AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: DRAFT BOCC Meeting Minutes; 10/16/18

Action Requested: Motion

Parties to the Agreement:

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

Summary:

The draft 10/16/18 Regular Meeting minutes are attached for consideration

Fiscal Impact:

Submitted by: Liz Mense **Submitter's Email Address:** EMense@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 11/16/18

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 11/16/2018 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 11/16/2018

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 5

Agenda Date: 11/20/2018

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
October 16, 2018

The October 16, 2018 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Phil Chamberland, Chairperson (ABSENT)
Jonathan Houck, Vice-Chairperson
John Messner, Commissioner
Matthew Birnie, County Manager
Elizabeth Mense, Deputy County Clerk
Others Present as Listed in Text

GUNNISON COUNTY BOARD OF EQUALIZATION:

CALL TO ORDER: Commissioner Houck called the meeting to order at 12:59 pm.

Final Determination; Classification & Property Valuation; CBOE #10 - Manus:
Senior Appraiser Analyst William Spicer was present for the discussion.
Moved by Commissioner Messner, seconded by Commissioner Houck to make a final determination on the classification and property value from commercial to residential on R014078. Motion carried.
Moved by Commissioner Messner, seconded by Commissioner Houck to reclassify R014079, R014465 and R014077 from vacant to residential. Motion carried.

ADJOURN: The Gunnison County Board of Equalization meeting adjourned at 1:02 pm.

NOTE: The Gunnison County Board of Equalization adjourned at 1:02 pm. The Gunnison/Hinsdale Board Human Services was held directly afterward. See Separate minutes.

GUNNISON COUNTY BOARD OF COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Commissioner Houck called the meeting to order at 1:35 pm.

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

MINUTES APPROVAL: **Moved** by Commissioner Messner, seconded by Commissioner Houck to approve the meeting minutes of 9/18/18 as presented. Motion carried unanimously.

1. 9/18/18 Regular Meeting

CONSENT AGENDA: **Moved** by Commissioner Houck, seconded by Commissioner Messner to approve the Consent Agenda as presented with the exception of Consent Agenda item No. 12. Motion carried.

1. Agreement; Gunnison-Crested Butte Regional Airport; Airport Advertising Media Management Agreement
2. Contract Documents; AIP 54 SRE Acquisition
3. Notice to Proceed; OJ Watson Re: AIP 54 Acquisition
4. Supplemental Lease Agreement; Amendment to 10/16/15 AWOS Agreement; Gunnison-Crested Butte Regional Airport; Federal Aviation Administration
5. Liquor License Renewal; 456 Entertainment LLC dba Tully's
6. Liquor License; Kebler Corner Liquors LLC
7. Contract; 2018 Emergency Management Performance Grant; $75,000
8. Calendar; Gunnison County 2019 Holidays
9. Grant; City of Gunnison; Public Service Grant Application
10. Contract; Gunnison County Health & Human Services; Colorado Department of Public Health & Environment; Family Planning Title X; $48,096
11. Agreement; Gunnison County & Colorado Department of Public Health & Environment; 2019 Indirect Cost Negotiation Agreement
12. Letter of Support; BOCC Re: Metropolitan Recreation District

Moved by Commissioner Houck, seconded by Commissioner Messner to approve Consent Agenda item No. 12 with discussed revisions regarding tense and usage and authorize BOCC signature or the use of BOCC signature stamps. Motion carried.

SCHEDULING:

1. There is Community Builders Task Force Meeting on Thursday, 10/18/18.
2. There is a Club 20 caucus meeting on 10/19/18.
3. The State of Valley update is scheduled for 10/24/18.
4. The Colorado Department of Transportation public meeting regarding the upcoming work on Little Blue Canyon is 10/25/18.
5. There is an Air Command meeting on 10/26/18.

DRAFT

6. The Informal Interim Committee Meeting regarding housing is scheduled for 10/29/18. The meeting will include representatives from multiple counties and KC Becker, House Majority Leader.
7. The Bureau of Land Management has an open house scheduled on 10/30/18.

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

1. ICMA Certificate of Excellence in Performance Management:
County Manager Birnie explained that he represented Gunnison County at the International City/County Management Association conference in Baltimore, MD at the end of September. Gunnison County was recognized for its data-driven management and reporting efforts. He made the following statement regarding the award:
"I'm honored to announce that Gunnison County has received the 2018 Certificate of Excellence in Performance Management from the International City/County Management Association (ICMA)! Gunnison County is one of only 29 local governments across the nation to receive this distinction, which represents the highest of three distinction levels, and one of only 57 local governments to be recognized. As a point of reference, there are nearly 40,000 general purpose local governments in the United States, so receiving one of only 29 awards for Excellence in Performance Management is an incredible honor. We are one of only five counties in the country and one of only three local governments in Colorado to earn this distinction. I am so proud of the work we do every day at the County and to be included in such an elite group for our commitment to excellence is extremely gratifying. This Certificate of Excellence acknowledges our dedication to remain accountable and continually improve the results that we provide to our residents and visitors. Successful performance management requires a team effort, and I applaud the individual talents and efforts of all of the County employees that made this award possible. We could not have achieved this recognition without their hard work, so I thank each one of our dedicated employees."
The Board congratulated County Manager Birnie and the organization as a whole and asked that press release be done.

2. CM Birnie received an email from the new Saguache County Administrator inviting the Gunnison County BOCC to meet with the Saguache County BOCC.

DEPUTY COUNTY MANAGER'S REPORT: Deputy County Manager Marlene Crosby was not present for the meeting.

