

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
March 19, 2024**

The March 19, 2024 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  
Elizabeth Smith, Vice-Chairperson  
Laura Puckett Daniels, Commissioner  
Matthew Hoyt, County Attorney

Matthew Birnie, County Manager  
Holly Perry, Deputy County Clerk  
Others Present as Listed in Text

**GUNNISON COUNTY LOCAL LIQUOR LICENSING AUTHORITY:**

**CALL TO ORDER:** Commissioner Houck called the meeting to order at 9:14 am.

**ALCOHOL BEVERAGE LICENSE #03-02907; IRWIN BACKCOUNTRY GUIDES LLC DBA PARKING BARN; 5/20/2024 TO 5/20/2025**

**ALCOHOL BEVERAGE LICENSE #03-02906; IRWIN BACKCOUNTRY GUIDES LLC DBA MOVIE CABIN; 5/20/2024 TO 5/20/2025**

**Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve Alcohol Beverage License 03-02907 for Irwin Backcountry Guides LLC, dba Parking Barn and Alcohol Beverage License 03-02906 Irwin Backcountry Guides LLC, doing business as Movie Cabin. Motion carried unanimously.

**ADJOURN:** Commissioner Houck adjourned the meeting of the Gunnison County Local Liquor Licensing Authority at 9:15 am.

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

**CALL TO ORDER:** Commissioner Houck called the meeting to order at 9:15 am.

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

**MINUTES APPROVAL:** **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the minutes as amended and read into the record as they are on the agenda. Motion carried unanimously.

1. November 21, 2023
  - a. Commissioner items number 2 for Commissioner Smith, she stated that she was asked to help review candidates, not locate candidates.
2. December 19, 2023
  - a. Commissioner items number 3 for Commissioner Smith, she stated that the meeting was also in coordination with the Crested Butte Nordic Center.
3. January 16, 2024
  - a. Pages 2 and 4 have February 16<sup>th</sup> at the top of the page and it needs to be switched to January 16<sup>th</sup>.
  - b. On page 2 item 6 r12 needs to be stricken.
4. February 20, 2024
5. March 5, 2024
  - a. The motion for the Boards and Commissions discussions needs to be specific for the Gunnison Basin Sage-grouse Strategic Committee.
  - b. Under Commissioner items number 3 for Commissioner Smith, senior water rights need to be changed to peaking and steam flow protections.
  - c. Under Commissioner items number 2a for Commissioner Smith, wildlife needs to change to sale of homes.

**SCHEDULING:** The Upcoming Meetings Schedule was discussed and updated. CA Hoyt will participate remotely during the Board meeting scheduled during the Crested Butte spring break.

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

1. Acknowledgement of Appointment; Gunnison Basin Sage-grouse Strategic Committee; Natural Resources Conservation Service; Elizabeth With as Regular and Allison Hearne as Alternate
2. Acknowledgement of Appointment; Gunnison Basin Sage-grouse Strategic Committee; U.S. Forest Service; Dayle Funka as Regular and Matt Vasquez as Alternate
3. Acknowledgement of Appointment; Gunnison Basin Sage-grouse Strategic Committee; Gunnison County Stockgrowers' Association; Paul Mowery as Regular and Burt Guerrieri as Alternate
4. Amendment No. 2; Jviation Project No: 10019123; \$407,141

5. FAA Grant Application; Gunnison-Crested Butte Regional Airport; Gunnison County Fiscal Impact \$151,135
6. Professional Services Agreement; Gunnison Area Community Plan; County obligation not to exceed \$53,030
7. Grant Application Approval; Colorado Department of Early Childhood; Community Based Child Abuse Prevention (CBCAP) – CBCAP Implementation RFA; \$74,996
8. Contract Agreement; Gunnison-Crested Butte Regional Airport, Oldcastle SW Group dba United Companies; \$3,013,140.50

**COUNTY MANAGER’S REPORTS:**

1. Sawtooth Housing Project – CM Birnie signed the final agreement with Fading West on March 7<sup>th</sup> for Phase 2, which is 32 apartment units in a modular build. The guaranteed maximum price for Phase 2 is just over \$11M, which equals \$340.56 a square foot and is inclusive of all costs such as all units, site work, geothermal and solar. He stated the County has developed a strong partnership with Fading West. CM Birnie also relayed that the applications for City permits have been submitted and factory production will begin in April and be completed mid-June, the on-site mobilization for site work is targeted for early April, setting the units is targeted for the third week of June with a goal of October for completion and move in.

