

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
March 18, 2025**

The March 18, 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 Houck, seconded by Commissioner Smith to approve the consent agenda of the Gunnison County Local Liquor Licensing Authority as presented this morning. Motion carried unanimously.

1. Alcohol Beverage License #03-06291; Three Rivers Smokehouse dba Three Rivers Smokehouse; 4/17/2025 to 4/17/2026
2. Alcohol Beverage License #03-02906; Irwin Backcountry Guides LLC dba Movie Cabin; 5/20/2025 to 5/20/2026
3. Alcohol Beverage License #03-02907; Irwin Backcountry Guides LLC dba Parking Barn; 5/20/2025 to 5/20/2026

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

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT MEETING:

CALL TO ORDER: Commissioner Puckett Daniels called the meeting to order at 8:31 am.

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT AGREEMENT; MARBLE CRYSTAL RIVER CHAMBER OF COMMERCE; 1/1/2025 TO 12/31/2025; \$25,000 Senior Operations Accountant (SOA) Lupita Halligan was present for discussion.

SOA Halligan relayed that in 2024 the local marketing tax that was collected was \$26,890 and for 2025 they are suggesting a payment of \$25,000 in four installments. CM Birnie clarified they the County signed an agreement last year for more money than was collected, but the contract specifies that the County will only transfer the amount actually collected. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve the Gunnison River Valley Local Marketing District Agreement with the Marble Crystal River Chamber of Commerce as presented and authorize the Chair's signature on the document. Motion carried unanimously.

ADJOURN: Commissioner Puckett Daniels adjourned the meeting of the Gunnison River Valley Local Marketing District at 8:35 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

CALL TO ORDER: Commissioner Puckett Daniels called the meeting to order at 8:35 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 regular meeting minutes for March 4, 2025 as presented. Commissioner Houck abstained from voting because he was absent last meeting. Motion carried unanimously.

1. March 4, 2025 Regular Meeting

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

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

1. Resolution; Authorizing a Temporary Weight Restriction for a Portion of County Road 38 also known as Gold Basin Road
2. Resolution; Authorizing a Temporary Weight Restriction for a Portion of County Road 734 also known as Slate River Road
3. Contract Amendment #3; Contract No 24 IBEH 183800; Juvenile Services; 9/11/2023 to 6/30/2025; \$698,862
4. Scope of Work Amendment; Cover All Coloradans Community Health Ambassador Program Agreement; 2/1/2025 to 6/30/2025

5. Ratification of Commissioner Houck's signature; Stirrup Bar Ranch Letter of Support; Great Outdoor Colorado Trust Fund's (GOCO) Land Acquisition Grant Program
6. Amendment 1; Charter Airline Operating Agreement and Lease of Airport Facilities; 6/1/2025 to 5/31/2026
7. Grant Application; Caring for Colorado Foundation; Health and Human Services; 7/1/2025 to 12/31/2026; \$125,000
8. Resolution; Authorizing an Intergovernmental Agreement Between the County of Gunnison, Colorado, the City of Gunnison, Colorado and the Colorado Department of Transportation (CDOT) Regarding United States Highway 50 Access Control Plan and Colorado Highway 135 Access Control Plan

COUNTY MANAGER'S REPORTS:

1. Sawtooth Phase 2 – CM Birnie noted they are on track to move people in after the Ribbon Cutting in April. There continues to be some outside work to finish but the inside looks fantastic.
2. Somerset Water District – CM Birnie stated the Somerset Water District is working with the Department of Local Affairs (DOLA) on writing a new service plan which will eventually come to the Board. They would like to take over the park maintenance which would include ownership, however, there will be some reversionary clause to have it come back to the County if something were to fail.
3. County Housing – Commissioner Puckett Daniels noted that she has heard conversations of community members being very excited about the opportunity for County Housing.
4. Whetstone – CM Birnie relayed that Whetstone had its kickoff last week on the actual construction and that the County is working with a solid organization in Moss Construction. CM Birnie then expressed the demand is there for more housing due to the construction company getting calls and emails about how to sign up to get into Whetstone.

RECESS: The meeting recessed from 8:46 am until 8:51 am in order to hold the below two Public Hearings.

