

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
November 16, 2021**

The November 16, 2021 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present, either in person or via Zoom, were:

Jonathan Houck, Chairperson  
Roland Mason, Vice-Chairperson  
Liz Smith, Commissioner

Matthew Birnie, County Manager  
Melanie Bollig, Deputy County Clerk  
Others Present as Listed in Text

**GUNNISON COUNTY LOCAL LIQUOR LICENSING AUTHORITY:**

**CALL TO ORDER:** Chairperson Houck called the Gunnison County Local Liquor Licensing Authority to order at 8:30 am.

**ALCOHOL BEVERAGE LICENSE #03-01981; AMIE MOUNTAIN LODGE, LLC, DBA INN AT ARROWHEAD; 10/15/2021-10/15/2022:** **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the Alcohol Beverage License #03-01981 for Amie Mountain Lodge, LLC, dba Inn at Arrowhead. Motion carried unanimously.

**ADJOURN:** Chairperson Houck adjourned the Local Liquor Licensing Authority meeting at 8:31 am.

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

**CALL TO ORDER:** Chairperson Houck called the Gunnison County Board of County Commissioners Regular Meeting to order at 8:31 am.

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

**SCHEDULING:** No changes were needed to the calendar presented that day. Commissioner Smith advised that she might not be able to make the December 21<sup>st</sup> meeting. Chairperson Houck noted that the last meeting of the year, set for December 28th, would be canceled.

**MINUTES APPROVAL:** **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the minutes for September 7<sup>th</sup>, September 21<sup>st</sup>, and September 28<sup>th</sup>, as amended. Motion carried unanimously.

1. September 7, 2021 Regular Meeting - Commissioner Smith noted that she had emailed corrections to the clerk for names mentioned at the top of page 5, letter "c". These were then adjusted and the corrected minutes presented to the Board that day for signature.
2. September 21, 2021 Regular Meeting
3. September 28, 2021 Special Meeting

**CONSENT AGENDA:** With no questions or concerns by the Board, it was **moved** by Commissioner Mason, seconded by Commissioner Smith, to approve the Consent Agenda as presented. Motion carried unanimously.

1. Grant Application; Gunnison Home Association; Home Independence Project; 10/1/2021-9/31/2022; \$5,000
2. Grant Application; Colorado Department of Human Services, County Behavioral Health Grant Program; \$550,222
3. Grant Award; NextFifty Initiative; Aging Resource Office Specialist; \$21,682
4. Development Improvements Agreement for Gunnison Secure Storage, Phase 2B; Gunnison Secure Storage
5. Letter of Support, Colorado Opportunity Scholarship Initiative
6. Memorandum of Agreement between the Board of County Commissioners of the County of Gunnison, Colorado, the Board of Trustees of Gunnison Valley Hospital and the Regional Transportation Authority Regarding Senior Transportation; 1/1/2022-12/31/2022; \$300,000
7. Acknowledgment of County Manager's Signature; Memorandum of Agreement between the Board of County Commissioners of the County of Gunnison, Colorado, Mountain Express, and the Regional Transportation Authority Regarding Senior Transportation; 1/1/2022-12/31/2022; \$55,000

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

1. County Insurance Requirements for Contracts and Permitting. CM Birnie informed the Board that, because of insurance coverage issues for various organizations at recent meetings, he had asked CA Matt Hoyt and his office to look into this with carriers around the Western Slope and the State. They found that it really is an issue for smaller organizations because the coverage is offered in mostly \$1 million increments. CM Birnie and CA Hoyt requested that the Board give CM Birnie the authority to take care of the insurance coverage on a case-by-case basis, rather than bringing all the small insurance

policies before the Board. CA Hoyt also noted that the current State minimum was \$1,093,000, with that minimum increasing again at the end of the year. He also affirmed that the Board can give the authority to CM Birnie to look at each situation and bring to the Board only those cases with questions regarding risk assessment. With the Board's approval, it was **moved** by Commissioner Mason, seconded by Commissioner Smith, to delegate the decision whether to waive, in whole or in part, County contract and permit insurance requirements, to the County Manager, up to his contract authority dollar limit. Motion carried unanimously.

