AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Draft Regular Meeting Minutes; 6/18/13

Action Requested: Motion

Parties to the Agreement:

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

Summary:
See attached 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
June 18, 2013

The June 18, 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 9:29 am.

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

MINUTES APPROVAL: **Moved** by Commissioner Houck, seconded by Chairperson Swenson to approve the May 7, 2013 meeting minutes. Motion carried (Commissioner Chamberland wasn't at the meeting and couldn't vote to approve the minutes). **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the minutes for May 21, 2013 and June 4, 2013 as presented. Motion carried unanimously.

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

1. Colorado Division of Criminal Justice Statement of Grant Award; Juvenile Diversion Program; 7/1/13 thru 6/30/14; $46,667
2. SubLease Agreement; Crested Butte Snowsports Foundation; Gunnison County Juvenile Services Rental of Property at 214 6th Street, #8, Crested Butte, CO 81224; 6/1/13; $250/Month
3. Acknowledgment of County Manager Authorization to Submit; Grant Application; Colorado Health Foundation; Gunnison County Department of Health and Human Services Health Navigation Services; 1/2014 thru 12/2016; $221,913
4. Correspondence; Colorado Rural Workforce Consortium; Designation of C. Douglas Atchley as Chief Local Elected Official for Western Sub-Region and Representative to the Board of Local Elected Officials
5. Acknowledgment of County Manager Signature; Department of Public Health and Environment Approved Task Order Contract - Waiver #154; Routing No. 14 FHA 57178; Gunnison County Department of Health and Human Services Immunization Program; 7/1/13 thru 6/30/15; $73,632 ($36,816 each Fiscal Year)
6. Purchase of Services Contract for Regional Mental Health Services; Ouray, San Miguel, Gunnison, Hinsdale, Delta and Montrose County Departments of Social Services (Collectively known as the Midwestern Colorado Counties) and Midwestern Colorado Mental Health Center; 6/1/13 thru 5/31/14
7. Purchase of Services Contract for Regional Substance Use Disorder Services; Ouray, San Miguel, Gunnison, Hinsdale, Delta and Montrose County Departments of Social Services (Collectively known as the Midwestern Colorado Counties) and West Slope Casa; Drug and Alcohol Services; 6/1/13 thru 5/31/14; $74,807
8. Memorandum of Understanding Regarding Provisions of Legal Services; Gunnison-Hinsdale Board of Human Services; 7/1/13 thru 6/30/14; $98,000
9. Budget Modification; Immunization Core Services Purchase Order #OE FHA EP113000070; Addition of State 2013-14 Amendment 35 Funding; 7/1/13 thru 12/31/13; $10,528
10. Professional Service Agreement; Peggy Holt; 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; 6/18/13 thru 6/30/14
11. Superior Alarm & Fire Protection Sales and Monitoring Agreement; Account #61-01-0130; Gunnison County Library at 307 N. Wisconsin, Gunnison, CO 81230; $240
12. Superior Alarm & Fire Protection Sales and Monitoring Agreement; Account #61-01-0162; Gunnison County Blackstock Government Building located at 221 N. Wisconsin, Gunnison, CO 81230; $240
13. Superior Alarm & Fire Protection Sales and Monitoring Agreement; Account #71-00-7960; Gunnison County Fairgrounds Workshop Building located at 520 1/2 Spruce, Gunnison, CO 81230; $240
14. Retail Lease Agreement; Donald Ruwald dba Peaceful Forest Creations; 7/1/13 thru 6/30/14
15. Release of Development Improvements Agreement for Crested Butte Campground and RV Park; Freeman Properties, LLC
16. Agreement; Gunnison Manufacturing, Inc.; Rebuild Two Walkovers on the East End of the Rodeo Grounds; 6/12/13 thru 12/31/13; $15,397
17. Memorandum of Understanding; Regents of the University of Colorado for and on behalf of the University of Colorado, School of Dental Medicine; Smile Makers Mobile Dental Clinic
18. Aviation Commercial General Liability; Insurance of the San Juans; Gunnison-Crested Butte Regional Airport; 7/1/13 thru 7/1/14

