

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
March 7, 2023**

The March 7, 2023 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
Liz Smith, Vice-Chairperson
Laura Puckett Daniels, Commissioner

John Cattles, Acting 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 meeting to order at 8:30 am.

BREAK: The meeting recessed from 8:30 am until 8:34 am in order to hold the below Public Hearing.

PUBLIC HEARING; COLORADO LIQUOR RETAIL LICENSE APPLICATION; SAPINERO VILLAGE, INC., DBA SAPINERO VILLAGE: County Clerk and Recorder Kathy Simillion was present for discussion and to answer any questions the Board might have.

1. Open Public Hearing. Chairperson Houck opened the Public Hearing at 8:30.
2. Public Notice Confirmation. Clerk Kathy Simillion confirmed that the Public Hearing had been properly public noticed.
3. Identify Ex Parte Communications. No ex parte communication had been received.
4. Staff Presentation. Commissioner Houck confirmed that all the necessary requirements had been followed by staff, the application has been made, and they were now to hear any testimony regarding the license.
5. Applicant Presentation. Applicant for the Sapinero Village Liquor Retail License, Joe Rota, was present remotely via Zoom. He stated that he had nothing to add, only that they were wishing to add a small boutique liquor place for the Blue Mesa Reservoir guests and residents.
6. Board Questions. The Board had no questions.
7. Public Comments. Chairperson Houck opened the hearing for public comments at 8:33. He confirmed that there had been no public comments by mail or email, and that there was no one present remotely via Zoom or in the room for public comment.
8. Acknowledge Correspondence Received. No additional correspondence was identified.
9. Applicant Response. N/A
10. Close Public Hearing. Chairperson Houck closed the Public Hearing at 8:34 and immediately reconvened the meeting of the Gunnison County Local Liquor Licensing Authority.

Commissioner Houck asked Clerk Kathy Simillion, for the benefit of those present, what the next step would be in the process. She briefly outlined that process and stated that the final step was to send the signed license back to the Board for the chair to sign.

ADJOURN: Chairperson Houck adjourned the meeting of the Local Liquor Licensing Authority at 8:36 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS WORK SESSION:

CALL TO ORDER: Chairperson Houck called the work session to order at 8:36 am, in order to hold one Boards and Commissions interview with applicant Jim Johnson, for the Gunnison Watershed Weed Commission.

ADJOURN: Chairperson Houck adjourned the Gunnison County Board of County Commissioners Work Session at 8:53 am.

BREAK: Chairperson Houck recessed the meeting from 8:53 am until 9:00 am, in order to begin the Board of County Commissioners regular meeting at its scheduled time.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Chairperson Houck called the meeting to order at 9:00 am.

AGENDA REVIEW: No changes were needed to the agenda.

SCHEDULING: Chairperson Houck stated that, as next week was Gunnison schools' Spring break, both he and Commissioner Smith had plans and would be gone at least part of the week. Acting County Manager John Cattles affirmed that there was only one item scheduled for next week's work session, which could be moved to the work session after. Commissioner Houck then noted for the record that the work session

scheduled for the next Tuesday, March 14th was canceled; their regular meeting schedule would then resume on March 21st. He reminded the other commissioners that the 21st would be a full day of meetings for them.

MINUTES: Moved by Commissioner Smith to approve the minutes for January 10, 2023 and January 24, 2023, as amended (see changes below under each date). Seconded by Commissioner Puckett Daniels. Motion carried unanimously.

1. **January 10, 2023 Regular Meeting.** Commissioner Smith noted a change on the top of page 4, second line – change “Sabbat” to “Sabbato.” Commissioner Puckett Daniels noted a change needed at the top of page 3 under “2023 Board of County Commissioners Meeting Agenda Posting Locations” – change “bulleting” to “bulletin.”
2. **January 24, 2023 Regular Meeting.** Commissioner Puckett Daniels noted a change needed on page 3 in the “Regular-Cycle Search Discussion,” under Item #2 Environmental Health Board – change pronoun for Shea Earley from “she” to “he.”

CONSENT AGENDA: Commissioner Smith requested that Consent Item #11, “Approval for Aspen Valley Land Trust Letter of Support to Great Outdoors Colorado (GOCO)” be pulled for further discussion.