**DEPUTY COUNTY MANAGER'S REPORT AND PROJECT UPDATES:** Deputy County Manager Marlene Crosby and Public Works Operations Manager Sparky Casebolt were both present for discussion and to answer any questions from the Board.

1. Montrose County Agreement, Amendment #2. DCM Crosby explained to the Board that this was an agreement with Montrose County for Gunnison County to do blading on Black Mesa, while Montrose County plows to Big Cimarron. She noted that the contract amendment had been expanded this year to include Montrose County application of magnesium chloride on a housing area road up the Big Cimarron area where logging had greatly impacted the roads. **Moved** by Commissioner Mason, seconded by Commissioner Smith, to approve the Intergovernmental Agreement for Winter Road Maintenance, Amendment #2, with Montrose County, and to authorize the Chair's signature. Motion carried unanimously.
2. Request for Four (4) Snowmobile Parking Permits; Kebler Corner and St. Ruth Family. Paul St. Ruth was available first via Zoom and then via phone call from the Board, for discussion and to answer questions. DCM Crosby outlined that this was a request for snowmobile parking only. She noted that this request did not meet the criteria for Irwin resident parking, with snowmobiles also allowed. Instead, Paul St. Ruth owns and operates a business on the other side of Kebler Pass and, though he spends much time in the Winter in Crested Butte, he still needed to go back over Kebler Pass for his business without incurring a ticket from the Forest Service. DCM Crosby explained that he would need a County permit in order to avoid possibly being ticketed. Paul St. Ruth was requesting that he be able to leave snowmobiles in the Irwin resident parking lot, though not all the time, and he remarked he would mostly be there at nighttime, when most of the Irwin residents would not have snowmobiles parked there. After some discussion by the Board regarding the number of permits and the space that might be allowable, the Board expressed its support for this special case. Paul St. Ruth added that he would need four snowmobile permits, depending upon which sleds and snowmobiles were needed for mountain rescue calls. **Moved** by Commissioner Mason, seconded by Commissioner Smith, to approve the request for four snowmobile parking permits for the St. Ruth family, for the 2021-2022 season. Motion carried unanimously.

**PUBLIC HEARING AND RESOLUTION; VACATING CERTAIN PORTIONS OF STREETS AND ALLEY LYING WITHIN THE TOWNSITE OF IRWIN, COUNTY OF GUNNISON, STATE OF COLORADO;**  
**DANIEL BROMAN:** Deputy County Manager Marlene Crosby was present for discussion.

1. Open of Public Hearing: Chairperson Houck opened the public hearing at 9:00 am.
2. Public Notice Confirmation: DCM Marlene Crosby confirmed that public notice had been given.
3. Identify Ex Parte Communications: No ex parte communication was received by the Commissioners.
4. Staff Presentation: DCM Marlene Crosby began by explaining that this was an application they had been working on since January of 2021. The vacation request was complicated by a mining claim which overlaid the town plat; she noted that County Attorney Matt Hoyt had helped to work through this. DCM Crosby added that this was a very small vacation, with little impact to the community, and she recommended that the street vacation be approved contingent on approval of the lot cluster to come before the Board on Tuesday, November 23<sup>rd</sup>.
5. Applicant Comments: The Applicant, Daniel Broman, was not present for comments. Chairperson Houck noted that, though the applicant was not there, he had all of his documents available for the Board to access in the portfolio. CA Hoyt also noted that, if this approved, it could be a template for future applications where mining claims were involved.
6. Board Questions: The Board had no questions or comments.
7. Public Comments: Chairperson Houck opened the hearing to public comments at 9:08 am. No one was present in the room or remotely via Zoom.
8. Acknowledge Correspondence Received: DCM Crosby confirmed that no public comment or letters were received by her office.
9. Applicant Response: No comments were made to respond to, and the applicant was not present.
10. Close Public Hearing: Chairperson Houck closed the public hearing at 9:09 am.

The Board briefly discussed street vacation and resolution contingencies, with Community Development Administrative Services Manager, Beth Baker, letting the Board know that there were no issues with the lot cluster coming up on the following week.

