

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
July 19, 2022**

The July 19, 2022 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  
Katherine Haase, Deputy County Clerk  
Others Present as Listed in Text

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

**AGENDA REVIEW:** No changes were made to the agenda.

**SCHEDULING:** The Upcoming Meetings Schedule was discussed and updated. Commissioner Smith will be out of the office on 8/16/2022. Commissioner Mason will be on vacation from 8/10/2022 to 8/17/2022, so he will also be gone for the 8/16/2022, but he noted that he will attend online.

**MINUTES:**

1. May 3, 2022 Regular Meeting. Ministerial changes to the draft minutes were discussed. **Moved** by Commissioner Smith, seconded by Chairperson Houck to approve the May 3, 2022 minutes as discussed. Motion carried unanimously.

**CONSENT AGENDA: Moved** by Commissioner Smith, seconded by Chairperson Houck to approve the Consent Agenda. Motion carried unanimously.

1. Colorado Department of Aeronautics Grant Application and Resolution; Gunnison-Crested Butte Regional Airport; for state funding to supply a 5% match for two (2) FAA grants – AIP 61 Entitlements and the BIL/AIG grant; \$112,414
2. Federal Aviation Administration (FAA) Bipartisan Infrastructure Law (BIL) Grant Agreement; for the Terminal Rehabilitation Construction Project, Phase 5; effective the date of last signatory, for 4 years; \$1,023,462
3. Community Foundation of the Gunnison Valley, 2022 Community Grant Contract; Gunnison County Substance Abuse Prevention Project; for Choice Pass Parent Education; July 1, 2022 - May 31, 2022; \$1,800
4. Region 10 Area Agency on Aging; Gunnison County Health and Human Services; for Senior Resources; July 1, 2022 – June 30, 2023; \$50,000 for ADRC Options Counseling/Information and Assistance, plus \$8,000 for Medicare Counseling Services
5. Acknowledgment of County Manager's Signature; Agreement for Professional Services; Timber Line Electric and Control Corp; for a SCADA system security upgrade; Eff. Date 7/11/2022; \$18,242
6. Ratification of County Manager and Finance Signatures; US Fish and Wildlife Service Grant Application for Federal Assistance; for Gunnison Basin Cheatgrass Implementation Project 2022; \$294,189

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

1. Library Grand Opening. CM Birnie informed the Board that the grand opening is scheduled to take place on September 10<sup>th</sup> at 3:00 pm.
2. Airport Project Update. CM Birnie informed the Board that the finishing touches are being accomplished. A grand opening celebration has not yet been scheduled.
3. Staff Update. CM Birnie informed the Board that the new Assistant to the County Manager for Public Works, Martin Schmidt, started work last week. Chief Financial Officer Perry Solheim started working for Gunnison on a part-time basis last week, and he is expected to become full-time by mid-August.
4. Site Visits/Tours. Commissioner Smith asked that staff work to schedule site visits for the Board to tour Wonderland Nature School, the Paul M. Rady School of Computer Science & Engineering, and the Gunnison Country Food Pantry once it has moved to its new location and is fully operational. As well, Commissioner Houck requested that staff schedule a trip for the Board to visit to the Marble/Somerset areas, and he agreed to work with Deputy County Manager Marlene Crosby on an agenda prior to her pending retirement.

**DEPUTY COUNTY MANAGER'S REPORTS AND PROJECT UPDATES:** Deputy County Manager Marlene Crosby and Assistant to the County Manager for Public Works Martin Schmidt were present for discussion

1. Whitewater Park Update. DCM Crosby informed the Board that contracted work is currently being accomplished at the Park. Originally, it was to be completed by the end of April, but work began two months late, so the completion delay was expected. She expressed concern about the scope, because the vendor appears to be reacting to stakeholder input instead of the County. Repair and/or replacement of the second feature was included in the initial contract discussions, and there have been recent thoughts about moving that second feature as much as 700 feet to enhance the

experience with the possible addition of a wave shaper. However, there are concerns about impacts and liability that may present if the feature is moved closer to the Airport parking area. The addition of a wave shaper would also require substantial ongoing maintenance, and it may create ice and safety issues. ACM Schmidt noted that the contract includes the development of alternatives, thus he believes the contract has not been violated. The Board agreed that safety will be the most important consideration, but that airport-related issues and user group input would also be very important to take into account. A work session may be scheduled to further discuss this project.

