AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Draft 8-16-16 BOCC Meeting Minutes

Action Requested: Motion

Parties to the Agreement:

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

Summary:

Attached are the draft 8/16/16 BOCC regular 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: 9/15/2016

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

Agenda Date: 9/20/2016

Revised April 2015

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

The August 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
David Baumgarten, County Attorney
Matthew Birnie, County Manager
Katherine Haase, Clerk to the Board
Others Present as Listed in Text

CALL TO ORDER: Chairperson Swenson called the meeting to order at 9:01 am.

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

MINUTES APPROVAL: **Moved** by Commissioner Houck, seconded by Chairperson Swenson to approve the meeting minutes for 6/21/16 as presented. Motion carried. (Commissioner Chamberland was not in attendance for the 6/21/16 meeting.) **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the minutes for 7/5/16 and 7/19/16 as presented. Motion carried unanimously. **Moved** by Commissioner Chamberland, seconded by Chairperson Swenson to approve the 8/2/16 meeting minutes as presented. Motion carried. (Commissioner Houck was not in attendance for the 8/2/16 meeting.)

1. 6/21/16 Regular Meeting
2. 7/5/16 Regular Meeting
3. 7/19/16 Regular Meeting
4. 8/2/16 Regular Meeting

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

1. Universal Membership Agreement; Colorado Department of Human Services; Client Income Verification Services
2. Resolution; Amending Resolution 2016-14, a Resolution Vacating Any Interest Gunnison County May Have in a Certain Alley Lying within the LaVeta Addition to the Town of Pitkin, County of Gunnison, State of Colorado
3. Acknowledgment of County Manager Signature; Software License Agreement; License and Services Sales Order; Spatialest; Assessor's Office Software; Five-Year Contract, Starting 7/1/16; $40,000
4. Ratification of Correspondence; Western State Colorado University Icehouse Grant Application
5. Amended Gunnison County, Colorado Employee Medical Benefit Plan; Effective 1/1/16
6. Request for State Approval of Plan; SFY2016-2017 Core Services Program Allocation and Plan

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

COUNTY MANAGER'S REPORTS:

1. Safety & Response Exercise; 9/14/16 at Blackstock Government Center. CM Birnie informed the Board that this will be a rather large exercise and include many outside agencies. He also stated that County Attorney David Baumgarten is assisting with the preparations to help ensure that the exercise is conducted safely.
2. Community Development Director Vacancy Process. CM Birnie informed the Board that applications for this vacancy will continue to be accepted until later this month. He plans to meet with Prothman representatives next week to discuss an initial review of the applications, and a full interview schedule will be set soon. Community Development Director Russ Forrest's sendoff is scheduled to take place on 9/1 at the Gunnison Brewery.

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

1. Visitor; Forest Service Engineer Chad Wellman; Kebler Pass Traffic Control Closures and Clean Water Act Violation. Gunnison National Forest District Ranger John Murphy was also present for the discussion. Mr. Wellman proposed two-hour closures from 9/7 through 10/5, with 30 minutes of allowing traffic between the closures, from 7:00 am until 5:30 pm, Monday through Friday. No work will be performed on weekends or holidays. Public Works will take the opportunity to do some other necessary work while the road is closed. He also indicated that Phase II is scheduled to begin during the initial timeframe, and he will have more information about that phase at a later date. The alternative route will be Ohio Pass, and the traffic control plan will come to Gunnison County for approval. The Forest Service will take the lead on public communication of the closures. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve the requested closures of Kebler Pass by the US Forest Service, as presented today. Motion carried unanimously.
2. Road Issues. DCM Crosby informed the Board that some property owners have been closing roads, which is causing concern with many people. She requested direction from CA Baumgarten since these issues may end up in litigation. She noted that she and the US Forest Service can work with

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the property owners to protect the public right to the access, and CA Baumgarten felt that this approach was appropriate. Mr. Murphy stated that he had received reports of one property owner shooting over peoples' heads; the incident was reported to the Sheriff's Office. If conversing with the landowner is unsuccessful, this will come back to the Board.

3. Mining Claim in Irwin Townsite. DCM Crosby presented a plat for illustration relative to a mining claim that predates the Townsite. She stated that a property owner has a gate to their property, which is experiencing vandalism. The owner has asked for a letter stating that the road past the gate is neither County nor public. Mr. Murphy confirmed that the road in question is identified as an administrative use Forest Service road, and that it is not open to the public.

