

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
February 4, 2014**

The February 4, 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
David Baumgarten, County Attorney

Matthew Birnie, County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT:

CALL TO ORDER: Chairperson Swenson called the Gunnison River Valley Local Marketing District meeting to order at 9:07 am.

RATIFICATION OF APPROVAL AND SIGNATURE; MEMORANDUM OF AGREEMENT; GUNNISON/CRESTED BUTTE TOURISM ASSOCIATION; 1/1/14 THRU 12/31/14; \$1,174,907: **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to ratify and approve signatures on the Memorandum of Agreement with the Gunnison/Crested Butte Tourism Association in the amount totaling \$1,174,907. Motion carried unanimously.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The Gunnison River Valley Local Marketing District meeting adjourned at 9:08 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS:

CALL TO ORDER: Chairperson Swenson called the Gunnison County Board of County Commissioners meeting to order at 9:11 am.

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

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

1. Harris Systems USA, Inc. Master License and Services Agreement; Treasurer's Office Computer Software Support; 1/1/14 thru 12/31/14; \$19,200
2. Harris Systems USA, Inc. Master License and Services Agreement; Assessor's Office and Treasurer's Office Computer Software Support; 1/1/14 thru 12/31/14; \$26,163
3. Intergovernmental Agreement between Gunnison County and Montrose County for Environmental Health Services; 1/1/14 thru 12/31/14
4. Agreement Regarding Gunnison Valley Health Assisted Living; Board of Trustees of the Gunnison Valley Hospital; 2/21/14 thru 2/20/19
5. Ratification of County Manager's Signature; Grant Agreement between State of Colorado Department of Local Affairs and Gunnison County; Gunnison County Courthouse Construction Project; \$1,000,000
6. Ratification of Correspondence; Child Abuse and Neglect Hotline Committee

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Courthouse Construction Project Update. County Manager Birnie informed the Board that the architects have completed 100% of the design/development documents, and that they are now working to create the construction documents. Asbestos abatement is nearly complete, and Hal Hearne has been hired as the demolition contractor. The team is also working on a final design that will fit within the project's budget.
2. Leadership Academy Update. County Manager Birnie informed the Board that new supervisors and department directors, along with others in the organization that have demonstrated high potential, will have the opportunity to attend the Leadership Academy this calendar year. This is the third offering of the Leadership Academy, although this round will include a new two-day session on performance management.

CORRESPONDENCE; REQUEST FOR SUPPORT; WARNER PEAK: The Board reviewed the correspondence that was received, and County Manager Birnie asked for direction. The Board agreed that a letter should be crafted to offer support contingent upon support from Saguache County.

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

Commissioner Houck:

1. Western State Colorado University; President Finalists. Commissioner Houck informed the Board that he attended recent receptions and met both candidates.
2. Bicycle Summit; 2/10/14. Commissioner Houck plans to attend this summit in Denver.
3. Gunnison County Substance Abuse Prevention Project. Commissioner Houck will be working with GCSAPP to locate and secure grant funding for the next five-year period.

Commissioner Swenson:

1. Meeting Facilitation; Gunnison Chamber of Commerce and Gunnison-Crested Butte Tourism Association. Chairperson Swenson has been asked to facilitate a meeting between the executive boards of these organization on 2/7/14. The focus of the meeting will be to discuss their past and present relationship, and how the organizations can best work cohesively going into the future.
2. R3G. Chairperson Swenson is continuing to work with this group. The group has been making headway between the ranching and biking communities.

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

1. Kebler Pass; Trailhead; Authorization to Public Works to Order Removal of Motor Vehicles. Deputy County Manager Crosby asked the Board to consider authorizing her department to remove vehicles parked at the trailhead for periods longer than 24 hours. Enforcement had previously been up to the Mt. Crested Butte police; however, they have not had enough time to assist lately. Vehicles remaining at the trailhead are causing issues with snow plowing as the plows do not always have enough room to operate. At times, the plows will run into vehicles and trailers that are buried under the snow. Deputy County Manager Crosby confirmed that her staff will take photographs of cars as tow tags are placed. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Public Works having an order that authorizes Public Works to tow from the Kebler Pass trailhead once a notice has been placed on a car, and towed 24 hours after it expires. Motion carried unanimously.
2. Ratification of Board Signature; Annual Colorado Department of Transportation Mileage Certification. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to ratify signatures on the annual Colorado Department of Transportation mileage certification. Motion carried unanimously.

