AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: DRAFT BOCC Meeting Minutes; 8/6/19

Action Requested: Motion

Parties to the Agreement:

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

Summary:

The draft 8/6/19 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:

Reveiwed by: GUNCOUNTY1\mhoyt Discharge Date: 8/30/2019 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 8/30/2019

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

Agenda Date: 9/3/2019

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
August 6, 2019

The August 6, 2019 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

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

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Chairperson Houck called the meeting to order at 8:30 am.

AGENDA REVIEW: There were no changes to the agenda.

MINUTES APPROVAL:
Moved by Commissioner Mason, seconded by Commissioner Messner to approve the meeting minutes of 7/02/19 as presented. Motion carried.
Moved by Commissioner Messner, seconded by Commissioner Houck to approve the meeting minutes of 7/16/19 as presented. Motion carried.

1. 7/02/19 Regular Meeting
2. 7/16/19 Regular Meeting

CONSENT AGENDA: Moved by Commissioner Mason, seconded by Commissioner Messner to approve the Consent Agenda as presented. Motion carried.

1. Agreement; West Regional Healthcare Coalition
2. Grant Award Approval; Community Foundation of the Gunnison Valley; Juvenile Services – Family Advocacy Support Team (FAST); $1,450.00
3. Provider Agreement; Katherine Melland; Data Analysis & Report Construction for Juvenile Services
4. Request for Approval; Colorado Division of Criminal Justice – Change in Project Officials; Juvenile Services Diversion Program
5. Request for Approval of Funding Allocations; Western Regional Medical & Trauma Advisory Council (WRETAC); Gunnison Valley Health - Emergency Medical Services; Pediatric & Neonatal Critical Care Transport Program Training
6. Ratification of BOCC Signature; Proclamation; Janet Reinman Retirement
7. Acknowledgment of County Manager's Signature; Grant Amendment #1; Department of Public Safety, Division of Criminal Justice; Juvenile Diversion – Year 3
8. Intergovernmental Agreement; 2019 Undesirable Plant Management
9. Acknowledgment of County Manager's Signature; Agreement; Eco-Right Solutions; Noxious Weed Management
10. Ratification of Commissioner Signature; U.S. Department of Housing & Urban Development; Previous Participant Certification
11. Contract; Region 10; Health & Human Services Senior Resources
12. Grant Application; Colorado Health Institute; Advancing Breastfeeding in Colorado (ABC); Early Childhood Council
13. Resolution; A Resolution Establishing the Policy for Appointments to Gunnison County Boards and Commissions
14. Funding Agreement; Gunnison County Metropolitan Recreation District & Gunnison County Public Works; $3,721.00
15. BOCC Letter of Support; History Colorado State Historical Fund; Alpine Tunnel
16. Agreement; Release of Landscaping Improvements; Discount Self-Storage
17. Agreement; Release of Development Improvements; Discount Self-Storage; Parking Lot Expansion
18. Addendum; Landscaping Improvements Agreement; Swiss Holdings, LLC
19. Addendum; Development Improvements Agreement; Whetstone Industrial Park
20. Agreement; Release of Development Improvements; Gunnison Secure Storage Phases 1 & 2A
21. Liquor License Renewal; Roberts Corporation dba Harmel's Ranch Resort; June 17, 2019 – June 17, 2020
22. Liquor License Renewal; Tre Amici Corp dba Garlic Mike's; September 14, 2019 – September 14, 2020
23. Special Event Liquor License; Rocky Mountain Biological Laboratory; August 20, 2019
24. Hangar Lease Reassignment; Gunnison-Crested Butte Airport; Hangar 13

SCHEDULING:
- The Colorado Counties, Inc. district meeting is scheduled for 8/23/19. Commissioner Messner is planning on attending.

- Commissioner Messner will not be in attendance at the 9/10/19 Work Session.
- Commissioner Houck will not be in attendance at the 8/20 Regular Meeting.
- The Colorado Water District economic development meeting is scheduled for 8/30/19 in Montrose.
- The Gunnison County Budget Kick-off meeting is scheduled for Thursday, 8/15/19.

