

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
March 21, 2023**

The March 21, 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
Matthew Birnie, County Manager
Melanie Bollig, Deputy County Clerk
Others Present as Listed in Text

GUNNISON COUNTY BOARD OF HEALTH REGULAR MEETING:

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

Assistant County Manager for Health, Human, and Safety Services Joni Reynolds was present in the room for discussion and to answer any questions the Board might have. Also present remotely via Zoom was Medical Health Officer Dr. John Tarr.

FINALIZE 2023 BOARD OF HEALTH MEETING TOPICS: ACM Reynolds briefly outlined the topics for each meeting proposed in 2023. The Board gave their approval for the draft plan as presented.

PUBLIC HEALTH OVERVIEW: ACM Joni Reynolds presented a slideshow, covering the changing framework and language for foundational public health services, including: Communicable Disease Prevention; Environmental Public Health; Maternal, Child, Adolescent, and Family Health; Chronic Disease, Injury Prevention and Behavioral Health Promotion; Access to and Linkage with Healthcare; and overlapping State of Colorado Core Services. Under each broad category, she gave a brief overview explaining the processes and services provided.

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT; TRAINING: ACM Joni Reynolds also included in her slide presentation an overview of mandatory training modules, offered through CDPHE and the Regional Institute for Health & Environmental Leadership (RIHEL), which were now needing to be completed yearly by Board of Health members.

The Board and ACM Reynolds discussed the purpose for and content of training offered yearly for board members. ACM Reynolds and Dr. Tarr also went over the content of the training, link and way to access the training modules, and how to complete an evaluation and receive credit for the yearly training.

Commissioner Smith had questions regarding Public Health forums and possible future integration into the Board of Health. ACM Reynolds discussed these concerns with her and the possibilities of regional boards and county staff positions becoming state controlled instead.

ADJOURN: Chairperson Houck adjourned the Gunnison County Board of Health meeting at 8:57 am.

GUNNISON COUNTY LOCAL LIQUOR LICENSING AUTHORITY:

CALL TO ORDER: Chairperson Houck called the meeting to order at 8:57 am.

CHANGE OF “DBA” NAME; ALCOHOL BEVERAGE LICENSE #03-15394; HARMELS OPERATIONS LLC DBA BITES & BREWS ON THE TAYLOR; EFFECTIVE DATES 10/28/2022 - 10/28/2023

ALCOHOL BEVERAGE LICENSE #03-02907; IRWIN BACKCOUNTRY GUIDES LLC DBA PARKING BARN; EFFECTIVE DATES 5/20/2023 – 5/20/2024

ALCOHOL BEVERAGE LICENSE #03-06291; THREE RIVERS SMOKEHOUSE DBA THREE RIVERS SMOKEHOUSE; EFFECTIVE DATES 4/17/2023 – 4/17/2024

Commissioner Smith **moved** to approve the following liquor license applications for: 1) Change of “DBA” Name for Harmels Operations LLC dba Bites & Brews on the Taylor; 2) an Alcohol Beverage License for Irwin Backcountry Guides LLC dba Parking Barn; and 3) an Alcohol Beverage License for Three Rivers Smokehouse dba Three Rivers Smokehouse. Seconded by Commissioner Puckett Daniels. Motion carried unanimously.

ADJOURN: Chairperson Houck adjourned the meeting of the Local Liquor Licensing Authority at 8:59 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Chairperson Houck called the meeting to order at 8:59 am.

AGENDA REVIEW: No changes were needed to the agenda.

SCHEDULING: Chairperson Houck reminded the Board that there would be a joint work session with the City of Gunnison that afternoon, and an evening public open house from 6:00 – 8:00 pm as well. Everything else on the calendar was approved as presented.

MINUTES:

1. **February 7, 2023 Regular Meeting.** Commissioner Smith sent a document to the clerk to make changes: 1) Page 5, beginning of last paragraph of "Whetstone Housing Project; Land Use Change Review" – add "Houck" after "Commissioner"; 2) Page 5, under Commissioner items for Commissioner Smith, item #1. Added wording to clarify the statement regarding comments to the media, to now say "She stated that the media had also approached her to inquire whether the BOCC would make a statement. She advised that she did not feel there would be anything to gain by making this type of formal statement; she felt AG Weiser's attention and proposed actions were consistent with concerns voiced from the community."; 3) Page 6, under Commissioner items for Commissioner Smith, Item #3 – Commissioner Smith wished to clarify the statements regarding the greenhouse opportunities to say, "Cheatgrass Coordinator looking into greenhouse opportunities. Commissioner Smith noted that she would have to miss the meeting due to conflicts, but reported that they were finding habitat restoration to be very expensive – it was hard to obtain weed-free quality seed. Currently, seed was costing around \$300 per bag, to cover approximately an acre. She added the coordinator stakeholders were exploring opportunities to grow forbs and native plant starts that often have better success in restoration efforts"; 4) Page 6, under Commissioner items for Commissioner Smith, Item #5 – Commissioner Smith wished to further clarify the Opioid settlements IGA with Gunnison County to say, "She highlighted that she would be contacting the municipalities to answer questions and ensure they signed on to the new participation forms. Additionally, she would request they sign on to a revised IGA with Gunnison County to allow the state to send their local government shares directly to the County. This would resolve a settlement payment issue the AG's office had flagged which prevented them from sending local government share directly to the County as indicated in the original IGA."