HEARING; PETITION FOR ABATEMENT OR REFUND OF TAXES; PROPERTY TAX YEAR 2023; R007698; PARCEL NO. 3525-000-00-174; 59 MINING CLAIMS IN QUARTZ CREEK MINING DISTRICT; MYRNA DODD Appraiser III Chris Nutgrass and Appraiser III Bob Blackett were present for discussion.

1. Open Public Hearing. Commissioner Puckett Daniels opened the Public Hearing at 8:46 am.
2. Public Notice Confirmation. Commissioner Puckett Daniels confirmed that the Public Hearing had been properly publicly noticed.
3. Identify Ex Parte Communications. There were no ex parte communications identified.
4. Staff Presentation. Appraiser Nutgrass relayed this is different than normal since it is more than \$10,000 it has to go through the Board. The Assessor's recommend the refund due to the mining claims being valued as one large piece instead of individually due to a conservation easement.
5. Applicant Presentation. The petitioner was not present.
6. Board Questions. There were no questions from the Board.
7. Public Comments. Commissioner Puckett Daniels opened the Public Hearing to comments at 8:47 am and there were no public comments.
8. Acknowledge Correspondence Received. No additional correspondence was identified.
9. Applicant Response. The petitioner was not present.
10. Close Public Hearing. Commissioner Puckett Daniels closed the Public Hearing at 8:48 am.

Moved by Commissioner Houck, seconded by Commissioner Smith to approve the adjustment based on the criteria applied by the Assessor's office and adjust that as recommended from today's information. Motion carried unanimously.

HEARING; PETITION FOR ABATEMENT OR REFUND OF TAXES; PROPERTY TAX YEAR 2023; R070956; PARCEL NO. 4045-000-00-062; 283.22 ACRES IN SECTION 32 & 33, TOWNSHIP 47N, RANGE 6W; SKYJACK RANCH LLC Appraiser III Chris Nutgrass and Appraiser III Bob Blackett were present for discussion.

1. Open Public Hearing. Commissioner Puckett Daniels opened the Public Hearing at 8:49 am.
2. Public Notice Confirmation. Commissioner Puckett Daniels confirmed that the Public Hearing had been properly publicly noticed.

3. Identify Ex Parte Communications. There were no ex parte communications identified.
4. Staff Presentation. Appraiser Nutgrass relayed the reason why this is brought to the Board is the same as before. However, this is for an agricultural reclassification as the petitioner has supplied sufficient evidence that showed continue agricultural use of the property. CA Hoyt commented this is not binding and can be changed for any future assessment.
5. Applicant Presentation. The petitioner was not present.
6. Board Questions. There were no questions from the Board.
7. Public Comments. Commissioner Puckett Daniels opened the Public Hearing to comments at 8:50 am and there were no public comments.
8. Acknowledge Correspondence Received. No additional correspondence was identified.
9. Applicant Response. The petitioner was not present.
10. Close Public Hearing. Commissioner Puckett Daniels closed the Public Hearing at 8:51 am.

Moved by Commissioner Houck, seconded by Commissioner Smith to approve the changing classification presented this morning for Skyjack Ranch, LLC based on the criteria and the information provided by the Assessor's Office. Motion carried unanimously.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING (CONT'D):

PLAT SIGNATURE; LUC-24-00035; GRAHAM SUBDIVISION Planning Director (PD) Hillary Seminick was present for discussion.

PD Seminick relayed there have been no substantive changes since approval. **Moved** by Commissioner Smith, seconded by Commissioner Houck to approve the plat subdivision for LUC-24-00035, and authorize the Chair's signature on the plat. Motion carried unanimously.

LOT CLUSTER; LUC-24-00052; GUNNISON BANK & TRUST COMPANY Planning Director (PD) Hillary Seminick and Christopher Klein were present for discussion.

PD Seminick explained this is a lot cluster for two parcels within the Pioneer Plaza Commercial Townhome area of CB South to accommodate the Gunnison Bank & Trust intended designs. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve Lot Cluster LUC-24-00052 for Gunnison Bank & Trust Company as presented this morning and authorize the signature of the full Board on the documents. Motion carried unanimously.

BOUNDARY LINE ADJUSTMENT; LUC-24-00051; PROFFITT Planner Jena Greene and Attorney Jacob With were present for discussion.

