AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Draft 2/16/16 BOCC Meeting Minutes

Action Requested: Motion

Parties to the Agreement:

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

Summary:

Attached are the draft 2/16/16 meeting 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:

Reveiwed by: Discharge Date: Certificate of Insurance Required

Yes ○ No ○

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 3/11/2016

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted:

Agenda Date: 3/15/2016

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
February 16, 2016

The February 16, 2016 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Paula Swenson, Chairperson
Phil Chamberland, Vice-Chairperson
Jonathan Houck, Commissioner
Marlene Crosby, Deputy County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT REGULAR MEETING:

CALL TO ORDER: Chairperson Swenson called the Gunnison River Valley Local Marketing District meeting to order at 8:31 am.

CONSENT AGENDA:

1. Memorandum of Agreement; Marble Crystal River Chamber of Commerce; 1/1/16 thru 12/31/16; $13,250. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve. Motion carried unanimously.
2. Memorandum of Agreement; Gunnison-Crested Butte Tourism Association; 2016 Work Program; 1/1/16 thru 12/31/16; $1,400,000. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve. Motion carried unanimously.
3. Ratification of Appointments to the Gunnison-Crested Butte Tourism Association (TA); Ken Stone and Leia Morrison, Upon Approval of the TA's Bylaws, to Three-year Regular Positions on the Gunnison-Crested Butte Tourism Association. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the appointments of Ken Stone and Leia Morrison to three-year regular positions on the Gunnison-Crested Butte Tourism Association. Motion carried unanimously.

ADJOURN: Commissioner Chamberland moved, seconded by Commissioner Houck to adjourn the Gunnison River Valley Local Marketing District meeting. Motion carried unanimously.

CALL TO ORDER: Chairperson Swenson called the Board of County Commissioners meeting to order at 8:33 am.

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

MINUTES APPROVAL: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the minutes. Motion carried unanimously.

1. 1/19/16; Regular Meeting
2. 2/2/16; Regular Meeting

CONSENT AGENDA: Chairperson Swenson requested that Items #18 and #20 be taken off of the Consent Agenda because the Gunnison-Crested Butte Tourism Association is now contracting directly with these entities. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the Consent Agenda, excluding Items #18 and #20. Motion carried unanimously.

1. Agreement; CML RW Security; Preventative Maintenance to Security Control Systems and Security Equipment at the Gunnison County Detention Center; 2/16/16 thru 12/31/16; $10,997.50
2. Contract for Services; Gunnison Valley Hospital; Women's Wellness Connection Program; 9/14/15 thru 6/29/16
3. Mobile Unit Plan Review Form; Colorado Department of Public Health and Environment, Division of Environmental Health and Sustainability; Niky's Mini Donuts
4. Acceptance of Nomination; Colorado Parks and Wildlife Representatives to Serve on the Gunnison Basin Sage-grouse Strategic Committee; Regular Member J Wenum and Alternate Member Nate Seward
5. Acceptance of Nomination; US Forest Service Representatives to Serve on the Gunnison Basin Sage-grouse Strategic Committee; Regular Member Matt Vasquez and Alternate Member John Murphy
6. DCJ Form 30, Certification of Compliance with Regulations Office for Civil Rights, Department of Justice for Grants Issued by the Colorado Division of Criminal Justice; Grant #2012-DJ-15-008665-04-2; 10/1/15 thru 9/30/16; $29,804
7. Colorado Parks and Wildlife Impact Assistance Grant Application; Tax Year 2015; $15,679.60
8. Release of Notice Requirement; Township 50 North, Range 1 West, N.M.P.M., Section 25
9. Colorado Department of Public Health and Environment; Women's Wellness Connection Care Coordination Grant Program Application; Breast and Cervical Cancer Prevention; $3,250
10. Contractor Agreement; Deana Cullinan; Janitorial Services at 202 E. Georgia Avenue, Gunnison; 1/1/16 thru 12/31/17; $7,200