BREAK: The Board took a break at 1:55 pm. The meeting resumed at 1:59 pm.

Discussion; Iron Point 3D Seismic Project:
Cathie Pagano, Director of Community and Economic Development and County Attorney David Baumgarten were present for the discussion. CA Baumgarten explained that within the last two days he has had communication with the contractor who represents Gunnison Energy regarding this proposal. Based on what is being proposed, and what information is available, the County Attorney's office believes that Gunnison County oil and gas regulation permits may be required. As of now those permits have not been obtained. The County Attorney's Office (CAO) has upcoming meetings with proposal representatives and Delta County. The CAO has also been in contact with the United States Forest Service and Colorado Oil & Gas Commission regarding this proposal. Comments are due by October 26th, 2018. The CAO will submit comments on behalf of the BOCC.

Grant Agreement; Cox Ranch Conservation Easement:
Mike Pelletier, Geographic Information Services Manager and Stacy McPhail, Executive Director of Gunnison Ranchland Conservation Legacy were present for the discussion. The Cox Ranch Conservation Easement is a donation by the Cox family. The property is approximately 28 miles southwest of Gunnison on Alpine Plateau Road, which is south of the Arrowhead Subdivision. The grant agreement is for $63,405 of Land Preservation funds to cover transaction costs, which constitutes 8.3% of the project value.
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the Cox Ranch Conservation Easement documents and authorize the signatures of the Board. Motion carried.

COMMISSIONER ITEMS: This item occurred earlier in the meeting due to be ahead of schedule.
John Messner-

1. Commissioner Messner discussed a recent CCI meeting he attended.
2. Commissioner Messner provided an update on the Coal Mine Methane Working Group projects. The next meeting is scheduled for 10/31/18.

Jonathan Houck-

1. Commissioner Houck provided on update following the BOCC Work Session that took place on Thursday, 10/11/18 in Marble and Somerset.

Discussion; Golden Eagle Trash Service Appeal:
Cathie Pagano, Director of Community and Economic Development and County Attorney David Baumgarten were present for the discussion. Director Pagano explained that on September 21, 2018 the Planning Commission unanimously voted to approve the Land Use Change permit (LUC-18-00017) for Golden Eagle Trash Service, LLC. The Land Use Change permit approval for (LUC-18-00017) decision for Golden Eagle Trash Service, LLC has since been appealed. She explained that the purpose of the discussion today is for the BOCC to discuss the application and appeal to determine whether to hold an additional public hearing. County Attorney Baumgarten explained the process pertaining to Board consideration of the appeal from a legal standpoint. The consensus of the Board after discussion was that a site visit is necessary to make a decision. The Board opened the floor to comments from interested parties. Questions and comments from interested parties were welcomed and addressed accordingly. A site visit and public hearing will be scheduled for a later date.
Moved by Commissioner Messner, seconded by Commissioner Houck to conduct a public hearing regarding this application based on Board determination of availability at the time of review by the initial decision making body and that there will be additional testimony or evidence that may be ascertained, including a site visit and workflows from it, that would be significant. Motion carried.

Report on Gunnison Sage-Grouse Litigation; Possible Executive Session Pursuant to C.R.S. 24-6-402 (4) (b) Conference with the County Attorney to Receive Legal Advice on Decision and Possible Next Steps:
Moved by Commissioner Houck, seconded by Commissioner Messner to enter an executive session Pursuant to C.R.S. 24-6-402 (4) (b), to Conference with the County Attorney and Deputy County Attorney to Receive Legal Advice on Decision and Possible Next Steps in reference to the Gunnison Sage-Grouse Litigation. In attendance would be the Commissioner John Messner, Commissioner Jonathan Houck, Deputy County Attorney Matthew Hoyt, County Attorney David Baumgarten and County Manager Matthew Birnie. Motion carried.
The Board went into executive session at 2:47 pm. *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) (b).*

Attorney Statement Regarding Executive Session
Pursuant to C.R.S. 24-6-402(2)(d.5)(II)(B) and 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)(b) 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 Vice-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)(b).

Date: _____ _____
Jonathan Houck, Vice-Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Messner to come out of executive session. Motion carried unanimously**.** The Board came out of executive session at 3:21 pm. Commissioner Houck 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.
Moved by Commissioner Houck, seconded by Commissioner Houck to direct the County Attorney's office to take all steps necessary to effectuate the appeal process as necessary for Gunnison County's position regarding the Sage-Grouse Litigation. Motion carried unanimously.

BREAK: The Board took a break at 3:22 pm. The meeting resumed at 3:27 pm.

Resolution; A Resolution Approving the Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of the Shady Island River Park project:
Community and Economic Development Director Cathie Pagano was present for the discussion. Discussion ensued and all questions from the Board were addressed.
Moved by Commissioner Messner, seconded by Commissioner Houck to approve Resolution 2018-40; A Resolution Approving the Grant Application for a Local Parks and Outdoor Recreation Grant from the State Board of the Great Outdoors Colorado Trust Fund and the completion of the Shady Island River Park project. Motion carried.

UNSCHEDULED CITIZENS: There were no Unscheduled Citizens present

ADJOURN: **Moved** by Commissioner Houck, seconded by Commissioner Messner to adjourn the meeting. The meeting adjourned at 3:41 pm.

(Absent from meeting – no signature)

_____
Phil Chamberland, Chairperson

_____
Jonathan Houck, Vice-Chairperson

_____
John Messner, Commissioner

Minutes Prepared By:

_____
Elizabeth Mense, Deputy County Clerk

Attest:

_____
Kathy Simillion, County Clerk