

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
March 5, 2019**

The March 5, 2019 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Jonathan Houck, Chairperson (ABSENT)  
John Messner, Vice-Chairperson  
Roland Mason, Commissioner

Matthew Birnie, County Manager  
Elizabeth Mense, Deputy County Clerk  
Others Present as Listed in Text

**GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT SPECIAL MEETING:**

**CALL TO ORDER:** Vice-Chairperson Messner called the meeting to order at 8:30 am.

**Gunnison River Valley Local Marketing District; 2019 Audit Engagement Approval; McMahan & Associates, LLC:**

Finance Director Linda Nienhueser was present for the discussion.

**Moved** by Commissioner Mason, seconded by Commissioner Messner to approve the Gunnison River Valley Local Marketing District 2019 Audit Engagement. Motion carried.

**ADJOURN:** **Moved** by Commissioner Messner, seconded by Commissioner Mason to adjourn the meeting. The meeting adjourned at 8:31 am.

**GUNNISON COUNTY HOUSING AUTHORITY SPECIAL MEETING:**

**CALL TO ORDER:** Vice-Chairperson Messner called the meeting to order at 8:31 am.

**Gunnison County Housing Authority; 2019 Audit Engagement Approval; McMahan & Associates, LLC:**

Finance Director Linda Nienhueser was present for the discussion.

**Moved** by Commissioner Mason, seconded by Commissioner Messner to approve the Gunnison County Housing Authority 2019 Audit Engagement. Motion carried.

**ADJOURN:** **Moved** by Commissioner Messner, seconded by Commissioner Mason to adjourn the meeting. The meeting adjourned at 8:32 am.

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:**

**CALL TO ORDER:** Vice-Chairperson Messner called the meeting to order at 8:32 am.

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

**MINUTES APPROVAL:** **Moved** by Commissioner Mason, seconded by Commissioner Messner to approve the meeting minutes of 2/5/19 as presented. Motion carried.

1. 2/5/19 Regular Meeting

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

1. Gunnison County; 2019 Audit Engagement Approval; McMahan & Associates, LLC
2. 2019 Gunnison County Annual Operating Plan for Wildfire
3. Acknowledgment of County Manager's Authorization to Submit the Early Childhood Council Grant Renewal Application
4. Contract Amendment #3; Title X Family Planning Grant; \$40,357
5. Special Event Liquor License; Crested Butte Mountain Educational Radio (KBUT); March 14-15<sup>th</sup>, 2019

**SCHEDULING:**

The next Mayors & Managers meeting is 3/7/19. It is being hosted by Crested Butte Mountain Resort.

Commissioner Houck will not be at the 3/19/19 Regular Meeting.

Commissioner Messner will not be at the 4/2/19 Regular Meeting. He is planning to participate via phone.

Commissioner Mason and County Manager Birnie will not be in attendance for the 4/16/19 Regular Meeting.

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

1. CM Birnie provided a status update on the Strategic Plan. A draft of the Strategic Plan will be presented to the BOCC during an upcoming Work Session.
2. The County is engaged in the selection process for choosing a Lot 22 developer.

3. CM Birnie discussed the Request for Proposals that was posted for energy performance contracts.
4. The Stallion Park units are nearly completed and should be ready to list for sale in April.
5. Janet Reinman, Juvenile Services Director, submitted her notice to retire this summer.

**BREAK:** The Board took a break at 8:53 am. The meeting resumed at 9:00 am.

**Public Hearing; Amendments to the Gunnison County Land Use Resolution:**

1. Open Public Hearing: Commissioner Messner opened the Public Hearing at 9:01 am.
2. Public Notice Confirmation: Neal Starkebaum, Assistant Director of Community & Economic Development, confirmed that the Public Hearing was properly noticed. The notice was published in both the Gunnison Country Times and Crested Butte newspapers in January.
3. Identify Ex Parte Communications: There were no ex parte communications identified.
4. Staff Presentation: AD Starkebaum outlined the proposed amendments to the Land Use Resolution (LUR). He explained that the proposed amendments will align Gunnison County building codes with the Land Use Resolution. The proposed amendments increase the allowable size of storage sheds from 120 square feet to 200 square feet. The proposed amendments also discuss the appeals process—defining what the record encompasses and who is responsible for the cost of reproducing documents included in the record.
5. Applicant Presentation: N/A.
6. Board Questions: Commissioner Messner inquired whether the appellant or the county was previously responsible for the costs associated with reproducing a transcript or record.
7. Public Comments: Commissioner Messner opened the Public Hearing to comments at 9:07 am. There were no comments provided.
8. Acknowledge Correspondence Received: No additional correspondence was identified.
9. Applicant Response: N/A.
10. Close Public Hearing: Commissioner Messner closed the Public Hearing at 9:07 am.

**Moved** by Commissioner Mason, seconded by Commissioner Messner to approve Resolution 2019-6; A Resolution Amending the Gunnison County Land Use Resolution. Motion carried.