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11. 2016 Gunnison County Annual Operating Plan
12. Memorandum of Agreement; Western State Colorado University; Digital Advertising Campaign; 1/1/16 thru 12/31/16; $10,000
13. Memorandum of Agreement; Six Points Evaluation and Training, Inc.; Operational Costs; 1/1/16 thru 12/31/16; $12,000
14. Memorandum of Agreement; Project Hope; Operational Costs; 1/1/16 thru 12/31/16; $10,000
15. Memorandum of Agreement; Cold Harbor Institute; Operational Costs; 1/1/16 thru 12/31/16; $10,000
16. Memorandum of Agreement; Midwestern Colorado Mental Health Center; Operational Costs; 1/1/16 thru 12/31/16; $11,000
17. Memorandum of Agreement; Gunnison Valley Animal Welfare League; Operational Costs; 1/1/16 thru 12/31/16; $2,000
18. **Pulled:** Memorandum of Agreement; Crested Butte/Mt. Crested Butte Chamber of Commerce/Visitor's Center; Visitor's Center Operations; 1/1/16 thru 12/31/16; $8,000
19. Memorandum of Agreement; Crested Butte/Mt. Crested Butte Bartenders and Servers Association; Late Night Taxi Service; 1/1/16 thru 12/31/16; $2,500
20. **Pulled:** Memorandum of Agreement; Gunnison Country Chamber of Commerce; Gunnison Country Visitor Center; 1/1/16 thru 12/31/16; $12,000
21. Memorandum of Agreement; Gunnison Country Food Pantry; Food Pantry; 1/1/16 thru 12/31/16; $4,800
22. Memorandum of Agreement; Gunnison Conservation District; Part-Time District Manager; 1/1/16 thru 12/31/16; $2,000
23. Memorandum of Agreement; Safe Ride of Gunnison, Inc.; Insurance Premium Costs; 1/1/16 thru 12/31/16; $2,500
24. Consulting Agreement; Dr. Marie Matthews, MD; Consultation for the Gunnison County Public Health Family Planning Program; 1/1/16 thru 12/31/16; $1,200
25. Intergovernmental Agreement Regarding Undesirable Plant Management; Board of County Commissioners of Gunnison County, Board of County Commissioners of Saguache County, Board of County Commissioners of Hinsdale County, Town of Crested Butte, Town of Mt. Crested Butte, City of Gunnison, and Town of Pitkin; 1/1/16 thru 12/31/16
26. Property Disposition Request; Table and Chairs

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. 2016 Fee Schedule; Fred R. Field Western Heritage Center. DCM Crosby explained this resolution establishing fees was adopted in 1996 when the Center originally opened; the Board reevaluates the fee structure annually via the budget. DCM Crosby asked the Board to rescind the original resolution, but County Attorney David Baumgarten suggested that the original resolution be kept in place and that the new attachment be approved. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the new fee schedule for 2016 and attachment to Resolution #1996-24. Motion carried unanimously.
2. Transportation Sales Tax. Commissioner Chamberland informed the Board that there is a current effort to seek a $0.0075 sales tax on the upcoming ballot at the State level. If this passes, Gunnison County would receive approximately $1.7 million in additional funding to use toward mass transit costs. He believes that the sales tax would exclude some purchases, such as food.

GUNNISON COUNTY ELECTED OFFICIALS SALARY AND BENEFITS: This issue was previously discussed during a work session, though Chairperson Swenson noted that the previous discussion didn't include information about the vested retirement account contribution. Currently, elected officials are fully vested in their first year of service, whereas non-elected employees are vested at 20% per year during their first five years of service. The Board agreed that this arrangement should continue, while all other benefits will mirror what non-elected employees receive and what they pay for those benefits. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck for newly elected or reelected officials to receive the pay increase that the state passed last year, but also be aligned with the rest of the County employees (with regard to benefits). Motion carried unanimously.

DESTIMETRICS - CLIENT AGREEMENT 2016; MONTHLY LODGING REPORTS; 1/1/16 THRU 12/31/16; $11,550: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the agreement for 2016 with Destimetrics for the monthly lodging reports in the amount of $11,550. Motion carried unanimously. This contract will be ratified by the Gunnison River Valley Local Marketing District on 3/1/16.