Planner Greene noted the Proffitt's would like to adjust the boundary line to make the larger parcel larger and have the smaller be intended for residential. Commissioner Puckett Daniels asked if the lots shown were actually the one parcel to which Planner Greene confirmed. **Moved** by Commissioner Smith, seconded by Commissioner Houck to approve the Boundary Line Adjustment for LUC-24-00051 and authorize the Chair's signature on the plat. Motion carried unanimously.

RESOLUTION; ADJUSTING GROUND RENT FOR USE OF PREMISES AT THE GOLD BASIN INDUSTRIAL PARK Assistant County Manager (ACM) for Public Works Martin Schmidt was present for discussion.

ACM Schmidt relayed this is an annual adjustment that is formulaic based on the policy. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve and adopt Resolution 2025-14, Adjusting the Ground Rent for the Use of Premises at Gold Basin Industrial Park and authorize the signature of the full Board. Motion carried unanimously.

RESOLUTION; AUTHORIZING A TEMPORARY CLOSURE FOR A PORTION OF COUNTY ROAD 10 ALSO KNOWN AS WALKER LANE AT GUNNISON COUNTY BRIDGE #GUN10-01.20 Assistant County Manager (ACM) for Public Works Martin Schmidt was present for discussion.

ACM Schmidt stated this is for a bridge near the north end of County Road 10 and it is rated well for structure, but the bridge deck is deteriorating and needs to be replaced. Commissioner Houck confirmed it would be faster to close it, fix it, and then reopen. ACM Schmidt then relayed that they have a conservative length of closure but will open the bridge up sooner if the work is completed sooner. He stated he will also be contacting the larger property owners and put an ad in the paper as well as providing advanced signage for the work starting on April 21st. Commissioner Puckett Daniels confirmed that property owners will have continuous access to their property. **Moved** by Commissioner Smith, seconded by Commissioner Houck to

approve Resolution 2025-15, a Resolution Authorizing a Temporary Closure for a Portion of County Road 10 also known as Walker Lane at Gunnison County Bridge as stated in the resolution. Motion carried unanimously.

AMENDMENTS TO THE CRESTED BUTTE SOUTH SPECIAL AREA REGULATIONS, AKA THE CB SOUTH COMMERCIAL AREA MASTER PLAN (CAMP); LUC-24-00006; RESOLUTION APPROVING AN AMENDMENT TO THE CRESTED BUTTE SOUTH SPECIAL AREA REGULATIONS Planning Director (PD) Hillary Seminick, Property Owner's Association Attorney Beth Appleton, and Property Owner's Association Manager (POA) Derek Harwell were present for discussion.

PD Seminick stated while there looks to be a lot of changes, there aren't many fundamental changes. CA Hoyt noted these regulations are unique and allows the Board's delegation of its Land Use Authority to the Crested Butte South Property Owners Association (POA) which is also unique. The application was submitted around this time last year and minor tweaks were requested by the POA to which the staff recommended amending the regulations. PD Seminick noted the main shift is to change from the Crested Butte South Commercial Area Master Plan (CAMP) to the Crested Butte South Special Area Regulations which is in alignment with the Land Use Regulations (LUR).

POA Attorney Appleton stated this was drafted by an attorney with the POA before she being involved. She also asked for clarification on why the document will be owned by the County to which CM Birnie replied it is because the County has the Land Use Authority. She then asked CM Birnie if the County requested the POA hire an attorney to write this document to which he replied the County did not. POA Attorney Appleton then asked some clarifying questions regarding the history of these documents. CA Hoyt noted the document melds the two different set of laws to where the POA acts like a quasi-governmental entity and well as stating the Tyzzer Litigation resulted in the creation of the Board of Adjustment. Furthermore, the change in the CB South Special Area Regulations is reflected to ensure compatibility with LUR and the Board has the power to amend or repeal the regulations. However, any other changes are policy decisions for the Board to consider.

PD Seminick relayed she used as light of a touch as possible when addressing the litigation issues and the cleanup of the document which include a deletion of aspirational standards that are not enforceable. Commissioner Smith expressed her gratitude for the amount of work that went into the document revision and the discussion. Commissioner Puckett Daniels asked if the POA Board of Directors also reviewed this document to which POA Manager Harwell replied they have. PD Seminick clarified that the Covenants and the Regulations are not merging and they are separate documents. Commissioner Smith confirmed they were not making large value changes and POA Manager Harwell agreed. CA Hoyt reiterated that the changes to the Special Area Regulations are intended to reflect the changes that were approved to the LUR, some of which were substantive land use policy decisions. **Moved** by Commissioner Smith, seconded by Commissioner Houck to approve Resolution 2025-16, a Resolution Approving an Amendment to the Crested Butte South Special Area Regulations. Motion carried unanimously.