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19. Correspondence; US Fish and Wildlife Service; Gunnison Sage-grouse, Request to Extend 9/30/13 Deadline

VOUCHERS AND TRANSFERS APPROVAL: Finance Director Linda Nienhueser presented the voucher approval report dated June 18, 2013 and the cash transfer authorization dated May 2013 for discussion and approval. Also discussed was a sales tax report with figures through April 2013. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the cash transfers in the amount of $2,111,623.91. Motion carried unanimously. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the vouchers in the amount of $1,083,183.23. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: County Treasurer Melody Marks presented the May 2013 Treasurer's report for discussion and acceptance. Also discussed was an investment report dated May 31, 2103. It was noted that the County is on pace to have half as many property foreclosures as last year. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to accept the Treasurer's report. Motion carried unanimously.

PROPOSED AMENDMENTS TO THE FOX MEADOWS SUBDIVISION DECLARATION OF PROTECTIVE COVENANTS: Planner Cathie Pagano, County Attorney David Baumgarten and attorney Mike Dawson were present for discussion.

Mr. Dawson explained that this subdivision was approved in 2004, and that the homeowners were asking for this amendment in order to add an accessory building and limit the size of structures. His office drafted the language, and he confirmed that the language is consistent with the Gunnison County Land Use Resolution. Neither Planner Pagano nor County Attorney Baumgarten expressed any concerns. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Resolution #2013-11, a Resolution Approving the Amendment of the Declaration of Protective Covenants for Fox Meadows Subdivision. Motion carried unanimously.

BREAK: The meeting recessed from 9:42 until 10:14 am in order to call to order as the Gunnison/Hinsdale Board of Human Services (see separate minutes), and then for a short break from 10:14 until 10:28 am. The meeting then recessed again in order to call to order as the Gunnison County Board of Health (see minutes below).

GUNNISON COUNTY BOARD OF HEALTH: Health and Human Services Director Renee Brown, Public Health Director Carol Worrall and Emergency Manager Scott Morrill were present for discussion.

CALL TO ORDER: Commissioner Swenson called the meeting to order at 10:28 am.

EPIDEMIOLOGY UPDATES:

1. Local:
   a. Campylobacter in Raw Milk. Public Health Director Worrall informed the Board of a recent outbreak related to raw milk consumption. Additional information was available for review in the meeting portfolio. She emphasized that, by State law, raw milk is never considered safe to drink, and it is illegal to sell.
2. State:
   a. Potential Hepatitis A Exposures Associated with Costco Frozen Berries. Public Health Director Worrall explained that the Hepatitis A exposure was associated with the berries sold out of Costco stores. There have been 19 cases thus far. Stores track the purchasers, so notification is relatively easy to perform. She anticipates that this exposure will extend into the future since people often freeze foods for periods of time before consuming them. Over 2,000 vaccines have been requested by various public health offices, which must happen within 14 days of ingestion. After 14 days, the disease will be monitored. One Gunnison family was contacted and was vaccinated.
   b. Measles Exposure in Denver Area, Including Sky Ridge Medical Center. Public Health Director Worrall explained this measles exposure stemmed from a man who traveled from India. He was later in a Denver area medical treatment center, and a second case was reported within a week or two. The second patient had reportedly attended church, a high school graduation, a restaurant and an orthodontic office prior to being diagnosed. Approximately 75% of all local children have been vaccinated, though immunity demands a 90% vaccination rate. Measles can cause brain damage and death.
3. International:
   a. Acute Severe Respiratory Illness (Saudi Arabia, now France, Italy, UK). Public Health Director Worrall explained that Acute Severe Respiratory Illness is associated with a unique virus that hasn't been seen before. A total of 64 cases have been diagnosed, of which 38 toddlers and elderly people have died. It's been identified in Saudi Arabia, and it has been transmitted from person-to-person; there are now additional cases in France, Italy and the UK. The illness has an

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approximate 50% mortality rate, and there have not been any cases identified in the US yet. The World Health Organization has not yet issued any travel or trade restrictions.