RESOLUTION; ACCEPTING THE RURAL IMPACT COUNTY CHALLENGE: A NATIONAL EFFORT TO COMBAT RURAL CHILD POVERTY: **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to approve Resolution #2016-32, a Resolution Accepting the Rural Impact County Challenge: A National Effort to Combat Rural Child Poverty. Motion carried unanimously.

MAJOR IMPACT PROJECT SKETCH PLAN RECOMMENDATION; SLATE RIVER DEVELOPMENT, LUC #2016-00009; CYPRESS FOOTHILLS, LP: Assistant Community Development Director Neal Starkebaum and attorney Marcus Lock were present for discussion. Commissioner Houck asked about comments from the Town of Crested Butte, and ACDD Starkebaum indicated that comments has not yet been received. Mr. Lock stated that the applicant was still in discussions with the Town.

1. Resolution; Approve the Sketch Plan for LUC No. 2016-00009, Slate River Development; SW ¼ of Section 35, Township 13 South, Range 86 West, 6th PM Tract Q (aka Lot 13); Cypress Foothills, LP. **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to approve Resolution #2016-33, a resolution approving the sketch plan for the Slate River Development with the legal description on the resolution as presented today. Chairperson Swenson restated that this was relevant to LUC No. 2016-00009. Motion carried unanimously.

REQUEST FOR FUNDING; WESTERN STATE COLORADO UNIVERSITY'S INNOVATION, CREATIVITY, AND ENTREPRENEURSHIP (ICE) PROJECT; $20,000: Community Development Director Russ Forrest, ICEhouse Director Gerrit McGowan, and WSCU Professor Chris Green were present for discussion.

CDD Forrest indicated that the One Valley Prosperity Project identified the outlined processes within the request as priorities. The digital marketing portion of the request equated to $10,000, which will result in a website and other marketing avenues to expand or establish a presence in Gunnison County. CM Birnie stated that the County will enter into an agreement if the Board approves the expenditure. Moved by Commissioner Chamberland, seconded by Commissioner Houck to approve the grant request, as presented today, for the ICE House in the amount of $20,000. Motion carried unanimously. The $20,000 will be paid from the County's economic development funds.

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

Commissioner Chamberland:

1. Broadband Update. Commissioner Chamberland stated that the group is aggressively pursuing WAPA, and they hope to set a meeting for the last week of August or the start of September. The best route may cost approximately $13M.

Commissioner Houck:

1. Gunnison Sage-grouse Update. Commissioner Houck stated that many of the goals outlined in the 2005 range-wide plan have been accomplished or exceeded. During a recent meeting in Norwood, which is thought to be the center of the geographic range, discussions were held related to ongoing efforts. Commitments and involvement from counties and others has remained high. Funding from the state is available for some of the action team's efforts.
2. Trails Commission Update. Commissioner Houck stated that he has continued to work with the Trails Commission to discuss prioritization of project and coordination of efforts since the One Valley Prosperity Project identified sustainable recreation and tourism as a key focus area.

Commissioner Swenson:

1. Mayors/Managers Meeting. Chairperson Swenson stated that she and CM Birnie attended the recent meeting, during which the Crested Butte Mountain Resort (CBMR) gave a presentation. CBMR was profitable in 2015, and a season pass sales outlook for the coming winter was not provided. The air program is going well and bookings are up. Anthracite Place received its Temporary Certificate of Occupancy, and lots of rental applications have been received.
2. Housing Survey. Chairperson Swenson stated that the survey has been published, and the hope is to get several hundred additional responses. She reminded everyone that the survey is for everyone in the community, not just for the people without adequate housing.

POTENTIAL PURCHASE OF REAL PROPERTY; INSTRUCTIONS REGARDING POTENTIAL NEGOTIATIONS; CONFERENCE WITH COUNTY ATTORNEY; POSSIBLE EXECUTIVE SESSION: County Attorney David Baumgarten requested an executive session, pursuant to C.R.S. 24-6-402(4)(a),

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(b), and (e)(I), to discuss attorney-client privileged information relative to a potential property purchase and negotiator instructions. **Moved** by Commissioner Chamberland, seconded by Commissioner Houck to go into executive session for the reasons outlined by the County Attorney. Motion carried unanimously.

