AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Draft BOCC Minutes; 11-18-2014

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

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

Summary:
Attached are the draft 11/18/2014 BOCC minutes for consideration.

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: 12/11/2014

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 12/16/2014 Follow Up Agenda Date:

Revised April 2013

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
November 18, 2014

The November 18, 2014 meeting was held in the Planning Commissioners' boardroom in the Blackstock Government Center located at 221 N. Wisconsin Street, 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 8:31 am.

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

MINUTES APPROVAL: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the October 21, 2014 and November 4, 2014 meeting minutes. Motion carried unanimously.

1. 10/21/14 Regular Meeting
2. 11/4/14 Regular Meeting

CONSENT AGENDA: Commissioner Chamberland requested that Item #6 be pulled for further discussion. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the Consent agenda as presented, pulling out Item #6. Motion carried unanimously.

1. Provider Agreement; Early Childhood Councils Leadership Alliance; Professional Services Regarding Statewide Radio Campaign around the Colorado Early Learning Developmental Guidelines in Collaboration with the Gunnison Hinsdale Early Childhood Council and the Gunnison County Department of Health and Human Services; 10/1/14 thru 12/31/14; $4,500
2. Ratification of Signature; Community Foundation of the Gunnison Valley Agreement Establishing the Choice Pass Community Support Fund; 10/21/13
3. Amendment No. 1 to Contract for Services; Hilltop Health Services Corporation, dba Hilltop Community Resources; $32,356
4. Release of Landscaping Improvements Agreement and Addendum Thereto for Lot 4, Riverland Industrial Park, Filing 1; John Nichols
5. Ratification of Correspondence; National Science Foundation Couple Human Natural System Grant Application Letter of Support
6. **Pulled for Discussion and Separate Action:** Out-of-State Travel Request; Aircraft Rescue Fire-fighting Training; Gunnison-Crested Butte Regional Airport Employee; Salt Lake City, UT; 11/30/14 thru 12/6/14; $2,412.20
7. Corporate Membership Agreement; Peak Fitness; 1/1/15 thru 12/31/15
8. Corporate Membership Agreement; Gunnison Jiu Jitsu; 1/1/15 thru 12/31/15
9. Corporate Membership Agreement; Colorado Fitness; 1/1/15 thru 12/31/15
10. Ratification of Funding Approval; Consultant Fees; Yellow-billed Cuckoo; $800

CONSENT AGENDA ITEM #6: Commissioner Chamberland asked for confirmation that the budgeted amounts were correct as there was no lodging cost included. The Board supposed that the registration cost may include a hotel room at no additional charge. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Consent Agenda Item #6. Motion carried unanimously.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Director Vacancies Update. County Manager Birnie informed the Board that five finalists were interviewed for the HR Director position, and that one of the finalists that participated via Skype will be meeting with him in person on 11/24. He hopes to make a decision soon. With regard to the Health & Human Services Director position, he stated that he should be receiving word from Prothman, the recruiting firm, before the end of the week to discuss the initial screening results.
2. Courthouse Project Update. County Manager Birnie informed the Board that the project has been tented and that most of the rest of the spray insulation will be completed this weekend on the east side of the building. Crews began working on window installation yesterday, and the large curtain walls won't arrive until next month. The interior is a bit ahead of schedule, and the geothermal drilling is complete.

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

1. Intergovernmental Agreement for Road Maintenance Services; Montrose County; 11/1/14 thru 12/31/15. Deputy County Manager Crosby explained that this contract will enable the presence of gravel in the west end of the County. Commissioner Chamberland asked that, in future years, protective language be added to the contract, similar to what is included for Montrose County.

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Deputy County Manager Crosby agreed, and she thought that she might even be able to add the language to the current contract. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the Intergovernmental Agreement for Winter Road Services between Montrose County and Gunnison County with the changes made today. Motion carried unanimously.

2. Cottonwood and Kebler Pass Update. Deputy County Manager Crosby informed the Board that both passes are closed for the winter, and that the participants at the Nordic camp left the area last Saturday.
3. Kebler Trailhead Update. Deputy County Manager Crosby informed the Board that she is assembling the data relative to how many of the non-transferrable permits will be needed. She requested permission to work with residences to determine whether one or two permits should be issued per occupied dwelling.
4. Whitepine Trailhead Update. Deputy County Manager Crosby informed the Board that the commercial operators and the ranch are now declining to work cooperatively. She is working with Saguache County to determine the costs for plowing to the state wildlife area.

RESOLUTION; AMENDING CERTAIN CHARGES AND FEES FOR INTEGRATED SOLID WASTE SERVICES EFFECTIVE JANUARY 1, 2015, THIS RESOLUTION SUPERSEDES RESOLUTION 14-9: Assistant Finance Director Ben Cowan was present for discussion.

