

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
January 21, 2025**

The January 21, 2025 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:

Laura Puckett Daniels, Chairperson
Elizabeth Smith, Vice-Chairperson
Jonathan Houck, 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 MEETING:

CALL TO ORDER: Commissioner Puckett Daniels called the meeting to order at 8:30 am.

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

- 1. Alcohol Beverage License #03-15949; The Wooden Spoon dba The Wooden Spoon; 3/7/2025 to 3/7/2026
- 2. Alcohol Beverage License #03-13185; Skyhighcolorado LLC dba Nugget Cafe; 4/6/2025 to 4/6/2026

ADJOURN: Commissioner Puckett Daniels adjourned the meeting of the Gunnison County Local Liquor Licensing Authority at 8:30 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Commissioner Puckett Daniels called the meeting to order at 8:30 am.

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

MINUTES APPROVAL: **Moved** by Commissioner Houck seconded by Commissioner Smith to approve both the January 7th, 2025 regular meeting minutes and the January 14th, 2025 special meeting minutes as presented. Motion carried unanimously.

- 1. January 7, 2025 Regular Meeting
- 2. January 14, 2025 Special Meeting

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

- 1. Acknowledgement of County Manager’s Signature; Gunnison County Finance Director Employment Agreement; Ana Canada; 1/1/2025; \$144,828
- 2. Acknowledgement; Intergovernmental Grant Agreement; Energy & Mineral Impact Assistance Program (EIAF); Facilities; 12/27/2024 to 11/30/2026; \$2,000,000
- 3. Quote; eCertification; Tyler Technologies; Clerk & Recorder; 3 years; \$3,897
- 4. Quote; Payments with Resident Access Migration; Tyler Technologies; Finance; \$4,500
- 5. Professional Services Agreement Letter Amendment – Gunnison Crested Butte Regional Airport; Ricondo & Associates, Inc.; 10/18/2022 to 12/31/2025; \$205,000
- 6. Professional Services Agreement; Somerset Domestic Waterworks District; 1/1/2025 to 12/31/2025; \$20,000
- 7. Pharmacy Benefit Plan Design; TrueRx; Human Resources; 1/1/2025
- 8. Grant Application; Colorado Regional Opioid Abatement Council; Juvenile Services; \$500,000
- 9. Grant Application; Temple Hoyne Buell; Parents as Teachers; Health and Human Services; \$20,000
- 10. Incumbency and Signature Certificate

COUNTY MANAGER’S REPORTS:

- 1. County Designation of 2025 Steering Committee Proxies; Colorado Counties, Inc. Steering Committees – CM Birnie relayed that Assistant County Manager for Health, Human and Safety Services Joni Reynolds has been the representative previously for Health and Human Services. **Moved** by Commissioner Houck, seconded by Commissioner Smith to designate Assistant County Manager for Health and Human Services Joni Reynolds as our proxy at CCI to vote on issues specific to health and human services and authorize the Chair’s signature on the CCI document. Motion carried unanimously.
- 2. Colorado Division of Transportation (CDOT) – Assistant County Manager for Public Works Martin Schmidt and CM Birnie attended an honoring ceremony for the Highway 50 Bridge Repair Response last Thursday.

DRAFT CORRESPONDENCE; CRESTED BUTTE POSTAL FACILITIES; US POSTAL SERVICE

Commissioner Houck relayed he has had conversation with the staff of Senator Bennet and Senator Hickenlooper about this and he would like to add Postmaster General DeJoy as a correspondence as well as Mr. Smith. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve the letter as drafted in our packet, also include Postmaster DeJoy on who it is sent to and addressed to and authorize the signature of the full Board on the correspondence. Motion carried unanimously.

A RESOLUTION RESCINDING THE GUNNISON COUNTY LOCAL DISASTER EMERGENCY DUE TO THE HIGHWAY 50 BRIDGE CLOSURES

Commissioner Houck clarified if this will end all things tied to the declaration such as funding to which CM Birnie confirmed. **Moved** by Commissioner Smith, seconded by Commissioner Houck to approve Resolution 2025-3, a Resolution Rescinding the Gunnison County Local Disaster Emergency due to the Highway 50 Bridge Closures. Motion carried unanimously.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO PERTAINING TO OPEN FIRE BANS AND THE IMPOSITION OF FIRE RESTRICTION STAGES AND EXEMPTIONS Emergency Manager Scott Morrill and Deputy Emergency Manager Ryan White were present for discussion.