**TREASURER'S REPORTS:** County Treasurer Debbie Dunbar presented the June 2022 Treasurer's report, an investment report dated June 30, 2022, and a Quarterly Interest Report for the period April-June 2022 for discussion and acceptance. **Moved** by Commissioner Smith, seconded by Commissioner Mason to accept the Treasurer's Report and authorize the Chairperson's signature. Motion carried unanimously.

**VOUCHERS AND TRANSFERS:** Senior Accountant Kelly Weak presented the voucher approval report dated July 19, 2022 and the cash transfer authorization dated June 2022 for discussion and approval.

1. July 2022 Accounts Payable Report. **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the vouchers in the amount of \$5,741,305.03. Motion carried unanimously.
2. June 2022 Cash Transfer Report. **Moved** by Commissioner Mason, seconded by Commissioner Smith to accept the Cash Transfers in the amount of \$10,377,193.66. Motion carried unanimously.
3. April 2022 Purchase Card Report.
4. Sales Tax - LMD Reports.

**BOUNDARY LINE ADJUSTMENT; SECTION 7, TOWNSHIP 11 SOUTH, RANGE 88 WEST OF THE 6TH PM; ELK HORN RANCH, LLC AND SUSAN AND JERRY ANDERSON; LUC-22-00011:** Administrative Services Manager Beth Baker and Mark Chain, the applicant's representative, were present for discussion.

ASM Baker presented the project information that, if approved, would result in the Anderson's obtaining approximately a half-acre of land and river access. Mr. Chain did not have any additional input. **Moved** by Commissioner Mason, seconded by Commissioner Smith to approve the Boundary Line Adjustment, Section 7, Township 11 South, Range 88 West of the 6<sup>th</sup> PM, Elk Horn Ranch, LLC and Susan and Jerry Anderson, LUC-22-00011, and authorize the Chairperson's signature. Motion carried unanimously.

**AMENDMENT TO CONSULTING AND LITIGATION SUPPORT AGREEMENT; COCHRAN FISH AND WILDLIFE CONSULTING LLC:** Commissioner Houck stated that Jim Cochran has done this work for the County for many years. County Attorney Matt Hoyt explained that this contract scope amendment will allow Mr. Cochran to perform necessary litigation work. CM Birnie informed the Board that the County has not budgeted funds for this purpose, but that the Sage-grouse Mitigation Fund has a healthy balance of approximately \$176,000, which could be used to cover this expense. Commissioner Houck felt that final costs may be less than expected, but CM Birnie suggested that the Board approve up to \$25,000 just in case it becomes necessary. CA Hoyt informed the Board that the County would not be splitting the cost with the Stockgrowers' Association, because it is not a party to the litigation. The Board noted that there would be sufficient funding for this amendment and the Cheatgrass Habitat Coordinator position. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve the Amendment to Consulting Agreement with Cochran Fish and Wildlife, specifically for the work on the BLM RMP Amendment for Gunnison Sage-grouse, and we authorize the expenditure up to \$25,000 from the Gunnison Sage-grouse Mitigation Fund.