Commissioner Houck **moved** to approve the consent agenda with the exception of Item #11. Commissioner Puckett Daniels seconded. Motion carried unanimously.

1. Acceptance of Appointments; Gunnison County Metropolitan Recreation District representative Derrick Nehrenberg to the Sustainable Tourism and Outdoor Recreation (STOR) Committee
2. Acceptance of Appointments; Western Colorado University representative Dr. Jennifer DeBoer to the Sustainable Tourism and Outdoor Recreation (STOR) Committee
3. Acceptance of Appointments; Upper Gunnison River Water Conservancy District representative Sonja Chavez to the Sustainable Tourism and Outdoor Recreation (STOR) Committee
4. Approval for Colorado Department of Early Childhood Intergovernmental Contract Amendment #5; Gunnison County Health and Human services; 7/01/2020 – 6/30/2023; for budget revision only, no funding change
5. Approval for Colorado Department of Early Childhood Grant Submission; Gunnison County; for FY 2024, maintaining an early childhood council; \$106,077, plus \$12,400
6. Approval for National Environmental Health Association grant submission; Health and Human Services; for analysis and mitigation for foodborne illness trends; \$12,000
7. Approval for Professional Services Agreement; Dr. John Tarr; for Immunization Clinic and Health and Human Service Department services; 1/01/2023 – 12/31/2023; up to \$1,200
8. Approval for Professional Services Agreement; Dr. Anna Meeuwssen; for Family Planning clinic and Health and Human Service Department services; 1/01/2023 – 12/31/2023; up to \$1,200
9. Approval for Lease Amendment; Gunnison Valley Regional Housing Authority; for 202 E. Georgia Ave. building lease; for extension of lease to 12/31/2023; \$1,180 monthly
10. Authorization of Agent; Fading West Construction; authority to submit building permit applications on behalf of Gunnison County, for Sawtooth Phase 1
11. **PULLED FOR FURTHER DISCUSSION** - Approval for Aspen Valley Land Trust Letter of Support to Great Outdoors Colorado (GOCO); for Outward Bound property east of Marble, Colorado
12. Approval for proposed Resolution 2023-7; A Resolution Authorizing Temporary Seasonal Closure and Weight Restriction for a Portion of County Road 38 also Known as Gold Basin Road
13. Approval Professional Services Agreement; MGT of America Consulting; for annual cost allocation calculation services; Eff date of signing – 12/31/2023; up to \$5,750
14. Approval for Amendment to Contractor Agreement; Tri-County Health Network; to increase access to COVID-19 vaccination; extended termination date of 7/30/2023; increase of funding \$23,000 (from \$127,000 to \$150,000)
15. Approval for LENA Foundation Grow Grant Funds (Daniels Fund); Gunnison Health and Human Services and Gunnison-Hinsdale Early Childhood Council; for a new program to improve infant toddler interactions in classrooms; \$19,439
16. Approval for Addendum to RE1-J School Contract 2022-23; to provide a position to serve youth who become expelled and/or are at risk of being expelled; \$101,500 total funding for 2023
17. Approval for Colorado Department of Transportation (CDOT) FY 2024-2026 Grant Application; Gunnison County Substance Abuse Prevention Project (GCSAPP); for impaired driving prevention; \$124,497.78
18. Approval for Professional Services Agreement; Professional Interpreting Services LLC; 3/1/23 – 3/1/2024; up to \$50 per hour
19. Approval for Region 10 grant application; Health and Human Services; for a Senior Resource Specialist, 26 hours/week; \$60,000

PULLED FOR FURTHER DISCUSSION – Consent Item #11: Approval for Aspen Valley Land Trust Letter of Support to Great Outdoors Colorado (GOCO); for Outward Bound property east of Marble, Colorado: Commissioner Smith explained that she was wondering what amount of funding would be expected for this project. Geographic Information Systems Program Manager, Mike Pelletier, was present remotely via Zoom to answer. He stated that, guessing from similar past submissions, an amount of \$50,000 through the land preservation fund would be a reasonable estimate. Commissioner Smith

thanked him for his clarification. All three commissioners added their approval of the Outward Bound property.

