AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Draft BOCC Meeting Minutes; 11/7/2017

Action Requested:

Parties to the Agreement:

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

Summary:

Attached are the draft 11/7/2017 BOCC meeting minutes for consideration.

Fiscal Impact:

Submitted by: Josh Ost **Submitter's Email Address:** jost@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 12/1/17

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 12/1/2017 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 12/1/2017

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 1

Agenda Date: 12/5/2017

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
November 7, 2017

The November 7, 2017 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Phil Chamberland, Chairperson
Jonathan Houck, Vice-Chairperson
John Messner, Commissioner
Matthew Birnie, County Manager
Josh Ost, Deputy County Clerk
Others Present as Listed in Text

CALL TO ORDER: Chairperson Chamberland called the meeting to order at 9:59 am.

AGENDA REVIEW: There were no changes to the agenda.

MINUTES APPROVAL: **Moved** by Commissioner Messner, seconded by Commissioner Houck to approve the 9/19/2017 regular meeting. Motion carried unanimously. **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the 10/13/2017 and 11/2/2017 special meeting minutes as presented. Chairperson Chamberland abstained due to absence from the meetings. Motion carried.

1. 9/19/2017 Regular Meeting
2. 10/13/2017 Special Meeting
3. 11/2/2017 Special Meeting

CONSENT AGENDA: **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the consent agenda as presented. Motion carried unanimously.

1. Intergovernmental Agreement; West Central Public Health Partnership; July 1, 2017 – June 30, 2018
2. Acknowledgement of County Manager's Signature; Physician and Employer Participation Agreement; Sherry L. Niccoli MD PC; September 1, 2017 – August 31, 2018
3. Acknowledgement of County Manager's Signature; Health Service Provider and Employer Participation Agreement; Elk Mountain Therapy Associates, LLC; September 1, 2017 – August 31, 2018
4. Purchase of Service Agreements; Midwestern Colorado Mental Health Center; Mental Health and Substance Abuse Core Services Programs
5. Public Service Grant Application; City of Gunnison; Gunnison County Substance Abuse Prevention Project; Youth Shared Space and Sources of Strength; $52,084
6. Second Amendment to Hertz Airport Facilities Lease and Rental Car Concession Agreement; Term Extension June 1, 2017 – May 31, 2020
7. Second Addendum to the Development Improvements Agreement for Horse River Ranch, Tract A; Work Completed Date Extended to August 31, 2018
8. Development Improvements Agreement for Gunnison Secure Storage
9. Colorado Division of Homeland Security and Emergency Management Hazard Mitigation Plan Grant Application; $65,000
10. Acknowledgement of County Manager's Signature; Contract Agreement; Professional Contractor, Inc.; Metal Storage Building at the Gunnison County Crested Butte Shop; $92,575

Acknowledgement of County Manager's Signature; Health Service Provider and Employer Participation Agreement; Gunnison Valley Naturopathic Clinic; September 1, 2017 – August 31, 2018:
Commissioner Houck recused himself from the discussion on this item and abstained from voting.
Moved by Commissioner Chamberland, seconded by Commissioner Messner to approve the Acknowledgement of County Manager's Signature; Health Service Provider and Employer Participation Agreement; Gunnison Valley Naturopathic Clinic; September 1, 2017 – August 31, 2018. Motion carried.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

COUNTY MANAGER'S REPORTS: County Manager Matthew Birnie was present for the discussion.

1. PILT and SRS Letters: CM Birnie encouraged the Commissioners to sign on if they have not already. CM Birnie discussed the funding from these programs.
2. Tax Reform: CM Birnie discussed the impacts to local government. There would also be changes in the rules to the municipal bond market. CM Birnie explained the changes to the Board. The Board stated they would like to send a letter to the congressional delegation regarding this issue. **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the creation of a letter from the Board regarding the bonding issues discussed and to use the Commissioners signature stamps. Motion carried unanimously.
3. Gunnison National Forest District Ranger: Matt McCombs reached out to let the county know about upcoming forest plan revision webinars.

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

1. Grant of Perpetual Easement; Dunbar Family Partnership, LP; Lot 28, Riverwalk Estates: DCM Crosby explained the easement and the necessity for it. **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the Grant of Perpetual Easement; Dunbar Family Partnership, LP; Lot 28, Riverwalk Estates. Motion carried unanimously.
2. Recycle Center: DCM Crosby gave an update on the new recycle center.
3. Irwin Plowing: DCM Crosby asked the Board if they were supportive of continuing to plow to the Irwin forks if there is not enough snow for the CB Nordic Thanksgiving camp. The Board stated they did support the plowing.

Resolution; Authorizing the Purchase of Real Property for Gunnison Valley Health:
The Board did not have questions on this item.
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the Resolution 2017-41; Authorizing the Purchase of Certain Real Property for the Use of Gunnison Valley Health. Motion carried unanimously.

Boundary Line Adjustment Request; David & Barbara Hyatt; Lot 16 Dos Rios Subdivision, Gunnison Home Sites Unit No. 1:
Administrative Services Manager Beth Baker was present for the discussion. She described the location of the property and where the new lines would be.
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the Boundary Line Adjustment Request; David & Barbara Hyatt; Lot 16 Dos Rios Subdivision, Gunnison Home Sites Unit No. 1. Motion carried unanimously.

