

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
October 18, 2022**

The October 18, 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:

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| Jonathan Houck, Chairperson [ABSENT] | John Cattles, Assistant County Manager |
| Roland Mason, Vice-Chairperson       | Melanie Bollig, Deputy County Clerk    |
| Liz Smith, Commissioner              | Others Present as Listed in Text       |

**GUNNISON / HINSDALE BOARD OF HUMAN SERVICES REGULAR MEETING:** This separate meeting was held from 8:30 am to 9:18 am. Please refer to separate meeting minutes on record for the Gunnison/ Hinsdale Board of Human Services.

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

**CALL TO ORDER:** Acting Chair Roland Mason called the meeting to order at 9:18 am.

**PRESENT:** Present in the room for the Board of Health meeting with the commissioners were Assistant County Manager for Health, Human, and Safety Services Joni Reynolds, Wellness, Senior and Enforcement Services Manager Betsy Holena, and Community Health Manager Margaret Wacker.

**VITAL RECORDS AUDIT; UPDATE:** ACM Joni Reynolds gave an update to the Board. Topics included the staff transition and vital records training for new staff after Randy Morgan’s retirement. ACM Reynolds let the Board know that an annual audit by the Colorado Vital Records Office awarded the new team 100% for their evaluation. She further advised that they had discovered the printer used for these vital records and certificated would need its own locked room for security.

**COMMUNITY HEALTH COALITION; UPDATE:** Community Health Manager Margaret Wacker gave an update focusing on funding and contributions to the local health collation in order to keep it sustainable for the long-term. She noted that area commitment funds totaled \$37,000 so far, and they were applying for a grant using these funds as a matching amount.

CH Mngr Wacker also reported on the coalition’s shift into a collective impact model, based on Gunnison County’s state of the community report put out earlier in the year. She explained that this would mean more sub-groups, more people coming in, and more non-profit leadership to aid in making services more accessible, with more workforce support. Fostering a welcoming environment was also discussed, with an emphasis on task-oriented goals.

**ADULT PROTECTION SERVICES (APS); UPDATE, and SENIOR RESOURCES; UPDATE:** Wellness, Senior, and Enforcement Services Manager Betsy Holena presented the two updates together. She stated that most adult protective services cases were due to self-neglect; briefing the Board on the processes for referrals and intervention for 13 cases year-to-date, managed by two caseworkers. She also highlighted that some of the gaps were in the need for home care and supervision, causing the elderly to have to move from their home to more acute care that might not be needed if the home care supportive services were available. ACM Reynolds added that Medicaid needs more coordination with screening and noted further gaps created when Delta County had ended a contract which helped to supply adult supervised help in the home. She further noted gaps in affordable housing, explaining that some seniors end up having to go to Grand Junction for adequate housing.

**2022 REVIEW AND 2023 PLANNING:** ACM Joni Reynolds informed the Board that she would be following up later in the year regarding next year’s planning and then briefly reviewed Board of Health training through Colorado Counties Inc (CCI), stating the information was rich and the feedback had been very valuable.

**ADJOURN:** Acting Chair Roland Mason adjourned the meeting of the Gunnison County Board of Health at 9:44 am.

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

**CALL TO ORDER:** Acting Chair Mason called the meeting to order at 9:44 am.

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

**SCHEDULING:** Commissioner Mason asked to add to the calendar: 1) November 9-10 community trip to Marble; and 2) the elected officials meeting once we were given a definite date; he noted that they were currently in the process of changing the date from November 10<sup>th</sup>. Commissioner Smith asked staff to check

on whether we would be moving the November 22nd work session to the 29<sup>th</sup> instead, due to the 22<sup>nd</sup> meeting being near to Thanksgiving.

**MINUTES APPROVAL:**

1. August 2, 2022 Regular Meeting – **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the August 2, 2022 regular meeting minutes, as presented. Motion carried.

**CONSENT AGENDA:** Commissioner Mason asked to remove Item #1 from the consent agenda, stating that this agreement needed to be addressed further and then brought back to a later meeting.