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

Commissioner Chamberland:

1. Governor Hickenlooper Opportunity Grants. Commissioner Chamberland met with the Gunnison Rotary Club and the Community Foundation of the Gunnison Valley, and he believes that it makes sense to apply for grants through the Foundation, which will serve as the fiscal

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agent. The letter of intent has to be submitted by 3/26/16, and he asked for the Board's approval. The Board gave approval and agreed that Commissioner Chamberland could write and submit the letter of intent.

Commissioner Houck:

1. Gunnison Sage-grouse Update. Commissioner Houck indicated that conversations are ongoing with respect to legal, political and scientific aspects. He continues to work on the county coalition, which includes San Juan County, Utah, to provide a complete update and discuss the next steps. He met with the State director to discuss pending projects, and he continues to work closely with Gunnison Wildlife Conservation Coordinator Jim Cochran.
2. Driver's License Office Update. Commissioner Houck stated that a lease should be signed by the end of the month. The County will assist with the moving process as much as possible.
3. Joint Meeting with Gunnison City Council. Commissioner Houck indicated that he will determine whether the Council would like to wait to hold this meeting until after their new manager is in place.
4. Public Lands Partnership. Commissioner Houck stated that he will begin participating with this group on a regular basis next month. Also, the group continues to work on the Curecanti boundary establishment.

Commissioner Swenson:

1. Colorado Counties, Inc. (CCI) Update.
   a. Chairperson Swenson stated that the item related to justice and public safety made it out of committee, starting in the senate.
   b. Another marijuana-related bill is being put forward to impose fines for illegal cultivations.

BREAK: The meeting recessed from 9:05 until 9:09 am in order to hold the below Public Hearing.

PUBLIC HEARING; AMENDMENTS TO THE GUNNISON COUNTY LAND USE RESOLUTION: Assistant Community Development Director Neal Starkebaum was present for discussion.

1. Open Public Hearing. Chairperson Swenson opened the Public Hearing at 9:05 am.

2. Public Notice Confirmation. ACDD Starkebaum confirmed that the Public Hearing had been properly public noticed.

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

4. Staff Presentation. ACDD Starkebaum informed the Board that the Planning commission and Community Development staff started to look at this issue late last fall, and that the particular focus for this review was to clean it up since there have been 33 amendments since the original adoption. Attention was also given to secondary uses as they link to primary residences.

5. Applicant Presentation. N/A.

6. Board Questions. N/A.

7. Public Comments. Chairperson Swenson opened the Public Hearing to comments at 9:08 am, but there weren't any comments provided.

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

9. Applicant Response. N/A.

10. Close Public Hearing. Chairperson Swenson closed the Public Hearing at 9:09 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

RESOLUTION; AMENDING THE GUNNISON COUNTY LAND USE RESOLUTION: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Resolution #2016-6, a Resolution Amending the Gunnison County Land Use Resolution, as presented here today. Motion carried unanimously.

COMMISSIONER ITEMS (continued):

Commissioner Swenson:

1. Colorado Counties, Inc. (CCI) Update (continued).
   b. Chairperson Swenson informed the Board that Senator Kerry Donovan's bill for economic assistance was put to another vote and it was still opposed by CCI, so she questioned whether or not the Board should reach out to her to discuss the bill. As well, her bill related to broadband appears to have a lot provided by CenturyLink.

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c. CCI is supporting a bill, with amendments, that is being pushed forward that would prohibit the state from accessing county severance and mineral impact funds to spend those funds on higher education.
d. CCI opposed a bill related to for-profit retirement communities being sales tax exempt on food and beverage purchases.
e. CCI also opposed a bill related to counties taking over the administration of drivers' license offices.

BREAK: The meeting recessed from 9:20 until 9:26 am in order to hold the below Public Hearing.

