

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
July 16, 2024**

The July 16, 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 LOCAL LIQUOR LICENSING AUTHORITY:

CALL TO ORDER: Commissioner Houck called the meeting to order at 8:33 am.

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

1. Alcohol Beverage License #26-34997-0000; Tre Amici Corp dba Garlic Mike’s; 9/14/2024 to 9/14/2025

ADJOURN: Commissioner Houck adjourned the meeting of the Gunnison County Local Liquor Licensing Authority at 8:34 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Commissioner Houck called the meeting to order at 8:34 am.

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

MINUTES APPROVAL: **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Houck to approve the minutes as amended. Motion carried unanimously.

1. July 2, 2024 Regular Meeting
 - Before commissioner items, during unscheduled public comment, “in regard to the first refusal for opportunity to purchase” needs to be included after “a different place than in 2021”.
 - For Commissioner Smith item #3 peer support needs to be included with the nursing program. United Way Mesa County needs to be described as the one who manages the Southwest Colorado Opioid Regional Council’s grants.
 - For Commissioner Smith item #5 she wants it titled the same as Commissioner Houck which is Administrative Withdrawal Celebration.
 - Under the Letter of Support, Wild and Scenic’s full name is Crystal River Wild and Scenic and Other Alternatives Feasibility Collaborative Steering Committee.
 - Under Commissioner Houck item #4 he clarified he was frustrated with the lack of Federal infrastructure money to support the bridge, not the package itself.
 - Under Commissioner Houck item #7 he attended on behalf of the County Commissioners.

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Grant Application; Community Resource Navigation and Prenatal Support Program; Health and Human Services; \$75,000
2. Funding Request; Energy Outreach Colorado; Health and Human Services; \$19,350
3. Option Letter #2; Contract No 2024*0436; Health and Human Services; 7/1/2024 to 6/30/2025; \$31,000
4. OAA-SYS Contract; Region 10; Health and Human Services; 7/1/2024 to 6/20/2025; \$28,350
5. Revision #1 to Amendment #2; Jviation Project 10019123; \$457,072.28
6. Grant Agreement; Community Foundation of the Gunnison Valley; Health and Human Services; 7/1/2024 to 4/30/2025; \$3,200
7. Funding Application; Cycle 24-11 EIAF Tier I/Tier II and Special Initiatives; More Housing Now & Land Use Initiative; Facilities; \$2,000,000
8. Charter Operator Operating Agreement and Lease of Airport Facilities; Delux Public Charter, LLC dba JSX; 6/1/2024 to 5/31/2025
9. Ratification; Gunnison Valley Journal; BOCC Discretionary Funds; \$1,500

VOUCHERS AND TRANSFERS APPROVAL: Chief Financial Officer Perry Solheim presented the voucher approval report dated June 18, 2024 and the cash transfer authorization dated June 2024 for discussion and approval. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Houck to approve the voucher in the amount of \$4,547,385.58. Motion carried unanimously. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve the cash transfer in the amount of \$6,962,359.29. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: Commissioner Houck presented the June 2024 Treasurer's report, an investment report dated June 30, 2024 and a quarterly interest report dated April through June 2024 for discussion and acceptance in County Treasurer Debbie Dunbar's absence. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to accept the Treasurer's report and authorize the Chair's signature. Motion carried unanimously.

COUNTY MANAGER'S REPORTS:

1. Fire at Landfill – CM Birnie reported there was a fire at the landfill last night that eight folks responded to and were replaced by five or six different folk this morning, as well as the fire department who left by midnight. The fire is contained and is currently being monitored. CM Birnie stated the cause is unknown.
2. Sawtooth – CM Birnie relayed the first boxes from Fading West are expected to be showing up at the fairgrounds starting yesterday, and they will be setting those the first week of August.

HEARING; PETITION FOR ABATEMENT OR REFUND OF TAXES; PROPERTY TAX YEARS 2021 & 2022; R003087; PARCEL NO. 3255-031-30-005; PART OF LOTS 9-12, BLOCK 9, CRESTED BUTTE; HARRY A. MILLER IV Appraiser III Bob Blackett and Mills Ford were present for discussion.