Moved by Commissioner Puckett Daniels to approve the February 7, 2023 meeting minutes, as amended. Commissioner Smith seconded. Motion carried unanimously.

CONSENT AGENDA: Commissioner Smith **moved** to approve the consent agenda as presented. Commissioner Puckett Daniels seconded. Motion carried unanimously.

1. Acceptance of Appointments; Fish and Wildlife Service alternate representative J. Creed Clayton, to the Gunnison Basin Sage-grouse Strategic Committee
2. Approval for DOLA Energy Impact Assistance Fund (EIAF) grant application; Gunnison County Sustainable Operations; for solar arrays in Sawtooth Project Phase 1 and 2, and for a geothermal HVAC system in Phase 2; \$400,000 - \$450,000
3. Acknowledgment of Community Mini Grant Award, CDPHE Office of Gun Violence Prevention; Gunnison County Substance Abuse Prevention Project (GCSAPP); for suicide prevention trainings and gunlock distribution; \$11,959.75
4. Approval for Amended Opioid Settlement Intergovernmental Agreement; Gunnison County and City of Gunnison; establishing how settlement funds shall be divided and distributed
5. Approval for Colorado Department of Public Health and Environment (CDPHE) grant application; Gunnison County Substance Abuse Prevention Project (GCSAPP); for LGBTQ+ support, including school GSA support, community training, and community events; \$9,725
6. Approval for Letter of Support, Colorado Opportunity Scholarship Initiative

COUNTY MANAGER'S REPORTS: County Manager Matthew Birnie was present in the room to give his report and to answer any questions the Board might have.

1. **Forest Service patrols on the Lead King Loop.** CM Birnie reported on the status of the forest service patrol for the last two years, and asked for the Board's guidance regarding funding a patrol of the Lead King Loop for 2023. He noted that, while the patrol has been funded for the last two years, it was not placed in the county budget for 2023, as it had been hoped this would be a short-term solution only. The Board discussed this with CM Birnie for several minutes, going over various issues, including: amount of days actually patrolled last year; hiring challenges; funding options and importance of continued patrol; and need to include White River National Forest (WRNF) and the Town of Marble in the discussion.
Chairperson Houck then stated that there was enough to put this on an upcoming work session, with participants from both the WRNF and the Town of Marble. He further noted that they could find a way for funding, but it would be important to talk with the other parties. Birnie affirmed that this could make a difference in increased patrol for the Lead King Loop.
2. **Need to re-locate buried power and communication lines between Crested Butte and Mt. Crested Butte.** CM Birnie outlined for the Board that, in 2007, the county had partnered with Gunnison County Electric Association (GCEA) to bury the county's fiber with GCEA's overhead lines between Crested Butte and Mt. Crested Butte. In recent surveys for workforce housing, however, it appeared that the transmission lines in the area for building were not in the correct easement. CM Birnie explained that GCEA would be moving all their utilities/power lines this summer and the county

would want to move their fiber along with GCEA. CM Birnie stated that he was in the process of determining budget and who will be able to do this alongside GCEA; he advised the Board that he would keep them posted.

3. Gunnison County asked to be a cooperating agency for utility-scale solar planning. CM Birnie advised the Board that he would be looking into this and would possibly be adding it to an agenda for their consideration.
4. Ten responses received for their Whetstone RFQ. CM Birnie expressed appreciation for the good response.
5. Update on potential for spring flooding from Emergency Manager Scott Morrill. CM Birnie reported that, so far, authorities were not modelling excessive flooding in the Gunnison Basin. He further noted that they were showing much more snow than usual this year at mid and low elevations, and added that public service announcement would be going out, in order to give people time to add flood insurance.

TREASURER'S REPORT: County Treasurer Debbie Dunbar presented remotely via Zoom, confirming for Chairperson Houck that there was nothing out of the ordinary to report.

With no questions from the Board, it was **moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to accept the Treasurer's reports and authorize the chair's signature. Motion carried unanimously.

VOUCHERS AND TRANSFERS:

1. **March 2023 Accounts Payable Report.** Commissioner Puckett Daniels asked about three items and was given answers regarding what each of the transactions entailed.
With no further questions from the Board, it was **moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the voucher report in the amount of \$2,472,169.74. Motion carried unanimously.
2. **December 2022 Purchase Card Report.**
3. **January 2023 Purchase Card Report.**
4. **February 2023 Cash Transfer Report.** **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve the February 2023 Cash Transfer report in the amount of \$5,503,449.70. Motion carried unanimously.
5. **Sales Tax - LMD Reports.** Commissioner Puckett Daniels noted that when she had attended the latest TAPP meeting, they reported seeing a downturn in lodging and were projecting modest expectations for the rest of the year. Commissioner Smith reported the air command was still showing strong totals, with March totals expected to be less. The Board also briefly discussed the still-strong sales tax totals, as well as stable number of building permit applications, when compared with last year.