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

1. **Request for Training Approval; Natural Gas Vehicle Institute:**
   Deputy County Manager Crosby presented the request for training approval for the Natural Gas Vehicle Institute. She explained that the training is expensive but it's the only vendor that offers a natural gas training program and certification for annual inspections that Public Works has been able to find.
   Moved by Commissioner Messner, seconded by Commissioner to approve the Natural Gas Vehicle Institute training request and authorize Deputy County Manager's Signature on the contract. Motion carried. County Attorney David Baumgarten indicated that his office is comfortable with moving forward with the contract as presented.

- DCM Crosby requested Board input regarding the collection of abandoned snowmobiles on Kebler Pass. There are currently 21 snowmobiles in the Crested Butte Public Works shop yard. DCM Crosby requested approval to draft a Resolution that would impose fees for towing and storage. The Board approved the request.
- Greg Frazier from United Companies provided an update on Cottonwood Pass. Mr. The pass is scheduled to open to traffic on Monday, 8/12/19.

BOCC Supplemental Comments Re: GMUG Draft Forest Plan:
Deputy County Attorney Matthew Hoyt was present for the discussion. DCA Hoyt explained that the Forest Service released a working draft forest plan for the Grand Mesa Uncompahgre & Gunnison National Forests. Comments from the BOCC were submitted on 7/29/19. Since then, additional comments were drafted regarding Mt. Emmons mine and designation of the Special Interest Area. DCA Hoyt will submit the comments on behalf of the Board.

CONTINUED DEPUTY COUNTY MANAGER'S REPORT:

- DCA Crosby discussed a trailhead issue in Riverwalk Estates Subdivision. The Board consensus is to approve the proposed 20-foot easement to allow for public access. Additionally, the Board directive is to ensure there is a 20-foot easement, even in the event of future river erosion.

Public Hearing; Adoption of 2019 Gunnison County Primary & Secondary Road Maps:
Deputy County Manager Marlene Crosby was present for the hearing.

1. Open Public Hearing: Chairperson Houck opened the Public Hearing at 9:01 am.

2. Public Notice Confirmation: Marlene Crosby, Deputy County Manager, confirmed that the Public Hearing was publicly noticed once. Statutorily the hearing must be noticed twice—Public Works will run the advertisement in the newspaper two more times. DCM Crosby requested the hearing be continued to allow adequate time to advertise.

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

4. Staff Presentation. DCM Crosby explained that statutorily Gunnison County is required to have a county road map. Due to the size of Gunnison County, it is a series of maps. Gunnison County Public Works maintains 826 miles of county roads.

5. Applicant Presentation. N/A.

6. Board Questions. There were no questions from the Board.

7. Public Comments. There were no public comments.

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

9. Applicant Response. N/A.

10. Close Public Hearing. N/A.

    Moved by Commissioner Mason, seconded by Commissioner to continue the Public Hearing until August 20th, 2019 at 9:00 AM. Motion carried.

Replat; Aperture Lots 3, 8, 9, 23 & Open Space 2:
Community and Economic Development Director Cathie Pagano was present for the discussion. An Aperture Homeowners Association representative was also present.
Moved by Commissioner Messner, seconded by Commissioner Mason to approve the replat of Aperture Lots 3, 8, 9, 23 and Open Space 2a and authorize Chair signature. Motion carried.

Elk Valley Townhomes; Buckhorn Ranch Filing 2B:
John Cattles, Sustainable Operations Director and Cathie Pagano, Community & Economic Development Director were present for the discussion.
Moved by Commissioner Messner, seconded by Commissioner Mason to approve the Elk Valley Townhome plat and authorize Chair signature with the directive that the plat not be recorded until determination of the homeowner's association final vote. Motion carried.

Lot Cluster Request; Robert Carver; Lots 8 – 15, Block 11, Town of Ohio City:
Community and Economic Development Director Cathie Pagano was present for the discussion.
Beth Baker, Administrative Services Manager was also present.
Moved by Commissioner Mason, seconded by Commissioner Messner to approve the Lot Cluster Request for Robert Carver Lots 8 – 15, Block 11, Town of Ohio City. Motion carried.