PANDEMIC RESPONSE PLANNING COMMITTEE REVISITED; COMMISSIONER PARTICIPANT; STRENGTHENING COMMUNICATION SYSTEM: Public Health Director Worrall explained that she and Emergency Manager Scott Morrill have been discussing possible ways to strengthen the communication system strengthening the communication system with Dr. Tarr. The Committee hasn't met in quite some time, though Emergency Manager Morrill explained that the system worked well in 2009 when dealing with the influenza. He also noted that the local hospital has had considerable turnover since 2009, so the Committee will need to work closely with the hospital and assisted-care center. A commissioner is needed to serve on the Committee, and Commissioner Chamberland volunteered.

ELECTRONIC MEDICAL RECORDS INSTALLATION: Public Health Director Worrall explained that Family Planning Grant funds were available for this installation. Staff is currently going through the training, and she will provide updates as the training progresses.

ACCESS TO HEALTH CARE AND HEALTH NAVIGATION SUSTAINABILITY: HHS Director Brown informed the Board that the County had to suspend the Light Program. Grant funding to reactivate this program may be available in the future. Health navigation services may also be reduced if grant funding is not obtained. Bridge funding is being sought to continue the work during the funding gap, and the sustainability of the service will need to be addressed during the budget process. This issue will impact local health providers significantly.

PUBLIC HEALTH IMPROVEMENT PLAN REVIEW: Public Health Director Worrall stated that this plan review is being addressed through the West Central Public Health Partnership, which is comprised of Delta, Gunnison, Hinsdale, Montrose, Ouray and San Miguel Counties. She provided hard copies to the Board with some statistical data and priorities outlined, and this information was added to the permanent meeting portfolio. The dental van will be in the Gunnison area from the end of June to the start of July to serve local children.

ADJOURN: **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The Gunnison County Board of Health meeting adjourned at 11:11 am.

CERTIFICATION OF DELINQUENT TAXES IN ACCORDANCE WITH GUNNISON COUNTY CLERK AND RECORDER STELLA DOMINGUEZ'S CORRESPONDENCE DATED JUNE 18, 2013; AND AUTHORIZATION FOR COUNTY TREASURER MELODY MARKS TO COLLECT THOSE TAXES PURSUANT TO C.R.S. 30-20-420; DOS RIOS, ANTELOPE HILLS, SOMERSET AND NORTH GUNNISON DIVISIONS OF THE GUNNISON COUNTY SEWER AND WATER DISTRICT: Assistant Finance Director Ben Cowan, County Clerk Stella Dominguez and County Attorney David Baumgarten were present for discussion.

Assistant Finance Director Cowan asked for a motion to authorize the County Treasurer to collect the delinquent sewer and water fees as though they were part of taxes owed. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to authorize County Treasurer Melody Marks to collect those taxes according to County correspondence dated June 18th pursuant to statute. Motion carried unanimously.

BREAK: The meeting recessed from 11:17 until 11:18 am in order to hold the below Public Hearing.

PUBLIC HEARING; COLORADO FERMENTED MALT BEVERAGE (3.2% BEER) LICENSE APPLICATION; ROBERTS CORP. D/B/A HARMEL'S RANCH RESORT: County Clerk Dominguez and applicant Steve Roberts were present for discussion.

1. Open Public Hearing. Chairperson Swenson opened the Public Hearing at 11:17 am.

2. Public Notice Confirmation. County Clerk Dominguez 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 Clerk Dominguez explained that a new license was necessary since the old one had expired.

5. Applicant Presentation. N/A.

6. Board Questions. N/A.

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7. Public Comments. Chairperson Swenson opened the Public Hearing to comments at 11:17 am, though no comments were provided.

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 11:18 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

Moved by Commissioner Chamberland, seconded by Commissioner Houck to approve the Fermented Malt License for Roberts Corp. d/b/a Harmel's Ranch Resort. Motion carried unanimously.

BREAK: The meeting recessed from 11:18 until 11:19 am in order to hold the below Public Hearing.