**Moved** by Commissioner Smith, seconded by Commissioner Mason, to approve the Consent Agenda aside from Item #1, Approval for Commercial Lease Agreement. Motion carried.

1. ~~Approval for Commercial Lease Agreement; Quartz Creek Improvement Association, Tenant; for lease of Ohio City Town Hall; Effective date of signing—one year; services rendered in lieu of rent~~ PULLED FROM CONSENT AGENDA
2. Approval for 2022-2023 Memorandum of Understanding and Professional Service Agreements with: Kelly Banas Counselling, LLC, Dandelion Roots Healing, LLC; Pinnacle Insights, LLC; for Gunnison County Substance Abuse Prevention Project services; 10/18/2022 – 8/31/2023; up to \$4,800 ea
3. Acknowledgement of County Manager’s signature; County Aid Agreement; for Gunnison Country Food Pantry Relocation and Renovation Project; 10/01/2022 - 12/31/2022; \$30,000
4. Acknowledgment of County Manager's signature; Colorado Department of Public Health and Environment (CDPHE); Colorado Local Public Health Agency Indirect Cost Negotiation Agreement; sets CDPHE indirect cost rates for 2023 calendar year
5. Acknowledgment of County Manager’s Signature; Amended Professional Services Agreement; ValueWest, Inc; for professional commercial valuation services for all Gunnison County property classified as Commercial or Industrial; 9/6/2022 - 12/31/2024; \$15,000 for 2022, \$44,400 for 2023, \$44,400 for 2024
6. Acknowledgement of County Manager’s signature; Professional Services Agreement; Ricondo & Associates, Inc; for Airport Rates and Charges Study; 10/18/2022 - 4/30/2024; up to \$145,000
7. Approval for Amendment to Intergovernmental Agreement for Winter Road Maintenance; Town of Pitkin; 11/01/2022 - 5/31/2023; approx. \$6,000 per year
8. Approval for Intergovernmental Agreement for Winter Road Maintenance; Town of Marble; 11/01/2022 - 5/31/2023; hourly charge for equipment, plus diesel fuel charges
9. Approval for CDPHE Office of Public Health Practice, Planning, and Local Partnerships (OPHP) Preventive Block Grant; Gunnison County Department of Health and Human Services, on behalf of The West Central Public Health Partnership (WCPHP); for public health improvement plan and regional assessment; Exp date 9/30/2023; \$40,000
10. Approval for Parents as Teachers Affiliate Plan; for an across-agency project to support of families and young children to reduce the quantity and impact of adverse childhood experiences; annual funding \$65,000
11. Approval for Colorado Judicial Department, Court Security Cash Fund Commission Grant Award; supplement funding for Courthouse security staffing; 7/01/2022 - 6/30/2023; \$42,057
12. Approval for Professional Services Agreement; Crested Butte State of Mind; funding for therapeutic services for early childhood teachers in Gunnison and Hinsdale Counties; 9/27/2022 - 5/30/2023; up to \$8,000
13. Approval for Letter of Support; Public Works grant application to Colorado Counties, Inc; for design funding of GUN317-00.40A (Gothic Road) bridge; \$60,000 request
14. Approval for Professional Services Agreement; Mountain Roots Food Project; to provide food boxes for early childhood teachers in Gunnison and Hinsdale Counties; 9/27/2022 – 5/30/2023; up to \$36,000

At this point in the meeting, Mark Schumacher from Three Rivers Resort in Almont, asked to comment on an item on the consent agenda. Acting Chair Mason let him know that the agenda had already been set and no comments had been relayed to the commissioners or staff prior to the meeting, so they would continue with the set agenda; however, Mr. Schumacher would be able to make comments at 10:35 am during the Unscheduled Citizens portion of the agenda.

**TREASURER’S REPORTS:** County Treasurer Debbie Dunbar presented via Zoom, confirming that there was nothing out of the ordinary to report.

With no questions from the Board, it was **moved** by Commissioner Smith, seconded by Commissioner Mason to approve the Treasurer’s reports as presented. Motion carried.