RECESS: Chairperson Houck recessed the regular meeting from 9:28 am until 9:37 am, in order to hold the below Public Hearing.

PUBLIC HEARING; DOLA, DIVISION OF HOUSING (DOH) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT #20-064

1. Letter Requesting CDBG Project #20-064 De-obligation of Funds

Gunnison Valley Regional Housing Authority (GVRHA) Executive Director Andy Kadlec was present for discussion and to answer any questions the Board might have.

1. Open Public Hearing. Chairperson Houck opened the Public Hearing at 9:28 am.
2. Public Notice Confirmation. Executive Director Andy Kadlec and Clerk to the Board Melanie Bollig confirmed that the Public Hearing had been properly publicly noticed.
3. Identify Ex Parte Communications. No ex parte communications were received by the commissioners.
4. Staff Presentation. Exec Dir Kadlec briefly outlined the history of the original grant, going over when it had been applied for and explaining that there had not been any action on the grant - through COVID, and from October 2020 to March 2022 when the grant expired. The State had then asked for the funds to be de-obligated, since this grant project did not get off the ground. Exec Dir Kadlec noted that it makes sense to de-obligate these funds, so they can go ahead and get off the ground with more recent grants. A public hearing was required in order to accomplish the de-obligation of funding.
5. Applicant Presentation. n/a
6. Board Questions. Commissioner Smith asked Exec Director Kadlec whether other communities were in the same position. Mr. Kadlec answered that he was not familiar with other jurisdictions, but he explained that usually the state was open to work with; however, in this case there was a newer grant awarded and it made more sense now to sunset/de-obligate the expired grant and focus on the newer funding stream received in mid-2022, in order to move forward. When asked about the newer housing development grant, he explained that it was for \$247,000, with around \$212,000 of that earmarked for down-payment assistance – up to ten households.
7. Public Comments. Chairperson Houck opened the Public Hearing to comments at 9:37 am. No one was present remotely via Zoom or in the room to offer 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 9:37 am and immediately reconvened the meeting of the Gunnison County Board of County Commissioners.

Upon advice from County Attorney Matt Hoyt as to how to approve the de-obligation, Commissioner Houck then **moved** to have the Board of County Commissioners de-obligate, under the request of the State of Colorado Division of Housing, the \$247,500 of funding from CBDG grant #20-064, as outlined in the letter to the state, and to authorize the signatures of the full board. Commissioner Smith seconded. Motion carried unanimously.

APPROVAL FOR THE FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF PROTECTIVE COVENANTS OF MOON RIDGE SUBDIVISION; LUC-22-00065: Community and Economic Development Planner Rachel Sabbato was present in the room for discussion and to answer any questions the Board might have.

Planner Sabbato briefly went over the covenant amendments which included: 1) addressing long- and short-term leases; 2) aggregate maximum size; 3) conditions for flagpoles and signs, and; 4) several minor changes. She also outlined the changes proposed for Lot 7 Moon Ridge Lane, for which a current consent agreement had been signed by the parties involved. All had been reviewed and approved by the Deputy County Attorney, Alex San Filippo-Rosser.

Commissioner Puckett Daniels questioned the 7,500 maximum aggregate size in the covenant differing from the LUR changes of last year, which set an aggregate size limit of 7,000 sq ft. Assistant County Manager for Community and Economic Development Cathie Pagano, also present in the room, replied that this would not be reducing the standards of the LUR, but would be a way for people to have a cap within their HOA which is higher; the LUR processes would still have to be fully complied with, and a clause had been added which clarified that the LUR processes would still need to be complied with.

Commissioner Puckett then **moved** to approve the First Amendment to the Amended and Restated Declaration of Protective Covenants of Moon Ridge Subdivision, LUC-22-00065. Commissioner Smith seconded. Motion carried unanimously.

APPROVAL FOR AMENDMENTS TO CRESTED BUTTE SOUTH SPECIAL AREA REGULATIONS AND COMMERCIAL AREA MASTER PLAN DOCUMENT

1. Resolution; Approving Amendment to the Crested Butte South Special Area Regulations and Commercial Area Master Plan

Community and Economic Development Planning Director Hillary Seminick was present in the room for discussion and to answer any questions the Board might have.

Director Seminick explained that these amendments did not go through a formal application process because the changes were due to scrivener's error. She outlined the error and its correction and noted that staff did recommend that this was minor enough to not have to go through the application process.

Commissioner Smith **moved** to approve Resolution 2023-8, A Resolution Approving Amendment to the Crested Butte South Special Area Regulations and Commercial Area Master Plan, accepting the changes in the document, and authorizing the signatures of the full board. Commissioner Puckett Daniels seconded. Motion carried unanimously.

