

**GUNNISON COUNTY BOARD OF COMMISSIONERS**  
**MEETING AGENDA – REVISION #1**

**DATE:** Tuesday, October 22, 2024

**Page 1 of 1**

**PLACE:** Board of County Commissioners' Meeting Room at the Gunnison County Courthouse  
(REMOTE OPTION BELOW)

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS WORK SESSION:**

8:30 am

- Gunnison County Boards and Commissions Interview; Board of Adjustment, Alternate; John O'Neal

8:45 am

- Gunnison County Boards and Commissions Interview; Board of Adjustment, Alternate; Drew Brookhart

9:00 am

- Valley Housing Fund; Whetstone Award

9:05 am

- **ADDED: National Forest Foundation, Colorado State Forest Service, and Forest Restoration & Wildfire Mitigation Grant Application; Letter of Support Discussion**

9:15 am

- Proposition 127 Discussion

- Adjourn

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

9:30 am

- Gunnison County Boards and Commissions Appointments; Board of Adjustment; Fill Two Alternate Vacancies for One-Year Terms (10/22/2024 – 10/22/2025)
  1. Applicants: Drew Brookhart, John O'Neal

Please Note: Packet materials for the above discussions will be available on the Gunnison County website at <http://www.gunnisoncounty.org/meetings> prior to the meeting.

**ZOOM MEETING DETAILS:**

Join Zoom Meeting: <https://gunnisoncounty-org.zoom.us/j/89798905619>

One tap mobile

+12532158782,,82753657556#,,,,\*471302# US (Tacoma)

+13462487799,,82753657556#,,,,\*471302# US (Houston)

**AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM**

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**Agenda Item:** Gunnison County Boards and Commissions Interview;

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**Action Requested:**

**Parties to the Agreement:**

**Term Begins:**

**Term Ends:**

**Grant Contract #:**

**Summary:**

BOA Alternate Interview; John O'Neal

**Fiscal Impact:**

**Submitted by:** Holly Perry

**Submitter's Email Address:** hperry@gunnisoncounty.org

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**Finance Review:**

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

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**County Attorney Review:**

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

Certificate of Insurance Required

Yes  No

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**County Manager Review:**

Comments:

Reviewed by: GUNCOUNTY1\Hperry

Discharge Date: 10/17/2024

Consent Agenda

Regular Agenda

Worksession

Time Allotted: 15

Agenda Date: 10/22/2024

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**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [BOCC](#)  
**Subject:** Online Form Submittal: Boards and Commissions Application  
**Date:** Thursday, October 3, 2024 1:51:07 PM

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[EXTERNAL SENDER - USE CAUTION]

## Boards and Commissions Application

Board/Commission or position applying for: Board of Adjustments

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First and Last Name John O'Neal

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Address PO Box 776

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City Crested Butte

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Phone 512.468.8192

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Email Address [oneal.juan@gmail.com](mailto:oneal.juan@gmail.com)

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Why would you like to serve on this Board or Commission? My interest in serving on the Board of Adjustments is to be able to help steward and shape the future of land use in Gunnison County. Land and how it is used directly influences the experience of living in this valley. I would like to serve on this board to help create a future where all residents can thrive and build a sustainable life in Gunnison County. Thank you for your consideration.

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Additional Comments My past experience working in affordable housing and land development would be helpful for this position.