PUBLIC HEARING; COLORADO LIQUOR RETAIL LICENSE APPLICATION; ROBERTS CORPORATION D/B/A HARMEL'S RANCH RESORT: County Clerk Dominguez and applicant Steve Roberts were present for discussion.

1. Open Public Hearing. Chairperson Swenson opened the Public Hearing at 11:18 am.

2. Public Notice Confirmation. County Clerk Dominguez 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 Clerk Dominguez asked the Board to approve the application, pursuant to the conversation during the previous Public Hearing.

5. Applicant Presentation. N/A.

6. Board Questions. N/A.

7. Public Comments. Chairperson Swenson opened the Public Hearing to comments at 11:19 am, though no comments were provided.

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 11:19 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

Moved by Commissioner Houck, seconded by Commissioner Chamberland to approve the Colorado Liquor Retail License Application for Roberts Corporation, d/b/a Harmel's Ranch Resort. Motion carried unanimously.

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

Commissioner Houck:

1. Local Growing Opportunities. Commissioner Houck met with the group working on this issue. They will continue to meet to evaluate facilities and need.
2. Flag Day Ceremony. Commissioner Houck represented the County at this recent event.
3. Marijuana Moratorium. Commissioner Houck stated that he had received a lot of feedback on this issue. To some people, hindering grow operations equates to hindering the peoples' will. County Manager Birnie stated that a resolution had been drafted based on previous decisions, but that it could be modified. Chairperson Swenson informed the Board that some citizens have asked about allowing a grow operation in Riverland, but that the area is not equipped. Commissioner Houck noted that the City of Gunnison may be able to provide some options.

Commissioner Chamberland:

1. Colorado Parks and Wildlife Meeting. Commissioner Chamberland informed the Board that the extension to the Gunnison Sage-grouse deadline appears as though it's been considered. He also learned at the meeting that the County's current snowpack is at 77% and the moisture content is at 66%.
2. Broadband Update. Commissioner Chamberland informed the Board that the group attended a conference in Breckenridge yesterday. EagleNet is no longer an option, and the group will continue to pursue other options that may be available.

Commissioner Swenson:

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1. Gunnison Valley Rural Transportation Authority Meeting. Chairperson Swenson informed the Board that the RTA agreed to continue conversations related to senior transportation. Crested Butte Mountain Resort has negotiated with United Airlines for 10 Chicago flights, which the RTA is not supportive of as it may potentially hurt load factors out of Denver. Chicago also experiences severe weather and related delays. Lastly, the RTA has decided to offer the spare bus to the City of Gunnison to use as a circulator bus within the city limits.
2. Animal Shelter Update. Chairperson Swenson will meet with Gunnison Valley Animal Welfare League board members on 6/20 to discuss this project. Hap Channell (former commissioner) is now working with the group on funding issues, and there has been progress.

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

BREAK: The meeting recessed from 11:38 am until 1:01 pm for lunch.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Authorization to Contract for Architectural Services; Courthouse Project. County Manager Birnie explained that negotiations with Roth Sheppard/Humphries Poli haven't concluded yet since the mechanical estimate was significantly higher than discussed. He requested authorization for his signature on the contracts as soon as they are ready for execution. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to authorize the contract with Roth Sheppard/Humphries Poli Architects for the design and construction planning for the courthouse remodeled building. Chairperson Swenson clarified that the County Manager would be signing the contract. Motion carried unanimously.
2. Noxious Weed Concerns. County Manager Birnie informed the Board that Weed District Coordinator Jon Mugglestone evaluated the airport property and has expressed some concerns. County Manager Birnie will discuss this issue with Assistant County Manager Marlene Crosby.

