# AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

**Agenda Item:** Draft 10/3/2017 BOCC Meeting Minutes

**Action Requested:** Board of County Commissioners' Signature

**Parties to the Agreement:**

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

**Summary:**

Attached are the draft minutes from 10/3/2017 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:
ok eb 10/13/17

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 10/13/2017 Certificate of Insurance Required

Yes ○ No ◉

**County Manager Review:**

Comments:

Reveiwed by: GUNCOUNTY1\khaase Discharge Date: 10/13/2017

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

Agenda Date: 10/17/2017

*Revised April 2015*

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
October 3, 2017

The October 3, 2017 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Phil Chamberland, Chairperson
Jonathan Houck, Vice-Chairperson
John Messner, Commissioner (via telephone)
David Baumgarten, County Attorney
Matthew Birnie, County Manager
Katherine Haase, Deputy County Clerk
Others Present as Listed in Text

CALL TO ORDER: Chairperson Chamberland called the meeting to order at 8:31 am.

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

MINUTES APPROVAL: Moved by Commissioner Houck, seconded by Chairperson Chamberland to approve the meeting minutes from September 5th and September 6th, 2017 as presented this morning. Motion carried unanimously.

1. 9/5/2017 Regular Meeting
2. 9/6/2017 Special Meeting

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

1. Resolution; Adopting Gunnison County Assessor Records Retention Schedules
2. Resolution; Authorizing the Purchase of Real Property
3. Participation Agreement; Colorado C-PACE, Colorado New Energy Improvement District
4. Resolution; Concerning the Authorization of the Colorado New Energy Improvement District to Conduct its New Energy Improvement Program, Called Colorado Commercial Property Assessed Clean Energy (C-PACE), Within Gunnison County ("County")
5. Acknowledgement of County Managers Signature; Agreement; Mountain Express and the Gunnison Valley Regional Transportation Authority; 1/1/18 thru 12/31/18
6. Proposal Acceptance; Midnight Marketing Solutions LLC.; One Valley Prosperity Project Website Development & Maintenance; $7,968
7. Proposal Acceptance; Cilia Kohn; One Valley Prosperity Project Website Content Creation; $6,500
8. Ratification of Appointment; USDA Forest Service Representative; Matthew McCombs; Gunnison Basin Sage-Grouse Strategic Committee
9. Draft Memorandum of Understanding; Bureau of Land Management; Cooperating Agency for the Purpose of Preparing and Environmental Assessment for the Gunnison Field Office; Signal Peal Trails Proposal
10. Approval for County Manager's Signature; Statement of Work; West Central Public Health Partnership Health Assessment
11. Purchase of Service Agreement; Midwestern Colorado Mental Health Center; Mental Health Core Services; June 1, 2017 through May, 31, 2018
12. Purchase of Service Agreement; Midwestern Colorado Mental Health Center; Substance Abuse Core Services; June 1, 2017 through May, 31, 2018
13. Grant Agreement; Community Foundation of the Gunnison Valley; Gunnison County Substance Abuse Prevention Project Choice Pass; $3,500
14. Ratification of Chairperson's Signature; Core Services Program Contract; State of Colorado Office of Children, Youth & Families; 2017-2018

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

**COUNTY MANAGER'S REPORTS:**

1. 2018 Gunnison County Budget. CM Birnie stated that he and staff were in the process of finalizing the staff-proposed budget to delivery to the Board on 10/13.

DEPUTY **COUNTY MANAGER'S REPORT AND PROJECT UPDATES:** Deputy County Manager Marlene Crosby was not present for discussion.

APPLICATION FOR EXEMPTION TO THE GUNNISON COUNTY HOUSING AUTHORITY OCCUPANCY AND RESALE DEED RESTRICTION AND ESSENTIAL HOUSING COVENANT; LARKSPUR SUBDIVISION; 325 LARKSPUR LOOP; TAYLOR REEVES: Gunnison Valley Regional Housing Authority (GVRHA) Executive Director Jennifer Kermode was present for discussion. Commissioner Houck recused himself from the discussion and vote due to a potential conflict of interest, and he left the room.