VOUCHERS AND TRANSFERS APPROVAL: Finance Director Ana Canada presented the voucher approval report dated February 18, 2025 and the cash transfer authorization dated February 2025 for discussion and approval. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve the vouchers in the amount of \$4,700,188.30. Motion carried unanimously. **Moved** by Commissioner Smith, seconded by Commissioner Houck to approve the cash transfers in the amount of \$8,478,838.22. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: Commissioner Puckett Daniels presented the February 2025 Treasurer's report, and an investment report dated February 2025 in County Treasurer Debbie Dunbar's absence 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. Motion carried unanimously.

UNSCHEDULED PUBLIC COMMENT:

1. Oasis RV Resort – James Postelt is one of the managers for Oasis RV Resort. He explained Mark Rogers came to the Board last year asking about the possibility of being open year-round and he was looking for any updates. Mr. Postelt relayed that they mainly get inquiries from traveling health workers and Ms. Postelt commented they have also sent all the information on their water and sewer pipe depth to the Community and Economic Development Department. Commissioner Smith noted that this does have to be done thoughtfully and appreciates them coming back in to revisit the issue. CM Birnie confirmed he will be in touch with them regarding this.

RECESS from 10:06 am to 10:14 am for a break and then from 10:14 am to 10:37 am to have the Gunnison County Board of Health regular meeting.

GUNNISON COUNTY BOARD OF HEALTH REGULAR MEETING:

CALL TO ORDER: Commissioner Puckett Daniels called the meeting to order at 10:14 am.

BOARD OF HEALTH MEMBER CDPHE TRAINING

Deputy Health and Human Services Director (DHHSD) Brad Wheaton stated that CDPHE has released their annual training for the Local Board of Health which is required for all Board of Health members. It is about 90 minutes and can be done in three ways which are live, facilitated, or computer based. DHHSD Wheaton relayed he will resend it to everyone so it's on top of their email.

CONSUMER PROTECTION

Wellness/Enforcement Services Manager (WESM) Betsy Holena explained they have two retail inspectors who had 236 inspections and only closed three. She relayed they also had a lot of progress on the voluntary National Retail Food Pro Standards and met four standards this past year with the most notable being standard five which is a response to foodborne illness in our community to which they proved they could respond to such outbreaks. WESM Holena expressed Gunnison County is recognized on the FDA website for meeting standards one, two, five, and seven. However, they are working on standard nine which is to identify risk in the community based on a five year long study and they are in year two of that.

WESM Holena highlighted Medicare and Medicaid care coordination and stated they are in phase two of that which dictated they contract with Rocky Mountain Health Plans. She then relayed that phase three begins on July 1st which might come with a change to the contract that they'll know more about in the coming months and how it would impact the team. Dr. Tarr explained about the Community Resource Network and how he desires to have this implemented in the coming years to prevent redundancies and fill gaps. Commissioner Puckett Daniels commented that in the meantime, the services provided helps fill that. WESM Holena stated they have done a lot of work with the Child Welfare Team to implement some facets of the Family First Act around funding for qualified residential treatment.

SENIOR SERVICES

WESM Holena noted they had 75 referrals last year, which is an increase from 63 the previous year in Adult Protective Services. They also had 19 cases opened and only had one reopened for the past year. The team is comprised of three members, two part-time and herself, but they seem to be managing the needs currently. Commissioner Puckett Daniels asked about the ratio of referrals to cases and if it is appropriate. WESM Holena replied she would have to investigate it more deeply, but she believes the increase is due to a combination of the aging population as well as the outreach they've been doing. CM Birnie stated that mandatory reporting may also play a role.

GUNNISON COUNTY BOARD OF HEALTH SCHEDULE AND MEETING TOPICS APPROVAL

Commissioner Smith noted there are systemic items rolling through and would like to keep an eye on those. DHHSD Wheaton noted they can adjust topics as needed as there are any legislation or budget impacts. **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to approve the Board of Health schedule and meeting topics as presented today. Motion carried unanimously.