Assistant Finance Director Cowan explained that the fee calculations will be changing from per yards to per tons. Commissioner Chamberland questioned the calculations relative to tires, and Assistant Finance Director Cowan explained that the costs needed to remain separate because there are many different types of tires. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve Resolution #2014-32, a Resolution Amending Certain Charges and Fees as presented today. Chairperson Swenson clarified that the resolution will supersede Resolution #2014-9. Motion carried unanimously.

BREAK: The meeting recessed from 8:59 until 9:03 am for a short break.

VOUCHERS AND TRANSFERS APPROVAL: Finance Director Linda Nienhueser presented the voucher approval report dated October 21, 2014 and the cash transfer authorization dated October 2014 for discussion and approval. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the voucher transfer in the amount of $1,660,907.74. Motion carried unanimously. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the October cash transfer in the amount of $2,946,062.31. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: County Treasurer Melody Marks presented the October 2014 Treasurer's report and an investment report dated October 31, 2014 for discussion and acceptance. **Moved** by Commissioner Chamberland, seconded Commissioner Houck to accept the Treasurer's report. Motion carried unanimously.

LOT CLUSTER APPLICATION; SITES 6 AND 7, HIDDEN RIVER RANCH; NICHOLAS AND MARY ANNE CHIREKOS: Assistant Community Development Director Neal Starkebaum was present for discussion. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the Lot Cluster Application for Sites 6 and 7 in Hidden River Ranch. Motion carried unanimously.

BREAK: The meeting recessed from 9:14 until 9:21 am for a short break.

GUNNISON SAGE-GROUSE LITIGATION DISCUSSION: Gunnison Wildlife Conservation Coordinator Jim Cochran, County Attorney David Baumgarten and Paralegal Rachel Magruder were present for discussion.

County Attorney Baumgarten informed the Board that, last Friday, the US Fish and Wildlife Service announced that the species will be listed as threatened and information related to designation of critical habitat. He will be providing a detailed written analysis of the impacts to the Board in the near future. He will also ask for authority to perform some preliminary steps to guarantee litigation options, if needed.

County Attorney Baumgarten presented a map illustrating the radius around each lek in the Gunnison County around which the USFWS wants no surface disturbance. He also provided information related to how a delisting would take place in the future, if pursued. He noted that the litigation process will be difficult, and he confirmed that the State wants to pursue this option with the preferable venue being Colorado instead of Washington DC.

County Attorney Baumgarten requested authorization to work with the State to draft and execute a Joint Litigation or Defense Agreement. He also asked for authorization to file a draft response related to the 60-day notice, research and file any requisite challenge to the NEPA analysis and the economic analysis, and continue our joint defense relationship with the Gunnison County Stockgrowers.

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Commissioner Houck asked for clarification about how the County will participate in a 4D process while also preparing for participation in litigation. County Attorney Baumgarten explained that the opportunity to participate is enhanced by the 60-day notice, and by litigation if necessary.

Moved by Commissioner Houck, seconded by Commissioner Chamberland to authorize the County Attorney to work with the State on a joint litigation agreement, to authorize the County Attorney to work on the draft of the 60-day notice, to authorize the County Attorney to do any research and file any challenges that would come up during the 60-day period, and to authorize our continued relationship and cooperative working relationship with the Gunnison County Stockgrowers. Motion carried unanimously.

TEOCALLI DRAINAGE/SKI AREA EXPANSION: County Attorney Baumgarten, Community Development Director Russ Forrest, Crested Butte Mountain Resort General Manager Ethan Mueller and Director of Planning John Sale, and US Forest Service District Ranger John Murphy were present for discussion.

Community Development Director Forrest explained that the purpose to the discussion was to review the resort plan and request a statement of support for the expansion concept.

Mr. Sale stated that he first made this proposal in 2012, and that he has spent the last two years planning. He indicated that the general purpose of updating the master plan would be to inventory all amenities and plan for future expansion, and he reviewed the packet materials with the Board. Future expansion goals include adding two new lifts, expanding the Teocalli drainage, adding new terrain, creating additional summer recreational options, upgrading existing lifts, and adding a warming house. Mr. Mueller stated that the expansion is planned for completion within the next two-to-four years

Moved by Commissioner Houck, seconded by Commissioner Chamberland to approve Resolution #2014-33, a Resolution Expressing Support for Crested Butte Mountain Resort to Pursue Approval for a Mountain Expansion Referred to as Teocalli Drainage. Motion carried unanimously.

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

BREAK: The meeting recessed from 10:29 until 10:36 am in order to hold the Gunnison/Hinsdale Board of Human Services meeting (see separate minutes).