CM Birnie summarized the two actionable issues for the Board, those being whether or not the Board would like to grant the requested exemption and how the County should respond to the current owner's deed restriction violation.



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Ms. Kermode expressed her agreement with the exemption request, and she noted that the buyer has received approval for a loan to purchase the lot and pre-approval for construction financing. Moved by Chairperson Chamberland, seconded by Commissioner Messner to approve the exemption for the applicant, Taylor Reeves, to purchase the Larkspur property from Brian Riepe. CM Birnie also requested that the Board consider increasing the maximum allowable assets that a person can own and still qualify to purchase the lot, and Ms. Kermode agreed to provide a recommendation during a future meeting. Motion carried.

Ms. Kermode explained that the property's deed restriction mandates that a prospective purchaser must disclose information relative to ownership of any other properties, and that Mr. Riepe owned property at 309 N. Main Street in Gunnison when he purchased the subject property in 2008 for $32,000. Ms. Kermode cannot locate any paperwork that explains how he was qualified to make the purchase, and she agreed to delve into the ownership of other lots to see if additional problems exist. CM Birnie also noted that Mr. Riepe, who is now attempting to sell the property for $40,000, would have signed the deed restrictions with the prohibition outlined when he originally purchased the property. The property's deed restriction states that, upon resale, qualified owners are limited to a maximum of 3% annual appreciation. Moved by Chairperson Chamberland, seconded by Commissioner Messner that we follow the strict interpretation of the deed and, since Mr. Riepe was not eligible to purchase this property without selling his existing property, that he needs to adhere to selling the property for the purchase price of the property, which is $32,000. Motion carried.

Commissioner Houck returned to the room for the remainder of this discussion. Within the Larkspur subdivisions, there are additional properties that are owned by people who are not eligible to own them. The owner of at least one of the lots also owns a million-dollar property in the valley. Ms. Kermode stated her intention to institute some sort of deed review process to help ensure that these types of sales do not occur in the future. The Board might schedule a work session to discuss potential solutions, including language in new subdivision approvals mandating that purchasers go through a process with either the County or the GVRHA.

BREAK: The meeting recessed from 9:01 until 9:04 am for a short break.

RESOLUTION; APPROVING LAND USE CHANGE PERMIT NO. 2017-00023 A LAND USE CHANGE PERMIT FOR WILLIAM R. GODDARD, JR. CHURCH LOT REPLAT CHURCH LOT, RIVERWALK ESTATES SUBDIVISION: Assistant Community and Economic Development Director Neal Starkebaum and attorney David Leinsdorf were present for discussion.

ACEDD Starkebaum stated that the Planning Commission's approval of this request was unanimous. He also confirmed that the homeowners' association submitted the required correspondence.

Commissioner Messner stated that trail access points should be considered in the future. Mr. Leinsdorf confirmed that Mr. Goddard has had ongoing discussions with the City of Gunnison and Deputy County Manager Marlene Crosby, and that he is not currently interested in dedicating a trail. However, he noted that Mr. Goddard is willing to participate in a site visit in order to identify different options that may be available and agreeable to him. The Board agreed that this would be beneficial, and that the site visit should include Commissioner Houck as a representative from the Board, DCM Crosby, a staff member from the Community and Economic Development Department, and a City employee. Moved by Commissioner Houck, seconded by Commissioner Messner to approve Resolution #2017-37, a Resolution Approving Land Use Change Permit No. 2017-00023, a Land Use Change Permit for William Goddard, Jr., Church Lot Replat, Riverwalk Estates Subdivision as presented today, and approve the signature of the Chair on the plat. Motion carried unanimously.

LOT CLUSTER REQUEST; LOTS 87 & 88, MARBLE SKI AREA FILING NO. 3; KAREN ELIZABETH SEVERSON: Administrative Services Manager Beth Baker was present for discussion.

ASM Baker stated that, if approved, this cluster will result in one 1.3-acre lot. Ms. Severson intends to build a residence on this lot. Moved by Commissioner Houck, seconded by Commissioner Messner to approve the Lot Cluster Request for Lots 87 and 88 in the Marble Ski Area Filing No. 3 for Karen Elizabeth Severson as presented this morning. Motion carried unanimously.