**VOUCHERS AND TRANSFERS:**

1. **October 2022 Accounts Payable Report.** **Moved** by Commissioner Smith to approve the accounts payable in the amount of \$4,181,127.96. Commissioner Mason seconded, and the motion carried.
2. **August 2022 Purchase Card Report.**
3. **September 2022 Cash Transfer Report.** **Moved** by Commissioner Smith to approve the cash transfer in the amount of \$9,739,203.45. Commissioner Mason seconded, and the motion carried.

4. **Sales Tax - LMD Reports.** Chief Financial Officer Perry Solheim pointed out a graph on page 320 of the agenda portfolio. He called attention to online sales, stating that he and his staff were working at doing a better job of parsing out that data so that, as a consequence, more funding could come to Gunnison County. CFO Solheim briefly went over areas of online sales they were investigating and added that he was ready to dedicate some significant staff time to setting this up correctly.

**RECESS:** Acting Chairperson Mason elected to take a short break in the meeting from 9:57 am to 10:00 am, in order to hold the below public hearing at the set agenda time of 10:00 am.

**PUBLIC HEARING; STREET VACATION REQUEST FOR A PORTION OF OAK STREET; TOWNSITE OF TINCUP; LYLE & TONI JOHNSTON, FRANK ANDERSON, AND ALBERT BLAKE:**

**1. Resolution; Vacating A Certain Portion of Oak Street Lying Within the Town of Tincup, County of Gunnison, State of Colorado**

Assistant County Manager for Public Works Martin Schmidt was present in the room for discussion and questions from the Board. No applicants were present for the beginning of the public hearing.

1. Open Public Hearing. Acting Chairperson Roland Mason opened the Public Hearing at 10:01 am.
2. Public Notice Confirmation. ACM Martin Schmidt confirmed that the public hearing had been properly noticed for the public.
3. Identify Ex Parte Communications. There were no ex parte communications identified by the Board.
4. Staff Presentation. ACM Schmidt explained that they had received this application which contained all the information they had needed in order to move forward. During the notification process, they had received two comments in opposition – one from GCEA with electrical infrastructure in this location, noting parcel #264 would be isolated without access. ACM Schmidt explained that the owner of that property was one of the applicants, and they had an agreement in place for access; however, ACM Schmidt noted that this does not guarantee future access for that parcel. Secondly, ACM Schmidt noted that there is a small area of public access still in the back alleyway, but this was not connected on through. Upon review of these two issues, the staff was recommending this vacation not be approved as presented.
5. Applicant Presentation. None of the applicants were present at this point to offer a presentation.
6. Board Questions. Commissioner Smith asked what the beneficial use was for the application? ACM Schmidt explained that this street was seen as a public access and people were going down the road, having to turn around and drive back out. This issue was discussed with the board and ACM Martin identified that private signage was creating some confusion. Ways of relieving this problem, other than vacation, were discussed with the Board, with suggestions mad for some other signage or possibly gating if that would be allowed by the Forest Service. ACM Schmidt also identified that the road did not go completely through because of wetlands in one area; the road picked up again further into Tincup.
7. Public Comments. Acting Chairperson Mason opened the Public Hearing to public comment at 10:09 am.
  - a) Doug Treadway came forward and stated that he had property at the end the driveway that they would not be able to access; he was making plans to build a cabin there and wished to maintain access down that side of Oak Street.
8. Applicant Presentation. One of the applicants, Lyle Johnston, came forward at this point. He apologized for being late and then explained that people pull down that street and do not have an easy way to turn around. He added that the street does not go through because it is wetlands at the end of the street on that side, and he wasn't sure if Doug could even build there. Doug interjected that he was planning to build on the portion of his land that was up the hill in the pine trees. Lyle Johnston asserted that they would set up easement for utility and for Doug if he wanted access to his property there. He also showed the Board photos of Oak Street in that location and the homes there. Commissioner Mason noted that the biggest issue was access for utilities and for Doug, if the street was vacated. He asked if there was a way to put permanent easements, separate of property owners. CA Hoyt answered that you cannot compel or mandate conditions; he was not aware of any authority to do so, regarding contracts between private owners of private property, as this property would be, once vacated. Commissioner Mason let Lyle Johnston know of the signage possibility discussed earlier; Mr. Johnston noted that the Forest Service had not responded to the notice. CA Hoyt suggested also that they could possibly approach the District Ranger regarding better signage.
9. Acknowledge Correspondence Received. Two pieces of correspondence were identified by ACM Schmidt – one from the GCEA and one from County staff.
10. Applicant Response. Commissioner Mason noted that applicant Lyle Johnston had given good response of their questions already. He asked ACM Schmidt to identify how the electric runs down Oak Street at that location. ACM Schmidt replied that the GCEA had let him know that ownership would then be on private property, and the electric was underground. Commissioner Mason asked if the electric ran all the way through the wetlands. CA Hoyt suggested that they could recess the hearing and ask for additional information on where the line runs; however, he assumed that losing access rights would probably mean renegotiation for the GCEA. ACM Schmidt noted further that access becomes complicated with vacating utilities, as no access is guaranteed