GUNNISON-CRESTED BUTTE REGIONAL AIRPORT: Assistant Finance Director Ben Cowan and Airport Manager Rick Lampert were present for discussion. Assistant Finance Director Cowan explained that clauses were added to the documentation, pursuant to the risk assessment. The major change being that the purchasing policy will require three quotes for any contracts over \$5,000, and written bids will be required for contracts valued at \$75,000 or more.

1. Resolution; Adopting Financial Policies for the Gunnison-Crested Butte Regional Airport. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adopt Resolution #2014-6, a Resolution Adopting Financial Policies for the Gunnison-Crested Butte Regional Airport. Motion carried unanimously.
2. Federal Aviation Administration AIP Grant Oversight Risk Assessment. Assistant Finance Director Cowan explained that this document is a requirement of the master planning grant. It also affects the level of oversight that the Federal Aviation Administration has. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the AIP Grant Oversight Risk Assessment and authorize signatures. Motion carried unanimously.
3. Application for Federal Assistance; Gunnison-Crested Butte Regional Airport Master Plan; \$585,000. Airport Manager Lampert explained that the plan will establish general guidelines and needs for the airport over the next 10 years. The planning process will take about 18 months to complete. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the application for federal assistance for Gunnison-Crested Butte Regional Airport master planning for \$585,000, and approve the County Manager's signature. Motion carried unanimously.

REQUEST FOR FUNDING; REGION 10; REGIONAL BROADBAND IMPLEMENTATION GRANT MATCH; UP TO \$4,228: It was noted that most of the six counties in the region had already pledged support. The Board felt that participation would be worthwhile as it could have local benefits that greatly exceed the cost. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve up to \$4,228 for the request for funding from Region 10 for the Regional Broadband Implementation Grant match. The Board agreed to pay for this out of available Economic Development funds. Motion carried unanimously.

REVIEW OF THE RECOMMENDATION OF APPROVAL FOR THE SKETCH PLAN FOR SCARP RIDGE, LLC; PROPERTY IS LOCATED 12 MILES WEST OF THE TOWN OF CRESTED BUTTE, ACCESSED FROM KEBLER PASS ROAD (CR 12), LAKE IRWIN CAMPGROUND ROAD (FSR 826), GREEN LAKE ROAD (FSR 826.1E) AND IRWIN LODGE ROAD (FSR 826.1C); PARCEL IS LEGALLY DESCRIBED AS 19 LODE MINING CLAIMS, ALL IN THE RUBY MINING DISTRICT: AUMEGO, U.S. SURVEY NO. 2703; CAPITOL U.S. SURVEY NO. 3466; CLARA U.S. SURVEY NO. 2801; FOURTH OF JULY U.S. SURVEY NO. 3467; ZUMO U.S. SURVEY NO. 2702; CRYSTAL, U.S. SURVEY NO. 1156;

DIQUITA, U.S. SURVEY NO. 2786; DOUBLE DYKE U.S. SURVEY NO. 5511; LEAD CHIEF U.S. SURVEY NO. 2731; LEGAL U.S. SURVEY NO. 4149; SILVER HILL U.S. SURVEY NO. 2813; JUSTICE U.S. SURVEY NO. 2867; PICKWICK, U.S. SURVEY NO. 2814; TACOMA U.S. SURVEY NO. 2701; LOTTIE S U.S. SURVEY NO. 5322; US TREASURY, U.S. SURVEY NO. 5322; LOWER CHLORIDE, U.S. SURVEY NO. 17240A; LITTLE MINNIE, U.S. SURVEY NO. 4421; STATEN ISLAND, U.S. SURVEY NO. 3716: Community Development Director Russ Forrest, Planner Cathie Pagano, County Attorney Baumgarten and attorney David Leinsdorf were present for discussion. Chairperson Swenson recused herself from the discussion and decision since her husband, Jason Swenson, owns Internet Colorado, which is negotiating to provide internet service for this project. Chairperson Swenson left the room at 10:04 am before the discussion began. Commissioner Chamberland disclosed that he maintains a role in the Colorado Snowtrackers Snowmobile Association, and that Scarp Ridge, LLC is supportive of the club, but that he shares no financial relationship with Scarp Ridge, LLC.