APPROVAL FOR TEMPORARY ROAD USE AGREEMENT; GUNNISON NORDIC CLUB, COTTONWOOD CLASSIC; COUNTY ROAD 209 ON THURSDAY 5/25/2023, FROM 8:00 AM TO 4:00 PM: Assistant County Manager for Public Works Martin Schmidt was present in the room for discussion and to answer any questions the Board might have.

ACM Schmidt stated that this was an annual contract with insurance, and pointed out an added contingency which provided that, in the event of snow, the event timing could be moved. The Board briefly discussed this annual event and expressed their support for it.

Moved by Commissioner Smith, seconded by Commissioner Puckett Daniels, to approve the Temporary Road Use Agreement for Gunnison Nordic Club's Cottonwood Classic on County Road 209, as set forth in the document, and authorize the chair's signature. Motion carried unanimously.

RESOLUTION; AUTHORIZING TEMPORARY WEIGHT RESTRICTION FOR A PORTION OF COUNTY ROAD 734 ALSO KNOWN AS SLATE RIVER ROAD: Assistant County Manager for Public Works Martin Schmidt was present in the room for this item.

ACM Schmidt advised that there is a section of Slate River Road that is soft. Public Works has spent years trying to mitigate the problem area, but it is still very susceptible to damage. He further explained that this temporary weight restriction will not impact residents, but will limit very heavy trucks such as cement and construction trucks from traveling the road for a small amount of time, set to expire on May 15th. CA Hoyt added that the Board could later extend the resolution expiration date, should weather prevent the road from drying by that time.

Commissioner Smith **moved** to approve Resolution 2023-9, A Resolution Authorizing Temporary Weight Restriction for a Portion of County Road 734 Also Known as Slate River Road. Seconded by Commissioner Puckett Daniels. Motion carried unanimously.

APPROVAL FOR COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CDPHE) INTERGOVERNMENTAL AGREEMENT; FOR IMPROVEMENTS TO EXISTING TOWN OF SOMERSET WASTEWATER SYSTEM; 3/17/2023-3/16/2028; \$320,175: ACM Martin Schmidt was present in the room to discuss this item.

He outlined for the Board that Somerset's sewer treatment is basically a large septic system that the county operates. In doing inspections, they had discovered that the system was becoming deficient and replacement was needed. In receiving a grant, they had found that CDPHE had increased the requirements in their contract, making it a larger amount needed for replacing the system. The added requirements caused a delay in acceptance of the grant. ACM Schmidt further explained that a project budget has now been agreed upon and that was built into the present agreement. He asked for the Board's signature in order to now receive the grant monies to put towards the approximate \$410,000 project.

After some discussion regarding how the rest of the funding was to be accomplished, it was **moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith, to approve the Colorado Department of Public Health and Environment Intergovernmental Agreement for improvements to the existing Town of Somerset wastewater system, and to authorize the signature of the chair. Motion carried unanimously.

RESOLUTION; AMENDING GUNNISON COUNTY AMBULANCE LICENSING REGULATIONS ADOPTED BY RESOLUTION 2018-13: Present in the room for discussion and to answer any questions the board might have, were Gunnison Valley Health CEO Jason Amrich, Gunnison Valley Health CFO Mark VanderVeer, and Gunnison Paramedics Chief C.J. Malcolm.

Chief Malcolm outlined the need for this amendment, letting the board know that they are operating at a \$1 to \$1.5 million loss per year, predominantly due to what can be collected from Medicare, Medicaid and other insurance. Up to the present, they could expect to recover approximately 30% of the cost of the ambulance service. However, changes in federal code could potentially allow improvement on that recovery. If there is another organization with 35 miles, such as Crested Butte or Mt. Crested Butte, then they fall within a lower ambulance fee schedule. Changes in wording within the federal code mean they can now become the only legally authorized ambulance service to transport from their facility to another, higher level of care. This would have no impact on other partners such as Mt. Crested Butte, as it does not impact mutual-aid agreements.

Commissioner Puckett Daniels asked how the change would affect their relationships with other communities' ambulance providers. Chief Malcolm answered that their district is massive, and the earlier reading "to and from" has been changed to read "to or from," which allows them to utilize another partner to help with the need to transport to other facilities. He added that Gunnison County will be only the second or third organization in the nation to identify and change this to their benefit.

CEO Jason Amrich added that the next step will be getting Novitas approval for Medicare. The Board expressed its support, and Commissioner Houck stated that this would not be a change in service, but in the ability to recuperate for that service.

Commissioner Smith **moved** to approve Resolution 2023-10, A Resolution Amending the Gunnison County Ambulance Licensing Regulations Adopted by Resolution 2018-13. Commissioner Puckett Daniels seconded. Motion carried unanimously.

BREAK: Chairperson Houck called a break in the meeting from 10:13 am to 10:19 am.