Moved by Commissioner Smith to approve the Aspen Valley Land Trust request for a Letter of Support from the Board to Great Outdoors Colorado, for purchasing the Outward Bound property east of Marble. Seconded by Commissioner Puckett Daniels. Motion carried unanimously.

APPROVAL FOR RTA LETTER OF SUPPORT TO COLORADO DEPARTMENT OF TRANSPORTATION (CDOT); FOR EXPANDED BUSTANG SERVICE: Assistant County Manager for Community and Economic Development Cathie Pagano was present in the room for discussion and to answer any questions the Board might have. Leia Morrison with Gunnison Valley Rural Transportation Authority (RTA) was also available online to answer questions.

Upon request by Chairperson Houck, Leia Morrison briefly walked the Board through the recommendation for expanded Bustang service, highlighting that the proposal has come from CDOT, as they had noted the high ridership levels – some of the highest in the state. She explained the proposal would be for a second outrider bus between Denver and Crested Butte. This second bus schedule would have a schedule just the opposite of the current bus, and would leave Denver in the early morning and return to Denver in the late afternoon/early evening. She added that RTA was asking all the municipalities and major stakeholders for support in this endeavor; letters of support had already been obtained from the City of Gunnison, Mountain Express, and the Town of Mt. Crested Butte.

With full support from the Board, Commissioner Houck **moved** to approve the RTA Letter of Support to the Department of Transportation for the expanded Bustang service, as presented that morning. Commissioner Smith seconded. Motion carried unanimously.

APPROVAL FOR SUBDIVISION VACATION AND REVOCATION; ELK RIVER RANCH SUBDIVISION PLAT; LYNN MCDERMAND; LUC-20-00040: Community Development Planner Rachel Sabbato was present in the room for discussion and to answer any questions the Board might have. Also in the room was Attorney Jacob With, representing the applicant Lynn McDermand.

Attorney With explained that the applicant was looking to put this property under a conservation easement, adding that this was a necessary step toward that goal, and that the property was particularly well-suited for this.

Planner Sabbato also explained that this involved 12 lots of around 35 acres or more, and the vacation and revocation would put these lots back into a single lot of approximately 420 acres.

The Board went over the placement of the property and the benefits as a conservation easement, noting the connecting flood plain areas, the placement of the lot for continuity of open spaces, and the fact that this was not an area they would want to see developed for more density with its location at the edge of a subdivision and so close to agricultural and wild lands.

Moved by Commissioner Smith, seconded by Commissioner Puckett Daniels, to approve the subdivision vacation and revocation for LUC-20-00040. Motion carried unanimously.

Commissioner Houck signed the plat at that time and promised to have the other documents signed and distributed right after the meeting.

GUNNISON COUNTY BOARDS AND COMMISSIONS; APPOINTMENTS: Chairperson Houck noted this appointment process as one that infused the various county boards and commissions with new energy and enthusiasm.

The commissioners then went over the applicants for each of the Boards or Commissions needing appointments that day. These included: Board of Adjustments and Board of Appeals, Extension Advisory board, Gunnison Basin Sage-grouse Strategic Committee, Gunnison Watershed Weed Commission, Planning Commission, Region 10, and Sustainable Tourism and Outdoor Recreation (STOR) Committee.

After several minutes of discussion regarding the background and qualification for each applicant, it was **moved** by Commissioner Houck to appoint the following individuals to the following boards or commissioner: to the Board of Adjustments and Board of Appeals they appoint Jeff Wilkinson; to the Extension Advisory Board, they re-appoint Rhonda Wenum and Shelly Sabrowski; to the Gunnison Basin Sage-grouse Strategic Committee, they appoint Ron Crews as the Recreation At-large alternate member; to the Gunnison Watershed Weed Commission, they appoint Tom Eager and Jim Johnson; to the Historic Preservation Committee, they appoint Al Caniff; to the Gunnison County Planning Commission, they appoint Roland Mason to a regular seat; to the Region 10 Board, they appoint Colleen Hannon in that Transportation position to support the main Transportation member Vince Rogowski; and to the STOR Committee, they appoint Tim Kugler and Jake Jones as re-appointments, with new appointments of Chris Parmeter and Jeremy Johndrow. Commissioner Puckett Daniels seconded. Commissioner Houck commented on the amazing group of qualified applicants. Motion carried unanimously.