BREAK: The Board briefly recessed at 9:14 am. The meeting resumed at 9:23 am.

Request for Extension of Preliminary Plan; Corner at Brush Creek LUC-17-00034:
County Attorney David Baumgarten, Deputy County Attorney Matthew Hoyt, Community & Economic Development Director Cathie Pagano, Attorney Kendall Burgemeister and the applicant, Gary Gates, were present. There was also various Elected Officials and members of the public present. Chairperson Houck explained that any correspondence that was submitted to the County in regards to the request for extension were dispersed and reviewed by all appropriate parties. Commissioner Houck confirmed that there were no ex parte communications. Additionally, he explained that the question in front of the Board today is whether or not an extension should be granted for the preliminary plan. Director Pagano explained the requirements per the Land Use Resolution (LUR) for the extension to be granted. The Board can only approve one extension, up to one-year, for major impact projects. Director Pagano stated that the request was submitted timely. The sketch plan was approved 8/7/18 and the request for extension was submitted on 7/3/19. The Board opened the floor to public comment. Discussed ensued following public comment. The Board consensus was that the request was received in a timely manner and the criteria has been met to grant such extension.

BREAK: The Board briefly recessed at 10:38 am. The meeting resumed at 10:45 am.

Moved by Commissioner Messner, seconded by Commissioner Mason, to grant the requested extension in part, because the Board finds that good cause exists for granting the extension, and that there has been no substantial change in circumstances of neighborhood land uses and no substantial changes to the site of the proposed land use change since sketch plan approval. The deadline for submission of a preliminary plan is hereby extended for a period of one-year from today's date, conditioned upon the applicant, by October 31, 2019 obtaining expressed, formal consent of at least three of the four parties to the Memorandum of Understanding between Gunnison County, the Town of Crested Butte, the Town of Mt. Crested Butte and Crested Butte Mountain Resort. Motion carried.

2018 Audit Presentation; McMahan & Associates, LLC:
Finance Director Linda Nienhueser, Senior Accountant Kelly Weak and Matt Miller, Certified Public Accountant from McMahan & Associates, LLC were present. Mr. Miller explained the audit process, findings and recommendations. Additionally, he stated that Gunnison County received a clean audit. Questions were welcomed from the Board. The Board and Deputy County Manager Crosby commended Finance for their hard work.

Colorado Open Meeting Review; Possible Executive Session Pursuant to C.R.S. 24-6-402 (4)(b) Conference with the County Attorney & Deputy County Attorney to Receive Legal Advice:

Moved by Commissioner Houck, seconded by Commissioner Mason to enter an executive session Pursuant to C.R.S. 24-6-402 (4)(b) Conference with the County Attorney and Deputy County Attorney to receive legal advice. In attendance would be Commissioner Jonathan Houck, Commissioner Roland Mason, Deputy County Attorney Matthew Hoyt, County Attorney David Baumgarten and Deputy County Manager Marlene Crosby. Motion carried.

The Board went into executive session at 11:19 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)(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 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, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Mason to come out of executive session. Motion carried. The Board came out of executive session at 11:41 am. 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.

UNSCHEDULED CITIZENS: There were no Unscheduled Citizens present

COMMISSIONER ITEMS:

John Messner-

1. The ICELab at Western is hosting a one-day seminar regarding in-home daycare center start-up.
2. Commissioner Messner discussed a recent housing meeting he attended in Durango.
3. Commissioner Messner recently met with Rick Garcia, the Director of Colorado Department of Local Affairs to discuss housing.

Jonathan Houck-

1. Commissioner Houck discussed a recent Mayors and Managers meeting he and Commissioner Mason attended.
2. Commissioner Houck stated he will be out of the office 8/19/19-8/23/19.

ADJOURN: Moved by Commissioner Mason, seconded by Commissioner Messner to adjourn the meeting. The meeting adjourned at 11:55 am.

_____
Jonathan Houck, Chairperson

_____
John Messner, Vice-Chairperson

_____
Roland Mason, Commissioner

Minutes Prepared By:

_____
Elizabeth Mense, Deputy County Clerk

Attest:

_____
Kathy Simillion, County Clerk