Commissioner Puckett Daniels relayed this is an annual resolution to give the Sheriff authority to declare fire restrictions if need be. CA Hoyt noted the Sheriff must report back to the Board pursuant to the program three on page four of the resolution and the Board has the discretion to rescind at any time. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve and adopt Resolution 2025-4, a Resolution of the Board of County Commissioners of Gunnison County, Colorado, Pertaining to Open Fire Bans and the Imposition of Fire Restriction Stages and Exemptions as presented in this morning's packet. Motion carried unanimously.

A RESOLUTION ESTABLISHING GUNNISON COUNTY AS A LOCAL AUTHORIZING AUTHORITY FOR AMBULANCE SERVICES, ESTABLISHING AMBULANCE SERVICE AREAS, ADOPTING GUNNISON COUNTY AMBULANCE LICENSING REGULATIONS AND REVOKING RESOLUTION NO. 2018-13 Emergency Manager Scott Morrill and Deputy Emergency Manager Ryan White were present for discussion.

EM Morrill noted this is something that needs to be renewed annually and the State CDPHE oversees licensing. Commissioner Puckett Daniels clarified that the County used to provide licensing and now the State does to which EM Morrill confirmed. **Moved** by Commissioner Smith, seconded by Commissioner Houck to approve Resolution 2025-5, a Resolution Establishing Gunnison County as a Local Authorizing Authority for Ambulance Services, Establishing Ambulance Service Areas, Adopting Gunnison County Ambulance Licensing Regulations and Revoking Resolution No. 2018-13. Motion carried unanimously.

COMMISSIONER ITEMS: This discussion began earlier than scheduled due to a gap in the meeting.

Commissioner Smith:

1. Cheatgrass Coordinator – Commissioner Smith welcomed the new Cheatgrass Coordinator who started last week.
2. Colorado Counties, Inc. Steering Committees (CCI) – Commissioner Smith relayed they have been discussing Land Use Proposals and Modular Housing concept that is trying to develop a uniform code for different types of zones across the State. Commissioner Houck asked for clarification on what the legislation is trying to do. Commissioner Smith stated they are working to do mass production to drive down costs and the different codes for mountain towns would typically hinder that. Commissioner Puckett Daniels relayed that she believes there needs to be more discussion on what is wanted. CA Hoyt noted that, in his opinion, application of land use regulations as opposed to building codes are a bigger issue. Commissioner Smith also discussed another land use legislation that is providing incentives for religious institutions to be able to develop housing.
3. Southwest Colorado Opioid Regional Council – Commissioner Smith commented they did bring in two coordinator facilitators.
4. Allocation Methodology Team – Commissioner Smith noted they have an Allocation Methodology Team for the Child Welfare Allocation Committee. She requested having some staff members involved with the conversation.

GUNNISON COUNTY BOARDS AND COMMISSIONS:

1. Board of Adjustment Appointments:
 - At Large Appointments; Fill Two Vacancies for One-Year Terms
 - Applicants: Julie Baca, Andy Tocke
 - BOCC Appointments; Three Commissioners for One-Year Terms
 - Commissioners: Laura Puckett Daniels, Liz Smith, Jonathan Houck
 - Alternate Appointments; Extend Terms for One-Year

- Applicants: Drew Brookhart, John O’Neal

Commissioner Houck noted he is fine with appointing all as there were no new applicants. Commissioner Smith agreed. **Moved** by Commissioner Smith, seconded by Commissioner Houck to fill two vacancies for one-year terms on the Board of Adjustment and fill those with Julie Baca and Andy Tocke, appoint Laura Puckett Daniels, Elizabeth Smith and Jonathan Houck for a one-year term and also extend for one-year the alternates Drew Brookhart and John O’Neal. Motion carried unanimously.

