, and fully participated in the mitigation planning process to prepare this Natural Hazard Mitigation Plan; and

WHEREAS, the Colorado Office of Emergency Management and Federal Emergency Management Agency, Region VIII officials have reviewed the Gunnison County Natural Hazard Mitigation Plan and approved it contingent upon this official adoption of the participating governing body; and

THEREFORE, be it resolved, that the Gunnison County Board of County Commissioners, hereby adopts the Gunnison County Natural Hazard Mitigation Plan, attached hereto as Appendix A, as an official plan; and

BE IT FURTHER RESOLVED, Gunnison County Emergency Management will submit this Adoption Resolution to the Colorado Office of Emergency Management and Federal Emergency Management Agency, Region VIII officials to enable the Plan's final approval.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and passed on this 2nd day of July, 2013.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO

RESOLUTION NO: 2013- 15

A RESOLUTION ADOPTING 2013 GUNNISON COUNTY
PRIMARY AND SECONDARY ROAD MAPS

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado (hereinafter the "Board") has been informed that the current Gunnison County Primary and Secondary Road Maps have required revisions to reflect changes in designation of primary and secondary roads within Gunnison County and to identify roads that are currently maintained and/or snowplowed by the Gunnison County Public Works Department; and

WHEREAS, the following maps have been revised to identify those changes in primary and secondary road designation within Gunnison County and of those roads which ones are maintained and/or snowplowed by the Gunnison County Public Works Department:

1. "Roads Maintained Summer/Winter by Gunnison County Public Works Department".
2. "Roads Maintained Summer/Winter by Gunnison County Public Works Department (Gunnison Area)".
3. "Roads Maintained Summer/Winter by Gunnison County Public Works Department (Crested Butte Area)"; and

WHEREAS, adoption of the above referenced 2013 Gunnison County Primary and Secondary Road Maps are important in order to best inform the public of primary and secondary roads designated within Gunnison County including what roads are currently being maintained and/or snowplowed by the Gunnison County Department of Public Works; and

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WHEREAS, public notice has been given pursuant to C.R.S. §43-2-110 for the adoption of the above referenced maps and a public hearing was held on June 18, 2013; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that the following 2013 Gunnison County Primary and Secondary Road Maps shall be and hereby are adopted:

1. "Roads Maintained Summer/Winter by Gunnison County Public Works Department".
2. "Roads Maintained Summer/Winter by Gunnison County Public Works Department (Gunnison Area)".
3. "Roads Maintained Summer/Winter by Gunnison County Public Works Department (Crested Butte Area)".

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and passed on this 2nd day of July, 2013.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 2013-16

A RESOLUTION VACATING THE ALLEY, BLOCK AND LOTS, IF ANY, WITHIN BLOCK 37 AND THOSE PORTIONS OF SMELTER STREET, GOTHIC STREET AND CLIFF STREET ADJACENT TO BLOCK 37, WITHIN THE TOWNSITE OF GOTHIC, COUNTY OF GUNNISON, STATE OF COLORADO

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado (herein "Board"), by virtue of Colorado law, has authority over certain lands and has become the owner of certain platted streets and alleys within the unincorporated Townsite of Gothic; and

WHEREAS, the Board has determined that not all of said streets and alleys are necessary for public access to privately owned property within the Townsite of Gothic, Colorado; and

WHEREAS, The Corporation of the Rocky Mountain Biological Laboratory at Gothic (herein "RMBL") and Lee and Polly Spann (herein "Spanns") have made a request to the Board to vacate the alley, block and lots, if any, within Block 37 and those portions of Smelter Street, Gothic Street and Cliff Street adjacent to Block 37, within the Townsite of Gothic as identified on the Plat of Gothic City and First Addition to the City of Gothic recorded on July 29, 1880 at Reception No. 3495, and in Book 358 at page 198 in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado; and