Appraiser Blackett started off by noting the value on the cover sheet is incorrect and the correct value is \$1,133,840 for 2021 and 2022 for this property. He provided samples from his mass appraisal analysis to communicate the results. The current square foot value for the property is \$405 per square foot. Commissioner Smith inquired on how the assessor's office considers the repairs and how it is evaluated to which Appraiser Blackett responded that the foundation issues were brought to attention in 2019 and there has been a 25% reduction to its value based on that foundation. He also relayed that adjustment from 2019 is still on the account and the value calculated still includes that reduction. They are not sure if the foundation has been repaired.

Mr. Ford reported that he is speaking on behalf of Mr. Harry Miller and is a certified General Appraiser and has been in practice since 1979. He relayed a counter proposal to reduce the price by \$160,000 which would be the cost of the foundation repairs provided by the engineering report. He also relayed that the repairs have not been undertaken yet. Mr. Ford gave five examples of other properties with an across-the-board adjustment of negative \$160,000 and found the values to be between \$852,439 and \$997,091. He then estimated \$920,000 as a reasonable estimate for June 2020 value of the subject's property. Commissioner Smith commented that the assessors had the reduction done in 2018 for the foundation issues so she asked how he interpreted the way that figure has evolved. Mr. Ford explained that if there is a property that has unresolved issues, you throw away the assessed value for the last cycle and appraise the property a of its current date cycle because the repairs have not been made. Commissioner Smith elaborated that from the assessor's presentation, that they have assumed the foundation was not resolved and the square footage prices sufficiently account for the foundation issue.

Commissioner Puckett Daniels confirmed with Appraiser Blackett the 2018 sale was included in the assessment value on June 30, 2020. Appraiser Blackett commented that Mr. Ford used the 2023 land values which are not looked at for 2021 and 2022 whereas all the examples he provided with his analysis were the same size at .144 acres and had a land value of \$355,660. Mr. Ford elaborated he took a step further than the assessors and adjusted based on property amenity differences. Appraiser Blackett then asked Mr. Ford for clarification of the capacity is acting as during this hearing and Mr. Ford responded that he is acting as the petitioner's agent and had supplied his own appraisal.

Commissioner Houck noted he looked at the path of evaluation from the Assessor's Office and listened to Mr. Ford's presentation as well as reading his materials given, however, he does not find a compelling argument to change the outcome derived from the Assessor's Office. Commissioner Smith agreed with Commissioner Houck and noted that it seems clear the foundation issues were accounted for relative to the other properties. Commissioner Puckett Daniels echoes what was said by Commissioner Smith. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to deny the request for abatement for application R003087. Motion carried unanimously.

HEARING; PETITION FOR ABATEMENT OR REFUND OF TAXES; PROPERTY TAX YEARS 2023; R041538; PARCEL NO. 3177-234-28-001; UNIT 1, SPELLBOUND CONDOMINIUMS, MT. CRESTED BUTTE; COLORADO EQUITY PARTNERS LLC Co-Deputy Assessor Appraisal Alexandra Cohen and Marshall Kenderdine were present for discussion.

Co-Deputy Assessor Cohen relayed that the subject's property is a duplex condominium building, meaning there are two units in the building. She noted that most condo units in the area are multi-unit buildings,

and they didn't have any sales of duplex units, so her examples are multi-unit sales. It was stated that all the examples are better in some ways and inferior to others compared to the subject's property but are fairly similar. Co-Deputy Assessor Cohen also said that in the time adjusted sales, the prices of the sales range from \$779 to \$952 a square foot with the subject's property at \$759 a square foot.