Break: The Board took a break at 10:24 am. The meeting resumed at 10:30 am.

Marijuana Facility for Cultivation License Renewals:
Administrative Services Manager Beth Baker was present for the discussion. Everything discussed pertains to all four of the renewals on today's agenda. She stated there are no vested rights with the renewals. All process are the same as it was when the license we first requested. She also stated that each property had been inspected.

Renewal of Marijuana Facility License for Cultivation; Crested Butte Concentrates:
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the Renewal of Marijuana Facility License for Cultivation; Crested Butte Concentrates and authorize the Chairperson's signature. Motion carried unanimously.

Renewal of Marijuana Facility License for Cultivation; Southern Charms Organics LLC:
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the Renewal of Marijuana Facility License for Cultivation; Southern Charms Organics LLC and authorize the Chairperson's signature. Motion carried unanimously.

Renewal of Marijuana Facility License for Cultivation; CCCenter Seven, LLC:
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the Renewal of Marijuana Facility License for Cultivation; CCCenter Seven, LLC and authorize the Chairperson's signature. Motion carried unanimously.

Renewal of Marijuana Facility License for Cultivation; Pure Industries LLC:
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the Renewal of Marijuana Facility License for Cultivation; Pure Industries LLC and authorize the Chairperson's signature. Motion carried unanimously.

COMMISSIONER ITEMS: This item occurred earlier than scheduled due to a gap in the meeting

Commissioner Messner:

1. Compact of Colorado Communities: There is a call tomorrow morning to discuss the details of the group.
2. Gunnison Valley Regional Housing Authority: There is a meeting tomorrow.
3. Commissioner Messner will be speaking at a summit at Western State Colorado University about energy sustainability and the Coal Mine Methane Group.
4. IceLab Trout Tank: This event was last night. There were 200 people in attendance and it was sold out.
5. Coal Mine Methane Group: The next meeting is on the 16th. There is an updated MOU based on the feedback from the previous meeting that has been circulated.
6. Commissioner Messner asked if someone from the County could attend an Upper Gunnison Water Conservancy District meeting to present the Shady Island River Park plan for matching funds from Upper Gunnison Water Conservancy District.
7. Commissioner Messner sent the other Commissioners a draft resolution for support of deferred maintenance funds for the National Park Service.

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Commissioner Houck:

1. Commissioner Houck thanked County Manager Birnie for making the Leadership Academy happen.
2. Forest Plan Revision: Commissioner Houck will be attending the webinar.
3. Public Lands Partnership: The executive committee meeting was this past Thursday. The issues that come out of the meeting were discussed among the Board.
4. Gunnison Public Lands Initiative: There is a meeting scheduled this week in Delta County.

Executive Session; Pursuant to C.R.S. 24-6-402 (4)(e)(I) – Determining Negotiating Strategies and Positions and Instructing Negotiators:
Moved by Commissioner Houck, seconded by Commissioner Messner to enter an executive session to Pursuant to C.R.S. 24-6-402 (4)(e)(I) – Determining Negotiating Strategies and Positions and Instructing Negotiators. In attendance would be the Board of County Commissioners, County Attorney David Baumgarten and County Manager Matthew Birnie. Motion carried unanimously.
The board went into executive session at 11:02 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)(e)(I).*

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)(e)(I) 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
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)(e)(I).

Date: _____ _____
Phil Chamberland, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Messner to come out of session. Motion carried unanimously**.** The Board came out of executive session at 11:36 am. Chairperson Chamberland 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.

UNSCHEDULED CITIZENS: There were no Unscheduled Citizens present.

CONTINUED COMMISSIONER ITEMS:

Commissioner Chamberland:

1. Club 20: There was a meeting in Grand Junction yesterday. The topics of the meeting were discussed.

ADJOURN: **Moved** by Commissioner Houck, seconded by Commissioner Messner to adjourn the regular meeting. The meeting adjourned at 11:42 am.

_____
Phil Chamberland, Chairperson

_____
Jonathan Houck, Vice-Chairperson

_____
John Messner, Commissioner

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Minutes Prepared By:

_____
Josh Ost, Deputy County Clerk

Attest:

_____
Kathy Simillion, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO
RESOLUTION NO. 17-41

A RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY FOR THE USE OF GUNNISON VALLEY HOSPITAL

WHEREAS, Gunnison Valley Hospital desires to purchase for the use of the Gunnison Valley Hospital, certain real property described as Lots 82 and 85, RE-PLAT of LOT 80 VAN TUYL VILLAGE, according to the Plat thereof recorded December 11, 2007 as Gunnison County Reception No. 5880957 (the "Property").

WHEREAS, Colorado Revised Statute 25-3-304(1) requires that "(H)ospital property…including real…property…may be acquired and held by…conveyance on transfer of title, but if by conveyance title to all lands shall be in the name of the County."

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON COLORADO ("Gunnison County"), that:

1. In the event the Property is purchased by Gunnison Valley Hospital for the use by Gunnison Valley Hospital, the conveyance title shall be in the name of Gunnison County.

2. Gunnison County shall coordinate with Gunnison Valley Hospital to ensure that such use of the Property reasonable can be accomplished.

3. Gunnison County Manager Matthew Birnie is authorized to sign, on behalf of Gunnison County, the documents necessary to close the purchase of the Property.

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and adopted this 7th day of November, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

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