The board went into executive session at 9:51 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)(a), (b), and (e)(I).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. *24-6-402(4)(a), (b), and (e)(I)* and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____ _____

David Baumgarten
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4).

Date: _____ _____

Paula Swenson, Chairperson
Gunnison County Board of Commissioners

The Board came out of executive session at 10:08 am. Chairperson Swenson 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.

ADJOURN: **Moved** by Commissioner Houck, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 10:09 am.

_____
Paula Swenson, Chairperson

_____
Phil Chamberland, Vice-Chairperson

_____
Jonathan Houck, Commissioner

Minutes Prepared By:

_____
Katherine Haase, Deputy County Clerk

Attest:

_____
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: 2016-31

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A RESOLUTION AMENDING RESOLUTION 2016-14, *A RESOLUTION VACATING ANY INTEREST GUNNISON COUNTY MAY HAVE IN A CERTAIN ALLEY LYING WITHIN THE LAVETA ADDITION TO THE TOWN OF PITKIN, COUNTY OF GUNNISON, STATE OF COLORADO*

WHEREAS, on April 4, 2016, through Resolution No: 2016-14, *A RESOLUTION VACATING ANY INTEREST GUNNISON COUNTY MAY HAVE IN A CERTAIN ALLEY LYING WITHIN THE LAVETA ADDITION TO THE TOWN OF PITKIN, COUNTY OF GUNNISON, STATE OF COLORADO*, the Board of County Commissioners of the County of Gunnison, Colorado ("Board"), vacated any interest that Gunnison County may have had in a certain alley lying within the LaVeta Addition to the Town of Pitkin described as follows:

> The entire alley lying within Block 26 located within the LaVeta Addition to the Town of Pitkin according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado, bearing Reception No: 258799, County of Gunnison, State of Colorado; and

WHEREAS, one of the conditions of approval for vacating said alley identified in Resolution No: 2016-14 was:

> 2. The vacation of the above described alley will become effective only upon the recording in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado of a Lot Cluster Agreement executed by Gunnison County and the owner(s) of Lots 1 through 32, inclusive, Block 26 and Lots 1 through 4, inclusive, Block 31, LaVeta Addition to the Town of Pitkin, according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado, bearing Reception No: 258799, County of Gunnison, State of Colorado, clustering said lots and alley vacated herein; and

WHEREAS, it has come to the Board's attention that Lots 1 through 4, Block 31 do not need to be part of the requisite Lot Cluster Agreement and the above referenced condition should reflect that exclusion and be amended as follows:

> 2. The vacation of the above described alley will become effective only upon the recording in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado of a Lot Cluster Agreement executed by Gunnison County and the owner(s) of Lots 1 through 32, inclusive, Block 26, LaVeta Addition to the Town of Pitkin, according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado, bearing Reception No: 258799, County of Gunnison, State of Colorado, clustering said lots and alley vacated herein; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that Resolution No: 2016-14 shall be and hereby is amended to reflect the exclusion of Lots 1 through 4, Block 31 in the requisite Lot Cluster Agreement and the condition shall read as follows:

> 2. The vacation of the above described alley will become effective only upon the recording in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado of a Lot Cluster Agreement executed by Gunnison County and the owner(s) of Lots 1 through 32, inclusive, Block 26, LaVeta Addition to the Town of Pitkin, according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado, bearing Reception No: 258799, County of Gunnison, State of Colorado, clustering said lots and alley vacated herein.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and adopted on this 16th day of August, 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: 2016-32

A RESOLUTION ACCEPTING THE RURAL IMPACT COUNTY CHALLENGE:
A NATIONAL EFFORT TO COMBAT RURAL CHILD POVERTY

WHEREAS, small towns and rural communities are home to millions of Americans and are a vibrant part of our nation's economy; and

WHEREAS, in 2014, approximately 1.4 million children in rural areas were poor and over 700,000 children lived in rural families with cash incomes that fell below half of the poverty line; and

WHEREAS, high rates of poverty have persisted for generations, including over 300 rural counties with poverty rates of over 20 percent in every Census since 1980; and

WHEREAS, investing in poor children and their families not only reduces poverty in the near term, but also improves children's education, health, and earnings outcomes later in life; and