Commissioner Smith then **moved** to approve Resolution 2021-26, a Resolution Vacating Certain Portions of Streets and Alley Lying within the Townsite of Irwin, County of Gunnison, State of Colorado. Commissioner Mason seconded, and the motion carried unanimously.

**PUBLIC HEARING AND RESOLUTION; VACATING CERTAIN PORTIONS OF STREETS AND ALLEY LYING WITHIN THE TOWNSITE OF IRWIN, COUNTY OF GUNNISON, STATE OF COLORADO; JAMES & BARBARA THOMSON:** Deputy County Manager Marlene Crosby was present in the room, and applicants James and Barbara Thomson were present via Zoom for discussion.

1. Open of Public Hearing: Chairperson Houck opened the public hearing at 9:11 am.
2. Public Notice Confirmation: DCM Marlene Crosby confirmed that public notice had been given. She further noted that, because this was a rather large street vacation, they had put public notice in both the Gunnison Country Times and the Crested Butte News. Also, adjacent surrounding properties had been notified, with the Thomsons paying for the certified mail charges.
3. Identify Ex Parte Communications: No ex parte communication was received by the Commissioners.
4. Staff Presentation: DCM Marlene Crosby began by explaining that this application involved a larger amount of property; the street vacation made sense because the Thomsons were going to cluster a number of small lots into one large parcel, and the vacation would not block any public access.
5. Applicant Comments: James Thomson noted that they had owned the parcels for some time and had not seen any pressing reason to cluster until now, as he and Barbara Thomson were going to leave this property in their will to the Rocky Mountain Biological Laboratory. He felt it made more sense to will a single property, so that was why the application was made.
6. Board Questions: The Board had no questions. Commissioner Smith thanked the Thomsons for their generosity in willing their property to the Rocky Mountain Biological Lab.
7. Public Comments: Chairperson Houck opened the hearing to public comments at 9:16 am. No one was present in the room or remotely via Zoom.
8. Acknowledge Correspondence Received: DCM Crosby let the Board know she had one call regarding this property, but that is was actually someone from across the street wanting to know if they could vacate the street next to their property as well.
9. Applicant Response: No comments were made which needed comment by the applicant.
10. Close Public Hearing: Chairperson Houck closed the public hearing at 9:17 am.

With no further comments or discussion by the Board, it was **moved** by Commissioner Smith, seconded by Commissioner Mason, to approve Resolution 2021-27, a Resolution Vacating Certain Portions of Streets and Alley Lying within the Townsite of Irwin, County of Gunnison, State of Colorado. Motion carried unanimously.

**LOT CLUSTER AGREEMENT AND DECLARATION; JAMES AND BARBARA THOMSON; LUC-21-00051; LOTS 1-15, BLK 29, AND LOTS 7-14, BLK 28 TOWN OF IRWIN:** Community Development Administrative Services Manager Beth Baker was present in the room for discussion, and applicants James and Barbara Thomson were present remotely via Zoom.

Administrative Services Manager Beth Baker explained to the Board that the Thomsons had applied for the lot cluster in conjunction with the street and alley vacation request. Lots 7-14 in Block 28 were clustered in 1996 so they were essentially one lot. The applicants were now wanting to cluster this with lots 1-15 of Block 29, using the streets and alley vacation just approved. She added that the County Attorney and Director of Community Development had reviewed this file and approved it for the Board's review; the taxes were current; and they had a statement from the owners which asserted there were no liens on the property.

With no questions from the Board, Commissioner Mason then **moved** to approve the lot cluster agreement and declaration of James and Barbara Thomson, LUC-21-00051, Lots 1-15, Blk 29, and Lots 7-14, Blk 28 in the Town of Irwin. Commissioner Smith seconded and the motion carried unanimously.

**REINSTATEMENT OF INTEREST CHARGES FOR WATER, SEWER AND LANDFILL ACCOUNTS:** Deputy County Manager Marlene Crosby and Finance Senior Accountant Agnes Kroneraff were present for discussion.