for future years. The Board, ACM Schmidt and Mr. Johnston all briefly discussed if there was any way for access to be maintained once the street was vacated.

11. Close Public Hearing. Acting Chairperson Mason closed the Public Hearing at 10:33 am and immediately reconvened the Gunnison County Board of County Commissioners meeting.

The Board deliberated for several minutes with CA Hoyt regarding the two main objections – the isolation of one lot, and the loss of electric utility access. Commissioner Smith stated that there were too many questions yet to be answered in this application, and they would need to know more about what would be needed from the Forest Service and the GCEA. The Board also discussed with CA Hoyt the possibilities for continuing the public hearing, or possible reapplication with additional information.

**Moved** by Commissioner Smith, seconded by Commissioner Mason to deny the resolution vacating a certain portion of Oak Street lying within the Town of Tincup, County of Gunnison, State of Colorado. After the initial motion was made, Commissioner Smith added comment that there seemed to be too many barriers at this point, but if there is more negotiation with the Forest Service and more clarity on easements with GCEA, then she would be willing to look at this again. Commissioner Mason confirmed his support of her statement, and seconded the motion. A vote was then taken and the motion to deny carried.

**KEBLER TRAILHEAD; WINTER PARKING PERMITS:** Assistant County Manager for Public Works Martin Schmidt was present in the room for discussion and questions from the Board.

ACM Martin noted this would be a decision by the Board on how to issue winter trailheads, and then briefly outlined the history of this permitting system, stating that it has had very few changes in issuing to property owners. Day use parking was separate and the Forest Service parking – operated for profit – was not a part of this permitting conversation.

ACM Martin also pointed out that, should a future land exchange happen, it would change this system and the County would then have more obligations. He outlined for the Board that 56 permits had been issued last year, which filled the lot; no trailer permits had been issued, and up to five snowmobile permits per owner had been allowed. He stated that the trailer permits' legal issues had now all been cleared up and they could again issue trailer permits. ACM Schmidt further advised that the permit pricing of \$125 per permit does not cover the actual cost of permitting and enforcement, and then proposed issuing two permits per residence if requested, plus up to 5 snowmobiles, with permits issued on a "first-come, first-serve" basis. Issuing would start October 31<sup>st</sup>, with enforcement beginning December 9<sup>th</sup>. County Attorney Hoyt advised the Board that before now, the permit system had been tied to Land Use Regulations compliance. ACM Schmidt affirmed that the residents this year must again have a permit for valid onsite wastewater treatment in order to apply for parking permits.

The Board discussed for several minutes the trailer parking issues of prior seasons and how it would work for this year, but ended by deciding to approve the proposed permitting system for this year.

Ten-year Irwin resident Kristi Murrin, Vice- President of Irwin Community Association then came forward and asked the Board to please look at parking permits as issued for residents only. She noted that, over the winter months, spaces actually shrink because of all the snow. She stated that the community was really growing and wanted to keep the conversation going in the future because of anticipated need for more permitted spaces. Other possible areas that could be considered for additional parking in the future were discussed with the Board and CA Hoyt.