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Email not displaying correctly? [View it in your browser.](#)



**AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM**

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**Agenda Item:** Gunnison County Boards and Commissions Interview;

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**Action Requested:**

**Parties to the Agreement:**

**Term Begins:**

**Term Ends:**

**Grant Contract #:**

**Summary:**

BOA Alternate Interview; Drew Brookhart

**Fiscal Impact:**

**Submitted by:** Holly Perry

**Submitter's Email Address:** hperry@gunnisoncounty.org

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**Finance Review:**

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

---

**County Attorney Review:**

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

Certificate of Insurance Required

Yes  No

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**County Manager Review:**

Comments:

Reviewed by: GUNCOUNTY1\Hperry

Discharge Date: 10/17/2024

Consent Agenda

Regular Agenda

Worksession

Time Allotted: 15

Agenda Date: 10/22/2024

---

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [BOCC](#)  
**Subject:** Online Form Submittal: Boards and Commissions Application  
**Date:** Thursday, October 3, 2024 3:08:45 PM

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[EXTERNAL SENDER - USE CAUTION]

## Boards and Commissions Application

Board/Commission or position applying for: Board of Adjustments

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First and Last Name Andrew J Brookhart

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Address 225 Blackfoot Trail

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City Gunnison

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Phone 970-596-8544

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Email Address [drew@andrewbrookhart.com](mailto:drew@andrewbrookhart.com)

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Why would you like to serve on this Board or Commission?

I have a deep commitment to the Gunnison County community and I am motivated to expand my ability to contribute to local government through experience. I understand the duties and responsibilities of the Board of Adjustment and believe I can represent the people of Gunnison County in an honest and ethical manner. Furthermore, I have a general understanding of the services and strategic direction of Gunnison County. I believe the services provided by the County, from public works to public health, are essential to the well-being and economic success of everyone. I am also in support of the County's strategic direction on infrastructure, environment, and community health. In short, Gunnison County is an organization that I would be proud to affiliate myself with and contribute to. Thank you for considering this application for the Board of Adjustment.

Yours in service,

Drew Brookhart

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Additional Comments *Field not completed.*

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**AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM**

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**Agenda Item:** Valley Housing Fund; Whetstone Award

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**Action Requested:** Discussion

**Parties to the Agreement:**

**Term Begins:**

**Term Ends:**

**Grant Contract #:**

**Summary:**

Presentation of Valley Housing Fund donation to Whetstone community housing project to BOCC

**Fiscal Impact:**

**Submitted by:** Cathie Pagano

**Submitter's Email Address:** cpagano@gunnisoncounty.org

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**Finance Review:**

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

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**County Attorney Review:**

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

Certificate of Insurance Required

Yes  No

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**County Manager Review:**

Comments:

Reviewed by: GUNCOUNTY1\Hperry

Discharge Date: 10/17/2024

Consent Agenda     Regular Agenda     Worksession

Time Allotted: 5

Agenda Date: 10/22/2024

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**AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM**

**Agenda Item:** National Forest Foundation, Colorado State Forest

**Action Requested:**

**Parties to the Agreement:**

**Term Begins:**

**Term Ends:**

**Grant Contract #:**

**Summary:**

National Forest Foundation, Colorado State Forest Service, Forest Restoration & Wildlife Mitigation Grant Application Letter of Support Discussion

**Fiscal Impact:**

**Submitted by:** Holly Perry for Matthew Birnie

**Submitter's Email Address:** hperry@gunnisoncounty.org

**Finance Review:**

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

**County Attorney Review:**

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

Certificate of Insurance Required

Yes  No

**County Manager Review:**

Comments:

Reviewed by: GUNCOUNTY1\Hperry

Discharge Date: 10/18/2024

Consent Agenda     Regular Agenda     Worksession

Time Allotted: 10

Agenda Date: 10/22/2024

[ COUNTY LETTERHEAD ]

[ DATE ]

Colorado State Forest Service  
PO Box 1390  
Gunnison, CO 81230

Dear Colorado State Forest Service,

The Gunnison County Board of County Commissioners supports the National Forest Foundation (NFF) and its request for Forest Restoration & Wildfire Risk Mitigation (FRWRM) grant dollars. The NFF has demonstrated its ability to coordinate cross-boundary projects and support private landowners in the protection of their property while reducing the threat of wildfire to the surrounding public lands.