WHEREAS, this vacation request is in conjunction with the vacation request made by RMBL for the vacation of all streets, alleys, blocks and lots within that portion of the Townsite of Gothic, Colorado owned by RMBL and the subdivision exemption request made by RMBL and the Spanns; and

WHEREAS, the vacation of the above described streets, alley, block and lots, if any, will not hinder any property owners of any lands from having access to their respective land nor disrupt existing travel modes or changed or anticipated conditions in traffic or development patterns; and

WHEREAS, there will be no adverse impact to the natural environment, community needs or public health, safety and welfare from the vacation of the above described alley, block, lots and streets; and

WHEREAS, the notices required by Colorado law for such vacation have been given and a public hearing on such vacation has been conducted; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the alley, block and lots, if any, within Block 37 and those portions of Smelter Street, Gothic Street and Cliff Street adjacent to Block 37, within the Townsite of Gothic, County of Gunnison, State of Colorado as identified on the Plat of Gothic City and First Addition to the City of Gothic recorded on July 29, 1880 at Reception No. 3495, and in Book 358 at page 198 in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado shall be and hereby are vacated.

APPROVAL OF THE VACATION OF THE ABOVE ALLEY, BLOCK AND LOTS, IF ANY, WITHIN BLOCK 37 AND THOSE PORTIONS OF SMELTER STREET, GOTHIC STREET AND CLIFF STREET ADJACENT TO BLOCK 37, TOWNSITE OF GOTHIC, COUNTY OF GUNNISON, STATE OF COLORADO SHALL BE CONTINGENT ONLY UPON THE FOLLOWING TERMS AND CONDITIONS:

1. Recordation of the Board of County Commissioners of the County of Gunnison, Colorado, Resolution No: 2013-08, A Resolution Vacating Certain Streets, Alleys, Blocks and Lots Within the Portion of the Townsite of Gothic, Colorado Owned by The Corporation of the Rocky Mountain Biological Laboratory at Gothic, Colorado, County of Gunnison, State of Colorado.
2. Recordation of the Board of County Commissioners of the County of Gunnison, Colorado, Resolution No: 2013-09, A Resolution Granting An Exemption for a Division of Land from the Definition of the Terms "Subdivision" and "Subdivided Land" for the Land Exchange Between The Corporation of the Rocky Mountain Biological Laboratory at Gothic and the Spanns.
3. By no later than September 4, 2013, a Final Plat will be received and approved by the Office of the Gunnison County Attorney identifying all street, alley, block and lot vacations requested by RMBL and the Spanns along with identification of the subdivision exemption request made by RMBL and the Spanns.
4. This Resolution shall not become effective until after it has been recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado concurrently with the following:

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A. Any and all conveyances of parcels and easements as agreed upon and identified in the Land Exchange Agreement dated February 6, 2013 by and between RMBL and the Spanns.
B. The Final Plat identifying all street, alley, block and lot vacations requested by RMBL and the Spanns along with identification of the subdivision exemption request made by RMBL and the Spanns.
C. The Board of County Commissioners of the County of Gunnison, Colorado, Resolution No: 2013-08, A Resolution Vacating Certain Streets, Alleys, Blocks and Lots Within the Portion of the Townsite of Gothic, Colorado Owned by The Corporation of the Rocky Mountain Biological Laboratory at Gothic, Colorado, County of Gunnison, State of Colorado.
D. The Board of County Commissioners of the County of Gunnison, Colorado, Resolution No: 2013-09, A Resolution Granting An Exemption for a Division of Land from the Definition of the Terms "Subdivision" and "Subdivided Land" for the Land Exchange Between The Corporation of the Rocky Mountain Biological Laboratory at Gothic and the Spanns.