Commissioner Chamberland asked if anyone in the audience would like to speak to the Board about the issue for consideration, and no one raised their hand.

Planner Pagano explained that the Board could make a decision on the recommendation during the meeting or opt to have an additional public hearing. The criteria for holding an additional public hearing would be public interest, or the identification of new issues or information.

Commissioner Houck opined that there had been adequate time provided for input during the previous public hearing and the continued public hearing. He didn't believe that any new issues would come forward during a new hearing. Commissioner Chamberland agreed with him, and he added that the public comments had been well addressed during the process.

Planner Pagano confirmed that another joint public hearing will take place during the preliminary plan process, and she provided the draft resolution for consideration.

Mr. Leinsdorf reminded the Board that the Planning Commission recommendation was unanimous. He also stated his comfort with being able to meet the conditions outlined in the documentation.

Moved by Commissioner Houck, seconded by Commissioner Chamberland to adopt Resolution #2014-7, a Resolution Approving the Major Impact Sketch Plan Application for Scarp Ridge, LLC for a Commercial Use. Motion carried unanimously.

EXTENSION OF RIVERWALK TRAIL: Deputy County Manager Crosby was present for discussion, and she provided preliminary figures to the Board of \$40,000 for engineering and a match of \$60,000, for a total of \$100,000. She stated her impression that the County's share of the cost will be reduced to \$80,000 after Montrose County's funding commitment is known. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve up to \$100,000 in cost towards grants from the Map 21 program for extension of the Riverwalk Trail. Deputy County Manager Crosby confirmed that it would involve enhancement funding, not Map 21 funding. Commissioner Chamberland revised his motion, and Commissioner Houck seconded the revised motion. Motion carried unanimously.

GRANT APPLICATION; STATE OF COLORADO DEPARTMENT OF AGRICULTURE, 2014 NOXIOUS WEED MANAGEMENT FUND; 6/1/14 THRU 8/31/14; \$2,000: Weed District Coordinator Jon Mugglestone was present for discussion. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the grant application to the State of Colorado Department of Agriculture's 2014 Noxious Weed Management Fund in the amount of \$2,000. Motion carried unanimously.

COMMISSIONER ITEMS (continued):

Commissioner Houck (continued):

4. Courthouse Construction Project; Gunnison City Council Meeting. Commissioner Houck stated that he attended the discussion at a recent Gunnison City Council meeting, along with Community Development Director Forrest, and that Community Development Director Forrest did a great job of articulating the issues.

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

BREAK: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to go into a work session. Motion carried unanimously. The meeting recessed from 10:39 am until 4:53 pm so that the Board could enter into the work session.

GUNNISON COUNTY BOARDS AND COMMISSIONS APPOINTMENTS:

1. Gunnison Valley Hospital Board of Trustees. The Board agreed that there was a good slate of qualified candidates to select from. Marla Covey was selected because of her financial background, which would be beneficial during fundraising and capital projects. Donald Haver was also selected because of his particular skill set and previous working relationships. **Moved** by Commissioner

Chamberland, seconded by Commissioner Houck to appoint Marla Covey and Donald Haver to the current five-year terms that are open for the Gunnison Valley Health Board of Trustees. Motion carried unanimously.

ADJOURN: Moved by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 4:59 pm.

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 THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2014-6**

A RESOLUTION ADOPTING FINANCIAL POLICIES FOR THE GUNNISON-CRESTED BUTTE
REGIONAL AIRPORT

WHEREAS, Gunnison County is a statutory county with an elected Board of Commissioners that is responsible for setting policy, appointing administrative personnel and the adoption of an annual budget in accordance with state statutes; and

WHEREAS, Gunnison County is responsible for the use of public dollars within its community; and

WHEREAS, Resources should be used prudently to ensure adequate funding for the services, public facilities and infrastructure necessary to meet the community's present and future needs; and

WHEREAS, the County's budget process provides a comprehensive and participatory approach for creating a budget plan that addresses the needs of residents through effective management of County resources; and

WHEREAS, the County's financial policies are intended to serve as a blueprint to achieving the fiscal stability required to fund the services, public facilities and infrastructure necessary to meet the community's immediate and long term objectives. In addition, these policies can improve financial planning and assist with internal financial management for the County.