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

Commissioner Houck:

1. Gunnison Public Lands Initiative (GPLI). Commissioner Houck informed the Board that the GPLI group met last week with the Hinsdale County commissioners, two representatives from Representative Scott Tipton's office, two representatives from Senator Cory Gardner's office, and John Whitney from Senator Michael Bennet's office. The meeting went well, and the group agreed that conversations with those counties that neighbor the proposed lands would be beneficial. There is a fair amount of work yet to be done before a recommendation can be formulated.



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2. Colorado Counties, Inc. (CCI). Commissioner Houck informed the Board that he attended CCI meetings on Friday to take the first look at all bills proposed by Colorado counties. Follow up discussions are scheduled for 10/11 and 10/12. Commissioner Messner brought forward the lodging tax item from Gunnison County, and attendees found value in the discussion. That being, since there is a clear nexus between tourism and housing, Gunnison County would like to evaluate the state statute for more permissive language that might allow lodging taxes being applied to housing issues. Commissioner Houck noted that this type of change would allow the current lodging tax to be used toward workforce and affordable housing.
3. Polly Oberosler. Commissioner Houck informed the Board that he met with Ms. Oberosler to discuss the location of the rodeo grounds. During that conversation, he was clear that there would have to be a compelling reason to engage in the idea of moving the rodeo grounds to a new location. CM Birnie noted that, historically, the Cattlemen's Days Committee has not been interested in moving the rodeo grounds, and Commissioner Houck agreed and added that he has no knowledge of a change in the Committee's stance. The Board agreed that there would need to be a concrete, site-specific plan in order to consider a relocation, because it is neither a strategic priority nor a strategic funding priority.
4. Freshman Western State Colorado University Class. Commissioner Houck stated that he met with members of this class at the university to discuss ways that they could become involved with local initiatives.

Commissioner Messner:

1. North Fork Coal Mine Methane Working Group. Commissioner Messner stated that the initial meeting was convened with a good group of stakeholders, including representatives from the Bureau of Land Management, Forest Service, all congressional offices, Department of Natural Resources, Department of Local Affairs, Colorado Energy Office, Gunnison and Delta Counties, High Country Conservation Advocates, Western Slope Conservation Center, Conservation Colorado, all three mines in the North Fork region. Commissioner Houck stated that having involvement from Tri-State is very important as well. During that meeting, the discussion revolved around the Memorandum of Understand (MOU) language creation, as well as the group's structure and objectives. The implementation of ideas will be an important consideration in future meetings, and the next is scheduled to take place during the first week of November. The group is leaning toward the concept of this group being a stand-alone entity with a separate MOU to work on methane capture, with linkage to and vision similar to the North Fork group.

BREAK: The meeting recessed from 9:30 until 9:32 am in order to hold the below Public Hearing.

PUBLIC HEARING; COLORADO LIQUOR RETAIL LICENSE APPLICATION; TASSINONG FARMS, LLC. : County Clerk and Recorder Kathy Simillion and the applicant, Kathryn Haverkampf, were present for discussion.

1. Open Public Hearing. Chairperson Chamberland opened the Public Hearing at 9:30 am.

2. Public Notice Confirmation. CCR Simillion 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. CCR Simillion stated that this business is located in CB South, the inspection has been completed, and signage is posted. She did not received any concerns about the application. Documentation from the Colorado Department of Revenue is pending, but everything is in order.

5. Applicant Presentation. None.

6. Board Questions. None.

7. Public Comments. Chairperson Chamberland opened the Public Hearing to comments at 9:32 am, but none were provided.

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

9. Applicant Response. None.

10. Close Public Hearing. Chairperson Chamberland closed the Public Hearing at 9:32 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

Moved by Commissioner Houck, second by Commissioner Messner to approve the Colorado Liquor Retail License Application for Tassinong Farms, LLC, as presented today, pending the correct documentation being received back from the State, and that the correct signatures be attached to the application. Motion carried unanimously.