5. It is the specific intent of the Board that the vacation of the above described alley and streets shall accrue to and vest in the record owner(s) pursuant to the provisions of C.R.S. § 43-2-302.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and passed on this 2nd day of July, 2013.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 13-17

A RESOLUTION ESTABLISHING THE SCHEDULE OF FEES AND RATES FOR WATER SERVICE WITHIN THE ANTELOPE HILLS DIVISION OF THE GUNNISON COUNTY WATER AND SEWER DISTRICT

WHEREAS, pursuant to Colorado Revised Statute 30-20-402(1)(f), the Board of County Commissioners of Gunnison County, Colorado may prescribe, revise and collect, in advance or otherwise, rates, fees, tolls and charges, including but not limited to availability fees, tap fees, and reasonable delinquency penalties for water facilities; and

WHEREAS, Gunnison County must upgrade and maintain the water lines and treatment facilities within the Antelope Hills Division; and

WHEREAS, it is the desire of the Board of County Commissioners not to pay for such costs from the capital reserve;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

1. Schedule of Rates. The rate schedule is adopted each year as part of the budget process and is available as Appendix A attached hereto. The schedule of rates will remain in full force and effect for the calendar year for which it was approved. The rate structure will be published in the newspaper and is available from the Gunnison County Finance Office at 200 East Virginia, Gunnison, CO 81230. Any past due account shall be subject to a penalty charge of 1% per month or portion thereof, and any past due amount may, at the option of the Gunnison County Finance Office, be certified for collection in the manner as though they were part of the taxes pursuant to Colorado Revised Statute 30-20-420.

2. Residential Water User Fees. User fees for each residence will be charged upon final meter inspection by the Gunnison County Utility Department. Any user with a three-quarter inch (3/4") meter will be considered a residential user for billing purposes. Additionally, all integrated secondary residences, secondary or accessory residences, multiple-family residences, townhomes, or condominiums will be billed at the residential rate. Base user fees will be billed in advance and overage user fees will be billed in arrears.

3. Availability of Service Fee. An availability of service fee will be charged for each parcel of real property in the Antelope Hills Division which has water service available to that parcel but which parcel is not connected to the Division water lines. The availability of service fee will start on the date of final board approval for proposed property developments, subdivisions, etc.

4. Tap Connection Fee. There is a fee for water service tap connection within the Antelope Hills Division for each connection based on Appendix B attached hereto according to meter size.

5. Meter Fee. There is a one-time fee for the use of a Gunnison County owned water meter. This fee will be "at cost" for the meter and required installation materials. This fee also includes the first inspection of the meter. If an additional inspection is required, the additional inspection fee will be charged.

6. Building Permit Shall Not Be Issued. No building permit shall be issued for any building on a parcel of land in the Antelope Hills Division unless the tap fee for that parcel has been paid in full as set forth above.

7. Minimum Charges. Any property connected to the system shall pay the minimum rate for four quarters per year whether or not the property is occupied or the water system is used.

8. Perpetual Lien. Until paid, all fees, rates, tolls, penalties, interests on delinquencies, and other costs shall constitute a perpetual lien on and against the property served, and any such lien may be collected in any manner legally permissible, including certification to the Gunnison County Treasurer as provided by law.

9. Additional Inspection Fee. The first inspection of the water service line is included with the meter fee. If an additional inspection is required, the additional inspection fee will be charged.

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10. Repair Responsibility. Customers are responsible for costs associated with leaks and repairs that occur after water has passed through the curb stop. The County is responsible for costs associated with leaks and repairs on the main line, the service line that reaches from the main line to the curb stop, and the curb stop.

11. Meter Malfunction. Should a customer reasonably and prudently believe a meter is malfunctioning, a replacement meter and/or readout will be provided free of charge. The replacement meter and/or readout must be installed by a licensed plumber at the customer's expense.

12. Fees May Be Amended. The fees hereby established may be amended from time to time by the Board of County Commissioners. It is the intention of the Board of County Commissioners that a review of the fees and rates be conducted each year, if such review is not conducted, the then current fees shall remain in full force and effect.

BE IT FURTHER RESOLVED THAT these fees shall remain in effect until changed by resolution by the Board of County Commissioners.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and passed on this 2nd day of July, 2013.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

Chamberland – yes; Houck – yes; Swenson – yes.

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