REQUEST FOR PARTY STATUS AND COMMENT ON PROPOSED RULES, OIL AND GAS CONSERVATION COMMISSION OF THE STATE OF COLORADO HIGH PRIORITY HABITAT MAP RULEMAKING: Commissioner Houck provided background that the Oil & Gas Commission is proposing rules on protecting habitat for Sage-grouse, by how they do oil and gas leasing. For Sage-grouse this could be a potential threat to satellite populations located in the northwest and southwest corners of the state. He stated that, though Gunnison County does not have this stress in the county in particular, it could have a connected impact for the county. Having party status would give them the ability to make comment, when and if necessary, as these rules are being developed.

CA Matt Hoyt then highlighted that the habitat maps were also to cover the raptor species, and that participation would be good to have a voice for their own important county regulations. He then explained the difference between formal and informal party status, which could give more or less access to the process. He noted that one of the formal party status benefits was being able to partner with other formal partners in the rulemaking, giving them a "bigger seat at the table." The Board discussed the importance of the process and CA Hoyt advised that Wildlife Biologist Jim Cochran did recommend they apply for formal party status, though they did not need to decide on that at this meeting. He also let the commissioners know that the hearing was not until June.

Moved by Commissioner Houck that Gunnison County request party status for proposed rules on the Oil and Gas Conservation Commission of the State of Colorado, for the High Priority Habitat Map Rulemaking for Sage-grouse. Seconded by Commissioner Puckett Daniels. Motion carried unanimously.

UNSCHEDULED CITIZENS:

1. Gregorio Luna - Ski Town Village (aka Country Meadows) resident came forward. He was to testify at an upcoming Joint Work Session, but had been unsure about timing and location. The commissioners tried to see if something else was going on at this time in the City, and when they did not see anything for that time, they let Mr. Luna know that this forum would be fine for his comments and asked him to come forward. Mr. Luna then outlined that there were long-time issues at the Ski Town Village – formerly known as Country Meadows Mobile Home Park. He

highlighted several issues, including: 1) the new owner only communicates through lawyers; 2) no plowing of the road in the winter; 3) no lights in public areas; 4) trash dumpsters too small; 5) the entrance is dangerous with numerous large potholes in the road, and 6) the owner starts to do a project, but doesn't finish, an example being removal and trimming of dangerous trees / tree limbs.

Mr. Luna reported that he had also given testimony the day before regarding these issues, on behalf of the Latino Alliance at the State Capital Building in Denver.

ACM Cathie Pagano gave a brief update of communication with the owner of Ski Town Village. She reported that they had been sending continued notifications of violations; the last letter had been sent 1-1/2 weeks ago. She stated that they had inspected in February and noted that some tree and road work had been done. A plan for more work on the trees was given to the county by the owner, to be completed by October 2023. The county's follow-up letter to the owner had stated that tree work could be done by October, but they would need status updates to know that work was continuing to be done. ACM Pagano stated that she understood the roads are worse again, and that the trash situation is very bad. She affirmed that she would be including these issues in her next conversations with the owner. CA Hoyt let everyone know that one civil case against Ski Town Village was set for trial starting on July 17th.

COMMISSIONER ITEMS:

Commissioner Smith

1. Cheatgrass coordinator and stakeholders wishing to revive greenhouse operations. Commissioner Smith informed the Board that she had a meeting with Matt McCombs on Wednesday, March 22nd, to see if they can work through the past arrangements and joint ownership between CSU Extension and Western, for possible use of or clarity on the greenhouse structure located on the WCU campus.
2. Attended a meeting last Friday, March 17th with Janet Farmer and Scott Truex (RTA), and staff representatives from Senator Bennet's office. Commissioner Smith reported that they were able to request \$2.5 million in congressionally directed spending for the proposed transit center north of town. This center would serve the local community's transit needs as well as offer Bustang services to the Front Range and further Western Slope destinations.
3. Attended a Southwest Colorado Opioid Region Council meeting. Commissioner Smith stated that they had been able to have the Attorney General's office present to explain the difference in local government shares versus regional shares. She also highlighted that their region had experienced difficulty in filling a coordinator position, so at this point, they were hoping for a facilitator that could help each county come up with a plan to deploy locally.
4. Rural Welcoming Initiative update. Commissioner Smith stated that they had begun a process with a contractor to help them begin to utilize some of the significant resources donated to the Hispanic Affairs Project for inclusion and welcoming in our immigrant communities. This will be a coordination of efforts between the three organizations of Rural Welcoming Initiative, Welcoming America, and the Hispanic Affairs Project.
5. Met on Monday, March 20th, with the Governor's office and Counties and Commissioners Acting Together (CCAT), regarding proposed land use policies. Commissioner Smith reported that there were still significant concerns regarding affordability and being able to attain affordable housing. She was looking forward to seeing more substance for making this happen.

