AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: DRAFT BOCC Meeting Minutes; 11/20/18

Action Requested: Motion

Parties to the Agreement:

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

Summary:

The draft 11/20/18 Regular Meeting minutes are attached for consideration.

Fiscal Impact:

Submitted by: Liz Mense **Submitter's Email Address:** EMense@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 12/14/18

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 12/14/2018 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\khaase Discharge Date: 12/14/2018

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

Agenda Date: 12/18/2018

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
November 20, 2018

The November 20, 2018 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
Matthew Birnie, County Manager
Elizabeth Mense, Deputy County Clerk
Others Present as Listed in Text

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

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

MINUTES APPROVAL: **Moved** by Commissioner Messner, seconded by Commissioner Houck to approve the meeting minutes of 10/16/18 and 10/23/18 as presented. Commissioner Chamberland abstained since he was not present for the 10/16/18 and 10/23/18 meetings. Motion carried unanimously.

1. 10/16/18 Regular Meeting
2. 10/23/18 Special Meeting

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

1. Ratification of County Manager's Signature; Gunnison Valley Hospital & Gunnison Valley Regional Transportation Authority Senior Transportation Contract; $200,000
2. Ratification of County Manager's Signature; Mountain Express & Gunnison Valley Regional Transportation Authority; $24,000
3. Contract Amendment; Colorado Historical Society; Ohio City Town Hall Project
4. Release of Landscaping Improvements Agreement; Riverland Industrial Park
5. Resolution; A Resolution Repealing Ordinance No. 12, An Ordinance Establishing Regulations for Control of Adult-Oriented Establishments within Unincorporated Gunnison County, Colorado
6. REDI Grant; Sub Contract Agreement; Western State Colorado University; ICELab; $115,220
7. Airport Service Incentive Policy & Resolution Adopting the Gunnison-Crested Butte Regional Airport Air Service Incentive Policy
8. Contractor Agreement; Gunnison-Crested Butte Regional Airport; Couture Cleaning; $5,583 Monthly
9. EIAF Grant Application; Lot 22; Approval to Submit

SCHEDULING:

1. County Manager Birnie inquired whether or not the Board would like to have a Work Session on Tuesday, 1/29/19, the 5th Tuesday in January since the County offices will be closed on Tuesday, 1/1/19. The Board consensus was to tentatively schedule a Work Session.
2. Commissioner Chamberland inquired whether the Board needs to interview and appoint the Gunnison Valley Hospital Board of Trustees before the end of the year. Deputy County Clerk Elizabeth Mense confirmed that it is on the schedule in December.
3. Commissioner Houck inquired whether they received a date for the meeting with Saguache County Board of County Commissioners. CM Birnie stated that it is in the works.

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

1. CM Birnie asked the Board for guidance regarding the Local Marketing District Gunnison-Crested Butte Tourism Association Board budget. The Board consensus is that the extra funds, roughly $225,000, should stay in the LMD fund and the TA Board can request funds as needed.
2. CM Birnie discussed the DOLA grant for infrastructure on the Lot 22 project which was included on the Consent Agenda. John Cattles, Facilities and Grounds Director, is taking lead on the grant submittal. The deadline is 12/1/18.

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

1. Contractor Agreement; SG Interests Ltd: County Road 265 Snow Plowing:
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the plow agreement with SG Interests on County Road 265 as presented and approve the Board Chair signature. Motion carried.

COMMISSIONER ITEMS: This item occurred earlier in the meeting due to be ahead of schedule.
John Messner-
1. Commissioner Messner has an upcoming Colorado Counties, Inc. / Gallagher meeting.
2. Commissioner Messner has an upcoming meeting with the Housing Stakeholder Group.
3. Commissioner Messner has a phone call scheduled with the Coal Mine Methane Working Group (CMMWG). The CMMWG is working on drafting a memorandum for leasing recommendations that will go to the Bureau of Land Management.

VOUCHERS AND TRANSFERS:
Finance Director Linda Nienhueser presented the voucher approval report dated November 20, 2018 and the cash transfer authorization dated October 2018 for discussion and approval.
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the vouchers in the amount of $2,336,824.20 Motion carried.
Moved by Commissioner Chamberland, seconded by Commissioner Messner to authorize the cash transfers in the amount of $6,117,353.52. Motion carried.