**VOUCHERS AND TRANSFERS APPROVAL:** Chief Financial Officer Perry Solheim presented the voucher approval report dated March 19, 2024 and the cash transfer authorization dated February 2024 for discussion and approval. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the vouchers in the amount of \$2,767,303.55. Motion carried unanimously. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the cash transfer in the amount of \$10,170,901.22. Motion carried unanimously.

**TREASURER’S MONTHLY REPORT:** County Treasurer Debbie Dunbar presented the February 2024 Treasurer’s Report and an investment report dated February 29, 2024 for discussion and acceptance. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to accept the Treasurer’s Report and authorize the Chairperson’s signature as presented. Motion carried unanimously.

**ALTERNATE APPEAL SCHEDULE REQUEST 2024; GUNNISON COUNTY ASSESSOR’S OFFICE:** Assessor Kristy McFarland was present for discussion.

Assessor McFarland stated that this is an annual request that is required to be made every year, if desired. The only difference between the regular and alternate schedule is the Assessor’s Office has longer to send out Notices of Determination, which in turn allows more interactions with property owners and leads to better decisions. Assessor McFarland also noted that the hearing dates are spread out more and are more convenient for the Board and the petitioners. She also stated there have been no complaints from the public with regard to the alternate schedule. Commissioner Smith commented that the alternate schedule was beneficial for her personally for her property. Commissioner Puckett Daniels commented that when the timeline is compressed into a two-week timeline, it doesn’t give the people an opportunity to process the information given. Commissioner Houck noted that this will allow flexibility between the members of the community and the Assessor’s Office. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to adopt the alternate schedule request from the County Assessor’s Office as presented in the packet. Motion carried unanimously.

**GUNNISON VALLEY REGIONAL HOUSING AUTHORITY HOUSING NEEDS ASSESSMENT FUNDING REQUEST:** Commissioner Puckett Daniels stated the last regular Housing Needs Assessment was done in 2019 with an update in 2021 and this will be a new data collection effort which is required every three years. The Gunnison Valley Regional Housing Authority has an aggressive timeline and has been sending surveys to major employers within the community but would also like to do employee and household surveys. The original Housing Needs Assessment package is \$54,000 which is funded by \$24,000 from Gunnison Valley Regional Housing Authority, \$5,000 from Valley Housing fund, and a \$25,000 grant from Colorado Housing and Finance Authority (CHFA). \$15,000 is needed to complete the employee and household survey. \$3,750 is requested from each jurisdiction from the regional partners, including Gunnison County. **Moved** by Commissioner Smith, seconded by Commissioner Houck to allocate \$3,750 from the discretionary funds to the Gunnison Valley Regional Housing Authority Housing Needs Assessment funding request. Motion carried unanimously.

**A RESOLUTION APPROVING LUC-22-00052 ELK RANCH HOMESTEAD SUBDIVISION LOCATED AT THE PROPERTY LEGALLY DESCRIBED AS A TRACT OF LAND WITHIN THE SE1/4 NW1/4 OF SECTION 35, TOWNSHIP 50 NORTH, RANGE 1 WEST, NEW MEXICO PRINCIPAL MERIDIAN, GUNNISON COUNTY, COLORADO; SAID TRACT BEING MORE PARTICULARLY DESCRIBED WITHIN THE WARRANTY DEED RECORDED UNDER NO. 675047, PARCEL NO. 3701-350-00-027:** Planning Director Hillary Seminick, and Applicants Bobette McCarroll and Richard McCarroll were present for discussion.

PD Seminick stated the Elk Ranch Homestead is 14 acres of undeveloped land and the applicants are looking to subdivide it into three lots. The parcel is encumbered by a restricted covenant on the warranty

deed that doesn't allow it to be further subdivided into more than three lots. PD Seminick informed the Board that since the last public hearing, the pre-annexation that was in discussion with the City was executed. A Development Improvements Agreement will be required only for the driveway improvements. Commissioner Houck commented he feels there is no need for an additional public hearing. Commissioner Smith and Commissioner Puckett Daniels agreed. Ms. McCarroll praised the staff for the effort put in and is extremely impressed by the professionalism presented. **Moved** by Commissioner Smith, seconded Commissioner Puckett Daniels to approve Resolution 24-11 a Resolution Approving LUC-22-00052 Elk Ranch Homestead Subdivision. Motion carried unanimously.