2. Environmental Health Board Appointments:

- Fill Four Vacancies for Regular Member for Three-Year Terms & Fill Two Vacancies for Alternate Members for One-Year Terms
 - Applicants: Bill Barvitski, Ashley Bembenek, Lynn Cudlip, Kari Roberts, Brooke Ann Zanetell

Commissioner Puckett Daniels relayed what the alternates duties are and who is currently a regular or alternate member. **Moved** by Commissioner Smith, seconded by Commissioner Houck appoint Bill Barvitski, Ashley Bembenek, Lynn Cudlip and Brooke Ann Zanetell to a regular three-year term for the Environmental Health Board and also appoint Kari Roberts for an alternate member one-year term. Motion carried unanimously.

3. Extension Advisory Committee Appointments:

- Regular Appointments; Fill Two Vacancies for Three-Year Terms
 - Applicants: Janet Washburn, Dan Zadra

Moved by Commissioner Houck, seconded by Commissioner Smith to reappoint to three-year terms, Janet Washburn and Dan Zadra to the Extension Advisory Committee. Motion carried unanimously.

4. Gunnison Valley Land Preservation Board Appointments:

- Fill One Vacancy for Regular Member for a Four-Year Term & Fill One Vacancy for Alternate Member for a Two-Year Term
 - Applicant: Glo Cunningham

Moved by Commissioner Houck, seconded by Commissioner Smith to reappoint Glo Cunningham to a four-year term on the Gunnison Valley Land Preservation Board, acknowledging the work and dedication. Motion carried unanimously.

5. Gunnison Watershed Weed Commission Appointments:

- Regular Appointment; Fill One Vacancy for a Three-Year Term
 - Applicant: Thomas Walker

Moved by Commissioner Houck, seconded by Commissioner Smith to reappoint Thomas Walker to a three-year term on the Gunnison Watershed Weed Commission as a board member of that board. Motion carried unanimously.

6. Historic Preservation Commission Appointments:

- Regular Appointments; Fill Two Vacancies for Three-Year Terms
 - Applicants: Krister Kooiman, Jody Reeser

Commissioner Houck relayed that since Ms. Kooiman’s interview was missed and he would prefer talking to new applicants before appointing, he would like to encourage Ms. Kooiman to reapply for future openings. Commissioner Smith agreed. **Moved** by Commissioner Houck, seconded by Commissioner Smith to appoint Jody Reeser to a regular three-year term on the Historic Preservation Commission. Motion carried unanimously.

7. Planning Commission Appointments:

- Fill Three Vacancies for Regular Members for Three-Year Term & Fill Two Vacancies for Alternate Members for One-Year Term
 - Applicants: Julie Baca, Bill Barvitski, Krister Kooiman, Catherine McBreen, Fred Niederer, Sean Patrick

Commissioner Puckett Daniels relayed the duties of the alternate. The Board discussed who they would like to move to a regular position from the alternate. **Moved** by Commissioner Smith, seconded by Commissioner Houck to appoint Julie Baca, Bill Barvitski, and Fred Niederer to regular three-year terms, and appoint Catherine McBreen and Sean Patrick to an alternate one-year term. Motion carried unanimously.

8. Region 10 Board Appointments:

- Board of Directors (Private Representative) Appointments; Fill Two Vacancies for Two-Year Terms
 - Applicant: Colleen Hannon
- Business Loan Fund Appointments; Fill Two Vacancies for Two-Year Terms
 - Applicants: David Assad, Shane McGuinness
- Gunnison Valley Transportation Planning Region Committee Appointments; Fill Two Vacancies for One-Year Terms
 - Applicants: Vince Rogalski, Martin Schmidt, Erika Vohman

Commissioner Puckett Daniels relayed the difference between the appointments and explained any confusion from before. She relayed that historically Counties have had a staff member as the Gunnison Valley Transportation Planning Region regular member. **Moved** by Commissioner Smith, seconded by Commissioner Houck to appoint both Colleen Hannon and Vince Rogalski to two-year terms on the Board of Directors for Private Representatives for Region 10 and to appoint David Assad and Shane McGuinness to two-year terms on the Business Loan Fund for Region 10 and appoint Martin Schmidt as our regular voting member for the Gunnison Valley Transportation Planning Region Committee and Vince Rogalski as the alternate. Motion carried unanimously.