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

COMMISSIONER ITEMS (continued):

Commissioner Messner (continued):

2. Gunnison Valley Rural Transportation Authority (RTA) Funding. Commissioner Messner informed the Board that Senator Kerry Donovan has asked for information regarding the Rural Transportation Authority and its inability to collect sales tax on marijuana due to an inadvertent legislative issue that primarily affects transportation districts. A potential solution was discussed during a special session, and Commissioner Messner has not received an update since that session. However, he noted that the County's representatives are supportive of fixing the issue.
3. Community Builders. Commissioner Messner stated that he and other local representatives recently spent three days in Glenwood Springs meeting with the Community Builders group to discuss housing issues. The by-invitation meeting was well attended and beneficial.
4. Energy Summit. Commissioner Messner stated that he and two other County representatives attended the Energy Summit in Paonia, which was coordinated by one of Delta's economic groups. Over 100 people were in attendance.
5. Economic Development Conference. Commissioner Messner was at this conference during the meeting, which is why he appeared via telephone. Among other important discussions, he attended the Governor candidate debate yesterday, and he will attend the affordable housing discussion on 10/4.
6. Sustainable Recreation and Outdoor Recreation (STOR) Committee Applications. Commissioner Messner acknowledged that applications to serve on the STOR Committee have been received. Interviews will take place on 11/7.

Commissioner Chamberland:

1. Coffee with the Community. Chairperson Chamberland stated that he recently attended this event at the request of the CB Library. It was well attended, and the only topic brought forward was the Brush Creek project. Commissioner Houck noted that the County's representative on the Gunnison Valley Regional Housing Authority (GVRHA) contacted him to discuss a request for the GVRHA to review an alternate proposal from an affordable housing standpoint, and he asked for feedback relative to whether or not the review of an alternate proposal would be appropriate. Chairperson Chamberland stated that it might be beneficial to have a viable proposal in the event that the current proposal does not make it through the planning process, but he agreed that any new applications would need to go through the proper process. Commissioner Houck opined, since the alternate proposal was not presented during the open RFQ and RFP process, that it would not be appropriate to review it at this time. He also noted that the RFQ and RFP process was open to the public, that the panel included representatives from each of the participating parties, and that the participating parties unanimously decided to proceed through the planning process with the current developer. The GVRHA is scheduled to meet again on 10/10. County Attorney David Baumgarten suggested that, since a response to the correspondence received by the GVRHA is not time sensitive, the Board did not need to respond to the request during this meeting. He further stated that discussions should take place in a formally noticed manner during a future meeting. The Board agreed that any new proposals should not be allowed to circumvent the established process.

Commissioner Houck (continued):

2. Gunnison Public Lands Initiative. As the County representative on the GPLI as an ex-officio member, Commissioner Houck attends all meetings. He stated that the US Forest Service is very interested in the GPLI offering substantial comments during the forest-planning process. He requested input from the Board. He envisions that the GPLI will eventually bring a recommendation to the Board for discussion, but that the County will submit separate Forest Plan comments as a cooperating agency. The Board stated agreement with this approach, and CM Birnie suggested that Gunnison County then be left off of the GPLI's comments letter.

ADJOURN: Moved by Commissioner Houck, seconded by Chairperson Chamberland to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 10:06 am.

_____
Phil Chamberland, Chairperson

_____
Jonathan Houck, Vice-Chairperson

_____
John Messner, Commissioner

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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 GUNNISON COUNTY, COLORADO
RESOLUTION NO. 2017-34

A RESOLUTION ADOPTING GUNNISON COUNTY ASSESSOR RECORDS RETENTION SCHEDULES

WHEREAS, Gunnison County has established a uniform policy format and an adoption and periodic review process to promote consistency and uniformity throughout the organization;

WHEREAS, the last formal review of the Gunnison County Assessor's Office records retention schedules, as well as filing with the State Archivist's Office, was in 1990, and many technological and process improvements have been made since that date; and

WHEREAS, the attached Records Retention Schedule – Assessor's Office (Exhibit A) was created to reflect Gunnison County's current practices, which conform to Colorado State Archival statutes and the Assessor's Reference Library.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that:

1. The attached Records Retention Schedule – Assessor's Office (Exhibit A) is adopted and all previous versions are immediately rescinded.

