

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
November 15, 2022**

The November 15, 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
Melanie Bollig, Deputy County Clerk
Others Present as Listed in Text

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

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

AGENDA REVIEW: No changes were needed to the agenda.

SCHEDULING: The December 13th meeting was canceled, due to the commissioners all attending the Colorado Counties Inc (CCI) Winter Conference on that date. Chairperson Houck reminded the Board that the budget will need to be adopted by December 15th. County Manager Birnie suggested they hold a special meeting on December 15th to adopt the budget. The Board approved that date, to begin the meeting at 8:30 am. Chairperson Houck also noted that the public hearing for the County budget would be held on December 6th, after 5:00 pm so that those who worked could attend. CM Birnie added that they would build the rest of the regular meeting that day backwards from the public hearing – to begin sometime in the afternoon.

Moved by Commissioner Houck to cancel the Board’s December 13th Work Session, due to the fact that the full Board will be at the Colorado Counties Inc Winter meeting, and to then add a meeting on December 15th at 8:30 am to approve the final budget. Commissioner Smith seconded. Motion carried unanimously.

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

1. Acknowledgement of County Manager’s signature; Professional Services Agreement; Jackalope Services LLC dba Bethany J Montlary; for Airport janitorial services; 11/1/2022 – 12/31/2023; up to \$6,300 every 4 weeks
2. Approval for Professional Services Agreement; Axis Health Services; for Grasp Consortium collaboration services; 1/01/2022 – 11/07/22; up to \$5,000
3. Approval for Colorado Department of Public Health and Environment Task Order 2023*2302; for Women’s Wellness and HHS Family Planning Programs; 1/01/2023 – 6/29/2023; \$8,807
4. Approval for Professional Services Agreement; Crested Butte State of Mind; for mental health scholarship services; 1/01/2022 – 11/07/2022; up to \$36,000
5. Approval for Amendment #1 to Colorado Department of Early Childhood Contract, QAAA 178558; for revised language regarding advance payments in the Universal Pre-School program; 10/27/2022 – 6/30/2023
6. Approval for Contractor Agreement; Walter A. Sorrentino; for CBOE Hearing Officer services; 10/01/2022 – 10/01/2023; \$65/hour and travel mileage
7. Approval for Contractor Agreement; Gunnison Valley Driver’s Education; for Driver Training program; 11/15/2022 – 9/30/2023; up to \$50,000
8. Approval for Colorado Department of Early Childhood Contract; Early Childhood Council; for Emerging and Expanding child care access grants; 11/01/2022 – 12/30/2024; \$18,793
9. Approval for Trade Contractor Agreement; Christopher Klein Construction; for expansion of the horse stall building, replacing the quonset stall building as planned in the Fairgrounds Master Plan; 10/28/2022 – 6/30/2023; up to \$294,317
10. Acknowledgement of County Manager’s signature; Memorandum of Agreement between the Board of County Commissioners, the Board of Trustees of Gunnison Valley Hospital on behalf of the Senior Care Center, and the Regional Transportation Authority; for senior transportation services; 1/1/2023 to 12/31/2023; \$300,000
11. Approval for Employer Application for Group Insurance and Policyholder Electronic Consent; Principal Life Insurance Company; New provider for 2023 Life/AD&D Insurance and Short-Term Disability; Effective date 1/01/2023
12. Approval for amended County Aid Agreement; Gunnison Valley Animal Welfare League; 1/01/2022 – 12/31/2022; \$11,000

COUNTY MANAGER’S REPORTS: County Manager Matthew Birnie was present in the room for his report.

1. Permission for timing of Planning Commission applicant interviews. CM Birnie noted that they really had one more scheduling topic that he wished to receive direction for. He suggested that the interviews occur on November 22nd, after the budget planning session. The Board approved this

date, and Chairperson Houck noted that, if time was needed to go into the afternoon, they should do so. CM Birnie also advised the Board that they had advertised for two Planning Commission positions, but that there were now three openings to consider when interviewing.

2. Time set for the celebration of the airport project completion. CM Birnie informed the Board that the celebration was set for Friday, December 9th at 4:00 pm, and noted that this will be after all flights so that TSA will open up the terminal even on the secure side so that attendees will be able to tour even the secure side and see the new mural. Chairperson Houck then urged his fellow commissioners to reach out to their community and municipality partners to invite them to the celebration.