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

1. Bylaws; Gunnison County Trails Commission. Assistant County Manager Crosby confirmed that the bylaws had been approved by the Trails Commission, and that the chair will sign after Board approval. Modifications to the bylaws include a better distribution of duties. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the changes to the Gunnison County Trails Commission Bylaws as presented. Motion carried unanimously.
2. Temporary Road Use Agreement; Rotary Club of Gunnison; Portion of County Road 49 from July 4, 2013 at 6:00 am to July 5, 2013 at 10:00 am; Annual Aerial Fireworks Display Event. Sheriff Rick Besecker and various unnamed Rotary Club members were present for discussion. The draft agreement followed the standard format, except for the change in the amount of liability insurance. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the Temporary Road Use Agreement presented today and authorize signatures. Motion carried unanimously. Since funding for this event has been difficult to obtain, Chairperson Swenson suggested that the Rotary Club get on a work session after the event so that final figures can be discussed.
3. Request for Proposals; Riverwalk Trail. Assistant County Manager Crosby informed the Board that she has been discussing this with the Colorado Department of Transportation (CDOT). The County owns the trail template, and construction funds will be needed. CDOT's process includes statewide bidding based on qualifications, without the ability to request pricing information. If the County's process is opted for, the County will be able to bid locally and require pricing information. A similar bridge project was awarded to Williams Engineering (design and construction administration) for $20,849. She confirmed that the Road and Bridge Fund will be able to cover a similar cost, and she recommended that the County pursue the local bidding process. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to have Gunnison County send out the Request for Proposals for the engineering on the Riverwalk Trail from Apache North. Motion carried unanimously.
4. Purchase of Trail Counters. Assistant County Manager Crosby informed the Board that the Trails Commission has discussed the use of trail counters for some of the local trails because the information could be useful when applying for grant funding. Chairperson Swenson noted that she has been working with a group that has asked about the use of counters due to concerns related to Deer Creek Trail. A counter is a small unit that sits in a tree and uses a reflector in another tree across the trail. Because of this, some wildlife traffic may be counted. Counters cost $500 per unit, and Assistant County Manager Crosby confirmed that the cost could be paid from her budget.
5. Somerset Sewer System. Assistant County Manager Crosby informed the Board that the reading of meters will be required. The County sampled the water going from the tank to the leach field, and the results will be used as the baseline. Going forward, samples will be taken monthly. The cost of the sampling and the meter reading will be the responsibility of the Somerset users; of the 53 lots, only 22 lots are on this system. She also explained that her department has had to decline

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the use by some lots that are close enough to tie into the system in order to remain compliant with State regulations.

BREAK: The meeting recessed from 1:35 until 1:40 pm in order to hold the below Public Hearing.
PUBLIC HEARING; ADOPTION OF 2013 GUNNISON COUNTY PRIMARY AND SECONDARY ROAD MAPS: Assistant County Manager Marlene Crosby, GIS Coordinator Jeff Guy and County Attorney David Baumgarten were present for discussion.

1. Open Public Hearing. Chairperson Swenson opened the Public Hearing at 1:35 pm.

2. Public Notice Confirmation. Assistant County Manager 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. Assistant County Manager Crosby illustrated the proposed changes via large printed maps. Modifications included clearer labeling of roads and identification of previously unidentified County roads.

5. Applicant Presentation. N/A.

6. Board Questions. N/A

7. Public Comments. Chairperson Swenson opened the Public Hearing to comments at 1:40 pm, but no public comments were provided.

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 1:40 pm and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

County Attorney Baumgarten agreed to schedule the adoption of a resolution on the 7/3/13 agenda.

GUNNISON COUNTY NATURAL HAZARD MITIGATION PLAN; COMPREHENSIVE UPDATE OCTOBER 2012: County Attorney David Baumgarten and Emergency Manager Scott Morrill were present for discussion.

Emergency Manager Morrill presented the plan. He explained that the Town of Marble, the Town of Pitkin and the Mt. Crested Butte Water and Sanitation Department were omitted from the plan because he didn't receive any response from the entities. County Attorney Baumgarten agreed to draft a resolution for future consideration by the Board.

CONSIDERATION OF POTENTIAL GUNNISON VALLEY HOSPITAL (GVH) LEASE OF WOLKOV PROPERTY; POSSIBLE ACTION: County Attorney Baumgarten, Gunnison Valley Health Chief Marketing & Business Development Officer Michelle Campbell and Gunnison Valley Health CEO Rob Santilli were present for discussion.