Commissioner Puckett Daniels

1. Attended a Colorado Counties Inc (CCI) legislative meeting (while Commissioners Smith and Houck were out on vacation). Commissioner Puckett Daniels reported on three "hot topic" bills from the meeting: 1) an ozone transportation bill; 2) a bill that offers to local and county governments the right of first refusal for any sale of multi-family homes, and; 3) a bill that extends the Downtown Development Authority's status. The Board looked briefly at each bill and discussed the ramifications for each.
2. Attended the Colorado Peace Officer Standards and Training (POST) board meeting in Denver last week. Commissioner Puckett Daniels explained that this board was in the process of a thorough curriculum re-vamp for police academies.
3. Wild and Scenic stakeholder process is moving forward. Commissioner Puckett Daniels let the board know that that they now had a draft of stakeholder meetings scheduled for the year. They will have a kick-off community summit to educate and involve the local residents. After that, a survey will go out that allows the option for people to select if they wish to be on a community summit, be on the stakeholder group, receive periodic notices, or do all three. From the survey responses, they will select a stakeholder group which will meet around six times throughout the summer. The results of those talks will be presented at another community summit in the fall.
Commissioner Puckett Daniels then advised that she had a schedule conflict with the initial summit set for April 27th in Marble, and asked if another commissioner could go in her place. Commissioner Houck stated that he should be able to make that work for him to attend. She further noted for the Board that there would be an upcoming Wild and Scenic work session presentation, as well as a request for funding to be considered at future meetings.
4. Gunnison Valley Regional Housing (GVRHA) Update. Commissioner Puckett Daniels reported that GVRHA had gone under contract with the seller of Frontier Land Mobile Home Park, with a long period of time allowed so that GVRHA could then apply for grants to receive repair/replacement

funding. She stated that the City of Gunnison is supportive and has contributed matching funds for a DOLA planning grant.

Commissioner Daniels also reported that the Housing Authority Board has had a lot of turnover. She informed those present of three changes, and also requested that, if they have any ideas in mind for the vacant at-large seat, to please let her know.

Commissioner Houck

1. Continued work with Wildlife Biologist Jim Cochran on the BLM Resource Management Plan Amendment (RMPA) for Gunnison Sage-grouse. Commissioner Houck explained that he had been out the second half of last week, but before that had continued to work on the many parts involved for the RMPA.
2. Attended the Roundtable HB1177 meeting last night. Commissioner Houck advised that he would save the report for this meeting until the next work session's water updates.

RECESS: Chairperson Houck recessed the meeting from 11:09 am until 12:00 pm, in order to hold the below executive session.

EXECUTIVE SESSION, 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 USE OF PROPERTY LOCATED AT 510 14TH STREET IN GUNNISON, COLORADO: 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 use of property located at 510 S. 14th Street in Gunnison, Colorado. The participants in the Executive Session would be Commissioner Houck, Commissioner Smith, Commissioner Puckett Daniels, County Attorney Matthew Hoyt, County Manager Matthew Birnie, Assistant County Manager Cathie Pagano, and Assistant County Manager John Cattles. Because any discussion in the executive session would be protected by attorney-client privilege, no contemporaneous record of the meeting would be kept. No decision would be made in the meeting and anything they decide would be announced or discussed in a public forum. Commissioner Smith seconded. Motion carried unanimously.

The Board went into executive session at 11:10 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 12:00 pm, 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. Commissioner Smith seconded the motion. Motion carried unanimously.

Chairperson Houck then gave direction to CA Hoyt to continue working with the City of Gunnison, consistent with the MOU that we developed with them, and keep moving forward.

ADJOURN: Chairperson Houck adjourned the Gunnison County Board of County Commissioners regular meeting at 12:01 pm.

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. 2023-8**

A RESOLUTION APPROVING AMENDMENT TO THE CRESTED BUTTE SOUTH
SPECIAL AREA REGULATIONS AND COMMERCIAL AREA MASTER PLAN

WHEREAS, the Crested Butte South Property Owners Association has submitted a Land Use Change application to amend the Commercial Area Master Plan and the Special Area Regulations. The Crested Butte South Special Area Regulations were approved by the Gunnison County Board of Commissioners in Resolution 2008-38; and

WHEREAS, *The Crested Butte South Special Area Regulations, Section 106: Amendment of Existing Covenants, Restrictions, Resolutions, Rules and Regulations* states, "The Existing Covenants, Restrictions, Resolutions, Rules and Regulations, and no portion of them, shall be amended without the prior written acknowledgement, by motion or recorded resolution, of the BOCC"; and

WHEREAS, The CB South POA approved the Commercial Area Master Plan (CAMP) on March 8, 2023;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that:

The Crested Butte South Special Area Regulations be replaced with the attached Exhibit A, "Crested Butte South Special Area Regulations and Commercial Area Master Plan."