TREASURER'S REPORT:
Treasurer Debbie Dunbar was not present for the discussion. The October 2018 Treasurer's report and Investment report dated October 31, 2018 were provided for Board review.
Moved by Commissioner Houck, seconded by Commissioner Messner to approve acceptance of the Treasurer's reports as presented and authorize Chair signature. Motion carried.

First Amendment; Declaration of Protective Covenants; Aperture Subdivision:
Neal Starkebaum, Assistant Director of Community and Economic Development, was present for the discussion. He explained that this is a request from the Aperture Homeowners Association for an amendment to the declaration of protective covenants.
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the Aperture subdivision first amendment to the declaration of protective covenants presented by Aperture Homeowners Association, Inc. and authorize Chair signature. Motion carried.

Request & Resolution; Nine Mile Ranch Subdivision - Resubdivision:
Neal Starkebaum, Assistant Director of Community and Economic Development, was present for the discussion. He explained that this is a Land Use Change permit for Dawn Delany, represented by Rose Foli. They are requesting resubdivision of Nine Mile Ranches Subdivision, to add one lot.
Moved by Commissioner Messner, seconded by Commissioner Houck to approve the Nine Mile Ranch Subdivision to subdivide three lots into four lots as presented. Motion carried.
Moved by Commissioner Houck, seconded by Commissioner Messner to approve Resolution 2018-42; A Resolution Approving Land Use Change Permit No. LUC-2018-00028 A Land Use Change Permit for Dawn Delany Nine Mile Ranches Subdivision – Resubdivision E1/2SE1/4 Section 22, Township 48 North, Range 2 West, N.M.P.M. as presented. Motion carried.

BREAK: The Board took a break at 9:05 am. The meeting resumed at 9:10 am.

Request; EML & JBL Condominiums; Riverland Industrial Park:
Neal Starkebaum, Assistant Director of Community and Economic Development, was present for the discussion. The property owner, Jill Barr-Laggis was also present for the discussion. Mr. Starkebaum explained that this is a request from Jill Barr-Laggis for condominiumization of an existing structure in Riverland Industrial Park.
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the EML & JBL condominium amendment for Lot 30, Riverland Industrial Park Filing No. 2 as presented and authorize Chair signature. Motion carried.

CONTINUED COMMISSIONER ITEMS:
John Messner-
4. Commissioner Messner requested that the Immigration Day Proclamation be moved to the 12/11/18 agenda. There will be a Special Meeting added to the Work Session.
5. Commissioner Messner discussed the Counties and Commissioners Acting Together (CCAT) retreat he recently attended. The main topics of discussion included health & human services, healthcare, transportation and housing. Commissioner Messner was elected as co-chair for CCAT.
Jonathan Houck-
1. Commissioner Houck will be attending the annual Stockgrowers meeting on Tuesday, 12/4/18. He will be presenting on Gunnison Sage-Grouse.
Phil Chamberland-
1. Commissioner Chamberland may not be able to attend the annual Colorado Counties, Inc. (CCI) conference.

UNSCHEDULED CITIZENS: There were no Unscheduled Citizens present

Possible Executive Session on Gunnison Sage-Grouse Litigation; Pursuant to C.R.S. 24-6-402(4) (b) Conference with County Attorney to receive legal advice on decision and possible next steps:
Moved by Commissioner Houck, seconded by Commissioner Chamberland to enter an executive session Pursuant to C.R.S. 24-6-402 (4) (b), to Conference with the County Attorney and Deputy County Attorney to Receive Legal Advice on Decision and Possible Next Steps in reference to the Gunnison Sage-Grouse Litigation. In attendance would be the Commissioner Phil Chamberland, Commissioner John Messner, Commissioner Jonathan Houck, Deputy County Attorney Matthew Hoyt, County Attorney David Baumgarten and County Manager Matthew Birnie. Motion carried.

The Board went into executive session at 9:21 am. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4) (b).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(2)(d.5)(II)(B) and C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4)(b) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____ _____

David Baumgarten
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

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

Date: _____ _____

Phil Chamberland, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Messner to come out of executive session. Motion carried unanimously**.** The Board came out of executive session at 10:21 am. Commissioner Houck confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made.