Ms. Campbell informed the Board that GVH is performing staffing model and asset evaluations in order to determine what will remain with the blended practice. She noted that she was optimistic about the equity and fair market value that were negotiated.

Mr. Santilli explained that no details had been finalized, but that GVH physicians will likely take over half of the space, while the other half will be rented to a private physician. The target date is 7/30/13 to occupy the facility. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Resolution #2013-12, a Resolution Approving the Execution and Delivery of Lease between Gunnison Medical Arts Center, LLC and Gunnison Valley Hospital. Motion carried unanimously.

CORRESPONDENCE; COLORADO WATER WORKSHOP; REQUEST FOR SPONSORSHIP: County Manager Birnie stated that the County has not sponsored this workshop since 2009, and that discretionary funding was available if the Board would like to sponsor it this year. The workshop is scheduled to take place July 17-19, 2013. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to, from discretionary funds, send $500 to sponsor the Colorado Water Workshop, which will give us one free admission that is to be used for Paralegal Rachel Magruder. Motion carried unanimously.

LOT CLUSTER APPLICATION; DAN E. AND DEBRA C. COLE; LOTS 8 AND 9, BLOCK 1, CHAIR MOUNTAIN RANCH SUBDIVISION AND THAT PORTION OF TOWNSHIP 11 SOUTH, RANGE 88 WEST, 6TH PM, SECTION 7, LYING EAST OF THE EAST BOUNDARY OF CHAIR MOUNTAIN RANCH SUBDIVISION: Community Development Department Services Manager Beth Baker was present for discussion, and she explained that the total acreage, if the cluster were to be approved, would be 1.10

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acres, and that septic and well are already available. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the Lot Cluster Agreement and application between Gunnison County and Dan E. Cole and Debra C. Cole. Motion carried unanimously.

INTRODUCTION, READING, ADOPTION, ORDER TO PUBLISH AND SETTING OF SECOND READING OF ORDINANCE PROHIBITING THE OPERATION OF MARIJUANA CULTIVATION FACILITIES, MARIJUANA PRODUCT MANUFACTURING FACILITIES, MARIJUANA TESTING FACILITIES OR RETAIL MARIJUANA STORES WITHIN THE UNINCORPORATED BOUNDARIES OF GUNNISON COUNTY, STATE OF COLORADO: County Attorney Baumgarten was present for discussion.

County Attorney Baumgarten explained that this reading was the first step that must be followed in the process. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to introduce and read Ordinance #17, an Ordinance Prohibiting the Operation of Marijuana Cultivation Facilities, Marijuana Product Manufacturing Facilities, Marijuana Testing Facilities or Retail Marijuana Stores within the Unincorporated Boundaries of Gunnison County, State of Colorado. Motion carried unanimously.

County Attorney Baumgarten explained that, if adopted, the ordinance would not allow for retail sales, growing and manufacturing of marijuana within the unincorporated boundaries of the County. The ordinance will require a second reading before taking effect, which was scheduled to take place on 8/6/13. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adopt Ordinance #17 and order to publish in full and the setting of the second reading on August 6, 2013, which allows ample time for public input. Chairperson Swenson clarified that the proposed ordinance would be printed for one week in each of the local newspapers. Motion carried unanimously.

BREAK: The meeting recessed from 2:03 until 2:10 pm.

POSSIBLE GUNNISON COUNTY FIRE RESTRICTIONS: Fire Marshall Dennis Spritzer, Sheriff Rick Besecker, Emergency Manager Scott Morrill, US Forest Service Fire Management Officer Pat Medina and BLM Gunnison Field Manager Brian St. George were present for discussion.

Fire Marshall Spritzer informed the Board that the group present met with representatives from Region 10 yesterday and the local wildfire group earlier today to discuss this recommendation to implement Stage I Fire Restrictions for unincorporated Gunnison County, beginning at 12:01 am on Monday, June 24, 2013. He noted that the BLM and US Forest Service would also be implementing these restrictions at the same time with the hope that this coordination will decrease confusion for the public.