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and adopted this 3rd day of October, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

EXHIBIT A

| | | | | | |
|---|---|---|---|---|---|
| Policy Name: | Records Retention Schedule – Assessor's Office | | | Policy Number: | 1.2.11.2.3 |
| Approval Authority: | Gunnison County Board of County Commissioners | | | Date of Adoption: | 10/3/2017 |
| Effective Date: | 10/3/2017 | Adoption Document: | Resolution #2017-34 | | |
| Review Date: | 10/3/2022 | Review Frequency: | Every five (5) years. | Policy Custodian: | Assessor's Office |

PURPOSE
This policy outlines the records retention schedule followed by the Gunnison County Assessor. Generally these are records documenting and ensuring accountability for the receipt and expenditure of public funds.

SCOPE
This policy applies to all Gunnison County Assessor records retention practices.

DEFINITIONS
- Retention Timeframes:
  - Permanent: These records will be retained permanently.
  - Number of Retention Years: These records will be retained for the listed number of years, plus the balance of the current year.

POLICY STATEMENTS

| Administrative Records | | |
|---|---|---|
| State Reference | Document and Format | Retention |
| ARL | Abatement or Refund of Taxes Petitions | 2 Years |
| ARL | Notices of Valuation<br>• Personal Property<br>• Real Property<br>• Special Real and Personal Property | 6 Years |
| ARL | Real Property Transfer Declarations | 6 Years |
| ARL | Protest Records<br>• Disposition and Register of Protests<br>• Notices of Determination<br>• Personal Inquiry Record<br>• Personal Property Protest<br>• Real Property Protest<br>• Reports of valuation and protest for the Board Equalization<br>• Special Notices of Determination<br>• Special Real and Personal Property Protest<br>• Statutory newspaper notifications (clippings and receipt of payment)<br>Written taxpayer protests of valuation | 6 Years |

| ADMINISTRATIVE REPORTS | | |
|---|---|---|
| State Reference | Document and Format | Retention |
| ARL | Abstracts of Assessment | 6 Years |
| ARL | Certifications of Levies and Revenue Reports | 6 Years |
| ARL | Certifications of Valuation to Taxing Entities | 6 Years |
| ARL | Property Tax Revenue Limit | 6 Years |
| ARL | Public Disclosure Mill Levy Calculations – Law Enforcement Authorities | 6 Years |
| ARL | Special District Records<br>• Notices of New Special Districts, including legal descriptions and maps<br>• Boundary maps filed annually<br>• Notifications of Special District contact information - annual | Permanent |
| ARL | Tax Rolls | Permanent |

| APPRAISAL RECORDS – PERSONAL PROPERTY | | |
|---|---|---|
| State Reference | Document and Format | Retention |
| ARL | Declaration Schedules and Attachments<br>• All personal property<br>• Coal<br>• Earth and stone products<br>• Lessee<br>• Producing Mines<br>• Residential | 6 Years |
| ARL | Moveable Equipment Appointment Lists | 6 Years |
| ARL | Personal Property Appraisal Records | 6 Years |
| ARL | Taxpayer Extension Requests | 1 Year |
| ARL | Works of Art Statements | 6 Years |

| APPRAISAL RECORDS – REAL PROPERTY |
|---|

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| State Reference | Document and Format | Retention |
|---|---|---|
| ARL | Agricultural Land Questionnaires and Supporting Documentation | 6 Years |
| ARL | Appraisal Records<br>• Agricultural<br>• Commercial<br>• Earth and stone products<br>• Manufactured homes<br>• Residential Property | 6 Years |
| ARL | Cost Manuals | Until superseded |
| ARL | Income and Expense Interview Forms | 6 Years |
| ARL | Market Data Worksheets<br>• Master lists<br>• Qualified lists<br>• Qualified/verified lists<br>• Out lists<br>• Market analysis spreadsheets<br>• Sales comparison grids<br>• Scatter diagrams for depreciation<br>• Depreciation tables | 6 Years |
| ARL | Master Property Records<br>• Agriculture<br>• Commercial<br>• Industrial<br>• Natural resources<br>• Producing mines<br>• Residential<br>• Vacant | 6 Years |
| ARL | Sales Maps | 6 Years |
| ARL | Vacant/Subdivision Land Questionnaires | 6 Years |