**A RESOLUTION CLARIFYING THE DUTIES OF THE GUNNISON COUNTY BOARD OF ADJUSTMENT UNDER THE GUNNISON COUNTY LAND USE RESOLUTION AND OTHER APPLICABLE AUTHORITIES AND REPEALING PRIOR RESOLUTIONS RELATED TO THE BOARD OF ADJUSTMENT:**

CA Hoyt explained that previous adopted resolutions created three different bodies for appeals, those being the Board of County Commissioners, the Board of Adjustments, and the Board of Appeals. CA Hoyt stated to be consistent with the intent of the Board with the adoption of the amendments that this is a cleanup resolution, so all three bodies are folded into one Board of Adjustment. He also informed the Board that the former Board of Appeals should normally have at least one member of the board have building construction experience. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve Resolution 2024-12 a Resolution Clarifying the Duties of the Gunnison County Board of Adjustment Under the Gunnison County Land Use Resolution and Other Applicable Authorities and Repealing Prior Resolutions Related to the Board of Adjustment. Motion carried unanimously.

**A RESOLUTION ESTABLISHING AND AMENDING THE POLICY FOR APPOINTMENTS TO BOARDS AND COMMISSIONS MANAGED BY GUNNISON COUNTY AND OTHER ORGANIZATIONS:**

CA Hoyt stated this resolution is to clarify that interviews are discretionary on the part of the Board and are not mandatory, and to require social media posting of potential board appointments in addition to the print publications. CA Hoyt also informed the Board he took the opportunity to clean up some of the language throughout to make it clearer within the resolution. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve Resolution 2024-13 a Resolution Establishing and Amending the Policy for Appointments to Boards and Commissions Managed by Gunnison County and Other Organizations. Motion carried unanimously.

**BREAK** There was a break in the meeting from 10:02 am to 10:12 am.

**GUNNISON COUNTY BOARDS AND COMMISSIONS APPOINTMENTS:**

1. Extension Advisory Committee; Fill One Vacancy for a Three-Year Term (2/1/2024 – 2/1/2027)
  - Applicant:
    - Melissa Post**Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to appoint Melissa Post to that vacancy for Extension Advisory Committee. Motion carried unanimously.
2. Gunnison Basin Sage-grouse Strategic Committee; Fill One Vacancy for Two-Year Terms (Public At-Large, Alternate, 2/1/2024 – 2/1/2026), Fill Two Vacancies for Two-Year Terms (Development At-Large, Regular and Alternate, 2/1/2024 – 2/1/2026), Fill Two Vacancies for a Two-Year Terms (Recreation At-Large, Regular and Alternate, 2/1/2024 – 2/1/2026), Fill Two Vacancies for Two-Year Terms (Research & Education At-Large Regular and Alternate, 2/1/2024 – 2/1/2026)
  - Applicants:
 

Commissioner Smith recommended these placements:

    - Steffanie Chain – Public At-Large Alternate Member
    - Tim Kugler – Recreation At-Large Regular Member
    - Pat Magee – Research & Education At-Large Alternate Member
    - Sean Patrick – Recreation At-Large Alternate Member
    - Petar Simic – Research & Education At-Large Regular Member**Moved** by Commissioner Puckett Daniels, seconded by Commissioner Houck to approve the Gunnison Basin Sage-grouse Strategic Committee appointments as outlined by Commissioner Smith. Motion carried unanimously.
3. Historic Preservation Commission; Fill Five Vacancies for Three-Year Terms (2/1/2024 – 2/1/2027)
  - Applicants:
    - LeeAnn Mick
    - Shelley Popke
    - Heather Thiessen-Reily**Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to appoint LeeAnn Mick, Shelley Popke, and Heather Thiessen-Reily for three-year terms on the Historic Preservation Commission. Motion carried unanimously.
4. Region 10 Board; Fill One Vacancy for a One-Year Term (Transportation 2/1/2024 – 2/1/2025)
  - Applicant:
    - Vincent J. Rogalski

**Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve Vincent J. Rogalski to fill one vacancy for a one-year term on the Region 10 Board in the transportation position. Motion carried unanimously.

5. Southwest Colorado Opioid Regional Council; Fill One Vacancy for Two-Year Term (Health Care Representative 2/1/2024 – 2/1/2026)
  - Applicant:
    - Kari Commerford  
Commissioner Smith would like to keep dates of term the same as hers. She will check the bylaws and inform. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve Kari Commerford to the Southwest Colorado Opioid Regional Council to fill a two-year term as the healthcare representative. Motion carried unanimously.