SAWTOOTH PHASE I BOUNDARY LINE ADJUSTMENT PLAT: Assistant County Manager for Operations & Sustainability, John Cattles, was present in the room for discussion and to answer any questions the Board might have.

Chairperson Houck reminded those present that this project is on property adjacent to the fairground property.

ACM Cattles explained that they were completing a boundary line adjustment which consolidates several lots into 6 building lots which conform to the City's codes and their zoning. This adjustment would be for the 400 block, which is Phase I; after that, Phase II will be for the 500 block. As the owner this time, the County needed to approve it first, so that it could then be adopted by the City and recorded.

Chairperson Houck noted that the Board had all the information included in their meeting portfolio; none of the commissioners had any further questions regarding the adjustment.

Moved by Commissioner Mason to approve the Sawtooth Phase I Boundary Line Adjustment Plat, with the chair's signature. Seconded by Commissioner Smith. Motion carried unanimously.

Chairperson Houck then signed the plat, and asked ACM Cattles to give a brief overview of progress on the site.

ACM Cattles then reported that they were under contract with Fading West for development of units – in production within the next weeks. Units were set to be delivered to the site in the middle of March 2023, with more units set to come every three to four weeks. At the mid- to end-of-March 2023, the County would catch up with foundation work for the units, and ACM Cattles noted that some site work would need to be done to make the units ready for occupancy, estimating first occupancy ready in June, with final occupancy of all 18 units by the end of October 2023. He also briefly went over what was involved in preparing the units on-site.

SUBDIVISION APPLICATION; LUC-20-00037; RESOLUTION APPROVING THE APPLICATION FOR SUBDIVISION FOR LUC-20-00037, PAMELA AND JAY JAYNES: Assistant County Manager for Community & Economic Development, Cathie Pagano, was present in the room for discussion and to answer any questions the Board might have. Also present in the room was Attorney David Leinsdorf, representing the applicants. Applicants Jay and Pamela Jaynes were present remotely on Zoom.

Chairperson Houck introduced the item by noting that this application had gone through the LUR process, with the commissioners having attended several joint planning commission meetings and public hearings regarding this application. They would now be making a decision to: a) approve, b) to approve with conditions, or c) to ask for another public hearing for the BOCC.

Attorney Leinsdorf noted that recent changes had reduced the building footprint and visual impact – a guest house had been deleted from the plans, the garage size was reduced so that the entire structure would now be a combination of 5,000 sq ft maximum for house and attached garage, and the maximum height of the building on tract 2 would be lessened to reduce the visual impact.

Chairperson Houck and the rest of the Board noted that these adjustments helped and the BOCC may not require another public hearing. Commissioners Mason and Smith supported the changes and lack of another hearing as well.

The Board then discussed with ACM Pagano and Attny Leinsdorf the impact of this decision for this neighborhood's future development, and what impact this would have for what the Planning Commission might see in the future. ACM Pagano noted that the reduction in the overall size and height reduced the potential visual effect, and two parcels at 18+ acres created an impression of what the future neighborhood would look like. The commissioners expressed support for the larger parcels and that there would not be a second group of buildings on an adjacent parcel, adding that there would be much less impact for the traffic coming into that area. They all expressed a desire to see development as far away as possible from the highway at that location, and highlighted that the community has been very clear on minimizing the impact on the highway corridor there.

The Board reviewed with ACM Pagano the definition of neighborhood and neighbor, smaller parcels across the street, maintaining the impact and increased future demands for the corridor, locational and density standards, and whether the highway qualified as a boundary in this instance. Chairperson Houck then redirected the conversation back to the issue of the application, stating that this does not come down to square footage, rather the issue was creating smaller parcels within the corridor. Commissioner Smith and Mason agreed with this.

Commissioner Smith asked if there was any tool in the Land Use Resolution, as written currently, that would protect against any future proposal if the application was passed. County Attorney Matt Hoyt advised that no, this would be a precedent for the area. It was also noted that the Planning Commission had approved this application only by a narrow 3-2 vote.