9. Sustainable Tourism and Outdoor Recreation Committee Appointments:

- At-Large Appointments; Fill Four Vacancies for Two-Year Terms
 - Applicants: Than Acuff, Jon Hare, Caressa Holland, Jeremy Johndrow, Jake Jones, Tim Kugler, Danny J. Lefebvre, Heather Leonard, Mimi Mather, Hannah November, Chris Parmeter, Tyler Portenier, Kurt Portwich, Pamela Williams

Commissioner Puckett Daniels expressed gratitude for the robust interest. Commissioner Houck relayed possibly providing more clarity on what skills STOR is looking for in applicants. He would like to reappoint the folks that reapplied because of their history and skills with the Committee. Commissioner Puckett Daniels agreed. Commissioner Houck noted there are sometimes subcommittees where others can get involved. Commissioner Smith supports their direction. **Moved** by Commissioner Smith, seconded by Commissioner Houck to reappoint Jeremy Johndrow, Jake Jones, Tim Kugler, and Chris Parmeter to the STOR Committee. Motion carried unanimously.

10. Veteran Services Officer Appointment:

- Regular Appointment; Fill One Vacancy for a Two-Year Term
 - Applicant: Steve Otero

Moved by Commissioner Houck, seconded by Commissioner Smith to reappoint Steve Otero to our Veteran Services Officer for Gunnison County. Motion carried unanimously.

VOUCHERS AND TRANSFERS APPROVAL: Finance Director Ana Canada presented the voucher approval report dated December 17, 2024 and the cash transfer authorization dated December 2024 for discussion and approval. **Moved** by Commissioner Houck, seconded Commissioner Smith to approve the voucher report in the amount of \$5,553,160.34. Motion carried unanimously. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve the cash transfer in the amount of \$7,996,765.98. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: County Treasurer Debbie Dunbar presented the December 2024 Treasurer's report, an investment report dated December 31, 2024, a quarterly interest report dated October through December 2024, and an annual report for 2024 for discussion and acceptance. **Moved** by Commissioner Houck, seconded by Commissioner Smith to accept the Treasurer's Report as presented and authorize the Chair's signature accepting the report. Motion carried unanimously.

UNSCHEDULED PUBLIC COMMENT:

1. Colleen Hannon – Ms. Hannon reinforced the Board's decision on the Gunnison Valley Transportation Planning Region appointments and wanted to thank the Board for her appointment to Region 10.
2. Donna Guerrieri – Ms. Guerrieri commented on the North Gunnison sewer rate increases. Commissioner Houck relayed that the rates are a non-profit and the fees are relative to the direct cost of the service. CM Birnie also commented that the increase is due to the City's treatment rate increase of 15%. Assistant County Manager for Public Works Martin Schmidt explained in more detail the reasoning behind the rate increases. He also noted he is interested in having a rate study performed to verify they are within the balance of business feasibility in the sewer and water district. Lastly, ACM Schmidt did give his contact information for a future conversation.
3. Seth Nienhueser – Mr. Nienhueser would like to also provide comments on the sewer and rate increase for his business in North Gunnison. He brought comparisons of other Counties' rates for sewer for a similar property and he encouraged the County to negotiate with the City. Commissioner Houck relayed that the price other Counties' rates are

subjective based on different factors as well as not having sewer collection systems. ACM Schmidt will also follow up on the conversation.

4. Abby Harrison – Ms. Harrison introduced Dave Pinkerton as the new County and School Board Reporter for the Gunnison Country Times.