NOW THEREFORE, BE IT RESOLVED the Board of County Commissioners of Gunnison County, Colorado adopts the "Gunnison-Crested Butte Regional Airport Financial Policies identified in Exhibit A, attached hereto and incorporated herein.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and adopted this 4th day of February, 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

(Note: Lengthy exhibits to Resolution #2014-6 were not included in this text. To obtain a copy of the entire resolution, along with exhibits, please contact the Gunnison County Recording office at (970) 641-2038.)

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY

RESOLUTION NO. 7, SERIES 2014**A RESOLUTION APPROVING THE MAJOR IMPACT SKETCH PLAN APPLICATION FOR SCARP RIDGE, LLC FOR A COMMERCIAL USE**

WHEREAS, Attorney David Leinsdorf and John Featherman, representing Scarp Ridge, LLC and affiliates, have applied for an expansion of an existing commercial use at the site commonly referred to as the Irwin Lodge. The applicant has submitted a master plan for proposed facilities on the subject parcels, as requested by the Planning Commission in 2012. The applicant is requesting approval for a master plan for the Scarp Ridge LLC (aka Irwin) property to include use of the existing lodge for weddings and events and as a conference center; six new single-family residences on adjoining mining claims; one storage structure, one elevated overlook structure, one alpine hut; the addition of a roof deck to the existing parking barn; outdoor pavilion that would seat approximately 170 people; new mountain bike trails; zip-lines; kids' village to include playground equipment; and a reroute of the existing Scarp Ridge trail, including trailhead parking, signage and vault toilets. The proposed structures and facilities will comprise a year-round commercial resort.

The residential structures are proposed to be accessed via two track "jeep" roads. There will be no vehicular access to the alpine hut or overlook structure. The applicant proposes to bring construction materials to the sites via snow cat during the winter and have construction workers access the site via foot.

The applicant proposes to serve residential structures with individual sewage disposal systems. There is an existing, permitted wastewater treatment plant adjacent to the Irwin Lodge. Scarp Ridge, LLC intends to evaluate the plant's condition and capacity. Events at the Irwin Lodge will be served by the existing wastewater treatment plant. For large events at which the number of attendees exceeds the capacity of the wastewater treatment plant, portable toilets will be utilized. Individual water wells are proposed to serve the residential structures. An augmentation plan is proposed and required.

The lower portion of the existing Scarp Ridge Trail is proposed to be rerouted. The current trail begins near the existing Irwin Lodge. The applicant and the U.S. Forest Service (USFS) have reciprocal easements (Reception No. 501365 and 500246) allowing Scarp Ridge, LLC to utilize USFS lands to access their private property while also allowing the public to utilize, as authorized by the USFS, the portions of the road that are on private property to access the Scarp Ridge trail. According to John Murphy, District Ranger for the Gunnison National Forest, the easement does not accommodate public parking which is currently causing a conflict between the property owner and the public. Most trail users, park near the beginning of the trail, on property owned by Scarp Ridge, LLC, adjacent to the Irwin Lodge. The proponents assert that the public is trespassing and has no right to park on the private property. The USFS has agreed with the proponent that the reciprocal easement does not afford the public any right to park adjacent to the trailhead.

To resolve the conflict, Scarp Ridge, LLC has proposed to relocate the trailhead and realign the lower portion of the existing Scarp Ridge trail. The trailhead is proposed to be relocated onto the Lead Chief Lode west of where Irwin Lodge Road crosses Robinson Creek. The applicant proposes to construct and maintain, at the applicant's expense, a parking lot for 22 motor vehicles, two restrooms with vault toilets, a trailhead with maps, bear proof trash receptacles and interpretive signs. The applicants also propose to create a new trail from the new trailhead that will connect to the existing Scarp Ridge trail. The new trail will be approximately 4,050 feet long. In return, the USFS would vacate or administratively close the public easement on the Irwin Lodge Road from the new parking lot to the Irwin Lodge. The proposed gate, just east of the trailhead area, would be a locked gate and prevent future public access to the Irwin Lodge. The USFS would retain access for administrative purposes.

The property is located 12 miles west of the Town of Crested Butte, accessed from Kebler Pass Road (CR 12), Lake Irwin Campground Road (FSR 826), Green Lake Road (FSR 826.1E) and Irwin Lodge Road (FSR 826.1C).