With no further questions, it was **moved** by Commissioner Mason to deny the Subdivision Application LUC-20-00037. Seconded by Commissioner Smith. Chairperson Houck emphasized that this decision was based on the information given to them; it was a land decision and not a personal one, based on the LUR guidelines and community goals to keep the corridor relatively intact. Motion carried unanimously.

Applicant Pamela Jaynes, when addressed by Chairperson Houck, stated that she did not understand the decision, and did not agree with the Board's definition of neighbor/neighborhood, saying that she and her closest neighbors did not see the highway between them as a boundary.

UNSCHEDULED CITIZENS: There were no one present either in the room or remotely via Zoom to offer comments.

COMMISSIONER ITEMS:

Commissioner Mason

1. Attended the latest RTA meeting. Commissioner Mason reported that they had discussed several topics, but primarily the issue centered on the inequity of 18 runs per day in the summer versus 35 runs in the winter. This was creating an inequity in retaining bus drivers year-round, so they were hoping to create a more consistent year-round schedule. Commissioner Mason stated that the Board voted to create 28 runs in the summer and 36 in the winter. He noted that this would mean their sub-contractor – Telluride Express – would be able to hire 28-30 full-time drivers. In coordination with this, they were looking at workforce housing and buying 11 units to house drivers. Presently, Telluride Express was recruiting from Montrose, with several interested once five units in Lazy K were opened. RTA was also looking at a 5-plex on West Denver, and one unit in Crested Butte had been purchased for administration. Commissioner Mason added that this increased their budget by \$400,000 to \$500,000 per year, which would keep the budget tight for the next five years.
2. Received an email from Airport Director Rick Lamport. Commissioner Mason stated that the email update informed him JSX Airlines had approved \$180,000 to bring in flights from Austin, Texas, contingent on signing a contract with the airport. CM Birnie let him know that the contract had just been signed, and Commissioner Mason expressed his hope it would be as successful as the Dallas-Love flights were.
3. Continuing construction on a transfer station in the Whetstone Industrial area by Riverland. Commissioner Mason reported that the station was being built so Bustang interregional bus service could have a bus route from Gunnison to Denver, and Gunnison to Montrose and Grand Junction, which would be a valuable added service for the area.
4. Attended a town-hall style meeting in Marble. Commissioner Mason reported that he and Commissioner Smith had attended; there had been low attendance due to bad weather. He stated that the topics included short-term rentals, noise, trash, septic system issues, and utilizing Region 10 grant writing consultants to aid in obtaining funds for infrastructure service expansion. Funding for the historic preservation of their jailhouse and mill site was also looked at. Another issue brought to light at the meeting in Marble and also discussed by the BOCC at this meeting involved the possibility of Marble receiving funding to help with behavioral health at the charter school in Marble. Currently, they relied on facilities in another county, but really needed funding for this through Gunnison County. Commissioner Mason informed the Board that Marble was seeing a disproportional increase in need for these services, as children were being brought there from outside areas for assistance.
5. Gunnison Valley Regional Housing Authority meeting. Commissioner Mason informed those present that he had been unable to be at last Thursday's meeting; however, he had been informed that the main topic had been the MOU with the towns and the county which added an increase of payments to the Housing Authority. Commissioner Mason stated he had also reminded the GVRHA to start looking for a replacement for president right away, as his term as commissioner was about to finish.

Commissioner Houck: Chairperson Houck elected to begin one of his topics, so that ACM Pagano might not have to be kept waiting longer.

1. Another death on Highway 135. Commissioner Houck highlighted the tragedy of a recent death occurring on Hwy 135, and noted that many in the community had reached out to ask what the county is doing to help with this issue. He then asked ACM Cathie Pagano what is currently being done to develop a connection from Crested Butte South to Crested Butte.

ACM Pagano replied that the county had for some time been working on developing a multi-modal trail connection from CB to CB South. She explained that they did have funding allocated for this year (2022) and next year (2023). Colorado Department of Transportation (CDOT) had given \$125,000 for trail planning work; currently, the county had three submitted proposals being considered. The Sustainable Tourism and Outdoor Recreation (STOR) committee was also gearing up to assist, and ACM Pagano stated that she hoped this would be kicked off in the new year, though she was unclear exactly when CDOT would have a contract ready.