The NFF will match FRWRM grant dollars with federal funding to support implementation of the cross-boundary forest health and fuel mitigation projects in the Taylor Park area of Gunnison County. Leveraging state and federal funds is beneficial to ensure we are treating the landscape at a scale to make a difference. Taylor Park has been identified as a high priority for forest restoration by Gunnison County through our Community Wildfire Protect Plan (CWPP) and by the U.S. Forest Service in their Taylor Park Vegetation Management Environmental Assessment. If awarded grant funding, the NFF will work closely with Gunnison County, Colorado State Forest Service, the U.S. Forest Service, private landowners, and the public to treat units specifically in and around the communities of Tin Cup, Rainbow Estates, Illinois Creek, and Bertha Gulch.

This fuel reduction project will result in a lowered risk to residents living in the Wildland Urban Interface, protection of valued water resources, and promote forest health across jurisdictions. The project will also result in the utilization of timber and provide wood products for the local economy. These outcomes align with Gunnison County's goals of reducing the threat of wildfire and generating economic opportunities.

Sincerely,

Gunnison County Board of County Commissioners

**AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM**

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**Agenda Item:** Proposition 127 Discussion

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**Action Requested:**

**Parties to the Agreement:**

**Term Begins:**

**Term Ends:**

**Grant Contract #:**

**Summary:**

Proposition 127 Discussion

**Fiscal Impact:**

**Submitted by:** Holly Perry for Matthew Birnie

**Submitter's Email Address:** hperry@gunnisoncounty.org

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**Finance Review:**

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

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**County Attorney Review:**

Required

Not Required

Comments:

Reviewed by:

Discharge Date:

Certificate of Insurance Required

Yes  No

---

**County Manager Review:**

Comments:

Reviewed by: GUNCOUNTY1\Hperry

Discharge Date: 10/18/2024

Consent Agenda     Regular Agenda     Worksession

Time Allotted: 15

Agenda Date: 10/22/2024

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*Be it Enacted by the People of the State Colorado:*

**SECTION 1.** In Colorado Revised Statutes, **add** 33-4-101.4 as follows:

**33-4-101.4. TROPHY HUNTING PROHIBITED – EXCEPTIONS – LEGISLATIVE DECLARATION – RULES – PENALTY – DEFINITIONS.** (1) THE VOTERS OF COLORADO FIND AND DECLARE THAT ANY TROPHY HUNTING OF MOUNTAIN LIONS, BOBCATS, OR LYNX IS INHUMANE, SERVES NO SOCIALLY ACCEPTABLE OR ECOLOGICALLY BENEFICIAL PURPOSE, AND FAILS TO FURTHER PUBLIC SAFETY. TROPHY HUNTING IS PRACTICED PRIMARILY FOR THE DISPLAY OF AN ANIMAL’S HEAD, FUR, OR OTHER BODY PARTS, RATHER THAN FOR UTILIZATION OF THE MEAT. MOREOVER, IT IS ALMOST ALWAYS CONDUCTED BY UNSPORTING MEANS, INCLUDING, BUT NOT LIMITED TO, USING PACKS OF DOGS WITH ELECTRONIC DEVICES TO PURSUE AND ENTRAP AFFECTED ANIMALS IN PLACES FROM WHICH THEY CANNOT ESCAPE IN ORDER TO ACHIEVE THE KILL. THEREFORE, IT IS APPROPRIATE AND NECESSARY TO BAN TROPHY HUNTING OF MOUNTAIN LIONS, BOBCATS, AND LYNX IN COLORADO.

(2) AS USED IN THIS SECTION:

(a)(I) “TROPHY HUNTING” MEANS INTENTIONALLY:

(A) KILLING, WOUNDING, PURSUING, OR ENTRAPPING A MOUNTAIN LION, BOBCAT, OR LYNX; OR

(B) DISCHARGING OR RELEASING ANY DEADLY WEAPON, AS DEFINED IN SECTION 18-1-901(3)(e), AT A MOUNTAIN LION, BOBCAT, OR LYNX.