ADJOURN: Commissioner Puckett Daniels adjourned the Gunnison County Board of Health meeting at 10:37 am and immediately reconvened the Gunnison County Board of County Commissioners Regular Meeting.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING (CONT'D):

COMMISSIONER ITEMS: This was moved in order to hold the Board of Health meeting on time.

Commissioner Houck:

1. Washington D.C. – Commissioner Houck explained he missed the March 4th meeting due to testifying to the Senate Department of Agriculture Subcommittee on Forestry about the Fix Our Forest Act and the impacts due to the gutting of the land management agencies, Forest Service, BLM, Park Service and Bureau of Reclamation. He stated he did provide an editorial to Gunnison Country Times, but he believes the real challenge is going to be for us on the ground this summer and he will continue to work with Senator Bennet on the legislative piece.

While in Washington D.C., Commissioner Houck also met with Senator Hickenlooper and his staff and spoke to Congressman Hurd's Legislative Director to provide some input. Commissioner Houck relayed that a couple days ago, Congressman Hurd introduced a piece of legislation called the Productive Public Lands Act which one of the goals of that is to rescind all the Bureau of Land Management Resource Land Management Plan Amendments that have been made in the last couple years. These include items from Gunnison County that have been through robust public processes that were not contested in court. Commissioner Houck expressed he does want to hear from Congressman Hurd directly.

Commissioner Houck explained that seven probationary folks were fired from Gunnison Ranger District on top of having 20 openings, as well as typically hiring around 25 seasonal positions which brings the office 50 short of what they would typically be going into the season with.

Commissioner Houck also named several other entities with the same issue. However, he noted that the Washington D.C. discussions explained that if your actual job is with fire, you were not fired, but 70% of the folks fired in Colorado were red card holders which means they are trained in some element of firefighting. He relayed that due to forced retirements, Grand Mesa, Uncompahgre and Gunnison National Forest Supervisor Chad Stewart is now managing the Medicine Bow-Routt National Forests as well while losing staff. Lastly, Commissioner Houck explained that a large concern is that folks that are left are feeling demoralized and overloaded as well as impacting students from pursuing education in these areas.

2. HB 1177 Roundtable – Commissioner Houck relayed he attended a meeting and will update with other water updates.
3. National Association of Counties (NACo) – Commissioner Houck explained he is paying attention to NACo's position on things. He believes there may be discussions on how to participate in CCI Public Lands.
4. City Council Joint Meeting – Commissioner Houck stated that all Commissioners attended and there was a lot of common ground.
5. Rocky Mountain Biological Laboratory (RMBL) – Commissioner Houck relayed he is working to determine the impact from the Federal hiring freeze will have on their research and is speaking with the Tourism and Prosperity Partnership Board (TAPP) regarding it.
6. Lindsay Beltchenko – Commissioner Houck stated he had a meeting with her to talk about the big picture.

Commissioner Smith:

1. Joint meeting with Chambers of Commerce and TAPP – Commissioner Smith attended meeting on the 5th. There was a discussion regarding where the Chambers were considering merging as well as the work TAPP does and doesn't do. Another discussion was for the Chambers to map out their policy goals and strategic plans.
2. Legislation – Commissioner Smith stated that some Board of Health topics are conversations that are helpful in giving feedback to the Joint Budget Committee (JBC). During Counties & Commissioners Acting Together (CCAT) one of the conversation points was to exercise the values and philosophies on budget items that were felt to be more important to protect. Commissioner Smith relayed there isn't a ton happening due to not having funds but wanted to put a forthcoming Joint Budget Committee decision, House Bill 25-1286, House Bill 23-1296, County Lodging Tax Expansion, House Bill 25-1097, House Bill 25-1099, Senate Bill 25-48, and House Bill 25-1044 on their radar. CA Hoyt asked if the General Assembly is being reminded that in State law there is an unfunded mandate statute. Commissioner Smith answered she believes that is a cornerstone of Colorado Counties, Inc. Steering Committees' (CCI) foundational argument for a lot of their pushback.
3. Child Welfare Allocation Committee – Commissioner Smith noted they are going over allocation formula options and asked CM Birnie who she should go to for feedback for the County. CM Birnie recommended soliciting feedback through Assistant County Manager for Health, Human and Safety Services Joni Reynolds.