Mr. Kenderdine clarified that this is a duplex, but there are four units within the Spellbound HOA. He then relayed his unit is much larger than typical and he couldn't find any that size that sold for \$759 a square foot. Mr. Kenderdine then provided three examples for himself that sold in the last year that are approximately the size of the duplex for an average price of \$586 per square foot. He then asked for clarification from the assessors regarding how they came up with the figure for the square footage in their report compared to his.

Commissioner Puckett Daniels asked if he was making the argument that the bigger unit is cheaper per square foot and if he knew of more information about the examples he provided besides square footage such as construction quality, building condition, proximity rating, unit view rating, or interview viewing quality. Mr. Kenderdine responded he did see two of the three referenced when he was searching for his unit, which are 1700 Hill Road, 1800 Hill Road and 70 Treasury Road, and that they are similar in terms of quality, proximity, and garage. Commissioner Puckett Daniels asked if he had any background in assessment or real estate to which he replied that it is not out of a career, but of a hobby and passion.

Co-Deputy Assessor Cohen clarified this is for 2023 and the sales they are allowed to consider are through June 30, 2022. The examples given by Mr. Kenderdine are after June 30, 2022, and are not captured in the valuation. She did relay that one unit in 17 Treasury Road sold for \$783 a sq foot in April of 2022 which supports their valuation. Commissioner Puckett Daniels inquired about the process and why the 2023 sale cannot be included in a 2023 appraisal. Co-Deputy Assessor Cohen stated the appraisal date is June 30, 2022, for the year 2023 and they cannot consider anything beyond the appraisal date, but anything after that date will factor into the 2025 assessment.

Commissioner Smith commented it's difficult to see passive numbers and not see the actual comparables and the sort of analysis that has gone into it, but with the burden being on the person making the appeal, she hasn't seen evidence that would change the value from the Assessor's Office. Commissioner Puckett Daniels commented on understanding the process that the sale is after the appraisal date, and they must go with rules. Commissioner Houck agreed. **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to deny the petition for abatement for R041538 based on the evidence presented this morning. Motion carried unanimously.

HEARING; PETITION FOR ABATEMENT OR REFUND OF TAXES; PROPERTY TAX YEARS 2022 & 2023; R071698; PARCEL NO. 3701-250-08-009; LOT 1, COLUMBINE MEADOWS SUBDIVISION; HECTOR VASQUEZ Appraiser III Bob Blackett was present for discussion. The petitioner was not present.

Appraiser Blackett explained the petitioner asked for the year 2022 value to be \$61,000 which is already what the Assessor's Office had. He then explained that the current value on the property is \$178,300 and relayed that this property sold in 2018 for \$90,000 and again in June of 2021 for \$109,500.

Commissioner Puckett Daniels commented that the 2022 value is the same as on file, which Appraiser Blackett confirmed that as well as the 2023 value being assessed on June 30, 2022. Appraiser Blackett then explained how time adjusted rate is plotted on the graph. Commissioner Puckett Daniels commented that it seemed fair to have the assessed value to be slightly lower than the time adjusted ratio to accommodate for variations. Commissioner Houck proceeded with a motion, but after advice from CA Hoyt, he withdrew that motion since there was no second to the original motion. **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels, that on the petition for abatement or refund of taxes for property years 22 and 23 for application R071698, that we will apply the recommendations of the Assessor's Office as presented this morning for those values. Appraiser Blackett confirmed the value for 2022 to be \$61,000 and the value for 2023 to be \$178,300. Motion carried unanimously.

HEARING; PETITION FOR ABATEMENT OR REFUND OF TAXES; PROPERTY TAX YEARS 2023; R031244; PARCEL NO. 2919-000-00-029; TRACT 18A-2 RAGGED MOUNTAIN RESERVE SUBDIVISION; MATTHEW SMITH Appraiser III Bob Blackett was present for discussion. The petitioner was not present.

Appraiser Blackett provided six examples with his mass appraisal results that have a range of \$430 to \$800 per square foot.