COMMISSIONER ITEMS (Cont'd):

Commissioner Houck:

1. Winter Travel Management – Commissioner Houck and Commissioner Puckett Daniels attended a meeting regarding winter travel management in order to have a conversation on community desires. CA Hoyt noted that there is a freeze on Federal hiring that was passed by Executive Order yesterday which could impact this.
2. Mayors Managers Meeting – Commissioner Houck, CM Birnie, and Commissioner Puckett Daniels attended this meeting last Wednesday.
3. Senator Meetings – Commissioner Houck met with the Senator Bennet and Senator Hickenlooper’s office about a deed restriction on the town park in the Town of Marble.
4. Drought Contingency Task Force – Commissioner Houck had a conversation about the Agricultural Outreach.
5. HB 1177 Roundtable – Commissioner Houck relayed he will update this with the other water updates.
6. Department of Natural Resources – Commissioner Houck stated he is keeping the State Park Concept on their radar.
7. Executive Orders – Commissioner Houck will continue to look at new Executive Orders and how they could affect the Administrative Withdrawal and Thompson Divide as well as the Gunnison Outdoor Resource Protection (GORP) Act.

Commissioner Puckett Daniels:

1. Legislative Calls – Commissioner Puckett Daniels has been listening into the Counties & Commissioners Acting Together (CCAT) and Colorado Counties, Inc. Steering Committees (CCI) legislative calls about land use, housing, and transportation.
2. Gunnison Valley Regional Transportation Authority (RTA) – Commissioner Puckett Daniels relayed that there could be a second daily bus service to Denver this spring to which the RTA will be paying 50% of the cost. She also stated this route is the most highly used in the state and the only route to have second daily service because of the popularity.
3. Winter Travel Management – Commissioner Puckett Daniels added they are working on big picture items such as who needs to participate and at what levels and no concrete commitments were made.
4. Colorado Association of Ski Towns (CAST) – Commissioner Puckett Daniels stated she will be attending the CAST meeting in Breckenridge next week to discussing housing issues.

EXECUTIVE SESSION, PURSUANT TO C.R.S. § 24-6-402(4)(B): CONFERENCES WITH THE COUNTY ATTORNEY, DEPUTY COUNTY ATTORNEY OR ASSISTANT COUNTY ATTORNEY FOR GUNNISON COUNTY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE RELATED TO LEGAL ISSUES SURROUNDING COUNTY LAND USE AUTHORITIES AND JURISDICTION UNDER THE GUNNISON COUNTY LAND USE RESOLUTION AND ARTICLE 28 OF THE COLORADO REVISED STATUTES. Moved by Commissioner Houck, seconded by Commissioner Smith to go into Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(b): conferences with the County Attorney, Deputy County Attorney or Assistant County Attorney for Gunnison County for the purpose of receiving legal advice related to legal issues surrounding county land use authorities and jurisdiction under the Gunnison County Land Use Resolution and Article 28 of the Colorado Revised Statutes. Included in the meeting will be the full Board of County Commissioners, County Manager Matthew Birnie, County Attorney Matthew Hoyt, Assistant County Manager for Community and Economic Development Cathie Pagano, as well as from Community Development, Hillary Seminick. That is who will be in the meeting. Because we are receiving legal advice from the Attorney, there is no requirement to maintain a contemporaneous recording of the meeting. Motion carried unanimously.

The board went into executive session at 10:25 am. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(b).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____

Matthew Hoyt
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Chairperson of the Gunnison County Board of Commissioners, that I attended all of the above referenced executive session, and that all of that executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4).

Date: _____

Laura Puckett Daniels, Chairperson
Gunnison County Board of Commissioners

Moved by Commissioner Houck, seconded by Commissioner Smith to come out of executive session. The participants in the Executive Session were the same that I read into the record. We stayed on topic and received advice from the County Attorney. Motion carried unanimously. The Board came out of executive session at 12:28 pm.

ADJOURN: Commissioner Puckett Daniels adjourned the meeting at 12:28 pm.