Acting Chair Mason gave direction to Ms. Murrin to communicate the number of full-time residents expected to be in Irwin this year to ACM Schmidt. Commissioner Mason also gave direction to ACM Martin to implement the permit process for this year, as presented that morning.

**CHANGE IN AGENDA:** Acting Chairperson Mason elected to move to Unscheduled Citizens, as it was now 11:14 am and the agenda was significantly behind schedule at this point.

**UNSCHEDULED CITIZENS:**

1. Mark Schumacher, Three Rivers Resort, Almont Colorado. Mr. Schumacher, present in the room, asked about Consent Agenda Item #5 – an amended Professional Services Agreement with ValueWest, Inc., for professional commercial valuation services. He asked why the Assessor's Office did not handle this. Commissioner Smith noted that it was for consistency in valuation decisions for cases brought to appeal. CA Hoyt added that this amended agreement tweaked some of the insurance indemnification language, and CFO Solheim noted further that it also relates to staffing difficulties, since it was hard to find staffing and housing here – this contract for services was far more reasonable for the County budget.

Mr. Schumacher also made comment on Consent Agenda Item #12 – a Professional Services Agreement with Crested Butte State of Mind, for funding therapeutic services for early childhood teachers in Gunnison and Hinsdale Counties – and on Item #14 – a Professional Services Agreement with Mountain Roots Food Project to provide food boxes for early childhood teachers in Gunnison and Hinsdale Counties. He wished to know how these contracts would fit with County Strategy Goal #6, regarding facilitation of efforts to increase childcare and to enhance the opportunities for small business start-ups in childcare and preschool. Commissioner Smith highlighted that this was an effort in trying to retain early childcare education staffing. Commissioner Mason stated that they did not have the proper staffing in the room presently to give Mr. Schumacher more specific answers at that moment, but they would be happy to get those answers to him later. ACM Joni Reynolds, listening remotely on Zoom, confirmed that both Item #12 and Item #14 were fully funded by Circle grants.

Mr. Schumacher wished to comment on Shady Island, noting improvements that were still needed, touching upon the ramps, signage, and commercial outfitters needs for the area. ACM John Cattles stated that Shady Island was just getting started, and there were several projects still in process; they do want to make the project work for all.

**RESOLUTION; DECLINING PARTICIPATION IN THE FAML I PROGRAM AND PROVIDING FOR NOTIFICATION TO THE STATE OF COLORADO OF SUCH DECLINATION OF PARTICIPATION:**

Chief Financial Officer Perry Solheim and HR Generalist Hailey Bingman were both present in the room to give an overview of the resolution and to answer any questions the Board might have.

HRG Bingman explained that the main advantage to declining was that 2023 employee premiums would be taken, but there would no benefits until 2024. If they chose not to decline, they would have to wait three years to have that option available again.

CFO Solheim highlighted that short-term disability can have a better service which is self-funded and would mimic these benefits in a much more cost-effective way. He expressed his confidence in the County being able to handle this, with a very small probability that they would want to opt-in at a later date.

CA Hoyt added that this is not set in stone – the law provides for being able to reconsider this every year. CFP Solheim also affirmed that the strategy of the sick-time bank should be revisited, and he noted that they were looking at a graduated plan for new employees who haven't accumulated time off; he hoped to also have a different product for maternity leave by 2024.

CA Hoyt then recommended that they open the agenda item up to public comment. Acting Chair opened the topic up to public comment at 11:42 am. As there was no one present for comment, he then closed the public comment session at 11:42 am.

**Moved** by Commissioner Smith, seconded by Commissioner Mason, to approve Resolution 2022-39, a resolution Declining Participation in the FAML I Program and Providing for Notification to the State of Colorado of Such Declination of Participation. Motion carried.

**DRAFT; 2023 HOLIDAY SCHEDULE:** The Board had no questions or concerns regarding the holiday schedule for 2023.

**Moved** by Commissioner Mason, seconded by Commissioner Smith to approve the draft of the 2023 holiday schedule, as presented. Motion carried.