Chairperson Houck introduced for those present that, at the beginning of the pandemic, the County Commissioners had approved suspending the collection of interest on accounts in order to give some payment flexibility to users. At some later point, this was intended to be looked at again and collection reinstated when the economic status seemed to be back to a more stable situation.

Sr. Accountant Agnes Kroneraff then affirmed the history of the waiving of fees in 2019 and noted that, based on the economic situation of the present time, felt this was probably the right time for reinstatement of charges.

Commissioner Smith noted the uneven recovery from the pandemic, and wondered if the County had been seeing a drop off in late payments and delinquent fees. DCM Crosby noted that that they did have these records prepared for comparison of years before 2019, but she noted that they did not want to encourage late payments; this measure to reinstate charges had actually been intended for reconsideration much earlier, and not to last for 18 months, as it had to this point.

After some discussion regarding timing for the reinstatements, Chairperson Houck then **moved** to reinstate interest charges for water and sewer utilities effective for the Fourth Quarter of 2021, and to reinstate interest charges for the landfill effective for the beginning of December 2021. This reversed the decision to aid during the pandemic response within Gunnison County. Commissioner Mason seconded and the motion carried unanimously.

**CHANGE TO AGENDA:** As they were several minutes ahead of time, Chairperson Houck elected to go to Commissioner Items until time for the next scheduled item at 9:40 am.

**COMMISSIONER ITEMS:**

**Commissioner Mason**

1. Mobile Home Park legislative updates. Commissioner Mason let the Board know he had participated in several discussions last week – including a Counties & Commissioners Acting Together (CCAT) call – related to future legislative efforts regarding mobile home parks. The topics included: a) having the Affordable Housing Transformational Taskforce put mobile home parks on as their recommendation; b) procuring possible grants or a loan program for mobile home residents’ use in purchasing their properties; c) engaging larger non-profits; d) how to make it unattractive for private equity firms to want to purchase these mobile home parks – through possibly zoning or land use changes, resolutions changes, etc.; e) potential rent increase protections; f) the water, sewer and other infrastructure issues that many mobile home parks face; and g) mobile home parks’ lack of compliance to State statutes, which is hard to enforce. Commissioner Smith added that they had both been in on the CCAT call and she noted that Representative Boesenecker seemed to have the most extensive and comprehensive ideas for legislature, and that he was planning to drop a draft right away.
2. Attended a collective bargaining meeting. Commissioner Mason explained that this meeting looked at organized labor at the state level, i.e. local state government employees having the right to unionize, noting that it would have a statewide impact. Higher education state schools were looking at this and asking how they could afford to do this if they are unable to raise tuition costs? Also, how do health care packages figure into this unionization, and who would determine what health care package is used? Commissioner Mason added that these were issues coming to our County.
3. Attended two affordable housing meetings. Commissioner Mason stated that the meetings were sponsored by Colorado Counties Inc (CCI) and Counties & Commissioners Acting Together (CCAT). Topics covered by both included: a) utilizing American Rescue Plan funding with a revolving loan fund – qualifiers for this loan would be green building, high energy efficiency, and electrification of buildings; b) using gap financing with Low-Income Housing Tax Credit (LIHTC) projects; c) non-profit and local government grants – flexible grants which could be given to non-profits for rural areas, and d) eviction defense funds – monies set aside to help residents facing evictions be able to have legal advice.

**QUARTERLY FISCAL TRANSPARENCY REPORT; AS OF 9/30/2021:** Finance Senior Accountant Agnes Kroneraff was present in the room for discussion; also present remotely via Zoom were Chief Finance Officer Juan Guerra and Finance Senior Accountant Kelly Weak.

CFO Juan Guerra began by noting that the Finance Department staff also present that day were part of a plan for strengthening one of the department’s weaknesses – the need for cross-training. He added that the quarterly report was to insure the Commissioners had reliable, timely, fiscal data, and highlighted that this quarter’s report had been adjusted to contain more information. He asked the Board to comment on this at the end of the report.