The parcel is legally described as the following 19 lode mining claims, all in the Ruby Mining District: Aumego, U.S. Survey No. 2703; Capitol U.S. Survey No. 3466; Clara U.S. Survey No. 2801; Fourth of July U.S. Survey No. 3467; Zumo U.S. Survey No. 2702; Crystal, U.S. Survey No. 1156; Diquita, U.S. Survey No. 2786; Double Dyke U.S. Survey No. 5511; Lead Chief U.S. Survey No. 2731; Legal U.S. Survey No. 4149; Silver Hill U.S. Survey No. 2813; Justice U.S. Survey No. 2867; Pickwick, U.S. Survey No. 2814; Tacoma U.S. Survey No. 2701; Lottie S U.S. Survey No. 5322; US Treasury, U.S. Survey No. 5322; Lower Chloride, U.S. Survey No. 17240A; Little Minnie, U.S. Survey No. 4421; Staten Island, U.S. Survey No. 3716; and,

WHEREAS, after a review of the Sketch Plan and all information, documentation and testimony related to it, the Gunnison County Planning Commission did, on January 17, 2014, forward a recommendation of unanimous approval of that application to the BOCC with certain Findings and Conditions; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Sketch Plan for Land Use Change Permit No. 13-00005, for Scarp Ridge, LLC is approved, subject to each and all conditions of the Sketch Plan recommendation document, as identified above, and the following findings and conditions:

FINDINGS:

1. This application, by definition, is classified as a Major Impact.
2. Pursuant to Section 7-102:Standards of Approval for Major Impact Projects:
 - a. This Sketch Plan application is generally consistent with the standards and requirements of the Resolution, pursuant to Section 7-103, i.e., compliance of the proposed land use change with the standards of the Resolution are required to be determined broadly and

- conceptually during Sketch Plan review. This application has broadly addressed, and the Commission has broadly evaluated this submittal for its integration of the standards of the *Resolution* within its conceptual presentation of the proposed development. It is expected that, pursuant to Section 7-103: C., in the submittal of Preliminary Plan, the applicant shall formulate detailed, designed/engineered solutions to the issues and concerns identified during this Sketch Plan review, and shall address, in a site-specific manner, all other issues that are relevant to the Preliminary Plan. The burden in the Preliminary Plan review is on the applicant to provide detailed information and mitigation proposals for evaluation.
- b. The proposed land use change is required to be compatible with, or to enhance the character of existing land uses in the area surrounding the subject property, and shall not adversely impact the future development of the area surrounding the subject property.
 - c. The applicant has proposed to develop the project in a single phase with a general construction sequence outlined.
 - d. All uses have been identified on the proposed parcels.
3. There are no signs proposed as part of this Sketch Plan application. Sign elements as allowed by Section 13-109: Signs may be proposed as part of the Preliminary Plan.
 4. Draft protective covenants or deed restrictions shall be submitted within the Preliminary Plan.
 5. Integration of the standards of Section 13-119: *Standards to Ensure Compatible Uses*, as well as other measures to mitigate issues raised during this Sketch Plan review is required within the Preliminary Plan submittal.
 6. The applicant has identified that they intend to develop the project in one phase and have identified a construction sequence.
 7. There is a lack of clarity regarding the proposed and existing trails; the Planning Commission has requested a map of the proposed and existing trails to be submitted at Preliminary Plan.
 8. Additional information regarding event and traffic planning has been requested to be submitted at Preliminary Plan.
 9. Concern has been expressed about the impacts to wildlife from the proposed zip-lines.
 10. The Colorado Division of Parks and Wildlife have agreed, at this time, that the proposed removal of the upper alpine hut and the placement of a conservation easement on 40 acres of mining claims including the Justice, Pickwick, Tacoma (except for the Alpine hut) lodes and another off-site parcel may mitigate impacts to wildlife.
 11. The U.S. Fish and Wildlife Service has stated that the proposed use on private land does not constitute a 'take' of the lynx under Section 10 of the Endangered Species Act, however the U.S. Forest Service may be required to analyze the effects of the proposal through Section 7 of the Act.
 12. The Planning Commission and public have expressed concern regarding the visual impacts of the proposed project.
 13. Concern has been expressed regarding the potential noise associated with events at the site.
 14. Portions of the subject parcels are in a geologic hazard area, according to Gunnison County mapping.
 15. Portions of the subject parcels are in a high wildfire hazard, according to Gunnison County mapping.
 16. The applicant proposes individual wells to serve the residences; a court approved water augmentation plan has been submitted but not yet approved by the State of Colorado.
 17. The proposed Advantex wastewater treatment systems are technology approved by the Colorado Department of Public Health and Environment, as noted in a letter from that agency dated August 5, 2011 and signed by Barbara Dallemund, P.E., Onsite Wastewater Program Coordinator.
 18. The applicant has proposed to utilize the existing wastewater treatment plant adjacent to the Irwin Lodge for large events at the lodge. For large events at which the number of attendees exceeds the capacity of the wastewater treatment plant, portable toilets will be utilized. The capacity of the wastewater treatment plant has not yet been identified.
 19. Both Fire Districts have recommended an all-weather driving surface and the use of dry hydrants and/or underground cisterns and that assembly buildings be sprinkled. Gunnison County Public Works Director Marlene Crosby has stated that she supports the applicant's proposal to use primitive roads due to the remote location of the subject parcels.
 20. The subject parcels are within the Town of Crested Butte's watershed district and are therefore subject to the Town's permitting authority.
 21. The proposed Scarp Ridge trail realignment requires approval from the U.S. Forest Service and may require an Environmental Assessment, Environmental Impact Statement, or Categorical Exclusion to be determined by the U.S Forest Service.
 22. Wetlands have been identified on the subject parcels; a wetlands delineation certified by the Army Corps of Engineers is required to be submitted at Preliminary Plan.
 23. The applicant has demonstrated compliance with the commercial locational standards set forth in Section 10-104: C. *Alternative Locational Standards*.