UNSCHEDULED CITIZENS: There was no one present in the room or via Zoom who wished to make comment.

COMMISSIONER ITEMS:

Commissioner Smith

1. Invited to a talk with Vice President Kamala Harris, facilitated by Colorado U.S. Representative Brittney Petterson. Commissioner Smith reported that talk topics centered around climate change and action, as well as federal infrastructure efforts and allocation of funding. She highlighted that

one of her biggest takeaways from the talk had involved learning of some of the health impacts from climate change, adding that she had discovered that a Denver area zip code claimed the worst air quality in the nation. Commissioner Smith asserted that this was a big reminder of why they are working on conservation efforts for people, the environment, and the wildlife.

2. Attended Club 20 policy meetings in Grand Junction last Wednesday and Thursday, March 1st and 2nd. Commissioner Smith updated the Board that she was now on Club 20's Energy, Water, Public Lands & Natural Resources, and Agriculture committees. She briefly outlined two resolutions she was working on; these were not yet voted on, but she had drafted comments to amend how the organization advocates on proposed legislation's policy. Commissioner Smith informed the other commissioners that she had volunteered to lean into that work and would report back as things developed. Commissioner Houck stated his appreciation for her looking into these issues, and that she had shone a light on the need for county government's involvement, as this is where the impact is received and the work is done.
3. Legislation recently introduced that centers on mobile home parks and their water quality. Commissioner Smith remarked that this was something the county has dealt with very recently. While not able to attend the meetings because she had been in the middle of the Club 20 Spring Policy meetings, she had still passed along comments to Counties and Commissioners Acting Together (CCAT). Commissioner Smith reported that she felt that the bill had some good elements, especially in addressing critical infrastructure issues, but noted that the bill does not address meaningful mechanisms for various types of water emergencies; Commissioner Smith had suggested a standing plan - setting a threshold for recurrent water quality incidents. She felt that it might be possible to set a reimbursement program for local governments or even residents, in order to cover the costs associated with bringing potable water in.
4. Able to attend part of the Cheatgrass Treatment Workshop held last week at the Fred Field Center. Commissioner Smith stated that Cheatgrass and Habitat Restoration coordinator Petar Simic had organized the event. She noted robust engagement not only from those involved in the projects directly, but also from private land owners.
5. Continued conversation regarding the old greenhouse located on WCU property. Commissioner Smith stated that this greenhouse had been operated by CSU in the past, and they were now looking into ownership and trying to see if it would be feasible to put the greenhouse back into operation.
6. Circulation of Intergovernmental Agreement Amendment for new opioid settlements secured by the State Attorney General's Office. Commissioner Smith explained that she has reached out to the local City and Town Councils, regarding an amended IGA which would help facilitate payments directly back to the county.
7. Early Childhood Council update. Commissioner Smith reported that the Universal Pre-K Program has received a waiver for those children falling in enrollment "gaps," which locally are August 1st to October 1st. Advocacy from Gunnison County and the school district was critical in ensuring the waiver, and Commissioner Smith stated that 12 out of the 19 children estimated to be within that time frame have been able to go through the paperwork necessary for the waiver. Commissioner Smith further noted that, overall, the Universal Pre-K enrollment was going very well.
8. Chili cook-off results. Commissioner Smith let the Board know that she had earned bragging rights for the next year, as she had won the cookoff. She expressed her enjoyment for the event and stated that she looks forward to the cook-off becoming an annual tradition.