| OWNERSHIP RECORDS | | |
|---|---|---|
| | Document and Format | Retention |
| ARL | Block and Plat Books | Permanent<br>(Records Retained with Clerk and Recorder) |
| ARL | Mining Claims Ownership Index | Permanent<br>(Original Records Retained with Clerk & Recorder, Current Records With the Assessor) |
| ARL | Out of State Owners' Lists | 1 Year |
| ARL | Parcel Identification Maps | Until Superseded<br>(Records Retained with GIS) |

| SENIOR CITIZEN AND DISABLED VETERANS EXEMPTION RECORDS | | |
|---|---|---|
| State Reference | Document and Format | Retention |
| ARL | Annual Reports | 6 Years |
| ARL | Applicants for Tax Exemption and Supporting Documentation | 6 Years after removal of exemption |

| MISCELLANEOUS | | |
|---|---|---|
| State Reference | Document and Format | Retention |
| ARL | Correspondence and General Documentation – Assessor | 6 Years |
| ARL | Exempt Properties Records | 6 Years |
| ARL | Property Records | Permanent |
| ARL | State Assessed Properties Records | 6 Years |

Methods of Record Destruction:
The below methods are acceptable for destroying records. However, it is important to note that, when dealing with confidential information such as law enforcement and personnel information, these types of records must be shredded to prevent them from being reconstructed by unauthorized parties.

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1. Shred: This method is most suited for the secure destruction of confidential records such as the ones mentioned above.
2. Recycle: This method is desirable for non-confidential records where possible. It promotes good conservation and reuse of paper resources.

Records that are the subject of a legal hold order should not be destroyed!

Assessors should keep a record of the records destroyed, regardless of whether destruction is coordinated at a centralized or decentralized level, to be able to show that destruction took place in the normal course of business. A log or form used to keep track of records destruction should include the following information at a minimum:

1. Date of destruction.
2. Destruction method.
3. Volume of records destroyed, usually in estimated cubic feet.
4. Records descriptions, such as the types and date ranges of the records destroyed [for instance: Foreclosure records (2005) or Release records (1979—1980)] or a listing of the specific file folder titles, depending on the level of tracking the Assessor wants to do.
5. Who authorized, supervised and/or accomplished the records destruction.
6. Retention Schedule reference numbers.

COMPLIANCE

This policy shall be complied with in all respects. Revisions to this policy may occur and every attempt will be made to provide prior notice of any such change. However, when deemed necessary in order to fully protect the County's interests, the interest of the public, and to more fully protect the safety of the public, including employees governed by this policy, this policy may be changed without notice. If modified, notice will be given to the Colorado State Archives.

APPLICABLE LEGISLATION AND/OR RELATED REGULATIONS, POLICIES AND FORMS

- Assessor's Reference Library, Vol. 2, Administrative and Assessment Procedures (ARL)

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO
RESOLUTION NO. 2017-35

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY

WHEREAS, Colorado Revised Statutes, 30-11-101, Power of counties, at subsection (1)(b), authorizes each county in Colorado to purchase and hold real property for use of the county; and

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado (the "Board") intends to purchase certain real property described as "Shady Island Subdivision", including all lots, tracts, open space, roads and all other areas shown on the plat thereof recorded in the real property records of Gunnison County, Colorado at reception number 646197, together with any appurtenant water and water rights (all the "Property"); and

WHEREAS, the Board intends to authorize Matthew Birnie, Gunnison County Manager, to execute all documents necessary to effectuate purchase by the Board of the Property;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO that Matthew Birnie, Gunnison County Manager, is authorized to execute all documents necessary to effectuate purchase by the Board of the Property.

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and adopted this 3rd day of October, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION 2017-36

A RESOLUTION CONCERNING THE AUTHORIZATION OF THE COLORADO NEW ENERGY IMPROVEMENT DISTRICT TO CONDUCT ITS NEW ENERGY IMPROVEMENT PROGRAM, CALLED COLORADO COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (C-PACE), WITHIN GUNNISON COUNTY ("COUNTY")

Recitals

A. WHEREAS, C.R.S. §§ 32-20-101 *et seq.* establishes the Colorado New Energy Improvement District (the "District") and provides for the creation of a new energy improvement program, which the District has named "C-PACE" or the Colorado Commercial Property Assessed Clean Energy program.