Possible Executive Session; Pursuant to C.R.S. 24-6-402(4)(a), for the potential purchase of real property, and pursuant to C.R.S. 24-6-402(4)(e)(I), for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, and pursuant to C.R.S. 24-6-402(4)(b) conferences with the County Attorney and/or Deputy County Attorney for Gunnison County for the purposes of receiving legal advice on such negotiations and potential purchase:

Moved by Commissioner Chamberland, seconded by Commissioner Houck to enter an executive session Pursuant to C.R.S. 24-6-402 (4) (a), for the potential purchase of real property, and pursuant to C.R.S. 24-6-402(4)(e)(I), for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, and pursuant to C.R.S. 24-6-402(4)(b) conferences with the County Attorney and/or Deputy County Attorney for Gunnison County for the purposes of receiving legal advice on such negotiations and potential purchase. In attendance would be the Commissioner Phil Chamberland, Commissioner John Messner, Commissioner Jonathan Houck, Deputy County Attorney Matthew Hoyt, County Attorney David Baumgarten and County Manager Matthew Birnie. Motion carried.

The Board went into executive session at 10:22 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), C.R.S. 24-6-402 (4) (e) (I) and C.R.S. 24-6-402 (4) (b).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(2)(d.5)(II)(B) and C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4)(b) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____ _____

David Baumgarten
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

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

Date: _____ _____

Phil Chamberland, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Chamberland, seconded by Commissioner Houck to come out of executive session. Motion carried unanimously**.** The Board came out of executive session at 10:36 am. Commissioner Houck confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made.
Moved by Commissioner Houck, seconded by Commissioner Messner to direct County Manager Matthew Birnie to continue negotiations for purchase of real property and if negotiations are successful, authorize County Manager Birnie to execute the documents necessary to purchase the real property. Motion carried.

Possible Executive Session; Pursuant to C.R.S. 24-6-402(4) (f) (I) for a Personnel Matter:
Moved by Commissioner Chamberland, seconded by Commissioner Messner to enter an executive session Pursuant to C.R.S. 24-6-402 (4) (f) (I), for a personnel matter. In attendance would be the Commissioner Phil Chamberland, Commissioner John Messner, Commissioner Jonathan Houck, and County Attorney David Baumgarten. Motion carried.
The Board went into executive session at 10:37 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) (f) (I).*

Chairperson Statement Regarding Executive Session

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

Date: _____ _____
Phil Chamberland, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Houck to come out of executive session. Motion carried unanimously**.** The Board came out of executive session at 11:01 am. Commissioner Houck confirmed that the discussion remained on-topic, that all parties stated to be in attendance were, in fact, in attendance and that no decisions were made.

ADJOURN: **Moved** by Commissioner Chamberland, seconded by Commissioner Messner to adjourn the meeting. The meeting adjourned at 11:01 am.

_____
Phil Chamberland, Chairperson

_____
Jonathan Houck, Vice-Chairperson

_____
John Messner, Commissioner

Minutes Prepared By:

_____
Elizabeth Mense, 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: 2018 -41

A RESOLUTION REPEALING ORDINANCE NO. 12, *AN ORDINANCE ESTABLISHING REGULATIONS FOR CONTROL OF ADULT-ORIENTED ESTABLISHMENTS WITHIN UNINCORPORATED GUNNISON COUNTY, COLORADO*

WHEREAS**,** on January 8, 2001 the Board of County Commissioners of the County of Gunnison, Colorado ("Board") adopted Ordinance No.12, *An Ordinance Establishing Regulations For Control Of Adult-Oriented Establishments Within Unincorporated Gunnison County, Colorado ("*Ordinance No. 12*")*; and

WHEREAS, Section 9-304 of the *Gunnison County, Colorado Land Use Resolution*, addresses the regulation of adult-oriented uses; and

WHEREAS, the Board has determined that it is redundant to have duplicative regulations addressing the establishment of adult-oriented establishments; and

WHEREAS, for clarity the Board intends to repeal Ordinance No. 12; and

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Gunnison, Colorado that Ordinance No.12, *An Ordinance Establishing Regulations For Control Of Adult-Oriented Establishments Within Unincorporated Gunnison County, Colorado* shall be and hereby is repealed.

INTRODUCED by Commissioner Houck, seconded by Commissioner Chamberland, and adopted this 20th day of November, 2018.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY
RESOLUTION NO. 18-42

A RESOLUTION APPROVING LAND USE CHANGE PERMIT NO. LUC-2018-00028
A LAND USE CHANGE PERMIT FOR DAWN DELANY
NINE MILE RANCHES SUBDIVISION - RESUBDIVISION
E1/2SE1/4 SECTION 22, TOWNSHIP 48 NORTH, RANGE 2 WEST, N.M.P.M.