**UNSCHEDULED PUBLIC COMMENT:** There were no persons present for discussion.

**COMMISSIONER ITEMS:**

**Commissioner Smith:**

1. CCI Steering and Counties & Commissioners Acting Together – Commissioner Smith noted that the snowstorm prevented almost everyone from making it to the meeting in person and it took place online. House Bill 24-1300 which would have required Gunnison County and 11 other counties that have adopted the WUI code to comply with additional requirements, was pushed back against the recent amendments by Gunnison County and 11 other counties. Commissioner Smith then added that the most recent amendment would make the program permissive.
2. Child Welfare Allocation Committee – Commissioner Smith serves on behalf of the Western District and has been coordinating with ACM Reynolds and the finance team due to significant implications for child welfare allocations across the state. She noted that there was a workload study that caused some counties to push for more discretion in the committee to deviate from the workload study to determine the allocation formulas across the state. Commissioner Smith stated that she feels the budgets can be very volatile for small counties and that the original workload allocation was favorable. ACM Reynolds and Commissioner Smith will be attending the next meeting to represent Gunnison County as well as the Western District.
3. Crystal River Steering Committee – Zane Kesler and Commissioner Smith are co-chairing the IGA Committee and are moving towards an intergovernmental agreement with Pitkin County and other small local governments. Commissioner Smith has a meeting next week with the two subcommittees and the co-chairs to develop a communication strategy. There has been talk of extending the contract for the facilitators. Commissioner Smith explained that there will be two in-person steering committees each year and they are talking about the need for another community summit. She noted that having 25 different stakeholders come to a consensus on how to move forward is incredible.
4. Gunnison Valley Rural Transportation Authority (RTA) – Commissioner Smith will be attending the retreat on Friday. Air service, air command, and public transportation will be discussed. Commissioner Puckett Daniels will also attend.

**Commissioner Puckett Daniels:**

1. Colorado Post Board Work Session Meeting – Commissioner Puckett Daniels attended on Thursday and Friday. She stated she does not have much to report, but there are ongoing developments in new curriculum for police academies across the state and developing programs for teaching the teachers.
2. Gunnison Valley Regional Housing Authority – Commissioner Puckett Daniels reported that they did not have a conclusion to the Executive Director search, stating they will work through the process to end up with the best result.
3. Mayor and Manager's Luncheon – Commissioner Puckett Daniels and Commissioner Houck participated on March 8<sup>th</sup>.
4. Community Ski Day – Commissioner Puckett Daniels reported that Crested Butte Mountain Resort and Vail shared information about their Epic Promise Grants and the ways they help the community. She felt it was cool to connect with partners there.
5. Town of Crested Butte Meeting – Commissioner Puckett Daniels stated that they approved an intergovernmental agreement with Gunnison Valley Regional Housing Authority to purchase and implement deed restriction monitoring software.

**Commissioner Houck:**

1. Department of Natural Resources – Commissioner Houck participated in a phone meeting where they talked about some opportunities around the area.
2. Town Council Meetings – Commissioner Houck noted he wants to get back on the schedule of every four months one commissioner attending a town meeting and each rotating, so all commissioners will sit in front of the councils for Mt. Crested Butte, Crested Butte, and the City of Gunnison. He will work on setting up the schedule.
3. HB 1177 Roundtable – Commissioner Houck attended the meeting and will provide a report during a future meeting.

4. Employee Newsletter – Commissioner Houck asked Commissioner Puckett Daniels or Commissioner Smith to write an introduction piece for the upcoming newsletter.
5. Annual Employee and BOCC Surveys – Commissioner Houck reminded Commissioner Puckett Daniels and Commissioner Smith to complete those by the end of the month.
6. County Road 3 and Marble – Commissioner Houck noted that there needs to be a discussion scheduled on a regular meeting to discuss issues and provide direction.
7. Joint Public Hearing – Commissioner Houck commented that there is a hearing this Thursday for continuation of the Spezze Subdivision hearing. Commissioner Houck noted that he has a meeting with Gunnison Basin Sage-grouse Strategic Committee and Bureau of Land Management to finalize the Resource Management Plan Amendment (RMPA) so he may not be able to attend.
8. Final Resource Management Plan – Commissioner Houck stated the final comments were put in the plan and the Board should be seeing the final plan document soon.
9. Upper Gunnison River Water Conservancy District – Commissioner Houck is representing Gunnison County on the Drought Resistance Resilience Task Force. He stated that there will be a public facing piece on the 27<sup>th</sup>.

**ADJOURN:** Commissioner Houck adjourned the meeting at 10:40 am.

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

**CALL TO ORDER:** Commissioner Houck called the meeting to order at 10:40 am. Assistant County Manager for Health, Human and Safety Services Joni Reynolds, Deputy Health and Human Services Director Brad Wheaton, Community Health Manager Margaret Wacker, and Health Coalition Coordinator Reiley Jones were present for discussion.