Moved by Commissioner Chamberland, seconded by Chairperson Swenson to approve Resolution #2013-13, a Resolution Implementing Stage I Fire Restrictions. Motion carried unanimously.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 2:15 pm.

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice-Chairperson

_____
Jonathan Houck, Commissioner

Minutes Prepared By:

_____
Katherine Haase, Deputy County Clerk

Attest:

_____
Stella Dominguez, County Clerk

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GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 11 SERIES 2013

A RESOLUTION APPROVING THE AMENDMENT OF THE DECLARATION OF PROTECTIVE COVENANTS FOR FOX MEADOWS SUBDIVISION

WHEREAS, the Fox Meadows Homeowner's Association has submitted proposed amendments to the Fox Meadows Subdivision Declaration of Protective Covenants recorded in the office of the Gunnison County Clerk and Recorder at Reception No. 550372. 71% of the lot owners (5 out of 7 lot owners) have given consent to amend the Declaration of Protective Covenants. The proposed amendment allows for accessory buildings; and

WHEREAS, Gunnison County approved Fox Meadows Subdivision in Resolution No. 79, 2004 and Section 12.4 of the Declaration of Protective Covenants require that any changes or amendments to the covenants shall not be effective until approved by Gunnison County; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that the proposed amendments to the Declaration of Protective Covenants of Fox Meadows Subdivision are hereby approved.

THIS APPROVAL is affected noting that decision documentation includes, but is not limited to the application and the entire Community Development Department Land Use Change Permit application file relative to this application. This approval is founded on each individual finding and requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and passed on this 18th day of June, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2013-13

A RESOLUTION IMPLEMENTING STAGE I FIRE RESTRICTIONS

WHEREAS, the Board of County Commissioners of Gunnison, Colorado previously has adopted Ordinance No. 8 a., An Ordinance Establishing a Permanent Process to Periodically Ban Open Fires Within the Unincorporated Areas of Gunnison County, Colorado, ("Ordinance No. 8 a."); and has adopted Ordinance No. 14, An Ordinance Amending Ordinance No. 8 Establishing A Permanent Process To Periodically Ban Open Fires Within the Unincorporated Areas Of Gunnison County, Colorado, ("Ordinance No. 14"); and

WHEREAS, pursuant to Ordinance No. 8 a. and Ordinance No. 14, the Board of County Commissioners of Gunnison County Colorado has power at any meeting, by resolution, to ban open fires to a degree and in a manner that the Board deems necessary to reduce the danger of wildfires within those portions of the unincorporated areas of Gunnison County where the danger of forest or grass fires is found to be high based on competent evidence; and

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado, has determined that currently the danger of forest or grass fires in all of unincorporated Gunnison County is high at this time and fire restrictions are necessary and appropriate in all unincorporated Gunnison County to reduce the danger of wildfires in Gunnison County.

NOW, THEREFORE, it is resolved that as of June 24, 2013 at 12:01 am, Stage One fire restrictions, defined as follows will be in place in all of unincorporated Gunnison County until further notice:

1. Open fires, including agricultural burning, wood or charcoal fires, and the burning of trash or debris.
2. Building, maintaining, attending or using a campfire outside of designated, developed campgrounds. Exception: campfires are permitted in developed, designated campgrounds and recreation areas in permanent constructed fire grates.
3. Use of fireworks or explosives.
4. Smoking outdoors, unless in an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three feet in diameter that is barren and has been cleared of all flammable material.
5. EXCEPT THAT the following activities are permitted: cooking on manufactured charcoal, liquid fuel and propane grills; campfires with flame length not exceeding two feet in height in pre-fabricated concrete/metal fire enclosures in established campgrounds (USFS, NPS and privately owned); prefabricated concrete/metal fire enclosures on private property.
6. AND EXCEPT THAT the Rotary Club of Gunnison 4th of July fireworks display, and the 3rd/4th of July Crested Butte and Mt. Crested Butte professional fireworks displays shall be allowed unless further restricted by the Board.

This Resolution has immediate effect upon its passage by the Board of Commissioners without further action necessary.

DRAFT

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Swenson, and adopted this 18th day of June, 2013.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

DRAFT