Sr. Accountant Agnes Kroneraff then went over the report with the Board. At the end of the report, the Commissioners stated that they did not feel the report was too much, but that the various graphs aided them in seeing the overall county picture, as well as comparing with state averages. Chairperson Houck concluded by mentioning that he appreciated this was a public document, as well.

**GUNNISON COUNTY EMERGENCY OPERATIONS PLAN UPDATE:** Present for discussion were Emergency Manager Scott Morrill, and Deputy Emergency Manager Lisa Clay.

Emergency Manager Scott Morrill introduced this as a state-required update to the County Emergency Operations Plan. He let the Board know that these adjustments were made with guidelines from the Comprehensive Preparedness Plan-101, prepared by FEMA. EM Morrill noted that they also hoped to do a “deeper dive” into an updated plan in the next year. Chairperson Houck stated that he appreciated the department’s nimbleness and preparedness for emergency response.

EM Morrill and Deputy EM Clay briefly reviewed the report with the Board, noting areas that were earmarked to be worked on next. When asked by Chairperson Houck if there was a formal action needed from the Board, EM Morrill requested a formal resolution adoption, which Emergency Management could then send out to other agencies. The Board approved adopting this plan, and Chairperson Houck asked that they have the resolution ready for the consent agenda at the next regular meeting on December 7<sup>th</sup>.

**GREAT OUTDOORS COLORADO (GOCO) PLANNING GRANT REQUEST; CRESTED BUTTE-TO-CRESTED BUTTE-SOUTH MULTI-MODAL TRAIL PROJECT:** Present for discussion were Community and Economic Development Director Cathie Pagano, and National Forest Foundation - Southwest Colorado Program Manager Joe Lavorini.

CED Director Cathie Pagano introduced the grant request by explaining to the Board that, since almost its inception, the Sustainable Tourism and Outdoor Recreation (STOR) Committee had desired to plan and implement this trail project. This was an opportunity for a planning grant only, and would assist in identifying the best routes. Their plans were to place the trail in a CDOT right-of-way, and not across private or agricultural lands. She added that DCM Marlene Crosby had included the multi-modal path in the Capital Improvements Plan for 2022. They were asking for \$75,000 with an equal match. This match was planned to come from the County only, originally; however, CB South, the Town of Crested Butte, and Gunnison County Metropolitan Recreation District had recently also committed funds to the match.

When asked for clarification by the Board about the application before them, CED Pagano explained that this was an initial concept paper that GOCO had asked for; if GOCO approves, they will then be asked within the month's end to submit a full application that would be due by the end of the year. She also noted that showing funding support from several matching agencies should go a long way in the application to GOCO. After some further discussion with the Board regarding the multi-modal aspects and where the trail will incorporate new areas like the Whetstone Project, the Board then thanked CED Director Pagano and NFF Program Manager Joe Lavorini for their diligence with this project.

Chairperson Houck asked if they needed any formal action by the Board, and CED Director Pagano replied that it would not be needed at this point, but if GOCO approved this project, they would come back with a formal resolution later, probably in December 2021. She also requested that the Board consider including this project in their strategic plan for 2022, noting that it was a large project that will require significant funds and staff time to implement. CED Director Pagano then closed by recognizing DCM Marlene for her significant contributions to the project beginnings and her conversations to CDOT over several years, noting that she is still a significant part of the conversation and the work.

**GUNNISON ARTS CENTER FUNDING REQUEST:** Present in the room for discussion were Hap Channell, Co-chair of the Gunnison Council for the Arts, and Gunnison Arts Center Executive Director Carlie Kenton.

Chairperson Houck introduced this request by noting that a request for \$50,000 had come before the Board some time earlier, and \$25,000 had been approved initially for help funding the preservation of the historic Gunnison Arts Center building. At this point, the Board was ready to revisit the second half of the funding. Co-chair Hap Channell then explained to the Board that the Center now had a challenge grant from the Gates Foundation, wherein they must match the funding by January 1<sup>st</sup>, 2022 in order to receive the grant. He highlighted that they had now raised all but \$40,000 of the match, and would consider the \$25,000 from the County a huge part, making them Community Partners with the Center. Other agencies identified as Community Partners were: the City of Gunnison, Gunnison County Metropolitan Recreation District, Western Colorado University, Gunnison Home Association, and Gunnison Bank.