**BOARD OF HEALTH MEMBER COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TRAINING:** ACM Reynolds noted that the State sent out a couple of emails. The required annual Board of Health Member training is an annual training with a new module being out for the last two years. She also stated that they don't go in sequential order so any of the three modules is possible. ACM Reynolds also informed the Board that for the last three years the training platform has changed, which has made it difficult for boards to complete. She stated she will resend the email to the Board.

**REGIONAL INSTITUTE FOR HEALTH AND ENVIRONMENTAL LEADERSHIP (RIHEL) LEADERSHIP TRAINING:** ACM Reynolds noted that this leadership training is optional and not required.

**HEALTH COALITION UPDATE:** HCC Jones stated that the purpose of the Health Coalition is to improve the wellbeing of all community members, which includes social, physical, mental, and spiritual health. Their goal is to serve as a centralized hub for many organizations and coalitions that exist in our community. CHM Wacker noted that several nonprofits have joined the coalition as part of a collective impact process.

Commissioner Houck asked about the One Valley Prosperity Project. CHM Wacker stated that one of the goal areas was health equity which included youth, health and wellness, and basic needs.

HCC Jones reported the Health Coalition has six responsibilities which is to enhance collaboration, be proactive, educate, advocate, monitor progress, and provide oversight of stakeholder initiatives. She noted there are also three new subgroups in the coalition:

1. Sense of Belonging – HCC Jones stated this is led by Tina McGuinness, GV Mentors and Ricardo Esqueda, City of Gunnison. It includes a Community Champion campaign and a welcoming tip guide.
2. Access to Service – HCC Jones noted this subgroup is led by John Powell and Kyle Tibbett and includes a referral mapping project.
3. Workforce support – HCC Jones stated this subgroup is led by Jodi Payne, Gunnison Country Food Pantry and includes a Community-Owned Wellness Program. This is an employee assistance program (EAP), a pilot program, co-op model for employee assistance programs for local businesses through Lines and Associates, prioritizing at-risk populations, and enrolling 150 community members.

HCC Jones commented that the leadership group meets every month and plans the Large Help Coalition agendas. They are also working on updating the coalition's strategic plan.

CHM Wacker said that one goal is to promote cross-sector communication, and through the Health Coalition they engage with diverse entities to develop multifaceted projects to advance services through the autonomous group and the three subgroups that take action through collective impact. CHM Wacker noted that one member of the Health Coalition Leadership Team attends the One Valley Leadership Council Group.

**ADJOURN:** Commissioner Houck adjourned the meeting at 11:08 am.

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Jonathan Houck, Chairperson

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Elizabeth Smith, Vice-Chairperson

\_\_\_\_\_  
Laura Puckett Daniels, Commissioner

Minutes Prepared By:

\_\_\_\_\_  
Holly Perry, Deputy County Clerk

Attest:

\_\_\_\_\_  
Kathy Simillion, County Clerk

**GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES**

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 24 - 11**

**A RESOLUTION APPROVING LUC-22-00052 ELK RANCH HOMESTEAD SUBDIVISION  
LOCATED AT THE PROPERTY LEGALLY DESCRIBED AS A TRACT OF LAND WITHIN THE SE1/4  
NW1/4 OF SECTION 35, TOWNSHIP 50 NORTH, RANGE 1 WEST, NEW MEXICO PRINCIPAL  
MERIDIAN, GUNNISON COUNTY, COLORADO; SAID TRACT BEING MORE PARTICULARLY  
DESCRIBED WITHIN THE WARRANTY DEED RECORDED UNDER NO. 675047, PARCEL NO.  
3701-350-00-027.**

WHEREAS, the Applicant, Bobette Sylvester McCarroll and Richard McCarroll propose the Elk Ranch Homestead Subdivision, which would subdivide a 14.2-acre undeveloped parcel into three lots: Lot 1, 5.85 acres; Lot 2, 5.85 acres; Lot 3, 2.5 acres; and,

WHEREAS, the parcel is subject to a restrictive covenant established in the General Warranty Deed at Reception No. 446821 which states "...run with the land, limiting the property conveyed hereby to agricultural and residential uses with not to exceed three (3) single family houses, and necessary utility buildings and customary agricultural buildings."