Laura Puckett Daniels, Chairperson

Elizabeth Smith, Vice-Chairperson

Jonathan Houck, 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 THE COUNTY OF GUNNISON,
STATE OF COLORADO**

RESOLUTION NO. 2025-3

**A RESOLUTION RESCINDING THE GUNNISON COUNTY LOCAL DISASTER EMERGENCY DUE
TO THE HIGHWAY 50 BRIDGE CLOSURES**

WHEREAS, on April 23, 2024, the Board of County Commissioners of the County of Gunnison adopted Resolution No. 2024-18, declaring a local disaster emergency due to the closures of bridges on United States Highway 50 in Gunnison County; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, the Board of County Commissioners of the County of Gunnison has the authority to order the declaration, continuation, or termination of a local disaster emergency; and

WHEREAS, due the reopening of the affected Highway 50 bridges to two-way traffic until at least Spring 2025, there no longer remains the need to maintain a local disaster emergency response or continued mobilization of emergency resources;

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

- 5. Resolution No. 2024-18, A Resolution and Declaration Continuing the Highway 50 Closure Local Disaster Emergency in Gunnison County, is hereby rescinded;
- 6. This Resolution shall be promptly filed and recorded with the Gunnison County Clerk and Recorder, and filed with both the Office of Gunnison County Emergency Management and with the Colorado Office of Emergency Management; and
- 7. This Resolution shall be given prompt and general publicity.

INTRODUCED by Commissioner Smith, seconded by Commissioner Houck, and adopted this 21st day of January 2025.

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. 25-4

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO PERTAINING TO OPEN FIRE BANS AND THE IMPOSITION OF FIRE RESTRICTION STAGES AND EXEMPTIONS

WHEREAS, the Board of County Commissioners of Gunnison County ("Board"), pursuant to C.R.S. §§ 30-11-101(2) and 30-15-401, et seq. has the general enabling power to adopt ordinances, resolutions, rules and other regulations as may be necessary for the control or licensing of those matters of purely local concern, and to do all acts which may be necessary or expedient to promote the health and welfare of the residents and visitors of Gunnison County ("County"); and

WHEREAS, the Board may adopt ordinances to ban open fires and impose fire restriction stages within those portions of the unincorporated areas of the County where the danger of forest or grass fires is found to be high, pursuant to C.R.S. § 30-15- 401(1)(n.5); and

WHEREAS, the Board is authorized to prohibit the sale, use, and possession of fireworks, including permissible fireworks, within those portions of the unincorporated areas of the County, pursuant to C.R.S. § 30-15-401(1)(n.7); and

WHEREAS, the Board passed Ordinance Nos. 8a, 14, 16, and 20 relating to fire bans and fire restrictions, including penalties for the violation of those Ordinances; and

WHEREAS, the Board acknowledges that from time-to-time fire conditions resulting from extended hot, dry and windy weather in the area make it prudent to impose restrictions on open fires, open burning and sale, use and possession of fireworks in order to reduce the danger of wildfire in the unincorporated areas of the County; and

WHEREAS, the Board specifically finds that in certain high fire-danger conditions such restrictions are in the best interests of the residents and visitors of the County in order to preserve the health, safety and welfare of the residents and visitors; and

WHEREAS, the Gunnison County Sheriff ("Sheriff") is authorized pursuant to C.R.S. §§ 30-10-512 and 30-10-513 to act as fire warden of the County and is responsible for coordination of fire suppression efforts in case of prairie, forest or wildland fires or wildfires occurring in unincorporated areas of the County outside the boundaries of a fire protection district or that exceed the capabilities of the fire protection district to control; and

WHEREAS, the Board believes that the Sheriff, as fire warden, is the appropriate person, using their expertise and discretion along with established fire restriction evaluation guidelines, and in consultation with local Fire Chiefs, State and Federal land management agencies, and State and Federal fire suppression authorities, to determine whether a restriction of open fires, open burning and use of fireworks should be implemented or elevated in times of extreme fire danger or suspended during times of decreased fire danger;

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

- 1. The Sheriff or their designee shall have the authority, in collaboration with local Fire Chiefs, State and Federal land management agencies, and State and Federal fire

suppression authorities to declare Stage I or Stage II Restrictions regarding open fire, open burning or the sale, use or possession of fireworks, whenever the danger of forest or grass fires is found to be high and without the need for further proceedings or resolution ("Restrictions"). The Sheriff or their designee shall also have the authority to rescind those Restrictions when he or she determines it is appropriate considering the current fire danger.