Commissioner Puckett Daniels

1. Attended the Region 10 board meeting. Commissioner Puckett Daniels advised that she was just getting up to speed at Region 10 so did not have a lot to report; however, she briefly noted that the work continues on broadband access funding and development.
2. Attended the Sustainable Tourism and Outdoor Recreation (STOR) Committee meeting. Commissioner Puckett Daniels reported that the STOR and Region 10 meetings had been scheduled on the same Thursday that month, and she stated that she could have attended each of the meetings if she did Zoom only, but wanted to know if it was better to attend in person. Commissioner Houck advised that, at least at first, it would be better to go in person; he added that he or Commissioner Smith could help cover. Commissioner Puckett Daniels then outlined that the STOR meeting had been very productive; they were working on their Strategic Plan, with a final draft to be coming out at the next meeting. She explained that the plan did not contain anything too dramatic as far as changes, but they were looking at adapting and using a wildlife tool which influenced development and recreations decisions. Other topics discussed included federal partnerships and funding allocations for the year. She expressed her excitement about the direction in which STOR was heading.
3. Attended TAPP Board meeting last week. Commissioner Puckett Daniels explained that she was mainly there to listen in, and she expressed gratitude to TAPP for welcoming her into the meeting and allowing her to also ask a few questions.
4. Participated in the Gunnison Valley Regional Housing Authority (GVRHA) staff and board retreat. Commissioner Puckett Daniels stated that this had been a great opportunity for all the new board members to get to know each other and to revisit their scope of work. She briefly outlined that that the retreat covered three priority topics: 1) Deed restriction management; 2) Property management; and 3) various programs. She further noted that GVRHA could be doing more homes if they had more staffing, and explained that there was tension between what the community

wants them to do, what they are funded to do, and executing with limited staffing. She then gave a brief update on staffing.

- 5. Attended a One Valley Resiliency Roadmap (OVR) regional leadership team meeting. Commissioner Puckett Daniels informed those present that she and Commissioner Houck had both attended, along with approximately 50 partners from across the region. They had discussed hard topics which included: Housing, civic capacity, land use, transportation and infrastructure. She further noted that she has been participating in the Housing Subcommittee and the Land Use, Transportation and Infrastructure Subcommittee.
- 6. To attend the Colorado Peace Officer Standards and Training (POST) board meeting in Denver. Commissioner Puckett Daniels let the other commissioners know that she continued to serve on the POST Board and would be attending a quarterly work session and board meeting in Denver on March 9-10.

Commissioner Houck

- 1. Continued work with Wildlife Biologist Jim Cochran and County Attorney Matt Hoyt on the BLM Resource Management Plan Amendment (RMPA) for Gunnison Sage-grouse. Commissioner Houck highlighted their recent work regarding public lands Candidate Conservation Agreement (CCA) and private lands Candidate Conservation Agreement with Assurances (CCAA) – making sure this documentation will be adequately referenced within the RMPA.
- 2. Continued work with CORE Act. Commissioner Houck reported that he had been working with Senator Hickenlooper’s staff via Zoom to make sure they were up to speed on all the pieces and scoping for the CORE Act. He further noted that they were working on inclusion of a Saguache County landscape protection piece and Chaffee County land additions.
- 3. Taking over past-Commissioner Roland Mason’s spot on the Tripartite Board. Commissioner Houck stated that he was now on the Tripartite Board, which manages a Community Block Grant for housing and general assistance. Challenges discussed included: dealing with pandemic relief that had been given and was now being pulled back; need for a better payment/voucher system with Bustang to assist those needing help to travel out of town; and housing and the extreme rent/security costs of moving in.
- 4. Attended the National Association of Counties (NACo) Public Lands Steering Committee meeting yesterday. Commissioner Houck advised the Board that there was a proposal through the Western Interstate Region to create a think tank for public land issues, which would be funded with 1% of the COVID relief funding given to all public land counties, to total around \$15 million. Commissioner Houck noted that there was pushback for this, due to inadequate focus on recreation to match the traditional priorities of extraction, timber, and grazing needs.
- 5. Reminder that the State of the River meeting will be in Montrose on Monday, March 20th. Commissioner Houck that he would going to Montrose, and Commissioner Smith added that she would like to attend as well.

RECESS: Chairperson Houck recessed the meeting from 10:41 am until 11:20 am, in order to hold the below public hearing.