WHEREAS, rural and tribal communities face distinct challenges, including limited access to critical services, fewer job prospects, and in some places, relative lack of institutional capacity; and

WHEREAS, no matter where they live, all families aspire for the cornerstones of economic security: a well-paying job, child care, a college education, health care, a home, and retirement; and

WHEREAS, Gunnison County and all counties recognize that a child's zip code should not determine her destiny, and that every child should have the opportunity to succeed; and

WHEREAS, Gunnison County Health and Human Services has prioritized child poverty in their Healthy Families, Healthy Communities Strategic Result and Gunnison County Community Development has lead the One Valley Prosperity Project (OVPP) with a workgroup focused specifically on social services and

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Community Health that are developing innovative strategies to increase access to essential health and human services through community engagement, physical colocation and greater alignment of different programs; and

WHEREAS, through The Rural Impact County Challenge, the National Association of Counties and the White House Rural Council are encouraging public, private and nonprofit leaders to reduce the number of children living in poverty in rural areas;

NOW, THEREFORE, LET IT BE RESOLVED, THAT WE, the Board of County Commissioners of Gunnison County, do hereby sign on to the Call to Action to reduce the number of children living in poverty, commit to sharing lessons learned with other counties in my state and across the country to support a national initiative and encourage all county officials, employees and residents to participate in The Rural Impact County Challenge. We resolve to utilize the resources available through The Rural Impact County Challenge to:

- Draw on the diverse OVPP team of leaders and decision makers from multiple agencies committed to reducing the number of children and families in rural areas living in poverty.
- Develop a plan within OVPP Social Services and Community Health group with measurable outcomes that improves access, participation, and/or impact of evidence-based and other promising practices in one or more of the following areas: early childhood education, nutrition, workforce development, and health and human services.
- Implement research-based approaches that advance the plan.
- Create a process to track progress using data and information systems, and to report on successes.

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

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 2016 - 33

A RESOLUTION APPROVING THE SKETCH PLAN FOR LUC NO. 2016-00009 SLATE RIVER DEVELOPMENT SW 1/4 OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 86 WEST, 6TH P.M, TRACT Q (AKA LOT 13) CYPRESS FOOTHILLS, LP

WHEREAS, Cypress Foothills, LP represented by Marcus J. Lock, Law of the Rockies, submitted the Slate River Development Sketch Plan, which proposes the subdivision of a 44.5-acre parcel, which has been described as a "hybrid-format" development proposal. The application is the first step of a multi-tiered review to develop the subdivision. The property is bisected by the Slate River, which divides the land into a "West Parcel" and an "East Parcel". The dichotomy of the hybrid-format is explained below.

The West Parcel (14.1-acres - west of the Slate River), will be severed from the 44.5-acres and remain a remainder tract, which will be annexed to the Town of Crested Butte, pursuant to a Pre-Annexation Agreement, in place with the Town of Crested Butte. While the West Parcel is an element of this subdivision and hybrid-format development, the County land use review concerns the residential development of the East Parcel and construction of an access road across the West Parcel, from Gothic Road. Upon final approval of this land use change, the Old Town Landfill, located within the West Parcel, will be cleaned up, in accordance with the Colorado Department of Public Health and Environment's Voluntary Clean Up Plan, as contemplated in the Pre-Annexation Agreement. No other uses are approved on the West Parcel.

The East Parcel (30.4-acres - east of the Slate River) will be subdivided into 23 single-family residential lots, with the opportunity for a secondary residence on each lot. Lot sizes range from one-third to three-quarter acres. Access to the East Parcel will be from Gothic Road, via construction of a new road (Road A). The lots will be restricted to a maximum primary residential building size of 5,000 square feet, a secondary residence to 750 square feet and the aggregate square footage of all buildings to 5,750 square feet. The Sketch Plan contemplates that water will be provided by central well(s), with central water distribution system, and wastewater will be provided by central sewer, via connection to the Town of Crested Butte's municipal sewer system. The applicant has identified that this development will not be a "gated community". A draft narrative of the subdivision protective covenants has been submitted addressing the general outline of homeowner association responsibilities, architectural style and design guidelines and County required covenant provisions.