(II) “TROPHY HUNTING” DOES NOT INCLUDE:

(A) ANY ACT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION IF IT WAS CONDUCTED IN THE DEFENSE OF HUMAN LIFE, LIVESTOCK, REAL OR PERSONAL PROPERTY, OR A MOTOR VEHICLE PURSUANT TO SECTION 33-3-106 AND APPROPRIATE NONLETHAL METHODS HAVE BEEN USED AS DEFINED BY THE COMMISSION, EXCEPT THAT LETHAL MEANS MAY BE USED TO DEFEND HUMAN LIFE;

(B) ANY ACT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION IF IT WAS CONDUCTED BY AN AUTHORIZED EMPLOYEE OF THE DIVISION OF PARKS AND WILDLIFE, THE UNITED STATES DEPARTMENT OF AGRICULTURE, OR THE UNITED STATES DEPARTMENT OF THE INTERIOR, WHEN THE EMPLOYEE IS ACTING IN HIS OR HER OFFICIAL CAPACITY;

(C) THE ACCIDENTAL WOUNDING OR KILLING OF A MOUNTAIN LION, LYNX, OR BOBCAT BY A MOTOR VEHICLE, VESSEL, OR TRAIN;

(D) THE USE OF NONLETHAL METHODS BY A PERSON AUTHORIZED TO CAPTURE A MOUNTAIN LION, BOBCAT OR LYNX FOR PURPOSES OF BONA FIDE SCIENTIFIC RESEARCH, FOR RELOCATION PERMITTED IN ACCORDANCE WITH RULES OF THE DIVISION OR FOR MEDICAL TREATMENT OF THE ANIMAL BEING CAPTURED AS PERMITTED BY SECTION 33-6-206(1)(a), (1)(c), OR (1)(d);

(E) ANY ACT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION IF AUTHORIZED BY THE COMMISSIONER OF AGRICULTURE PURSUANT TO SECTION 35-40-101 TO CONTROL DEPREDATING ANIMALS;

(F) EUTHANASIA OF AN ILL OR INJURED MOUNTAIN LION, BOBCAT, OR LYNX, DONE FOR HUMANE REASONS, BY A PERSON LICENSED TO PRACTICE VETERINARY MEDICINE UNDER THE COLORADO VETERINARY PRACTICE ACT, ARTICLE 315 OF TITLE 12;

(G) ANY ACT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION IF IT WAS CONDUCTED PURSUANT TO A SPECIAL LICENSE ISSUED BY THE DIVISION OF PARKS AND WILDLIFE UNDER SECTION 33-4-102(2)(a), 2(i), OR (13); OR

(H) ANY ACT SPECIFIED IN SUBSECTION (2)(a) OF THIS SECTION IF IT WAS CONDUCTED BY AN EMPLOYEE OR CONTRACTOR OF A FEDERAL, STATE, COUNTY, CITY AND COUNTY, OR MUNICIPAL DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROTECTING HUMAN HEALTH OR SAFETY PURSUANT TO SECTION 33-6-205.

(b)“PURSUING” MEANS FOLLOWING OR CHASING IN ORDER TO ATTACK, ENTRAP, WOUND, OR KILL, INCLUDING, BUT NOT LIMITED TO, USING ONE OR MORE DOGS IN SUCH ACT.

(3) TROPHY HUNTING OF ANY MOUNTAIN LION, BOBCAT, OR LYNX IS UNLAWFUL.

(4) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS 1 MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501.

(b) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PERSON CONVICTED OF ANY OFFENSE UNDER THIS SECTION WHO HOLDS A WILDLIFE LICENSE SHALL NOT BE ABLE TO HOLD OR EXERCISE THE PRIVILEGES OF SUCH A LICENSE FOR FIVE YEARS.

(c) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY PERSON CONVICTED OF TWO OR MORE OFFENSES UNDER THIS SECTION IS PROHIBITED FROM HOLDING OR EXERCISING THE PRIVILEGES OF SUCH A LICENSE FOR LIFE.