Commissioner Puckett Daniels:

1. Sustainable Tourism and Outdoor Recreation Committee (STOR) – Commissioner Puckett Daniels relayed STOR is redoing their strategic plan.
2. Gunnison Valley Regional Housing Authority (GVRHA) – Commissioner Puckett Daniels stated the Gunnison Valley Regional Housing Authority is running smoothly and financials are running cleaner than they've been. She also commented that the lottery and qualifying process for Sawtooth went smoothly.
3. Crested Butte Town Council – Commissioner Puckett Daniels stated she had a phone call with some of the Town Council folks about some of the limitations of moratorium but was told they had a discussion at the Council Meeting the night before.
4. City Council Joint Meeting – Commissioner Puckett Daniels thanked the County and City staff for the productive joint meeting.

EXECUTIVE SESSION, PURSUANT TO C.R.S. § 24-6-402(4)(B): CONFERENCES WITH THE COUNTY ATTORNEY OR DEPUTY COUNTY ATTORNEY FOR GUNNISON COUNTY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE RELATED TO IN RE MCCLLOUD PLACER, LLC, GUNN. CNTY. DIST. CT. CAUSE NO. 2024CV030004 (INCLUDING APPELLATE CASE 24CA002019), MCCLLOUD PLACER LLC V. GUNNISON CNTY. BD. OF CNTY. CMRS., GUNN. CNTY. DIST. CT. CAUSE NO. 2024CV30002 (INCLUDING APPELLATE CASE 24CA001290), AND 24CV30031, MCCLLOUD PLACER LLC V. THE BD. OF ADJUSTMENT FOR GUNNISON COUNTY ET AL Moved by Commissioner Puckett Daniels, seconded by Commissioner Houck to go into Executive Session pursuant to Colorado Revised Statute 24-6-402(4)(b) for conferences with the Attorney or Deputy County Attorney for Gunnison County for purpose of receiving legal advice related to the McCloud Placer, LLC, Gunnison County District Court, case number 2024CV30004 and because we will be receiving legal advice, we will not have a concurrent recording. Motion carried unanimously. Commissioner Puckett Daniels stated the folks that will be in that Executive Session are County Attorney Matt Hoyt, the full Board of County Commissioners, County Manager Matthew Birnie, and Deputy County Attorney Alex San Filippo-Rosser.

The board went into executive session at 11:23 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 Puckett Daniels, seconded by Commissioner Houck to go out of Executive Session. I will note for the record that we stayed on topic, and the folks that were in the room were as I read into the record at the start of the Executive Session. So, at this time, I am moving that we exit the Executive Session. Motion carried unanimously. The Board came out of executive session at 12:04 pm.

Moved by Commissioner Houck, seconded by Commissioner Smith to accept the settlement agreement that has been proposed and that we authorize the Chair's signature on the settlement agreement for the cases that were read into the record that we entered an Executive Session for. I think that we've reached a strong conclusion. I think that we have compliance with our land use code and that was the goal there, and that the settlement reflects that, and has been agreed upon by both parties. CA Hoyt noted for the record that entrained in that is direction to the County Attorney's Office, to execute all additional documents to dismiss the case, pursuant the settlement, the stipulation the parties will execute. The motion was amended to include the language that we just heard from the County Attorney. Motion carried unanimously.

ADJOURN: Commissioner Puckett Daniels adjourned the meeting at 12:06 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, COLORADO**

RESOLUTION NO. 25-11

**A RESOLUTION AUTHORIZING A TEMPORARY WEIGHT RESTRICTION FOR A PORTION OF
COUNTY ROAD 38 ALSO KNOWN
AS GOLD BASIN ROAD**

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado, (hereinafter the "Board") has the legal authority to regulate and control the use of certain highways and roads in Gunnison County, Colorado; and

WHEREAS, pursuant to C.R.S. § 42-4-111 (1)(v) and C.R.S. §18-9-117(1)(b),(c), and (f) the Board has the authority to adopt temporary regulations as may be necessary to cover special conditions; and

WHEREAS, Colo. Rev. Stat. §§ 42-1-102(43) and 42-4-106 authorize Gunnison County to prohibit the operation of identified vehicles on any road open to use of the public for purposes of vehicular travel for a total period not to exceed ninety (90) days in any one calendar year, whenever roads within the County will be seriously damaged due to the use of certain vehicles;