- a. Stage I Restrictions shall allow the Sheriff to impose the following prohibitions:
 - i. Building, maintaining, attending or using a fire, campfire or stove fire, including but not limited to agricultural and the burning of trash or debris, except:
 - 1) Building, maintaining, attending or using a fire in constructed, permanent fire pits or fire grates within developed recreation sites;
 - 2) Fires fueled by gas, jellied petroleum, or pressurized liquid fuel; or
 - 3) Fires burned in portable chimineas, fire pits and tiki torches wholly on or within private property.
 - ii. Smoking, except:
 - 1) within an enclosed vehicle or building; or
 - 2) in a developed recreation site or while stopped in an area at least three feet (3') in diameter that is barren or clear of all flammable materials.
 - iii. Restrictions or prohibitions on the sale, use and possession of fireworks pursuant to C.R.S. § 30-15- 401(1)(n.7).
 - iv. Using explosives, including but not limited to fuses or blasting caps, model rockets, exploding targets, tracer bullets or incendiary rounds.
 - v. Welding or operating acetylene or other torch with open flame except in cleared areas of at least 10 feet (10') in diameter and in possession of a chemical pressurized fire extinguisher with a minimum rating of 2A.
 - vi. Operating or using internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order.
 - b. Stage II Restrictions shall allow the Sheriff to impose the following prohibitions:
 - i. Building, maintaining, attending or using a fire, campfire or stove fire including but not limited to:
 - 1) Agricultural burning and the burning of trash or debris;
 - 2) Maintaining, attending or using a fire in constructed, permanent fire pits or fire grates within developed recreation sites;
 - 3) Fires fueled by gas, jellied petroleum, or pressurized liquid fuel, except that devices using pressurized liquid fuel or gas (e.g., stoves, grills or lanterns and shut-off valves are allowed when used at least three (3') or more from flammable material such as grasses or pine needles; and
 - 4) Fires burned in portable chimineas, fire pits and tiki torches.
 - ii. Smoking, except within an enclosed vehicle or building.
 - iii. Restrictions or prohibitions on the sale, use and possession of fireworks pursuant to C.R.S. § 30-15- 401(1)(n.7).
 - iv. Operating a chainsaw or other equipment powered by an internal combustion engine without a USDA or SAE approved spark arrester properly installed and in effective working order, a chemical pressurized fire extinguisher with a minimum rating of 2A kept with the operator, and round point shovel with an overall length of at least 35 inches (35") readily available for use.
 - v. Welding, operating a torch with open flame, or any activities which generate flame or flammable material.
 - vi. Using explosives, including but not limited to fuses or blasting caps, model rockets, exploding targets, tracer bullets or incendiary rounds.
 - vii. Operating or using internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order.
 - viii. Possessing or using a motor vehicle off established roads, motorized trails or established paring areas, except when parking in an area devoid of vegetation within ten feet (10') of the vehicle.
 - c. Stage III Restrictions may only be imposed by the Board by duly adopted Resolution or Ordinance.
2. Any declaration by the Sheriff or their designee of Restrictions shall specify the Stage level, parameters, and the duration of the Restrictions as deemed necessary and appropriate. The Sheriff or their designee shall promptly coordinate notification to the public through press release(s) to local radio and print media, as well as posting on the County Internet Website and County Sheriff's Office Facebook page. Likewise, when conditions indicate a reduction or the suspension of Restrictions, the same notification to the public shall occur.

