

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING MINUTES
June 25, 2024**

The June 25, 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
Matt Hoyt, County Attorney
Matthew Birnie, County Manager
Holly Perry, Deputy County Clerk
Others Present as Listed in Text

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS SPECIAL MEETING:

CALL TO ORDER: Commissioner Houck called the meeting to order at 10:21 am.

A RESOLUTION OPTING OUT OF THE PROHIBITION OF THE CARRYING OF FIREARMS IN CERTAIN COUNTY BUILDINGS OR PORTIONS OF BUILDINGS

Commissioner Houck relayed that this is a time sensitive item. He also explained that the County has authority to make decisions around how they manage and handle the buildings and decision-making spaces and if the County doesn’t opt out of the State’s very broad piece of legislation, then the County must abide by the legislation the State has put out. CA Hoyt stated Senate Bill 24-311 was signed in about a month ago by the Governor and it only affects two places in the County: the BOCC Boardroom and the County Manager’s Office. CA Hoyt clarified this bill has a limited effect but requires immediate action by the Board if the Board wants to maintain policy.

Commissioner Smith noted this does need to be done thoughtfully and in conversation with other people. She explained that this resolution can be changed at any time and gives time to understand the implications. Commissioner Puckett Daniels agrees and explains the policy would be a little strange if half of the building doesn’t allow it and the other half will. CA Hoyt clarified that opting out would include all non-courthouse offices.

Commissioner Houck commented on the security differences between the old and new courthouse. Assistant County Manager for Operations and Sustainability John Cattles voiced this is a complex issue that has been discussed previously while CM Birnie also explained that many employees have concealed carry permits which is part of the reason for the split policy. Commissioner Puckett Daniels relayed that she talked to the staff at Blackstock to get their opinion.

Commissioner Houck asked if the State’s one size fits all piece of legislation fits Gunnison County and he believed that answer is no.

Moved by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve Resolution 2024-25 A Resolution Opting Out of the Prohibition of the Carrying of Firearms in Certain County Buildings or Portions of Buildings. Motion carried unanimously.

Commissioner Puckett Daniels would like to have a conversation about this in the future after she does some thinking.

ADJOURN: Commissioner Houck adjourned the meeting at 10:38 am.

Jonathan Houck, Chairperson

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

Note: For all the details of each resolution including any exhibits, please refer to gunnisoncounty.org

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 2024-25**

A RESOLUTION OPTING OUT OF THE PROHIBITION OF THE CARRYING OF FIREARMS IN CERTAIN COUNTY BUILDINGS OR PORTIONS OF BUILDINGS

WHEREAS, pursuant to Colorado Revised Statute Section 18-9-117(b), the Board has the authority to control, manage and supervise the buildings and property, and to adopt such orders, rules or regulations as are reasonably necessary for the administration, protection and maintenance of such buildings and property;

WHEREAS, on May 7, 2024, the Colorado General Assembly passed Senate Bill 24-131, which prohibits the carrying of firearms in certain public buildings effective July 1, 2024;

WHEREAS, the Colorado Governor signed Senate Bill 24-131 into law on May 31, 2024;
WHEREAS, pursuant to Colorado Revised Statute Section 18-12-105.3(4)(b), as amended by Colorado Senate Bill 24-131, the Board may opt out of the prohibitions contained in Colorado Revised Statute Section 18-12-105.3(1)(b) by adopting a regulation or other law to that effect;

WHEREAS, Senate Bill 24-131 purports to prohibit firearms only in certain "sensitive spaces" and not all County buildings or public spaces owned, controlled, or overseen by Gunnison County;

WHEREAS, the Board finds that the Meeting Room of the Gunnison County Board of County Commissioners, located in the Gunnison County Courthouse, constitutes "the chambers or galleries of [the County's] local governing body" under C.R.S. § 18-12- 105.3(b)(I), as amended by Senate Bill 24-131;

WHEREAS, the Board finds that the Office of the Gunnison County Manager, also located in the Gunnison County Courthouse, is "the official office of [the County's] chief executive officer" under C.R.S. § 18-12-105.3(b)(III), as amended by Senate Bill 24-131;

WHEREAS, the Board interprets Colorado Senate Bill 24-131 to only require it to affirmatively opt out in relation to the County Courthouse, and that the recent legislation does not affect current County policy with regard to any other County building, including but not limited to the Office of the Gunnison County Sheriff, the Gunnison County Airport, and the Fred R. Field Western Heritage Center; and

WHEREAS, due to the recent passage of Senate Bill 24-131, the Board desires to maintain the current status quo with regard to firearms in County buildings while it and County staff further evaluate, with public engagement and consultation with the judicial branch and the Gunnison County Sheriff, the societal, public safety, building security, financial, and legal impacts of whether to continue to allow the carrying of firearms in the County Courthouse and other County buildings;

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

1. Persons are permitted to carry firearms on the property of and within the Gunnison County Courthouse, located at 200 East Virginia Avenue in Gunnison, Colorado ("Courthouse"), except those portions of the Gunnison County Courthouse set forth in Exhibit "A", attached to Gunnison County Policy No. 5.2.1 and also attached hereto and incorporated herein by reference ("Courthouse Judicial Sections").
2. For the avoidance of doubt, the carrying of firearms in the Courthouse Judicial Sections is prohibited pursuant to C.R.S. § 18-12-105.3(c).
3. 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.
4. 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.
5. 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.

6. This Resolution shall take effect immediately upon its passage and approval, and shall remain in effect unless and until repealed or amended by subsequent Resolution.

INTRODUCED by Commissioner Smith, seconded by Commissioner Puckett Daniels, and adopted this 25th day of June 2024.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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