CM Birnie added that the highway is a CDOT road; Commissioner Houck expressed the desire to keep leaning on CDOT to make them aware that this highway area is a unique situation.

Commissioner Smith

1. Marble meeting and curiosity about Ballot Item 6a, passed in the November 8th election. Commissioner Smith added to the earlier report on the Marble meeting by Commissioner Mason. She reported that the group in Marble was curious to see what the future Local Marketing District allotments might be, as historically, Marble has been given whatever tax funds were collected for their area. Commissioner Smith added that she hoped 6a’s passing will be an opportunity for much more definition about how the funding can be leveraged, noting that Marble had the Lead King Loop and accommodation for OHV’s etc. to consider, as well as Wild & Scenic designation ready to move forward.
 Commissioner Mason then added that those from Marble who attended were also very appreciative that three people from the county – Commissioner Smith, Commissioner Mason and Assistant County Manager for Public Works Martin Schmidt – had come over in a snowstorm to attend their meeting.
2. Southwest Colorado Opioid Regional Council meeting. Commissioner Smith reported that currently the group was working on the Opioid IGA, coordinating with the county’s Finance Department and County Attorney Matt Hoyt in order to find a way for the counties to receive their settlement funds without them needing to pass first through the municipalities. Commissioner Smith also noted that Gunnison County Substance Abuse Prevention Project (GCSAPP) Manager Kari Commerford would be meeting on December 30th with the group to discuss facilitation of their two-year plan.
3. Attended the State Noxious Weed Advisory meeting in Broomfield, Colorado last Tuesday. Commissioner Smith stated that this was the start of their grant cycle and the advisory had been able to see some interesting innovations, including drones that are able to do spraying.
4. Trip to Chicago on Thursday, November 17th. Commissioner Smith let the Board know that she and Gunnison Valley Regional Housing Authority Director Andy Kadlec were headed to Chicago to look at mobile home park policy and how the county might be able to enhance its protection locally.

Commissioner Houck (cont’d)

2. Gunnison Sage-grouse work. Commissioner Houck reported that he, CA Matt Hoyt and Wildlife Biologist Jim Cochran had participated as a cooperating agency in several meetings regarding the BLM Gunnison Sage-Grouse Resource Management Plan (RMP) Amendment and Environmental Impact Statement (EIS). Commissioner Houck noted that he would have more to report as things developed.
3. Attended a Western Slope water summit in Montrose, Colorado last Wednesday. Commissioner Houck stated that the summit was well-attended, and projections from Andy Mueller at the River District were very useful. Commissioner Houck noted further that viewpoints of water and climate change in the west varied, but it was helpful to see what others projected.
4. Participated with County Attorney Matt Hoyt in a Colorado Counties Inc (CCI) land use discussion. Commissioner Houck noted that part of the discussions revolved around which land use topics belonged to the counties and which belonged to the state. The discussion helped to work through several issues and get an idea for how counties with a collective voice will react. He thanked CA Hoyt for lending his time and contributing his legal expertise to the discussion.
5. Attended a National Association of Counties (NACo) public lands meeting. Commissioner Houck explained that he had participated as a representative for Colorado, adding that it was a challenging time with people’s varied perspectives on public land use.
6. Reminders for the Commissioners. Commissioner Houck reported that he was finishing up a letter to the Town of Crested Butte regarding the RV dump site. He noted that Commissioner Smith was working on revision comments for their strategic plans, and then he asked Commissioner Mason to think about how he would like to hand over his work-in-progress to the new commissioner-elect, Laura Puckett Daniels. Commissioner Houck and Commissioner Mason briefly discussed several items, including Commissioner Mason’s work with the Housing Authority, RTA, Region 10 and the Lead King Loop working group. Commissioner Houck stated that this might be a topic for a work session.

ADJOURN: Chairperson Houck adjourned the Gunnison County Board of County Commissioners regular meeting at 10:05 am.

Jonathan Houck, Chairperson

Roland Mason, Vice-Chairperson

Liz Smith, Commissioner

Minutes Prepared By:

Melanie Bollig, Deputy County Clerk

Attest:

Kathy Simillion, County Clerk