After several minutes of discussion with the Board regarding the initial funding, change in plans because of COVID, restoration progress, and new goals in maintaining a debt-free project, Chairperson Houck **moved** to approve the allocation of \$25,000 from the Board's discretionary fund to the Gunnison Arts Center for the project they are moving towards, and to direct staff to take on any of the contractual obligations necessary to execute that expenditure of funds. Commissioner Smith seconded, and the motion passed unanimously.

**UNSCHEDULED CITIZENS:** There were no citizens present to make comments during this time.

#### **COMMISSIONER ITEMS (cont'd):**

##### **Commissioner Smith**

1. Attended a lunch for Rural Philanthropy Days. Commissioner Smith explained they were trying to find a location for Gunnison's type of region, which overlaps with Region 10. Concerns over the road construction on Highway 50 and COVID had made the location a challenge. She went on to explain that Rural Philanthropy Days is an event for local non-profits to be able to have face-to-face time with investors, especially those on the Front Range – and that this had really helped redistribute the kind of investment that happens in the local non-profits within the rural Western Slope of Colorado. Commissioner Smith concluded by saying she would be happy to attend this event for the County.
2. Continuing communication with the Early Childhood Council and their implementation of the Workforce Innovation grant they received. Commissioner Smith highlighted that this grant would give a one-time stipend to many of the teachers within the Gunnison Valley. Along with this was a survey that went out to all the Early Childhood Education workforce. Heartening data from the survey indicated that there were not as many people in the profession considering leaving the Gunnison Valley, as compared to statewide projections. She added that there was a consultation report from Summit County which might be beneficial for Gunnison County to look into for the County's strategic planning.
3. Southwest Colorado Opioid Regional Council (SWCORC) had their first official meeting last week. Commissioner Smith reported that they went through all the initial, necessary decisions at their inaugural meeting – they approved the bylaws, and were in the process of putting in place their non-voting members, as well as identifying a tie-breaker member. Meetings were scheduled for the first Thursday of every month, and Commissioner Smith let the Board know that she would be Chairperson for this committee, with Carol Friedrich of Ouray County as Vice-Chair, and Sue Hansen of Montrose County as Secretary/Treasurer.

##### **Commissioner Houck**

1. Grand Mesa-Uncompahgre-Gunnison (GMUG) National Forest Plan revisions. Commissioner Houck reported that he was continuing to prepare the draft comments and would hopefully have it ready by the end of the week.
2. Attended the Gunnison Basin Roundtable meeting via remote last night. Commissioner Houck informed the Board of a new appointment – Steve Anderson was elected as the new Chair; Kathleen Curry had been serving as the Chair previously. The group also discussed ways to fund future projects for positive impact on the County's current and future water and infrastructure needs.

- 3. On calls with Colorado Counties Inc (CCI) and Summit County Commissioner Elisabeth Lawrence. Commissioner Houck let the Board know that these calls were on the topics of local marketing district and county lodging tax "fixes", and would be discussed in more detail at the next CCI meeting. He also reminded the Board that they had a CCI conference to attend at the end of the month – Nov 29 through Dec 1.

**RECESS:** Chairperson Houck recessed the regular meeting at 10:42 am, in order to go into an executive session.

**EXECUTIVE SESSION PURSUANT TO C.R.S. §24-6-402(4)(B), CONFERENCE WITH THE COUNTY ATTORNEY OR DEPUTY COUNTY ATTORNEY FOR GUNNISON COUNTY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE RELATED TO THE GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT (LMD):** Chairperson Houck moved to go into Executive Session, pursuant to C.R.S. §24-6-402 (4) (b), conference with the County Attorney or Deputy County Attorney for Gunnison County for the purpose of receiving legal advice related to the Gunnison River Valley Local Marketing District (LMD). The participants in the Executive Session would include the full Board of County Commissioners, County Manager Matthew Birnie, and County Attorney Matthew Hoyt. Because this was an attorney-client privilege, there would be no contemporaneous record kept of the meeting. Commissioner Smith seconded the motion, and the motion carried unanimously.