**COMMISSIONER ITEMS:**

**Commissioner Smith**

1. Ongoing conversation with the Early Childhood Council, regarding the Universal Pre-K rollout. Commissioner Smith stated that they are trying to make sure that the community is as prepared as humanly possible, in light of so many question marks still. She is hopeful that panel discussions through Colorado Counties Inc (CCI) will help give further clarity to details of what is expected for the rollout. Further, she explained that they are working to collaborate with community partners to help people understand what they might be eligible for within the new program.
2. Attended President Biden's appearance in Colorado last Wednesday, October 12<sup>th</sup>, as he declared Camp Hale – Continental Divide – a National Monument. Commissioner Smith stated that both she and Commissioner Houck had been there, and they were excited to see that piece of the CORE Act get implemented.
3. Colorado Counties Inc (CCI) to host a data conversation with opioid councils. Commissioner Smith expressed that she was looking forward to this meeting, and stated that she felt this would be a really important venue to help consolidate some of their data across the regions, as well as to look at issues various regions might have with consolidating data at a higher level of strategic approach, rather than having each region do their own data collection.
4. Submitting a letter of support for the 6A Ballot question. Commissioner Smith explained that she hoped to submit the letter later that day; noting that, as the Local Marketing District and the Board of County Commissioners, she felt that all three of the commissioners fully supported the tax revenues being used in additional ways to support housing and childcare for the tourism-related workforce. Both commissioners then briefly discussed how this this was not an increase in taxes, but allowed them to use revenues for additional purposes. Commissioner Mason thanked her for putting the letter of support together.

**Commissioner Mason**

1. Worked with Gunnison Valley Regional Housing Authority. Commissioner Mason explained that he had been on vacation for most of the time in the last two weeks, but what time he was at work, he helped in getting the new GVRHA Director, Andy Kadlec, set into his position, identifying issues with budget, and supplying contacts. Commissioner Mason also proposed an IGA for a one-year period, to assist the new director in getting settled into his job, rather than the 5-year period IGA they previously had. He expressed a desire to see the housing authority prepared for the increased number of rental properties they will be managing as future projects are completed. Commissioner Mason further noted that he was really happy with the amount of outreach which the new director, Andy Kadlec, had already done and stated that he believed Andy would be a great asset to the organization. Last, Commissioner Mason noted that there was still a seat open for the at-large position on the Housing Authority Board, which he hoped to see filled by the County before he left.



1. Gunnison County hereby declines participation in the in the family and medical leave insurance program;
2. Pursuant to Section 2.6(A)(2) of 7 CCR 1107-2, the Gunnison County Human Resources Department is hereby directed to, within 30 days of the adoption of this Resolution provide County employees with a written individual notice of the local government’s declination vote and the impact toward FAMILI, or other paid family and leave insurance coverage.
  - a. The notice shall explain the differences between benefits offered by the FAMILI program and any private plan offered by the local government.
  - b. The notice shall state which employees, if any, are eligible for job protection under the federal Family and Medical Leave Act (FMLA) benefits or other local provisions were applicable.
  - c. The notice shall contain information regarding the right of local government employees to voluntarily opt into FAMILI benefits pursuant to Section 8-13.3- 514 C.R.S., and the contact information for the Division.
  - d. The notice shall be displayed in a conspicuous and accessible place in each County building or facility where County employees are employed.
3. Pursuant to Section 2.5(A) of 7 CCR 1107-2, the Gunnison County Human Resources Department is hereby directed to provide a copy of this executed and attested Resolution to the Division.
4. Pursuant to Sections 2.5(C) and 2.6(B) of 7 CCR 1107-2, the Gunnison County Human Resources Department is hereby directed to bring this Resolution before the Board no later than eight (8) years after its adoption.
5. To the extent not included above, the Human Resources Department is directed to provide county employees with information regarding the FAMILI program as is required by statute and regulation, and to provide payroll deduction processing to any employees who elect to participate in FAMILI as individuals.

INTRODUCED by Commissioner Smith, seconded by Commissioner Mason, and Adopted and Effective this 18th day of October 2022.

BOARD OF COUNTY COMMISSIONERS  
GUNNISON COUNTY

Houck – ABSENT, Mason – yes, Smith – yes