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

Commissioner Mason and DCM Crosby discussed constituent correspondence received regarding snow plowing concerns.

**Resolution; A Resolution Authorizing Expenditure of Funds from the Water Resources Protection Fund for Water Resource Protection Purposes:**

County Attorney David Baumgarten was present for the discussion.

**Moved** by Commissioner Mason, seconded by Commissioner Messner to approve Resolution 2019-7; A Resolution Authorizing Expenditure of Funds from the Water Resources Protection Fund for Water Resource Protection Purposes and authorize County Attorney David Baumgarten to sign the contract. Motion carried.

**Discussion; BOCC Comments Re: GMUG Draft Wild & Scenic Rivers Eligibility Report:**

County Attorney David Baumgarten was present for the discussion. The Board and Attorney Baumgarten discussed the draft Wild & Scenic Rivers Eligibility Report. Comments are due by March 15<sup>th</sup>.

**National Forest Foundation; Emily Olsen; Gunnison Stewardship Fund Update:**

Emily Olsen, Colorado Program Manager from the National Forest Foundation was present for the discussion. Cathie Pagano, Community & Economic Development Director was also present. Ms. Olsen provided an update on current and future projects that the National Forest Foundation is currently working on and provided an overview of the stewardship fund. She thanked the Board for the donation made in 2018 towards the West Maroon Pass trailhead project. Ms. Olsen also stated that Freeport McMoRan pledged to donate \$10,000 to the foundation if they could get an additional \$10,000 in matching donations from other contributors. The Board agreed to help support the cause.

**Moved** by Commissioner Messner, seconded by Commissioner Mason to approve the expenditure of \$5,000 from the commissioners' discretionary fund to the National Forest Foundation. Motion carried.

**UNSCHEDULED CITIZENS:** There were no Unscheduled Citizens present

**COMMISSIONER ITEMS:**

Roland Mason-

- 1. Commissioner Mason discussed a recent Region 10 meeting that he attended. One of the main topics of discussion was the relocation of the Small Business Development Center.

John Messner-

- 1. Commissioner Messner discussed recent meetings he attended in Denver with Colorado Counties, Inc. and Counties and Commissioners Acting Together (CCAT).

**ADJOURN:** Moved by Commissioner Mason, seconded by Commissioner Messner to adjourn the meeting. The meeting adjourned at 10:21 am.

\_\_\_\_\_  
Jonathan Houck, Chairperson

\_\_\_\_\_  
John Messner, Vice-Chairperson

\_\_\_\_\_  
Roland Mason, 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. 2019-06**

**A RESOLUTION AMENDING THE *GUNNISON COUNTY LAND USE RESOLUTION***

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

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

**WHEREAS**, the Planning Commission on January 18, 2019, forwarded its written recommendations to the Board regarding the proposed amendments; and

**WHEREAS**, the Board of County Commissioners has conducted a duly noticed public hearing on these proposed amendments March 5, 2019; and pursuant to Section 1-113 of the *Resolution* evaluated the proposed amendments using the following criteria:

- Consistency of the proposed amendments with any comprehensive plan that may be adopted by Gunnison County;
- Changed conditions, including the economy of Gunnison County;
- Effect of the proposed amendments on the natural environment; Community needs;

Development pattern;  
Changes in applicable law;  
Public health, safety and welfare; and  
Compliance with any applicable intergovernmental agreements adopted by Gunnison County; and

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

**INTRODUCED** by Commissioner Mason, seconded by Commissioner Messner and adopted on this 5<sup>th</sup> day of March 2019.

**BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO**

Houck – absent; Messner – yes; Mason – yes.

**NOTE:** Exhibit A can be viewed online at:  
<https://www.gunnisoncounty.org/ArchiveCenter/ViewFile/Item/3187>  
or at the Gunnison County Clerk & Recorder's Office.

**BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO**

**RESOLUTION NO: 2019 - 7**

**A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FROM THE WATER RESOURCES PROTECTION FUND FOR WATER RESOURCE PROTECTION PURPOSES**

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado, has adopted Resolution No. 90-2, A Resolution Creating A Water Protection Fund; and

WHEREAS, such Resolution No. 90-2 states that funds from the Water Resources Protection Fund may be used for water resources upon majority vote of the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has determined that certain expenditures necessary to support protection of quality of water resources as contemplated in the attached "Contractor Agreement" among the Board of County Commissioners, the Town of Crested Butte and the Coal Creek Watershed Coalition qualify as water resource protection purposes.

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners that the Board authorizes expenditure of funds from the Water Resources Protection Fund for:

1. Protection of quality of water resources as contemplated in the attached "Contractor Agreement" among the Board of County Commissioners, the Town of Crested Butte and the Coal Creek Watershed Coalition.

INTRODUCED by Commissioner Mason, seconded by Commissioner Messner, and adopted this 5th day of March, 2019.

**BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO**

Houck- absent; Messner – yes; Mason – yes.