WHEREAS, Dawn Delany, represented by Rose Foli, submitted a land use change application for the resubdivision of Nine Mile Ranches Subdivision, to add one additional lot to the existing subdivision. The single-family lots include: Lot R1 5.0-acres, Lot R2 11.87-acres (with existing residence), Lot R3 9.83-acres, and Lot R4 9.86-acres. The new residences will be served by well and septic. Access will be from Highway 149; and

WHEREAS, after a review of the information, documentation and public testimony related to it, the Gunnison County Planning Commission did, after a joint public hearing on October 19, 2018, unanimously approve a Recommendation to the Board of County Commissioners, 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 addition of one lot to the approved 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 comply with the following conditions for the protection of Gunnison Sage-grouse and Sage-grouse habitat:

1) Due to the proximity of Tier 1 Habitat, a Gunnison County Reclamation Permit will be required for any site disturbing activities on the proposed parcels. That permit should contain specific reclamation conditions. Disturbed areas need to be reseeded with an approved seed mix. CPW and/or NRCS are available to help identify an appropriate seed mix.

2) For activities not requiring a Reclamation Permit, disturbed areas should be reseeded with an appropriate seed mix. Colorado Parks and Wildlife (CPW) and/or the Natural Resources Conservation Service (NRCS) are available to help identify an appropriate seed mix.

3) Woven wire fencing will not be allowed for perimeter fencing or as interior cross fencing. Perimeter and cross fencing must be built using specifications from the most recent edition of the Colorado Parks and Wildlife (CPW) publication *Fencing with Wildlife in Mind.*

4) Property owners must control or attempt to eradicate any noxious weeds that occur on the property. A list of noxious weeds may be found in the Colorado Noxious Weed list: www.colorado.gov/pacific/agconservation/noxious-weed-species The Gunnison County Weed Management Program should be contacted (970- 641-4393) for additional information and technical assistance.

5) Per Section 11-106 G.3.d.1. of the *Gunnison County Land Use Resolution,* dogs and cats must be kept under appropriate control, by means which may include kenneling or other physically secure methods to ensure that negative effects to wildlife from pets do not occur. This includes construction workers' pets.

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

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. 2018-00028, Dawn Delany, Nine Mile Ranches Subdivision - Resubdivision, is approved as a Minor Impact Project, subject to each and all conditions of the Planning Commission Recommendation, as identified above.

THIS APPROVAL is effected noting that decision documentation includes, but is not limited to, the application and the entire Community Development Department Land Use Change Permit application file relative to this application. This approval is founded on each individual finding and requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and passed on this 20th day of November, 2018.

BOARD OF COUNTY COMMISSIONERS

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

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO RESOLUTION NO. 2018-43
A RESOLUTION ADOPTING THE *GUNNISON-CRESTED BUTTE REGIONAL AIRPORT AIR SERVICE INCENTIVE POLICY*

WHEREAS, it is the intent of the Board of County Commissioners of the County of Gunnison, Colorado ("Board") to offer an air carrier incentive program to enhance air carrier service and to further create an opportunity to increase air and passenger traffic to support long-term growth at the Gunnison-Crested Butte Regional Airport; and

WHEREAS, an air carrier incentive program will foster a responsible, and non- discriminatory air carrier incentive program that complies with the Federal Aviation Administration rules, regulations, and policies pertaining thereto; and

WHEREAS, the Board has reviewed the *Gunnison-Crested Butte Regional Airport Air Service Incentive Policy,* attached hereto and incorporated herein by reference as Appendix "A, and in support of the Policy's success, commit to the measurable goals, objectives, strategies, implementation and assessing of results identified in the Policy; and

WHEREAS , it would be in the best interest of the residents of Gunnison County to adopt the *Gunnison-Crested Butte Regional Airport Air Service Incentive Policy* to support and sustain air and passenger traffic for long-term growth of the airport; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that the *Gunnison-Crested Butte Regional Airport Air Service Incentive Policy* attached hereto as Appendix "A" shall be and hereby is adopted.