**SECTION 2.** In Colorado Revised Statutes, 33-4-102, **amend** (1.4)(s) as follows:

**33-4-102. Types of licenses and fees - rules.** (1.4) Except as otherwise provided in subsections (1.5) and (1.6) of this section, the division may issue the following resident and nonresident licenses and shall collect the following fees:

	Fees	
	Resident	Nonresident
(s) <del>Mountain lion</del>	<del>48.00</del>	<del>660.00</del>

**SECTION 3.** In Colorado Revised Statutes, 33-6-107, **amend** (9) as follows:

**33-6-107. Licensing violations – penalties – rule.** (9) For the purposes of this section, any person, any member of such person’s family, or any employee of the person may hunt, trap, or take black-billed magpies, common crows, starlings, English or house sparrows, common pigeons, coyotes, ~~bobcats~~, red foxes, raccoons, jackrabbits, badgers, marmots, prairie dogs, pocket gophers, Richardson’s ground squirrels, rock squirrels, thirteen-lined ground squirrels, porcupines, crayfish, tiger salamanders, muskrats, beavers, exotic wildlife, and common snapping turtles on lands owned or leased by the person without securing licenses to do so, but only when such wildlife is causing

damage to crops, real or personal property, or livestock. Any person may kill skunks or rattlesnakes when necessary to protect life or property. The pelts or hides of any mammals taken under this subsection (9) may be transferred, possessed, traded, bartered, or sold by a person who holds an appropriate small game license.

**SECTION 4.** In Colorado Revised Statutes, 33-6-109, **amend** (3)(c) as follows:

**33-6-109. Wildlife – illegal possession.** (3) A person who violates subsection (1) or (2) of this section is guilty of a misdemeanor and, depending upon the wildlife involved, shall be punished upon conviction by a fine or imprisonment, or both, and license suspension points or suspension or revocation of license privileges as follows:

(c) For each elk, bear, moose, LYNX, BOBCAT, or mountain lion, a fine of one thousand dollars and an assessment of fifteen points.

**SECTION 5.** In Colorado Revised Statutes, 33-6-110, **amend** (1)(a) and (c) as follows:

**33-6-110. Division action to recover possession and value of wildlife unlawfully taken.**

(1) The division may bring and maintain a civil action against any person, in the name of the people of the state, to recover possession or value or both possession and value of any wildlife taken in violation of articles 1 to 6 of this title. A writ of replevin may issue in such an action without bond. No previous demand for possession shall be necessary. If costs or damages are adjudged in favor of the defendant, the same shall be paid out of the wildlife cash fund. Neither the pendency of such civil action nor a criminal prosecution for the same taking shall be a bar to the other; nor shall anything in this section affect the right of seizure under other provisions of articles 1 to 6 of this title. The following shall be considered the minimum value of the wildlife unlawfully taken or possessed and may be recovered in addition to recovery of possession of the wildlife:

(a) For each eagle, member of an endangered species, rocky mountain goat, moose, rocky mountain bighorn sheep, MOUNTAIN LION, BOBCAT, or lynx...\$1,000

(c) For each pronghorn, deer, OR black bear ~~or mountain lion~~...\$500

**SECTION 6.** In Colorado Revised Statutes, 33-1-102, **amend** (2) as follows:

**33-1-102. Definitions.** (2) “Big game” means elk, white-tailed deer, mule deer, moose, rocky mountain bighorn sheep, desert bighorn sheep, rocky mountain goat, pronghorn antelope, black bear, ~~mountain lion~~, and all species of large mammals that may be introduced or transplanted into this state for hunting or are classified as big game by the commission.

**SECTION 7. Effective date - applicability.** This measure shall be effective on and after the date it is declared by proclamation of the governor to have been adopted by voters and shall apply to offenses committed on or after the effective date.