Commissioner Smith asked for clarification on the year-round vs seasonal access with comparing his examples. Appraiser Blackett noted all examples, and the subject parcel are seasonal access. Commissioner Puckett Daniels stated the petitioner explained their property is significantly less accessible year around compared to one of the examples. Blackett confirmed the property is higher up while some examples are lower in elevation. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Houck to deny the petition for abatement for account R031244. Motion carried unanimously.

HEARING PETITION FOR ABATEMENT OR REFUND OF TAXES; PROPERTY TAX YEARS 2023; R009456; PARCEL NO. 3519-000-00-127; 40 ACRES IN SECTION 8, TOWNSHIP 51N RANGE 2E; MATTHEW BREIDENBAUGH & HEARING PETITION FOR ABATEMENT OR REFUND OF TAXES; PROPERTY TAX YEARS 2023; R009457; PARCEL NO. 3519-000-00-128; 40 ACRES IN SECTION 8, TOWNSHIP 51N RANGE 2E; MATTHEW BREIDENBAUGH Appraiser III Chris Nutgrass was present for discussion. The petitioner was not present.

Appraiser Nutgrass stated R009456 and R009457 are adjacent to each other, but R009457 is a vacant lot while R009456 is a residential lot, located in Gunnison Highlands.

Appraiser Nutgrass provided four examples from the Highlands for R009457 with a determined base value of \$4,000 per acre with some adjustments for views. The subject property is valued at \$160,000. Commissioner Puckett Daniels asked Appraiser Nutgrass to confirm that all these properties are in the same area and are similar to the subject property as well as being seasonally accessible to which he confirmed.

Appraiser Nutgrass provided examples for property R009456 with some lower and higher quality but with similar access and amenities. He noted that example 1 is also in the Highlands but is higher quality than the subject's.

Commissioner Puckett Daniels, Commissioner Smith, and Appraiser Nutgrass discussed size, location, and access of the examples and the subject property. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to deny the petition for abatement for accounts R009456 and R009457. Motion carried unanimously.

BREAK from 10:00 to 10:10 am due to a gap in the schedule.

PRESENTATION; LICENSE FOR REAL PROPERTY; U.S. GOVERNMENT; NOAA: GUNNISON OBSERVATORY; 9/1/2024 TO 8/31/2034 Research Meteorologist Allen White and Dave Turner were present for discussion.

Mr. White stated his laboratory in Boulder is working with three others in NOAA to put together four fixed and two mobile fire weather observatories. He noted they spoke with the airport and university while in Gunnison and chose a site as their first priority. Mr. White explained that in 2020 more than 10 million acres were burned, which was the most on record. The Bipartisan Infrastructure Law (BIL) Provision 15 awarded NOAA \$50,000,000 in fiscal year 2022 for observation and dissemination of infrastructure used for wildfire prediction, detection, and forecasting which included funding to build the fire weather observatories.

Mr. White explained that with this project they want to understand how the lower atmosphere interfaces with the surface and impacts moisture, heat, and momentum between the surface and lower atmosphere with the changes from day to night and season to season with 24/7 monitoring.

Mr. White discussed their motivations, and considerations for the fixed, ground-based fire weather sites as well as the different types of instrumentation they will be using with both the fixed and mobile observatories. Mr. White further explained the instrumentation by showing pictures of the equipment itself as well as sample data and analysis products. Mr. Turner noted they have been in contact with Western Colorado University to potentially do collaborative work as well as potential internships with the laboratories.

Mr. White noted anyone can have access to the data gathered. Commissioner Puckett Daniels mentioned that Upper Gunnison River Water Conservancy District and the Rocky Mountain Biological Laboratory as potential connections with additional data. **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to authorize the execution of the license for real property agreement with the U.S. Government with NOAA, and I think it's important to authorize our County Manager, Matthew Birnie, to be the signatory for that, because it's kind of dealing with land stuff like that, but with the full authority of the Board. Motion carried unanimously.

CM Birnie noted there is an error in the signature block and once fixed we will send the contract along.