3. No less than three (3) business days after imposing or suspending any Restriction pursuant to this Resolution, the Sheriff shall present, for ratification by the Board, a written summary of the competent evidence and recommendations that are or were the basis of the decision to impose or suspend the Restriction. Notwithstanding the above, the Sheriff will engage in all reasonable efforts to immediately notify the members of the Board, the County Manager and the County Attorney regarding the imposition, modification or lifting of any Restrictions.
4. Nothing in this Resolution shall be construed to allow the burning or combustion of any material or any burning or fire activity otherwise prohibited by law.
5. The Sheriff or their designee shall consult with various state and federal land management agencies and obtain their recommendation prior to the Sheriff imposing or suspending any Restrictions. Recommendations shall be made pursuant to Fire Restriction Evaluation Guidelines as currently used by such agencies to evaluate the indicators that predict fire danger. Upon any implementation or suspension of Restrictions, the Sheriff or their designee shall coordinate and cooperate with these agencies to enforce the Restrictions.
6. This Resolution shall be enforced by the Sheriff or their designee, through his Deputies, the Fire Chief or their designee of any fire protection district or administering agencies of the state and federal lands located therein, and they shall have authority to order any person to immediately cease any violation of this Resolution. This shall include the right to issue a penalty assessment notice and the right to take such person or persons violating this Resolution into temporary custody.
7. Pursuant to Ordinance No. 20, any person who violates this Resolution commits a civil infraction and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars for each separate offense. The penalty assessment procedure provided in C.R.S. § 16-2-201, as amended, may be followed by any arresting law enforcement officer for any such violation. That penalty assessment procedure shall provide for a fine of five hundred dollars (\$500.00) for each separate offense and a fine of one thousand dollars (\$1,000.00) for any repeat offense by the same individual. Pursuant to C.R.S. § 30-15-402(2)(a), in addition to the foregoing penalties, persons convicted of a violation of this Resolution are subject to a surcharge of ten dollars (\$10.00) to be paid to the clerk of the Gunnison County Court by the defendant, as well as any other penalties or surcharges set forth in C.R.S. § 30- 15-402, as amended, or as otherwise provided by law.
8. If any section, subsection, clause or sentence of this Resolution is judged by a court of competent jurisdiction to be invalid, such invalidity shall not affect, impair or invalidate any other provisions of this Resolution which can be given effect without the invalid provision.
9. The Board hereby finds, determines and declares that this Resolution is necessary for the immediate preservation and protection of the health, safety and welfare of the citizens of Gunnison County, Colorado because of the high danger of forest or wildland fires occurring in all unincorporated areas of the County. This Resolution shall take effect immediately upon adoption and remain in full force and effect until midnight Mountain Time, December 31, 2025 at which point this Resolution shall expire and no longer remain in effect, or until rescinded by subsequent Resolution or Ordinance adopted by the Board, whichever first occurs.

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 21st day of January 2025.

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. 2025-5**

**A RESOLUTION ESTABLISHING GUNNISON COUNTY AS A LOCAL AUTHORIZING AUTHORITY
FOR AMBULANCE SERVICES, ESTABLISHING AMBULANCE SERVICE AREAS, ADOPTING
GUNNISON COUNTY AMBULANCE LICENSING REGULATIONS AND REVOKING RESOLUTION
NO. 2018-13**

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado ("Board") pursuant to the authority granted in the Colorado Emergency Medical and Trauma Services Act, Colo. Rev.

Stat. § 25-3.5-101, et seq., previously adopted resolutions for the licensure and regulation of ambulance services and adopting ambulance licensing regulations; and

WHEREAS, on May 1, 2018, the Board adopted new regulations for ambulance licensing in Gunnison County through Resolution No: 2018-13, "A Resolution Adopting Gunnison County Ambulance Licensing Regulations and Repealing Previous Resolutions Pertaining to the Same," which was recorded in records of the Office of the Clerk and Recorder of Gunnison County, Colorado on May 2, 2018, bearing Reception No: 652053; and

WHEREAS, Senate Bill 22-225, adopted in June 2022, creates a regulatory and service system requiring ambulance services to obtain a state license; and

WHEREAS, Senate Bill 22-225 allows Gunnison County to opt-in to being a local authorizing authority for ambulance services; and

WHEREAS, Senate Bill 22-225 also allows Gunnison County to determine ambulance service areas within the County; and

WHEREAS, the Board wishes to act as the local authorizing authority for ambulance services within Gunnison County;

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

1. This Resolution, including the authorities and requirements set forth herein regarding ambulance services, shall be in full force and effect upon the adoption of the instant Resolution, and shall thereafter govern the management and procedures for ambulance services within Gunnison County.
2. The Board adopts the policy and procedures for the regulation of ambulance services and allowing for the establishment of ambulance service areas attached hereto as Appendix A.
3. The Board revokes its previous Resolution No: 2018-13.

INTRODUCED by Commissioner Smith, seconded by Commissioner Houck, and adopted this 21st day of January 2025.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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