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

Commissioner Houck:

1. Human Resources Director Interview Process. Commissioner Houck informed the Board that he participated in the condensed process.
2. Signal Peak Recommendation Update. Commissioner Houck informed the Board that the Gunnison Sage-grouse Strategic Committee's recommendation should be coming in December.

Commissioner Swenson:

1. Gunnison Valley Regional Housing Authority Update. Chairperson Swenson informed the Board that GVRHA is going forward with the new Anthracite Place project in Crested Butte. GVRHA Executive Director Karl Fulmer is expected to attend the 12/16 meeting to discuss the project and to request $100,000 from the Linkage Fee Fund to use for security purposes. County Manager Birnie noted that he supports the request, and he opined that the County may need to execute an additional agreement with GVRHA that specifies the property management services.
2. Gunnison-Crested Butte Tourism Association Facilitation Update. Chairperson Swenson informed the Board that the group has been working diligently on the bylaws, and that they have planned to hold a special meeting on 11/25 to discuss winter marketing. The Board asked that positions on the future marketing board be added to the list of positions that are advertised in December.

Commissioner Chamberland:

1. Adaptive Sports Funding Request. Commissioner Chamberland informed the Board that Adaptive Sports approached him to request funding for providing services to disabled children through the schools. The Board agreed that this should be a school function.

GUNNISON SAGE-GROUSE LITIGATION DISCUSSION (continued): County Attorney Baumgarten requested that the Board, supplementing the motion made earlier in the meeting, authorize the opportunity to request an injunction. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland, in addition to the list of resources we gave to our Attorney's Office, to include the possibility to pursue an injunction, if that is a well-thought-out plan, and to delegate to them the opportunity to take a look at that as a possibility. Motion carried unanimously.

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ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 11:01 am.

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice-Chairperson

_____
Jonathan Houck, Commissioner

Minutes Prepared By:

_____
Katherine Haase, Deputy County Clerk

Attest:

_____
Stella Dominguez, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 14-32

A RESOLUTION AMENDING CERTAIN CHARGES AND FEES FOR INTEGRATED SOLID WASTE SERVICES
EFFECTIVE JANUARY 1, 2015
THIS RESOLUTION SUPERSEDES RESOLUTION 14-9

WHEREAS, the Gunnison County Landfill, also known as the Six Mile Lane Landfill ("Landfill") was established pursuant to Resolution No. 18, Series 1985; and

WHEREAS, the Solid Waste Fund is operated and funded through charges and fees for services at the Landfill site and sales of materials at the Gunnison County Recycling Center located at Tenth Street and Rio Grande Avenue; and

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado, wants to adjust the charges and fees for the Landfill to better fund that operation and make it self-supporting; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting any and all costs of a County administered recycling program; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting any and all costs of future closure and post-closure of the Landfill site; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting any and all costs of future Landfill expansion construction costs of the Landfill site; and

WHEREAS, a portion of the charges and fees shall be dedicated to offsetting costs associated with sage grouse mitigation; and

WHEREAS, a solid waste user fee shall be imposed in addition to all charges and fees specified herewith pursuant to Colorado Revised Statutes § 25-16-104.5;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that the following charges and fees are hereby established, to be effective January 1, 2015:

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Charge	Rate		Fee Distribution Per Unit					
			Recycling	Closure	Construction	Sage Grouse	State Fees	Operations
Compacted	**40.00**	**ton**	10.25	1.75	6.50	3.75	1.00	16.75
Clean Wood	40.00	ton	10.25	1.75	6.50	3.75	-	17.75
Concrete<12" Diameter	40.00	ton	10.25	1.75	6.50	3.75	-	17.75
Ground Construction Debris	40.00	ton	10.25	1.75	6.50	3.75	1.00	16.75
Loose	**57.00**	**ton**	10.25	1.75	6.50	3.75	1.00	33.75
Tires-Passenger	5.00	ea	0.90	0.15	0.55	0.35	-	3.05
Tires-Truck	12.00	ea	2.16	0.36	1.32	0.84	-	7.32
Tires-Loader	20.00	ea	3.60	0.60	2.20	1.40	-	12.20
Tire Rim	1.50	ea	0.27	-	-	-	-	1.23
Tire Rim w/ Tire	10.00	ea	1.80	-	-	-	-	8.20
Biosolids	57.00	ton	10.25	1.75	6.50	3.75	1.00	33.75
Appliance	10.00	ea	1.80	-	-	-	-	8.20
Refrigerator	20.00	ea	3.60	-	-	-	-	16.40
Concrete>12" Diameter	57.00	ton	10.25	1.75	6.50	3.75	-	34.75
Special Waste	20.00	ton	-	1.75	6.50	3.75	1.00	7.00
Beneficial Use	20.00	ton	-	-	-	-	-	20.00
Asbestos	175.00	ton	10.25	1.75	6.50	3.75	1.00	151.75
Administration Fee	150.00	ea	-	-	-	-	-	150.00
Minimum Charge	10.00	ea	-	-	-	-	-	10.00
Untarped Load Penalty	120.00	ton	-	-	-	-	-	120.00
Weight Slip	10.00	ea	-	-	-	-	-	10.00
Failed Inspection	50.00	ea	-	-	-	-	-	50.00
Ticket Copies	5.00	ea	-	-	-	-	-	5.00