24. The Colorado Water Quality Control Division noted that further analysis regarding the proposed wastewater treatment will be required to determine whether some or all of the proposed wastewater treatment systems meet the definition of a domestic wastewater treatment works.
25. Complete, engineered road plans in compliance with Section 12-103: *Road System* are required to be submitted at Preliminary Plan. If the applicant intends to apply for a waiver of standards, they shall contact Public Works prior to submittal of the Preliminary Plan.
26. Approval of this Sketch Plan application constitutes a final decision of approval for the general development concept only, but shall not constitute approval of any detailed design or engineering submittals or proposed solutions to specific problems revealed during the Sketch Plan review or later in the review process. Sketch Plan approval by the Board shall not constitute approval of the Major Impact project, or permission to proceed with construction of any aspect of the proposed land use change. Approval at this stage only authorizes the applicant to submit a Preliminary Plan application. If, during the Preliminary and Final Plan reviews, the applicants are unable to fulfill all of the requirements of this *Resolution*, then the application shall be denied at the Preliminary or Final Plan review stage.
27. The applicant shall be required to submit and actively pursue the completion of the Preliminary Plan application within 12 months after the date of approval of the Sketch Plan, subject to the extension provision of Section 7-202:Q. Failure to submit a complete Preliminary Plan application within this time period shall render the Sketch Plan approval null and void, and required the applicant to begin the Sketch Plan review process again.
28. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

DECISION:

The Gunnison County Board of County Commissioners, having considered the submitted plan, site observations and public testimony, has reached the above findings and approves LUC-13-00005 as a Major Impact Sketch Plan, and that the Sketch Plan be approved with the following conditions:

1. A clear and distinct phasing plan and/or construction sequence shall be submitted at Preliminary Plan.
2. The site plan shall include proposed building envelopes for all proposed structures and shall delineate the location of proposed amenities including trails, zip-lines, etc.
3. A site plan showing the proposed and existing trails (on public and private land) on the subject parcels and surrounding the subject parcels shall be submitted at Preliminary Plan.
4. Event, traffic, and customer planning shall be submitted at Preliminary Plan; this should include a description of how large events will be handled with respect to hours of operation, food/drink service, traffic, parking, noise, what number of people constitutes a "large" event, and any other relevant issues. This plan shall also address how potential customers will access/utilize amenities (i.e. zip-lines, trails, etc.).
5. The Preliminary Plan shall address whether the proposed and existing trails on private property will be open to the public and how that will be managed.
6. Proposed language relative to conservation easements on the 40 acres of mining claims shall be submitted as part of the Preliminary Plan.
7. A visual simulation of the proposed structures and amenities shall be submitted at Preliminary Plan.
8. Noise level testing shall be completed and the results submitted as part of the Preliminary Plan.
9. A geologic hazard report, in compliance with Section 11-104: *Development in Areas Subject to Geologic Hazards* shall be submitted at Preliminary Plan. This report shall address any geologic hazards present on the subject parcels including, but not limited to, avalanche hazards, unstable slopes, rockfall, landslide and debris flows.
10. The geologic hazard report and application shall be referred to the Colorado Geological Survey at Preliminary Plan, at the expense of the applicant.
11. The applicant shall provide information on the impact of zip-lines to wildlife at Preliminary Plan submittal.
12. Portions of the subject parcels are in a high wildfire hazard, according to Gunnison County mapping; the applicant is required to submit a wildfire mitigation plan in compliance with Section 11-105: F.3.
13. Protective covenants shall include wildfire prevention standards in compliance with Section 11-105: F.5.
14. The applicant shall consult with both the Gunnison Fire Protection District and Crested Butte Fire Protection District prior to submittal of the Preliminary Plan.
15. The applicant shall submit a water supply plan in compliance with Section 7-301: J.12.
16. Detailed information on events at the Irwin Lodge and how wastewater treatment will be addressed and possible use of the existing wastewater treatment system shall be submitted at Preliminary Plan. Identification of the capacity of the existing wastewater treatment plant shall be submitted at Preliminary Plan.
17. The applicant shall apply for a watershed permit from the Town of Crested Butte in conjunction with the submittal of the Preliminary Plan.
18. The applicant shall work with the U.S. Forest Service to determine the appropriate public process for the proposed realignment of the Scarp Ridge Trail, any changes to the existing

access easement and any other impacts to other trails (including the Ridge trail) or public lands associated with the proposed project. The applicant shall submit an operations and maintenance plan for the trailhead toilets and parking area with the submittal of the Preliminary Plan.

19. Wetlands have been identified on the subject parcels; a wetlands delineation shall be submitted at Preliminary Plan. Certification of that delineation from the Army Corps of Engineers shall be required prior to any recommendation of approval of the Preliminary Plan.
20. A plan for water quality protection, in compliance with Section 11-107: *Protection of Water Quality*: D.2. shall be submitted at Preliminary Plan.
21. A reclamation plan shall be submitted at Preliminary Plan.
22. The applicant shall consult with the State Colorado Water Quality Control Division (WQCD) to determine if a State permit is required for the domestic wastewater treatment.
23. A wastewater treatment plan in compliance with Section 12-106: *Sewage Disposal/Wastewater Treatment* including treatment options for events to be held at the Irwin Lodge shall be submitted at Preliminary Plan. The plan shall also address the potential for a central wastewater treatment system in compliance with Section 12-106: E. *Evaluation Required*.
24. Complete, engineered road plans in compliance with Section 12-103: *Road System* are required to be submitted at Preliminary Plan. If the applicant intends to apply for a waiver of standards, Public Works shall be consulted prior to submittal of the Preliminary Plan.
25. A parking plan, in compliance with Section 13-110: *Off-Road Parking and Loading*, shall be submitted at Preliminary Plan.
26. A landscaping plan in compliance with Section 13-111: *Landscaping and Buffering*, shall be submitted at Preliminary Plan.
27. An exterior lighting plan in compliance with Section 13-114: *Exterior Lighting*, shall be submitted at Preliminary Plan.
28. A grading and erosion control plan, in compliance with Section 13-116: *Grading and Erosion Control*, shall be submitted at Preliminary Plan.
29. A drainage plan, in compliance with Section 13-117: *Drainage, Construction and Post-Construction Storm water Runoff*, shall be submitted at Preliminary Plan.
30. Integration of the standards of Section 13-119: *Standards to Ensure Compatible Uses*, as well as other measures to mitigate issues raised during this Sketch Plan review is required within the Preliminary Plan submittal.
31. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.
32. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
33. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
34. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
35. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

THIS APPROVAL is affected noting that decision documentation includes, but is not limited to, the application and the entire Planning 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 Houck, seconded by Commissioner Chamberland, and adopted this 4th day of February, 2014.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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