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Smith, seconded by Commissioner Puckett Daniels, and adopted this 21st day of March 2023.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

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

"Exhibit A" noted in Resolution 2023-8 is the
"Special Area Regulations
Crested Butte South
March 21, 2023
Commercial Area Master Plan (CAMP)
And Commercial Design Standards"

Please see Resolution 2023-8 and its accompanying "Exhibit A" on record at the
Gunnison County Clerk and Records Office

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2023-9**

A RESOLUTION AUTHORIZING TEMPORARY WEIGHT RESTRICTION FOR A
PORTION OF COUNTY ROAD 734 ALSO KNOWN
AS SLATE RIVER 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 734 also known as the Slate River Road (hereinafter "County Road 734"), that has deteriorated and there is resource damage; and

WHEREAS, that portion of County Road 734 that has deteriorated is located from the intersection of CR 734 and CR 317 (Gothic Road) to the end of winter maintenance at the CR 734 trailhead; and

WHEREAS, to prevent further resource damage and deterioration of that portion of County Road 734, a temporary weight restriction has been recommended for the season beginning March 21, 2023 through May 15, 2023 or sooner if conditions allow; and

WHEREAS, those adjacent property owner(s) and occupant(s) of adjacent lands shall be subject to the road weight restrict of a 15-ton load limit per vehicle for that portion of County Road 734; and

WHEREAS, such weight restriction 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 a certain portion of County Road 734 located from the intersection of CR 734 and CR 317 (Gothic Road) to the end of winter maintenance at the CR 734 trailhead is subject to the road weight restriction of a fifteen (15) ton load limit per vehicle for that portion of County Road 734 for the season beginning March 21, 2023 through May 15, 2023, or sooner if conditions allow.

INTRODUCED by Commissioner Smith, seconded by Commissioner Puckett Daniels, and adopted this 21st day of March 2023.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

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

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2023-10**

A RESOLUTION AMENDING GUNNISON COUNTY AMBULANCE
LICENSING REGULATIONS ADOPTED BY RESOLUTION 2018-13

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado ("Board") pursuant to the authority granted in the Colorado Emergency Medical and Trauma Services Act, Colo. Rev. Stat. § 25-3.5-101, et seq., as amended, and the Colorado Department of Public Health and Environment; Health Facilities and Emergency Medical Services Division; Emergency Medical Services Rules, 6 CCR 1015-3, as amended, has the ability to set standards for the regulation of Ambulance Services and is authorized to adopt Gunnison County Ambulance Licensing Regulations; and

WHEREAS, the Board has enacted Resolution 2018-13, a Resolution Adopting Gunnison County Ambulance Licensing Regulations and Repealing Previous Resolutions Pertaining to the Same; and

WHEREAS, the Board, with the input and advice of local city officials and emergency response agencies, have addressed and considered those factors that will have the best chance of improving outcomes for individuals who are sick, injured, or otherwise incapacitated or helpless; and

WHEREAS, the Board believes that ongoing coordination and collaboration with local emergency response agencies and others will lead to improvements in medical care, response times, quality, and oversight; and

WHEREAS, the Board finds it to be in the best interest of citizens of and visitors to Gunnison County to amend the Gunnison County Ambulance Licensing Regulations to improve ambulance response times; and

WHEREAS, the Board believes that establishing an ambulance service area ("ASA"), coupled with continuing coordination with other ambulance service providers licensed in the county or under existing

mutual aid agreements, will benefit the public and provide citizens throughout Gunnison County Countyline-to-Countyline coverage of Emergency Medical Services;

NOW, THEREFORE, BE IT RESOLVED, by the Board, that in order to preserve the public health, safety, and welfare, and in accordance with the law, Gunnison County Ambulance Licensing Regulations, as adopted by Resolution 2018-13, shall be amended as follows:

1. Appendix A, Section A, Definitions is hereby amended to include the following Subsection 2A:

2A: Ambulance Service Area (ASA):

- a. A geographic area within Gunnison County assigned by the Board to an Ambulance Transport Agency.
- b. Establishing of any ASA will be based on the following criteria:
 - i. The overall advantage to the EMS system in terms of ensuring quality and cost performance.
 - ii. The economic impact and economic viability of the countywide EMS system.
 - iii. The ability to gain economies of both scale and scope for agencies providing services in the county.
 - iv. The incremental cost and complexity of providing medical and regulatory oversight.
 - v. Establishing protocols to reduce unnecessary travel by Ambulance Transport Agencies licensed in Gunnison County.
- c. Ambulance Service Area Boundary Changes. At any time, the Board may change the boundaries of an existing ASA, or create other ASAs, or incorporate or remove non-emergency services in ASAs in order to provide for the effective and efficient provision of Emergency Medical Services.
- d. Prior to making changes to ASA boundaries, the Board shall receive advice and comment from the Ambulance Transport Agen(ies) affected or claimed to be affected by the change, the EMS Council, the Department, and the EMSMD.
- e. If local city or special district boundaries change through annexation or exclusion, the Board may authorize a change to the ASA boundary.
- f. The Board shall consider impacts on other service providers and on the public prior to making boundary changes.
- g. A provider serving an ASA may request a boundary change from the Board if serving the ASA within the existing boundary creates an economic or operational hardship on the provider.