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and adopted this 20th day of November, 2018.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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

Gunnison-Crested Butte Regional Airport
Air Service Incentive Policy

1. Purpose

It is the desire of Gunnison County (the airport sponsor) and the Gunnison-Crested Butte Regional Airport (the airport; GUC) to offer an air carrier incentive program to enhance air carrier service at the airport and create an opportunity to increase air and passenger traffic to support long term growth at the airport. This will be achieved by the following goals:

- Increase, market and promote existing commercial passenger air service;
- Develop and promote new commercial passenger air service to/from new destinations utilizing existing air carriers and/or new air carriers;
- Foster a healthy competitive environment amongst air carriers to promote air service opportunities;
- Promote public and industry awareness of airport air services and facilities.

2. Policy Statement

This purpose of this Air Service Incentive Policy is to establish and implement a responsible, and non-discriminatory air carrier incentive program that complies with Federal Aviation Administration rules, regulations, and policies pertaining to;

- Airport sponsor assurances;
- The use of airport revenue;
- Airport rates and charges.

3. Definitions

a. **New Air Service -** is defined as at least one flight weekly to a destination not currently served from the airport sustained for a period of at least 24 (twenty four) months or two seasons (i.e. two winters in a row or two summers in a row).

b. **Increased Air Service -** is defined as an increase in frequency of an existing scheduled route by one or more flights per week as compared against the previous years' applicable months or season, sustained for a period of least 24 (twenty four) months or two seasons (i.e. two winters in a row or two summers in a row).

4. Applicability

The incentives offered under this New Air Service Incentive Policy are applicable as follows;

a. To FAR Part 121, 129, and 14 CFR Part 380 certificated commercial air carriers only;

b. To existing air carriers that provide air service to a new destination not currently served to/from GUC beginning on or after the "Effective Date";

c. To existing air carriers that increase frequency to/from an existing destination beginning on or after the "Effective Date";

d. To new entrant air carriers that will serve new markets currently not served to/from GUC beginning on or after the "Effective Date".

5. Targeted Markets and Goals

The following goals and air service objectives have been identified and accepted by the airport sponsor and as amended from time to time:

a. By the summer of 2020, Gunnison Valley will experience expanded air service to an additional Hub airport, which will further increase connectivity and our reach into other visitor markets.

b. By the summer of 2020, GUC and Gunnison Valley residents and visitors will experience 69% or less leakage to other airports, accomplished through increased air service connectivity for originating passengers.

6. Incentives

The airport sponsor, shall provide a landing fee waiver and terminal rent waiver incentive to qualifying air carriers and qualifying air service as follows:

Landing Fee Incentives

a. For New Air Service – Landing fee waivers for up to twelve (12) months for each flight serving a new destination as targeted by the airport sponsor.
b. For Increased Air Service - Landing fee waivers for up to (12) months for each flight that results in an increase of frequency to an existing destination. The total number of air carrier operations must exceed all of the carrier's prior year flight operation levels.

Terminal Fee Incentives

a. For New Air Carrier Service – terminal fee waivers for up to six (6) months for each new carrier serving a new destination as targeted by the airport sponsor.

7. Term

a. This policy is effective December 1st 2018 – the "Effective Date". The policy will terminate November 30th 2020.

b. If an air carrier is awarded an incentive program at any time under this policy term, the incentive will be honored as stated in section 5, Incentives, regardless of this policy termination date.

c. The airport sponsor may extend, suspend or amend this policy at any time without notice.

8. Termination and Reduction of Air Service

a. In the event an air carrier, awarded an incentive under this policy, terminates the new or increased air service within 24 (twenty four) months from the start of the service, the Airport shall be entitled to a reimbursement of all terminal use incentives issued.

b. In order to maintain an awarded incentive, an incumbent air carrier introducing a new destination or increasing its level of service to an existing destination, may not reduce its current level of service (total for all its markets) it sustained at the airport in the previous months during the prior year. i.e. it cannot reduce one market's flights to introduce a new market or expand another market

9. Miscellaneous

In addition the following is applicable with respect to this policy:

a. The incentive program is directed to grow and support air service to or from GUC.
b. The airport sponsor is not obligated to provide an air carrier service incentive for destinations not targeted by the sponsor.
c. The airport sponsor does not recognize repeated seasonal service, upgrade of equipment type, or increased number of seats on existing flights as new service.
d. All air carriers will have the same opportunity to receive the same incentives under the same circumstances.
e. Incentives will not be offered to air carriers on an individual basis.
f. Incentives will not be based on the type or size of aircraft or its passenger class configuration