UNSCHEDULED PUBLIC COMMENT:

1. 4-H Students – Kaden Robbins, Dixie Sponable, and Brekken Hildreth wanted to thank the commissioners for supporting 4-H. They all shared their favorite thing about being in 4-H and the projects they have participated in. The Commissioners thanked them for being involved and participating in 4-H.

COMMISSIONER ITEMS:

Commissioner Puckett Daniels:

1. Rocky Mountain Biological Laboratory (RMBL) – Commissioner Puckett Daniels relayed all Commissioners attended a visit with the scientists there to learn about the work they are doing.

She commented it was interesting and a break from routine as well as thanking them for the work they're doing in the community and for their ability to provide job opportunities for young people.

2. Philanthropy Colorado – Commissioner Puckett Daniels stated she had a quick visit last week with someone from Philanthropy Colorado. She conveyed that they'll be bringing funders and donors to town in October, and they wish to do some housing visits. She then suggested reaching out to Assistant County Manager for Operations and Sustainability John Cattles regarding Sawtooth and to the Valley Housing Fund.
3. Cattlemen's Days – Commissioner Puckett Daniels wished to thank the 4-H and Director Hannah Cranor-Kersting at the CSU Extension.
4. Gunnison Valley Regional Housing Authority (GVRHA) – Commissioner Puckett Daniels relayed that the GVRHA has approved a strategic plan as of last week. Director Melissa LaMonica is working on work plans for her different departments.
5. Housing Needs Assessment – Commissioner Puckett Daniels stated the assessment is out in the community and it needs to be taken by the end of July. So far, they have had over 400 respondents to the survey. She then relayed the entities it has gone out with and emphasized they are willing to give out the survey to anyone interested.

Commissioner Smith:

1. Counties & Commissioners Acting Together (CCAT) – Commissioner Smith continues to work with CCAT on some interim community projects such as short-term rental policies and tax revenue questions or county revenue opportunities. She relayed that more decisions will be made at the retreat on August 15th and 16th.
2. Attorney General Office – Commissioner Smith commented they are putting together a proposal. The statewide data infrastructure is still moving forward.
3. Child Welfare Allocation Committee – Commissioner Smith stated they are beginning to dig deeper into the formulas used to determine resource distribution as well as discussing the role of prevention versus interventions.
4. Crystal River Co-chairs Group – Commissioner Smith and three other co-chairs met yesterday to discuss updates of where they are with the three subcommittees with one exploring the possibilities of wild and scenic designation and what it looks like for the Crystal River. Commissioner Smith also stated the peaking inflow stream group has made significant progress, while Zane Kessler and herself are working on the intergovernmental agreement (IGA) subcommittee. Commissioner Smith relayed that they did talk about reconvening the entire stakeholder group in October. Commissioner Smith then asked the Board to support a contract extension for one meeting with Pitkin County from their discretionary funds. She asked for between \$1,000 to \$1,500 to support the \$5,000 extension. Commissioner Houck and Commissioner Puckett Daniels agree to support and asked Commissioner Smith to bring back a dialed in amount for approval.

Commissioner Houck:

1. Cattlemen's Days – Commissioner Houck attended and commented on the variety of it as well as being a community longstanding tradition.
2. Forest Planning – Commissioner Houck suggested a condensed version or highlights of the 900-page document to send on, but noted there wasn't anything jumping out at him that needs to be addressed immediately. CA Hoyt conveyed that the last term of United States Board issued a new opinion saying the statue limitations for challenging Federal agency action now runs from the date in which the challenger can establish they were injured by the agency action, not the day of the final decision. Commissioner Puckett Daniels asked to know what from the draft plan changed. Commissioner Houck agreed to drafting that and getting it out to them.
3. Wildlife Corridors – Commissioner Houck attended. The Bureau of Land Management (BLM) Resource Management Plan Amendment (RMPA) is going on as well.
4. HB 1177 Roundtable – Commissioner Houck attended virtually and will report with Upper Gunnison River Water Conservancy District.

ADJOURN: Commissioner Houck adjourned the meeting at 11:06 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