BE IT FURTHER RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that, in the event of impairment of the scale, the following charges and fees are hereby established:

Charge	Rate		Fee Distribution Per Unit					
			Recycling	Closure	Construction	Sage Grouse	State Fees	Operations
Compacted	**15.00**	**yd**	3.84	0.66	2.44	1.41	0.30	6.35
Clean Wood	12.00	yd	3.08	0.53	1.95	1.13	-	5.31
Concrete<12" Diameter	25.00	yd	6.41	1.09	4.06	2.34	-	11.10
Ground Construction Debris	15.00	yd	3.84	0.66	2.44	1.41	0.30	6.35
Loose	**15.00**	**yd**	2.70	0.46	1.71	0.99	0.30	8.84
Biosolids	30.00	yd	5.39	0.92	3.42	1.97	0.30	18.00
Concrete>12" Diameter	75.00	yd	13.49	2.30	8.55	4.93	-	45.73
Special Waste	15.00	yd	-	1.31	4.88	2.81	0.30	5.70
Beneficial Use	15.00	yd	-	-	-	-	-	15.00
Asbestos	50.00	yd	2.93	0.50	1.86	1.07	0.30	43.34

BE IT FURTHER RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that:

1. Mattress or Box Springs Surcharge. Mattresses or box springs shall be charged a five-dollar ($5.00) handling fee for each mattress or box spring in addition to the charge determined at the above rates. Revenues generated from such fees shall be dedicated to offsetting any and all costs of Landfill operations.
2. Local Tires and Asbestos. Tires and asbestos will not be accepted from sources outside Gunnison or Hinsdale County.
3. Administration Fee. The Administration Fee shall be collected once per year per type of single source waste that requires a special waste characterization.
4. Tire Rim with Tire. The Tire Rim with Tire fee shall be charged in addition to the associated tire fee to accommodate the handling required to separate the tire from the rim.

BE IT FURTHER RESOLVED that the above fees amend and supersede any previous conflicting fees and shall remain in full force and effect until changed by resolution of the Board of County Commissioners.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and adopted this 18th day of November, 2014.

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. 2014-33

A RESOLUTION EXPRESSING SUPPORT FOR CRESTED BUTTE MOUNTAIN RESORT TO PURSUE APPROVAL FOR A MOUNTAIN EXPANSION REFERRED TO AS TEOCALLI DRAINAGE

WHEREAS, Crested Butte Mountain Resort provides valuable recreational and tourism amenities for Gunnison County at the Crested Butte Ski Area;

WHEREAS, Crested Butte Mountain Resort is a major employer in Gunnison County;

WHEREAS, the Ski Industry is highly competitive within the State of Colorado and the United States and skier day numbers at Crested Butte Mountain Resort have declined since 2000 as other competitors have expanded terrain and/or created new mountain and base area amenities;

WHEREAS, the 2013 Resort Master Development Plan submitted to the USDA Forest Service provides a plan to enhance both summer and winter amenities at the Crested Butte Ski Area;

WHEREAS, the Teocalli Drainage expansion and associated improvements are proposed in the 2013 Resort Master Development Plan;

WHEREAS, it appears additional intermediate ski terrain at Crested Butte Mountain will be helpful in regaining market share in Colorado and improve the Resort's competitive position in the marketplace;

WHEREAS, Gunnison County has not received a specific application for a ski area expansion and reserves its right, pursuant to the Gunnison Land Use Resolution, to review, comment, conduct public hearings, and appropriately apply County regulations to any future application.

WHEREAS, Gunnison County looks forward to appropriate application(s) coming forward with an adequate analysis of impacts and opportunities for the Teocalli Drainage Expansion at Crested Butte Mountain Resort.

WHEREAS, Gunnison County encourages appropriate Federal Agencies to appropriately evaluate the Teocalli 2 expansion under the National Environmental Policy Act and other applicable Federal laws and policies.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Gunnison, that it states its support for the Teocalli Drainage concept and that a formal application be submitted so that specific impacts and opportunities of a proposed mountain expansion can be identified and appropriately evaluated by both the Federal Government and Gunnison County.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland and adopted on this 18th day of November, 2014.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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

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