PUBLIC HEARING; PETITION TO VACATE CERTAIN ALLEYS WITHIN THE TOWNSITE OF IRWIN, COLORADO; SANDRA J. STRATMAN: CA Baumgarten was present for discussion.

1. Open Public Hearing. Chairperson Swenson opened the Public Hearing at 9:20 am.

2. Public Notice Confirmation. DCM Crosby confirmed that the Public Hearing had been properly public noticed.

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

4. Staff Presentation. DCM Crosby stated that her office had worked through this item with the County Attorney's Office, and that the associated lot clusters would be presented later in the meeting. The notices sent out clearly identified the alleys to be vacated and included a drawing of the lot clusters. A total of nine parcels were involved.

5. Applicant Presentation. N/A.

6. Board Questions. Commissioner Chamberland asked about the resulting footprint, and DCM Crosby explained that each parcel will be at least one acre in size. Some of the parcels will require wetland delineation before access permits are approved.

7. Public Comments. Chairperson Swenson opened the Public Hearing to comments at 9:22 am. David Gottorff, owner of a neighbor property, stated that the 1996 version of the easement mandates that the alleys be put into a conservation easement. He also expressed concern about the language in the document specific to parcels not being allowed to subdivide, and whether the parcels would be subject to gray water regulations. He stated that he contacted the Land Trust to discuss his concerns.

   CA Baumgarten explained that the land that is subject to a conservation easement is still subject to a conservation easement, and that the holder of the conservation easement was not present to provide any objections. He also noted that, when applications for sewer permits are filed, the applicants will need to abide by the conservation easement.

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

9. Applicant Response. N/A.

10. Close Public Hearing. Chairperson Swenson closed the Public Hearing at 9:26 am, but she reopened the hearing at 9:27 am in order to allow another member of the public to provide comments. An unidentified audience member asked if the hearing was restricted to the alley, and Chairperson Swenson explained that the hearing was restricted to the vacation request and that the lot cluster issue would be discussed separately. Chairperson Swenson reclosed the public hearing at 9:28 am and immediately called the Gunnison County Board of County Commissioners meeting back to order.

RESOLUTION VACATING CERTAIN ALLEYS LYING WITHIN THE TOWNSITE OF IRWIN, COUNTY OF GUNNISON, STATE OF COLORADO: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Resolution #2016-7, a Resolution Vacating Certain Alleys Lying within the Townsite of Irwin, County of Gunnison, State of Colorado, as presented here today. Motion carried unanimously. Chairperson Swenson pointed out that the vacation was contingent upon the execution of the associated lot cluster agreement.

LOT CLUSTER APPLICATION; SANDRA AND JOHN CONSENTINO, RAFEAL ANDERSON AND MOLLY SHAPIRO; IRWIN TOWNSITE: ACDD Starkebaum, Community Development Director Russ Forrest and CA Baumgarten were present for discussion.

ACDD Starkebaum informed the Board that Sandra and John Consentino applied to cluster a total of eight parcels within the Irwin Townsite, Parcels 34-42, excepting Parcel 38 as it was recently sold to Rafeal Anderson and Molly Shapiro. Mr. Anderson and Ms. Shapiro subsequently requested that Parcel 38 be clustered with property that they currently own.

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David Gottorff, owner of a neighbor property, expressed concern about the cluster agreements, whether or not they can be later subdivided, and how they relate to the conservation easement. Chairperson Swenson explained that, once a cluster is approved, the property cannot be later subdivided. He also requested that attention be paid to Parcel 34 because it goes across 8th Street, and DCM Crosby explained that it had previously been vacated. Lastly, he expressed concern that the relevant lots are part of a conservation easement and may end up being built upon.