The applicant requested a minor modification to the Sketch Plan, in a letter from Marcus J. Lock, dated July 26, 2016, which would be to allow a residential unit on the "HOA Lot". This residential unit, or guest cottage, would be owned by the homeowners' association, and would be available only to lot owners and their guests. If it is constructed, the applicant envisions that the cottage could be used by lot owners who have not yet built their residence, or guests of lot owners, and not for commercial use. The property is located adjacent to the Town of Crested Butte, in the SW 1/4 of Section 35, Township 13 South, Range 86 West, 6th P.M, Tract Q (aka Lot 13); and

WHEREAS, a joint public hearing was conducted July 15 and August 5, 2016, by the Planning Commission and Board of County Commissioners; and

WHEREAS, after a review of the application and all information, documentation and testimony related to it, the Gunnison County Planning Commission did, at its regular meeting on August 5, 2016 forward to the Board of County Commissioners a Recommendation of approval of that application with certain Findings and Conditions;

NOW, THEREFORE, the Board hereby adopts in full the Planning Commission's Recommendation, with these Findings:

1. The submitted Sketch Plan applies to all of the 44.5-acres proposed for development.
2. Section 4-504: A., of the Gunnison County Land Use Resolution prescribes that, "…Sketch Plan review provides an opportunity for the County, the applicant, and the public to engage in an exploratory discussion of a proposed land use change, to examine alternative approaches to development of the property, to participate in a process of joint planning and negotiation between the County and the applicant…" and that detailed engineering plans and other overly detailed information shall not be required or accepted by the County."
3. This application, by definition, is classified as a Major Impact Project.
4. Pursuant to Division 7-200: Sketch Plan for Major Impact Projects of the *Land Use Resolution*:
   a. This Sketch Plan application is generally consistent with the standards and requirements of the Resolution, pursuant to Division 7-200: Sketch Plan for Major Impact Projects, 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 7-703 A., 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 development area, and shall not adversely impact the future development of the development area. For purposes of this application, the Planning Commission finds that the "development area" consists of those lands that are adjacent to the subject property
   c. No phasing has been proposed by the applicant within this Sketch Plan submittal.
5. 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.
6. Concerns were identified by the public and the Planning Commission with the location of Road A on the West Parcel and its intersection with Gothic Road, as it related to properties across Gothic Road, concerning the impact of vehicle headlights on existing residential properties.
7. The property is identified as sensitive wildlife habitat, pursuant to the *Land Use Resolution*, based upon comments received from Colorado Parks and Wildlife, concerning the use of the property as an elk migration corridor.
8. 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 applicant is unable to fulfill all of the requirements of this Resolution, then the application shall be denied at the Preliminary or Final Plan review stage.
9. 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. Failure to submit a complete Preliminary Plan application within this time period shall render the Sketch Plan approval null and void, and require the applicant to begin the Sketch Plan review process again.
10. 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.
11. 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.
12. 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.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that no additional public hearing on the Slate River Development Sketch Plan need be conducted by the Board, and further, the Board hereby approves the Slate River Development Sketch Plan for LUC No. 2016-0009 as recommended by the Planning Commission, with the following conditions:

1. The following are specifically identified as Preliminary Plan submittal items of particular attention:
   - Analysis of the location of Road A on the West Parcel at its intersection with Gothic Road, as it related to properties across Gothic Road, concerning the impact of vehicle headlights on existing residential properties.
   - Wildlife impacts to elk, regarding mitigation and potential human-elk conflicts, including a wildlife habitat analysis, documentation of consultation with Colorado Parks and Wildlife, and provision for domestic animal controls.
   - Visual analysis of Lots 7-13, from the Crested Butte Cemetery.
   - The applicant investigate the potential for the Town of Crested Butte to provide potable water for the development.
   - Viability of the extension/connection of Eighth Street to Road A.

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2. Approval of this Sketch Plan application shall constitute 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 any aspect of construction of the proposed land use change. Approval at this stage only authorizes the applicant to submit a Preliminary Plan application. If, during the Preliminary Plan and Final Plan reviews the applicant is unable to fulfill all of the requirements of the *Resolution* then the application shall be denied at the Preliminary or Final Plan review stage.
3. 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. Failure to submit a complete Preliminary Plan application within this time period shall render the Sketch Plan approval null and void and require the applicant to begin the Sketch Plan review process again.
4. 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.
5. 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.
6. 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 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 on this 16th day of August, 2016.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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

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