WHEREAS, the Applicant and the City of Gunnison entered into a Pre-Annexation Agreement on February 16, 2024 recorded at Reception No. 695278, requesting and consenting to future annexation of the subject property for the purpose of extending the City of Gunnison's water and sanitary sewer services; and,

WHEREAS, the Applicant agrees to convey a public right of way dedication as described in the Pre-Annexation Agreement executed on February 16, 2024 recorded at Reception No. 695278; and,

WHEREAS, a joint public hearing was conducted by the Planning Commission and Board of County Commissioners on January 4, 2024. At the continued joint public hearing on January 18, 2024, the Gunnison County Planning Commission approved a Recommendation of conditional approval of the Elk Ranch Homestead Subdivision and forwarded said Recommendation to the Board of County Commissioners for their review; and

WHEREAS, the Board of Commissioners did, on March 9, 2024, receive and review the Planning Commission's Recommendation and considered the Recommendation in evaluating the request and intends to approve the request by the adoption in full of the Planning Commission's January 18, 2024 recommendation, with the following Findings and Conditions of Approval:

**FINDINGS:**

The Board finds that:

1. The Planning Commission classified the application as a Minor Impact Project, based upon the impact classification found in Section 6-102: Projects Classified as Minor Impact Projects A, 2-4 Units.

- 2. The land use change complies with all applicable requirements of the Gunnison County and Use Resolution and Section 6-10: Standards of Approval for Minor Impact Projects.
- 3. This application is consistent with the standards and requirements of this Resolution.
- 4. The parcels will be served by municipal sewer.
- 5. Restrictive Covenants for have been provided.
- 6. A Sage-grouse report dated January 13, 2022 has been completed. This proposal will not adversely impact the Gunnison Sage-grouse or their habitats.
- 7. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development file relative to this application; including all exhibits, references and documents as included therein.

Conditions of Approval:

- 1. A mylar subdivision plat, in compliance with Section 6-105, Gunnison County Land Use Resolution, shall be provided to the Community Development Department, for signature by the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder.
- 2. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.
- 3. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the Gunnison County Land Use Resolution.
- 4. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
- 5. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
- 6. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
- 7. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.
- 8. Enter into a Development Improvement Agreement pursuant to Section 16-118 Development Improvement Agreement Required.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. LUC-22-00052 Elk Ranch Homestead Subdivision is approved as a Minor Impact Project, subject to each and all conditions, as identified above.

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 19<sup>th</sup> day of March 2024.

BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO

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

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY  
RESOLUTION NO. 2024-12**

**A RESOLUTION CLARIFYING THE DUTIES OF THE GUNNISON COUNTY BOARD OF  
ADJUSTMENT UNDER THE GUNNISON COUNTY LAND USE RESOLUTION AND OTHER**

**APPLICABLE AUTHORITIES AND REPEALING PRIOR RESOLUTIONS RELATED TO THE BOARD OF ADJUSTMENT**

WHEREAS, Gunnison County, Colorado (the "County"), is a duly organized and existing county, existing as such under and by virtue of the Constitution and laws of the State of Colorado;

WHEREAS, the Gunnison County Board of County Commissioners (the "Board") has adopted the Gunnison County Land Use Resolution, as amended ("LUR"), pursuant to the authorities cited in Section 1-102 of the LUR; and

WHEREAS, the Board first adopted a master plan and the first iteration of the LUR as early as Resolution No. 25, Series 1977;

WHEREAS, the Board has adopted Resolution No. 2023-22, A Resolution Adopting the 2021 Editions of the "International Building Code," the "International Residential Code," the "International Mechanical Code," the "International Fuel Gas Code," the "International Energy Conservation Code," the "International Existing Building Code," and the "Colorado Model Electric Ready and Solar Ready Code," with Amendments, and Amendments to the 2021 Edition of the "International Wildland- Urban Interface Code";

WHEREAS, pursuant to the LUR, C.R.S. § 30-28-117 and other applicable authorities, the Board, pursuant to Resolution Nos. 05-24, 08-03, and other resolutions and official acts has created a Board of Adjustments, now referred to in the LUR as the "Board of Adjustment";

WHEREAS, pursuant to the LUR, C.R.S. § 30-28-206 and other applicable authorities, the Board, pursuant to Resolution Nos. 05-24, 08-03, and other resolutions and official acts has created a Board of Review, which is referred to by the County as the "Board of Appeals";

WHEREAS, the Board has adopted Resolution No. 2023-38, A Resolution Amending the Gunnison County Land Use Resolution;

WHEREAS, the amendments adopted by Resolution No. 2023-28 replaced by operation of law the then-existing Board of Adjustments and Board of Appeals with a new Board of Adjustment intended to perform both the functions of the prior Board of Adjustments and Board of Appeals;

WHEREAS, the amendments to the LUR adopted by Resolution No. 2023-28 supersede and overrule all special area regulations in conflict with its express provisions, including but not limited to the Crested Butte South Special Area Regulations; and

WHEREAS, the Board of Adjustment includes members experienced in building construction consistent with CRS § 30-28-206(1);