Pat McGhee, who identified himself as an area landowner, expressed concern about the public noticing requirements because the notice that he received didn't include information about the lot cluster. Because of his concerns, although he noted that he didn't have any objections to this particular cluster, he didn't feel that action should be taken on the lot cluster until a future meeting. DCM Crosby explained that street vacation notices are statutorily required, whereas lot clusters don't require the same type of notice. Mr. McGhee stated that others had expressed the same concerns to him, but those persons weren't available for the meeting. Chairperson Swenson stated that the County has been approving lot clusters and vacations, particularly in the Irwin area, for approximately 10 years, and that the County cannot accept hearsay as testimony. She also explained that, if these properties are subject to a conservation easement, then the conservation easement holder will need to come forward for a conversation with the property owner and the Community Development Department. Commissioner Chamberland appreciated the comments that were provided by the public, and he acknowledged his trust in the building code. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the lot cluster for Sandra and John Consentino in the Townsite of Irwin for Lots #37, #39, #36, #35, #34, #41, #40 and #42 as presented here today. Motion carried unanimously. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve the lot cluster application for Anderson and Shapiro for Lot #38 as presented. Motion carried unanimously.

RESOLUTION VACATING A PORTION OF THE ALLEY LYING WITHIN BLOCK 21, TOWNSITE OF IRWIN, COUNTY OF GUNNISON, STATE OF COLORADO: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Resolution #2016-8, a Resolution Vacating a Portion of the Alley Lying within Block 21, Townsite of Irwin, County of Gunnison, State of Colorado. Motion carried unanimously.

UNSCHEDULED CITIZENS:

1. Pat McGhee; Irwin Property Issue. Mr. McGhee stated that someone built a cabin on the lot adjacent to him in the last year, that the man is driving through his property to access it, and that it has been serving as a residence since at least last September. There have been no septic or road permits issued that he is aware of. DCM Crosby informed him that the property is currently under a cease and desist order, and the Board suggested that he contact the Community Development Department for more information.

COMMISSIONER ITEMS (continued):

Commissioner Swenson:

1. Colorado Counties, Inc. (CCI) Update (continued).
   f. CCI took no position on legislation related to communities paying royalties to individuals in their communities who wanted to allow fracking on their properties, but weren't permitted.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 9:54 am.

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice-Chairperson

_____
Jonathan Houck, Commissioner

Minutes Prepared By:

_____
Katherine Haase, Deputy County Clerk

Attest:

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_____
Kathy Simillion, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2016-6

A RESOLUTION AMENDING THE *GUNNISON COUNTY LAND USE RESOLUTION*

WHEREAS, pursuant to the *Gunnison County Land Use Resolution* ("the *Resolution*"), Section 1-113, details a process for initiation, review and Board of County Commissioner action on proposed amendments to the *Resolution*, and

WHEREAS, pursuant to Section 1-113, the Community Development Department and Planning Commission have initiated and completed review of proposed amendments as required by the *Resolution*; and

WHEREAS, the Planning Commission, on December 18, 2015, forwarded its written recommendation to the Board regarding the proposed amendments; and

WHEREAS, the Board of County Commissioners has conducted a duly noticed public hearing on these proposed amendments February 16, 2016; and pursuant to Section 1-113 of the *Resolution* evaluated the proposed amendments using the following criteria:

- Consistency of the proposed amendments with any comprehensive plan that may be adopted by Gunnison County;
- Changed conditions, including the economy of Gunnison County;
- Effect of the proposed amendments on the natural environment;
- Community needs;
- Development pattern;
- Changes in applicable law;
- Public health, safety and welfare; and
- Compliance with any applicable intergovernmental agreements adopted by Gunnison County; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Gunnison County, Colorado that the Board hereby adopts the following amendments to the *Gunnison County Land Use Resolution*, as included in the attached "Exhibit A."

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck and adopted on this 16th day of February, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 2016-7

A RESOLUTION VACATING CERTAIN ALLEYS LYING WITHIN THE TOWNSITE OF IRWIN, COUNTY OF GUNNISON, STATE OF COLORADO

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado (herein "Board"), by virtue of Colorado law, has authority and is the owner of certain roads and alleys lying within the County of Gunnison; and

WHEREAS, the Board has determined that not all platted roads and alleys are necessary for public access to privately owned property; and

WHEREAS, the Board has received a request to vacate certain alleys lying within the Townsite of Irwin, County of Gunnison, State of Colorado described as follows:

The entire alleys lying within Blocks 15, 22 and 23, and that portion of the alley adjacent to Lots 5 through 7, inclusive, and Lots 12 through14, inclusive, and that half of the alley adjacent to Lot 8, Block 9 all within the Townsite of Irwin according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 6, 1894, bearing Reception No: 7055.