**OPIOID SETTLEMENT INTERGOVERNMENTAL AGREEMENT; ESTABLISHING THE MANNER IN WHICH FUNDS FROM SETTLEMENTS BETWEEN THE STATE OF COLORADO AND OPIOID MANUFACTURERS SHALL BE DIVIDED AND DISTRIBUTED LOCALLY:** Commissioner Smith explained that approval would memorialize the agreements that we have with the municipalities. She will visit with Town of Mt. CB as well. She noted that only a few municipalities across Colorado are opting to doing this - - most are allowing funding to be dispersed on a regional basis. This will be a net benefit to the region, not just Gunnison County, as we will be able to share information and resources within the whole region. **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the Intergovernmental Agreements with the City of Gunnison and the Town of Crested Butte, and authorize the Chairperson's signatures. Motion carried unanimously.

1. Between Gunnison County and the Town of Crested Butte
2. Between Gunnison County and the City of Gunnison

**BREAK:** The meeting recessed from 9:18 until 9:23 am.

**MEMORANDUM OF UNDERSTANDING; US DEPARTMENT OF THE INTERIOR, COLORADO BUREAU OF LAND MANAGEMENT, AND GUNNISON COUNTY; FOR DEVELOPMENT OF THE GUNNISON SAGE-GROUSE RESOURCE MANAGEMENT PLAN AMENDMENT AND ENVIRONMENTAL IMPACT STATEMENT:** Chairperson Houck stated that CA Hoyt had made specific changes to the documentation regarding local expertise. **Moved** by Commissioner Mason, seconded by Commissioner Smith to approve the Memorandum of Understanding with the US Department of the Interior,

Colorado Bureau of Land Management, and Gunnison County for Development of the Gunnison Sage-grouse Resource Management Plan Amendment and Environmental Impact Statement and authorize the Chairperson's signature. Motion carried unanimously.

**VETERANS ADMINISTRATION CLINICS IN COLORADO; LETTER ADDING GUNNISON COUNTY**

**SUPPORT:** Chairperson Houck noted that adding Gunnison County to this letter would ensure that we are doing everything we can to leverage services for our veterans. Commissioner Mason asked for an update from Veteran Services Officer Steve Otero, and CM Birnie confirmed that he and Assistant County Manager for Health & Human Safety Services Joni Reynolds had recently discussed placing such an update on a future agenda. **Moved** by Chairperson Houck, seconded by Commissioner Mason to approve adding Gunnison County as a supporter of this group letter from Colorado Counties, Inc. advocating for minimizing the closures of VA facilities and also supporting maximum opportunities to benefit veterans across the State of Colorado. Motion carried unanimously.

**UNSCHEDULED CITIZENS:**

1. Mark Schumacher; Three Rivers Resort Owner. Mr. Schumacher expressed his concerns related to HB 1287, as he feels that it addresses tenant issues without addressing any landlord issues. He noted that there are 13 mobile home parks in the valley, and he's concerned that those 13 owners aren't represented. He also felt that his access to the Board was denied prior to passage of HB 1287, though Commissioner Smith indicated that she had given updates on this Bill during her meeting reports. He was also dismayed about the State's partisan vote following hearings held past midnight. He also doesn't feel that mobile home parks have been fairly addressed by the County going back to the 1990s when he served on the Planning Commission.

Among Mr. Schumacher's concerns with HB 1287 is that he will only be able to raise rent once per year, while he's currently charging well below market value and he will need to increase rent to market value in order to maintain the aging infrastructure. Commissioner Mason stated that there may be provisions in the Bill to help owners fund infrastructure issues, and there is an opportunity for the County to work with him to see if there is way to improve his infrastructure.

Mr. Schumacher made references to local laws limiting his ability to conduct business, but Chairperson Houck stated the laws he referenced were State laws, and that it is important to differentiate between State law and County law. Chairperson Houck stated that the County takes no issue with responsible owners making money on rental properties. Commissioner Smith stated that she testified on HB 1287, relating to issues experienced with a different mobile home park, not his.