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

1. The foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Board.
2. As set forth in the LUR, the Board of Adjustment shall serve all purposes previously served by the Board of Adjustments and the Board of Appeals (Board of Review).
3. The Board shall take all reasonable steps to ensure that the Board of Adjustment includes members experienced in building construction.
4. Nothing in this Resolution shall be construed to afford any person or entity any cause of action against the County or any of its officials, officers, employees, agents or attorneys, nor create any intended or incident third-party beneficiaries.
5. Resolution Nos. 08-03 and 05-24 are hereby repealed, and the Board hereby ratifies such appeal due to operation of Resolution No. 2023-38 as of the effective date of Resolution No. 2023-38.
6. All other orders, instructions, motions and resolutions, or parts thereof, inconsistent with this Resolution are hereby repealed to the extent only of such inconsistency. This paragraph shall not be construed to revive or revise any ordinance, motion, order, or resolution, or part thereof, heretofore repealed. To the extent any ambiguity exists between any ordinance, resolution, motion, order, statement or instruction by the Board, whether existing before or after passage of this Resolution, this Resolution shall control. No statement or writing by any Board member, whether in a meeting of the Board or not, shall purport to amend, alter, supplement or override the express terms of this Resolution, and no such statement or writing may be relied upon by any person in relation to this Resolution.
7. If any section, subsection, paragraph, clause or other provision of this Resolution for any reason is held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph,

clause or other provision shall not affect any of the remaining provisions of this Resolution, the intent being that the same are severable.

8. This Resolution shall be in full force and take effect immediately upon its passage and approval, and if approved shall, to the fullest extent permitted by law, apply retroactively and nunc pro tunc to the date Resolution No. 2023-28 was enacted, and shall remain in effect unless and until repealed or amended by subsequent Resolution.

INTRODUCED by Commissioner Puckett Daniels, seconded by Commissioner Smith, and adopted this 19<sup>th</sup> day of March 2024.

BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO

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

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO**

**RESOLUTION NO: 2024-13**

**A RESOLUTION ESTABLISHING AND AMENDING THE POLICY FOR APPOINTMENTS TO  
BOARDS AND COMMISSIONS MANAGED BY GUNNISON COUNTY AND OTHER  
ORGANIZATIONS**

**THIS RESOLUTION SUPERSEDES RESOLUTION NOS 2019-17 AND 2024-7**

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado ("Board") has the authority to appoint members to various Gunnison County boards and commissions and to other boards and commissions that allow representation from Gunnison County, Colorado ("County"); and

WHEREAS, the Board desires to establish a policy to ensure that the appointment process:

- o Will be timely;
- o Will foster applications for open positions;
- o Will be open to public scrutiny;
- o Will comply with applicable legal requirements; and
- o Will result in appointments that are in the best interests of Gunnison County;

WHEREAS, the appointment process established by this Resolution shall apply to appointments to the following boards and commissions:

- a. Board of Adjustment
- b. Colorado River Water Conservation District Board
- c. Commissioner of Deeds
- d. Community Corrections Board
- e. Environmental Health Board
- f. Extension Advisory Committee
- g. Gunnison Basin Sage-grouse Strategic Committee
- h. Gunnison Cemetery District Board
- i. Gunnison Valley Hospital Board of Trustees
- j. Gunnison Valley Regional Housing Authority Board
- k. HB 1177 Roundtable
- l. Historic Preservation Commission
- m. Land Preservation Board
- n. Library Board of Trustees
- o. Medical Health Officer
- p. Planning Commission
- q. Region 10 Board
- r. Southwest Colorado Opioid Regional Council
- s. Sustainable Tourism and Outdoor Recreation Committee
- t. Tenderfoot Child & Family Development Center Board of Directors
- u. Tourism and Prosperity Partnership Board
- v. Veterans Service Officer
- w. Watershed Weed Commission
- x. Western Regional EMS Council
- y. Other boards and commissions as identified from time to time by the Board of County Commissioners

WHEREAS, the appointment process established by this Resolution shall be followed unless the process is in conflict with a specific requirement of an applicable ordinance, statute, established resolution of the Board, other legal requirement or unless the requirements of this Resolution are waived or modified by the Board pursuant to Section 8 of this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the County hereby adopts the following procedure for advertisement, interview, and appointment to fill vacancies on County boards and commissions:

Annual Appointment Process:

1. Notification:
  - a. Prior to or at the time of issuance of the annual vacancy notice, County staff or the chairperson involved with each board or commission shall be advised of upcoming vacancies and asked to encourage citizens to apply who have the appropriate interest, commitment, and skills.
  - b. Prior to or at the time of issuance of the annual vacancy notice, persons whose terms are expiring will be informed of their term expiration, thanked for their service, and, at the discretion of the County, encouraged to reapply.
2. Vacancy Notices and Applications:
  - a. Annual Board requests for applications for appointment shall be made by publication on the County website, and the County's social media outlets, and may also be made by publication in newspaper(s) or other print media; and
  - b. The vacancy notice shall be issued no later than November 1st with a response deadline of December 1st, or the first business day thereafter.
3. Scheduling/Conducting Interviews and Making Appointments:
  - a. The Board may interview applicants to the boards and commissions governed by this Resolution; however, nothing in this Resolution shall be construed to require the Board to interview any applicant except where expressly required by law.
  - b. Interviews may be accomplished by the Board of County Commissioners prior to January 20th. Notification of interview date and time shall be made by electronic mail to applicants, and may also be made by other appropriate methods, such as by telephone or text message.
  - c. If the Board elects to conduct interviews, incumbent applicants shall be advised that the interview is conducted for both an interview and opportunity for the applicant to update the Board on activities of that board or commission.
4. Re-notification:
  - a. Should the Board decide that the process set forth in Section 3 of this Resolution failed to produce a successful applicant or a sufficient number of applicants to choose from, the Board may repeat such process, but in no case shall such repeated process last more than three (3) weeks from the date the initial process was completed.
5. Recruitment:
  - a. After two rounds of interviews and appointments, County staff members or the chairperson for each board or commission will be advised of remaining vacancies and asked to recruit applicants. If this process yields interested applicants, interviews and appointments will be scheduled.
6. Out-of-Cycle Applications and Vacancies; Removal of Appointees:
  - a. If a resignation or other creation of a vacancy occurs outside of the annual cycle outlined above, the Board may elect to create and follow a one-time recruitment and appointment schedule to fill that vacancy.
  - b. Except where the law expressly provides otherwise, all appointments pursuant to this Resolution are at will, and all appointees appointed pursuant to this Resolution shall serve at the pleasure of the Board. Accordingly, all appointees appointed pursuant to this Resolution are not considered employees of Gunnison County, and the Board may remove any appointee at any time for any reason, with or without cause, unless the law expressly provides otherwise.
  - c. The Board may temporarily extend the term dates of any appointee if their term is set to end prior to the conclusion of the interview and appointment schedule so that service on the board or commission is not disrupted. The Board may also, at its discretion, accept late letters of interest if the number of vacancies is greater than the number of letters of interest submitted by the deadline.
7. Special Circumstances Dictated by Bylaws or Statutes:
  - a. Colorado River Water Conservation District. Pursuant to CRS § 37-46- 104, the Board shall make its regular appointment to the Colorado River Water Conservation District during its first meeting in January. The County Clerk or a Deputy County Clerk will administer the Oath of Office to the newly appointed (or reappointed) person, and that appointee shall take office beginning on the third Tuesday in January.

- b. Gunnison Valley Hospital Board of Trustees. Pursuant to CRS § 25-3- 303 and the Gunnison Valley Hospital Board of Trustees bylaws, the Board shall make regular appointments to the Gunnison Valley Hospital Board of Trustees on or before the second Tuesday of January. The County Clerk or a Deputy County Clerk will administer the Oath of Office to the newly appointed (or reappointed) person within 10 days of appointment. The appointee shall take office beginning on the first day of February.
  - c. Board of Adjustment. Appointments to the Gunnison County Board of Adjustment shall be governed by the Gunnison County Land Use Resolution, CRS § 30-28-117 and other applicable law, except that Gunnison County may follow this Resolution for such appointments so long as there is no conflict between such laws and this Resolution.
  - d. Planning Commission. Appointments to the Gunnison County Planning Commission shall be governed by the Gunnison County Land Use Resolution, CRS § 30-28-103 and other applicable law, except that Gunnison County may follow this Resolution for such appointments so long as there is no conflict between such laws and this Resolution.
8. Waiver/Modification.
- a. The Board, in its sole discretion and to the fullest extent permitted by law, may waive or modify any of the requirements of this Resolution by majority vote of the Board at a regular or special meeting.
9. Severability
- a. If any section, subsection, paragraph, clause or other provision of this Resolution for any reason is held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this Resolution, the intent being that the same are severable.
10. No Cause of Action
- a. Nothing in this Resolution shall be construed to afford any person or entity any cause of action against the County or any of its officials, officers, employees, agents or attorneys, nor create any intended or incident third-party beneficiaries.

INTRODUCED by Commissioner Smith, seconded by Commissioner Puckett Daniels, and adopted this 19<sup>th</sup> day of March 2024.

BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO

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