WHEREAS, the vacation of the above described alleys lying within the Townsite of Irwin, will not hinder any property owners of any lands from having access to their respective land nor disrupt existing travel modes or anticipated conditions in traffic or development patterns; and

WHEREAS, there will be no adverse impact to the natural environment, community needs or public health, safety and welfare from the vacation of the above described alleys lying within the Townsite of Irwin; and

WHEREAS, the notices required by Colorado law for such vacation have been given and a public hearing on such vacation has been conducted; and

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NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the following described alleys lying within the Townsite of Irwin, County of Gunnison, State of Colorado described as follows shall be and hereby are vacated:

The entire alleys lying within Blocks 15, 22 and 23, and that portion of the alley adjacent to Lots 5 through 7, inclusive, and Lots 12 through 14, inclusive, and that half of the alley adjacent to Lot 8, Block 9 all within the Townsite of Irwin according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 6, 1894, bearing Reception No: 7055.

It is the specific intent of the Board that the vacation of the above described alleys lying within the Townsite of Irwin shall accrue to and vest in the record owner(s) of adjacent real property pursuant to the provisions of C.R.S. § 43-2-302.

FURTHERMORE, this Resolution is contingent upon and shall not become effective until the recording in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado of the following:

1. Lot Cluster Agreements executed by Gunnison County and the owner(s) of the respective adjacent property clustering said property and the above described alleys lying within the Townsite of Irwin, County of Gunnison, State of Colorado vacated by this Resolution described as follows:
2. This Resolution.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 16th day of February, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO: 2016-8

A RESOLUTION VACATING A PORTION OF THE ALLEY LYING WITHIN BLOCK 21, TOWNSITE OF IRWIN, COUNTY OF GUNNISON, STATE OF COLORADO

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado (herein "Board"), by virtue of Colorado law, has authority and is the owner of certain alleys and roads lying within the County of Gunnison; and

WHEREAS, the Board has determined that not all platted alleys and roads are necessary for public access to privately owned property; and

WHEREAS, the Board has received a request to vacate that portion of the alley lying adjacent to Lots 6 through 13, Block 21, inclusive, within the Townsite of Irwin according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 6, 1984, bearing Reception No: 7055, County of Gunnison, State of Colorado; and

WHEREAS, the vacation of the above described portion of the alley within Block 21 will not hinder any property owners of any lands from having access to their respective land nor disrupt existing travel modes or anticipated conditions in traffic or development patterns; and

WHEREAS, there will be no adverse impact to the natural environment, community needs or public health, safety and welfare from the vacation of the above described portion of the alley within Block 21; and

WHEREAS, the notices required by Colorado law for such vacation have been given and a public hearing on such vacation has been conducted; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the portion of the alley lying adjacent to Lots 6 through 13, Block 21, inclusive, within the Townsite of Irwin according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 6, 1984, bearing Reception No: 7055, County of Gunnison, State of Colorado, shall be and hereby is vacated with the following contingencies.

It is the specific intent of the Board that the vacation of the above described portion of the alley lying within Block 21 shall accrue to and vest in the record owner(s) of adjacent real property pursuant to the provisions of C.R.S. § 43-2-302.

FURTHERMORE, this Resolution is contingent upon and shall not become effective until the recording in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado of the following:

1. A Lot Cluster Agreement executed by Gunnison County and the owner(s) of the adjacent property clustering said property and that portion of the alley lying adjacent to Lots 6 through 13, Block 2, inclusive, within the Townsite of Irwin according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 6, 1984, bearing Reception No: 7055, County of Gunnison, State of Colorado vacated by this Resolution; and
2. This Resolution.

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 16th day of February, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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

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