**COMMISSIONER ITEMS:**

- Commissioner Mason:
  1. Gunnison Valley Regional Housing Authority. Commissioner Mason informed the Board that the GVRHA will soon provide an update on the executive director search. The GVRHA is also assembling a plan to discuss increased funding with the County and local municipalities. The GVRHA may also move their operations to a new location.
  2. Airline Update. Commissioner Mason stated that the summer is in full swing and that fares are still reasonable. United is providing three flights per day, and August is looking at a 52% load factor. Overall, the airlines are doing well.
  3. GMUG Forest Service Camping Management Plan Update. Commissioner Mason stated that the Forest Service recently put out an update. This year, camping management will be enforced in the areas of Kebler Pass (includes Lake Irwin, Slate River, and the Oh Be Joyful Poverty Gulch area), Washington Gulch, Scofield Pass, Rustler's Gulch, Cement Creek, and the Gothic Corridor.
  4. Aerial Flight Tomorrow. Commissioner Mason informed the Board that he and Commissioner Smith were scheduled for a 30-minute flight over the Marble and Upper Crystal Valley area to get a view of the area. They also plan to fly over Blue Mesa.
- Commissioner Smith:
  1. Cheatgrass Coordinator Update. Commissioner Smith stated that the hiring committee is moving forward with evaluating candidates, with the hope to hire a coordinator within the next couple of weeks. She also stated that the Department of Agriculture and the CSU Extension are interested in future regional coordination for this position.
  2. Southwest Colorado Opioid Regional Council Update. Commissioner Smith stated that the two-year plan has been submitted to the Colorado Attorney General's Office. Juvenile Services Director Kari Commerford coordinated a meeting with representatives from other counties on Thursday to further this effort.
  3. Community Foundation Showcase for Non-Profits. Commissioner Smith stated that she went to this event last week.
  4. Cottonwood Pass Update. Commissioner Smith informed the Board that she recently traveled over the Pass, which was busy.
  5. Colorado Attorney General Phil Weiser Visit. Commissioner Smith informed the Board that she and AG Weiser met with Juvenile Services staff yesterday, and that Juvenile

Services Director was recognized for her leadership and expertise. Commissioner Smith and AG Weiser also visited Country Meadows to meet with residents.

- Chairperson Houck:
  1. Denver Post Editorial Board Endorsement. –Commissioner Houck informed the Board that he completed an interview with the Editorial Board a couple of weeks ago. Last week, the Editorial Board put out an editorial fully supporting Gunnison Outdoor Resources Protection (GORP) Act. The Editorial Board also stated that Gunnison County’s approach should be modeled across the State of Colorado.
  2. Western Colorado University Board of Trustees (BOT). Commissioner Houck stated that he attended a BOT meeting last week. There was an emphasis on housing issues during the meeting. Only two BOT members reside in Gunnison County, so Commissioner Houck felt that it was an important discussion.
  3. Colorado Counties, Inc. Legislative Proposal Meeting. Commissioner Houck informed the Board that he attended this meeting last Friday to hear all the different proposals from other Counties. This fall, the group will evaluate the proposals to determine which would be legislative priorities. A proposal related to enforcement of campground taxation was put forth from Gunnison County.
  4. Chaffee County BOCC Work Session. Commissioner Houck stated that he met with the Chaffee County BOCC yesterday during a work session to provide an update on the Gunnison Outdoor Resources Protection Act and Gunnison Public Lands Initiative.
  5. Forest Plan Revision Status. Commissioner Houck informed the Board that he met with the County group that is working with GMUG. The FS Plan Revision progress stalled when attention had to be shifted to the COVID-19 pandemic response, and the group has now returned to the work of completing the FS Plan Revision.
  6. Species Habitat and Wildlife Issues. Commissioner Houck informed the Board that he’s doing some legwork with Colorado Parks & Wildlife / Bureau of Land Management regarding species habitat and wildlife.

**ADJOURN:** Chairperson Houck adjourned the meeting at 10:22 am.

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Jonathan Houck, Chairperson

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Roland Mason, Vice-Chairperson

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Liz Smith, Commissioner

Minutes Prepared By:

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Katherine Haase, Deputy County Clerk

Attest:

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Kathy Simillion, County Clerk