EXECUTIVE SESSION, PURSUANT TO PURSUANT TO C.R.S. 24-6-402(4)(B) CONFERENCE WITH THE COUNTY ATTORNEY, DEPUTY COUNTY ATTORNEY OR ASSISTANT COUNTY ATTORNEY FOR GUNNISON COUNTY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE RELATED TO LITIGATION BETWEEN STATE OF COLORADO AND PHARMACEUTICAL OPIOID MANUFACTURERS AND DISTRIBUTORS: Chairperson Houck **moved** to go into Executive Session, pursuant to Colorado Revised Statute § 24-6-402(4)(b), conference with the County Attorney for Gunnison County for the purpose of receiving legal advice related to litigation between State of Colorado and pharmaceutical Opioid manufacturers and distributors. The participants in the Executive Session would be Commissioner Houck, Commissioner Smith, Commissioner Puckett Daniels, Assistant County Manager John Cattles, and County Attorney Matthew Hoyt. Because any discussion in the executive session would be protected by attorney-client privilege, no contemporaneous record of the meeting would be kept. Commissioner Smith seconded. Motion carried unanimously.

The Board went into executive session at 10:42 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)(b) 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(b).

Date: _____

Jonathan Houck, Chairperson
Gunnison County Board of Commissioners

At 11:20 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 for the duration of the executive session. Commissioner Puckett Daniels seconded the motion. Motion carried unanimously.

Chairperson Houck then asked Commissioner Smith to give direction. Commissioner Smith **moved** to authorize the Board Chair to execute documents for the subdivision participation for the opioid settlements. Seconded by Commission Puckett Daniels. Motion carried unanimously.

ADJOURN: Chairperson Houck adjourned the Gunnison County Board of County Commissioners regular meeting at 11:22 am.

Jonathan Houck, Chairperson

Liz Smith, Vice-Chairperson

Laura Puckett Daniels, 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. 2023-7

A RESOLUTION AUTHORIZING TEMPORARY SEASONAL CLOSURE AND WEIGHT RESTRICTION FOR A PORTION OF COUNTY ROAD 38 ALSO KNOWN AS GOLD BASIN ROAD

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado, (hereinafter the "Board") has the legal authority to regulate and control the use of certain highways and roads in Gunnison County, Colorado; and

WHEREAS, pursuant to C.R.S. § 42-4-111 (1)(v) and C.R.S. §18-9-117(1)(b),(c), and (f) the Board has the authority to adopt temporary regulations as may be necessary to cover special conditions; and

WHEREAS, Colo. Rev. Stat. §§ 42-1-102(43) and 42-4-106 authorize Gunnison County to prohibit the operation of identified vehicles on any road open to use of the public for purposes of vehicular travel for a total period not to exceed ninety (90) days in any one calendar year, whenever roads within the County will be seriously damaged due to the use of certain vehicles;

WHEREAS, as a result of the winter thaw there is a certain portion of County Road 38 also known as Gold Basin Road (hereinafter "County Road 38"), that has deteriorated and there is resource damage; and

WHEREAS, that certain portion of County Road 38 that has deteriorated is located beyond the end of the asphalt beginning at the parking area known as "Bambi Parking Area" south to the Saguache County line; and

WHEREAS, to prevent further resource damage and deterioration of that portion of County Road 38, temporary closure to the public has been recommended for the season beginning March 21, 2023 through May 15, 2023 or sooner if conditions allow; and

WHEREAS, the Board acknowledges that it is necessary that property owner(s) and occupant(s) of adjacent lands are able to access their land; and

WHEREAS, adjacent property owner(s) and occupant(s) of adjacent lands shall be exempt from the closure of that portion of County Road 38. HOWEVER, those adjacent property owner(s) and occupant(s) of adjacent lands shall be subject to the road weight restriction of a ten (10) ton load limit per vehicle for that portion of County Road 38; and

WHEREAS, closure of County Road 38 will not adversely affect health and safety nor will it cause substantial injury to the owner(s) or occupant(s) of adjacent land(s); and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that certain portion of County Road 38 located beyond the end of the asphalt beginning at the parking area known as "Bambi Parking Area" south to the Saguache County line shall be and hereby is temporarily closed to the public for the season beginning March 21, 2023 through May 15, 2023 or sooner if conditions allow with an exception for adjacent property owner(s) and occupant(s) of adjacent lands who are exempt from the closure of that portion of County Road 38. HOWEVER, those adjacent property owner(s) and occupant(s) of adjacent lands shall be subject to the road weight restriction of a ten (10) ton load limit per vehicle for that portion of County Road 38.

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 7th day of March 2023.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

Houck – yes; Smith – yes; Puckett Daniels – yes