B. WHEREAS, Pursuant to C.R.S. § 32-20-105(3), the District may only conduct the C-PACE program in the County if the Board of County Commissioners ("Board") authorizes it do so by resolution.

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C. WHEREAS, The Board wishes to authorize the District to conduct the C-PACE program in the County.

D. WHEREAS, The District and County have agreed on the terms of the Colorado C-PACE NEID County Participation Agreement in the form attached hereto (the "Participation Agreement").

THEREFORE, THE BOARD RESOLVES:

The Colorado New Energy Improvement District shall be authorized to conduct the CPACE program in the County in accordance with the Participation Agreement.

The Board hereby: (a) adopts the above recitations as findings of the Board; (b) authorizes the County Attorney, in consultation with the Chair, to make such changes as may be needed to the Participation Agreement in order to correct any nonmaterial errors or language that do not materially increase the obligations of the County; (c) authorizes the Chair to execute the Participation Agreement following review and approval by the County Attorney; and (d) authorizes the Chair, Vice Chair, or designee to execute any and all other necessary letters, orders, or documents as may be required to facilitate the successful implementation of the CPACE program in the County.

ADOPTED on this 3rd day of October, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 17-37

A RESOLUTION APPROVING LAND USE CHANGE PERMIT NO. 2017-00023 A LAND USE CHANGE PERMIT FOR WILLIAM R. GODDARD, JR. CHURCH LOT REPLAT CHURCH LOT, RIVERWALK ESTATES SUBDIVISION

WHEREAS, William R. Goddard, Jr, represented by David Leinsdorf, submitted a land use change application requesting the replat/subdivision of the Church Lot, Riverwalk Estates Subdivision, a 12.75-acre parcel, into two single-family lots; which will become Lot 37- 7.759-acres and Lot 38 - 4.989 acres. The Church Lot was originally approved for a church, a residential parsonage and ancillary building, constrained by two building envelopes. Water and sewer service to the residences will be serviced by individual wells and connection to the North Gunnison Sewer District Sewer system. Kokanne Court will provide access to the lots. An amendment to the *Riverwalk Estates Declaration of Protective Covenants* will revise the permitted uses on the Church Lot, to allow for one single-family residence/lot; and

WHEREAS, after a review of the application, documentation and public testimony related to it, the Gunnison County Planning Commission did, after joint public hearings, on September 15, 2017 unanimously approve a Recommendation with certain Findings and Conditions:

FINDINGS:

1. The Planning Commission has classified the application as a Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units*.
2. The land use change complies with all applicable requirements of the *Gunnison County Land Use Resolution* and *Section 6-10: Standards of Approval for Minor Impact Projects*.
3. The Commission finds that the proposed residential subdivision is compatible with existing development in the neighborhood and will result in no significant net adverse impacts to the neighborhood.
4. 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.

CONDITIONS:

1. This permit is limited to activities described within the "Project Summary" of this application, and as depicted on the Site 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*.
2. The applicant shall provide a letter from the Riverwalk Estates HOA certifying the approval of the covenant amendments, prior to scheduling before the Board of County Commissioners.
3. A mylar subdivision plat, in compliance with Section 6-105, *Gunnison County Land Use Resolution*, shall be provided to the Community Development Department, for signature by the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder.
4. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.
5. 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.
6. 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.
7. 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

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such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

AND WHEREAS, Jacob With, representing the Riverwalk Estates Homeowners Association, Inc., provided a letter, dated September 21, 2017, certifying approval of the Church Lot covenant amendment, by the Riverwalk Estates Homeowners Association. The applicant shall record the Covenant amendment contemporaneously with the replat, in the Office of the Gunnison County Clerk and Recorder.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. 2017-00023 Goddard – Church Lot Replat, is approved as a Minor Impact Project, subject to each and all conditions, as identified above.

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 Messner, and adopted this 3rd day of October, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

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