The Board went into executive session at 10:43 am. The executive session was held in the BOCC Boardroom, and no contemporaneous records were kept. *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 §24-6-402 (4) (b).*

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) 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: \_\_\_\_\_

\_\_\_\_\_  
Matthew Hoyt  
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: \_\_\_\_\_

\_\_\_\_\_  
Jonathan Houck, Chairperson  
Gunnison County Board of Commissioners

At 11:22 am, it was moved by Chairperson Houck to come out of executive session, affirming that the participants in the executive session remained consistent with those read into the record, and that they did stay on topic in the discussion. Commissioner Smith seconded the motion, and the motion carried unanimously.

Chairperson Houck then let those present know that no direction or guidance was needed at this point.

**ADJOURN: Moved** by Chairperson Houck, seconded by Commissioner Smith, to adjourn the Gunnison County Board of Commissioners Regular Meeting. Motion carried unanimously. The meeting was adjourned at 11:23 am.

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

\_\_\_\_\_  
Roland Mason, Vice-Chairperson

\_\_\_\_\_  
Liz Smith, Commissioner

Minutes Prepared By:

\_\_\_\_\_  
Melanie Bollig, 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: 2021-26**

A RESOLUTION VACATING A CERTAIN PORTIONS OF STREETS AND ALLEY LYING WITHIN THE TOWNSITE OF IRWIN, COUNTY OF GUNNISON, STATE OF COLORADO

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

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

WHEREAS, the Board has received a request from Daniel Broman to vacate certain portions of a street and alley lying within the Townsite of Irwin, County of Gunnison, State of Colorado described as follows:

Those portions of 12th Street adjacent to Lot 2 and Lot 6, Block 6 and that portion of the alley adjacent to Lot 2, Block 6, Townsite of Irwin, County of Gunnison County, State of Colorado; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the certain portions of a street and alley lying within the Townsite of Irwin, County of Gunnison, State of Colorado described as follows shall be and hereby is vacated:

Those portions of 12th Street adjacent to Lot 2 and Lot 6, Block 6 and that portion of the alley adjacent to Lot 2, Block 6, Townsite of Irwin, County of Gunnison County, State of Colorado; and

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

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

- 1. This Resolution.
- 2. Lot Cluster Agreement

INTRODUCED by Commissioner Smith, seconded by Commissioner Mason, and adopted on this 16th day of November 2021.

BOARD OF COUNTY COMMISSIONERS  
GUNNISON COUNTY

Houck – yes, Mason – yes, Smith – yes.

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

**RESOLUTION NO: 2021-27**

A RESOLUTION VACATING CERTAIN PORTIONS OF STREETS AND ALLEY WITHIN THE TOWNSITE OF IRWIN, COUNTY OF GUNNISON, STATE OF COLORADO

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

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

WHEREAS, the Board has received a request from Barbara and James Thomson to vacate certain portions streets and an alley within the Townsite of Irwin, County of Gunnison, State of Colorado described as follows:

That portion of the alley adjacent to Lots 1-15, Block 29; AND that portion of 11th Street adjacent to Lots 1-9, Block 29; AND that portion of 10th Street adjacent to Lots 10-15, Block 29, Townsite of Irwin, County of Gunnison County, State of Colorado; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the certain portions of streets and alley lying within the Townsite of Irwin, County of Gunnison, State of Colorado described as follows shall be and hereby is vacated:

That portion of the alley adjacent to Lots 1-15, Block 29; AND that portion of 11th Street adjacent to Lots 1-9, Block 29; AND that portion of 10th Street adjacent to Lots 10-15, Block 29, Townsite of Irwin, County of Gunnison County, State of Colorado; and

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

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

1. This Resolution
2. Lot Cluster Agreement

INTRODUCED by Commissioner Smith, seconded by Commissioner Mason, and adopted on this 16th day of November 2021.

BOARD OF COUNTY COMMISSIONERS  
GUNNISON COUNTY

Houck – yes, Mason – yes, Smith – yes.