2. Appendix A, Section B, Regulations is hereby amended to add the following new Section 1A:

1A. Gunnison Valley Health Paramedics Ambulance Service Area

- a. The Board establishes Gunnison Valley Health Paramedics Ambulance Service Area (ASA). A map of the ASA is attached as Exhibit A.
- b. Notwithstanding any Licensee’s authorization to operate within Gunnison County, Gunnison Valley Health Paramedics, an Ambulance Transport Agency licensed by Gunnison County (“GVH EMS”), shall be the only Ambulance Transport Agency authorized to furnish ambulance services from any hospitals located within Gunnison Valley Health Paramedics Ambulance Service Area (ASA).
- c. GVH EMS shall have full legal authority to exercise emergency response mutual aid agreements with other surrounding emergency response agencies within their ambulance service area.

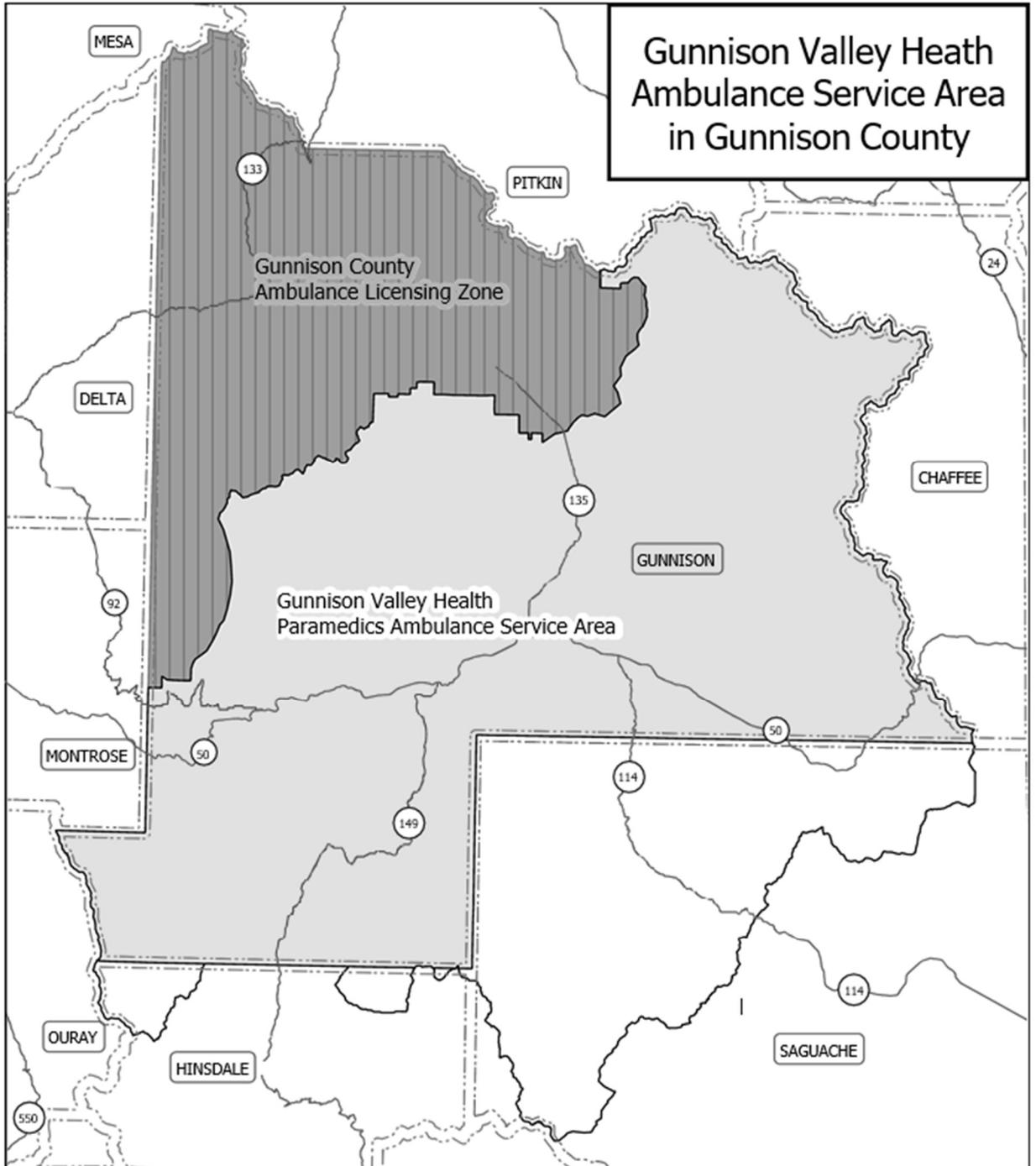
INTRODUCED by Commissioner Smith, seconded by Commissioner Puckett Daniels, and adopted this 21st day of March 2023.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

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

Exhibit A
ASA Service Area

[Insert ASA Map within Gunnison County]



-  Gunnison Valley Health Ambulance Service Area
-  Gunnison County Ambulance Licensing Zone
-  County Boundaries



11.0 mi



EXHIBIT A