WHEREAS, as a result of the winter thaw there is a certain portion of County Road 38 also known as Gold Basin Road (hereinafter "County Road 38"), that has deteriorated and there is resource damage; and

WHEREAS, that certain portion of County Road 38 that has deteriorated is located beyond the end of the asphalt beginning at the parking area known as "Bambi Parking Area" south to the Saguache County line; and

WHEREAS, to prevent further resource damage and deterioration of that portion of County Road 38, a temporary weight restriction to all users has been recommended during winter thaw and spring runoff; and

WHEREAS, the Board acknowledges that it is necessary that property owner(s) and occupant(s) of adjacent lands are able to access their land; and

WHEREAS, adjacent property owner(s) and occupant(s) of adjacent lands shall be subject to the road weight restriction of a ten (10) ton load limit per vehicle for that portion of County Road 38; and

WHEREAS, weight restriction of County Road 38 will not adversely affect health and safety nor will it cause substantial injury to the owner(s) or occupant(s) of adjacent land(s); and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that a certain portion of County Road 38 located beyond the end of the asphalt beginning at the parking area known as "Bambi Parking Area" south to the Saguache County line shall have a 10 ton weight restriction imposed on that portion of County Road 38 during the spring season as determined by the Assistant County Manager for Public Works, not to exceed 90 days in a calendar year.

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 18th day of March 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. 25-12

**A RESOLUTION AUTHORIZING TEMPORARY WEIGHT RESTRICTION FOR A PORTION OF
COUNTY ROAD 734 ALSO KNOWN
AS SLATE RIVER ROAD**

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado, (hereinafter the "Board") has the legal authority to regulate and control the use of certain highways and roads in Gunnison County, Colorado; and

WHEREAS, pursuant to C.R.S. § 42-4-111 (1)(v) and C.R.S. §18-9-117(1)(b),(c), and (f) the Board has the authority to adopt temporary regulations as may be necessary to cover special conditions; and

WHEREAS, Colo. Rev. Stat. §§ 42-1-102(43) and 42-4-106 authorize Gunnison County to prohibit the operation of identified vehicles on any road open to use of the public for purposes of vehicular travel for a total period not to exceed ninety (90) days in any one calendar year, whenever roads within the County will be seriously damaged due to the use of certain vehicles;

WHEREAS, as a result of the winter thaw there is a certain portion of County Road 734 also known as the Slate River Road (hereinafter "County Road 734"), that has deteriorated and there is resource damage; and

WHEREAS, that portion of County Road 734 that has deteriorated is located from the intersection of CR 734 and CR 317 (Gothic Road) to the end of winter maintenance at the CR 734 trailhead; and

WHEREAS, to prevent further resource damage and deterioration of that portion of County Road 734, a temporary weight restriction has been recommended during winter thaw and spring runoff; and

WHEREAS, those adjacent property owner(s) and occupant(s) of adjacent lands shall be subject to the road weight restrict of a 15 ton load limit per vehicle for that portion of County Road 734; and

WHEREAS, such weight restriction will not adversely affect health and safety nor will it cause substantial injury to the owner(s) or occupant(s) of adjacent land(s); and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that a certain portion of County Road 734 located from the intersection of CR 734 and CR 317 (Gothic Road) to the end of winter maintenance at the CR 734 trailhead is subject to the road weight restriction of a fifteen (15) ton load limit per vehicle for that portion of County Road 734 during the spring season as determined by the Assistant County Manager for Public Works, not to exceed 90 days in a calendar year.

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 18th day of March 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, STATE OF COLORADO RESOLUTION NO. 2025-13**

A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY OF GUNNISON, COLORADO, THE CITY OF GUNNISON, COLORADO AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) REGARDING UNITED STATES HIGHWAY 50 ACCESS CONTROL PLAN AND COLORADO HIGHWAY 135 ACCESS CONTROL PLAN

WHEREAS, United States Highway 50 is an important transportation resource for the County of Gunnison and other communities in the region. As growth continues, traffic volumes and development pressures on United States Highway 50 in the study segment are expected to grow significantly.

WHEREAS, Colorado Highway 135 is an important transportation resource for the County of Gunnison and other communities in the region. As growth continues, traffic volumes and development pressures on Colorado Highway 135 in the study segment are expected to grow significantly.

WHEREAS, recognizing the need to plan for future growth along the corridors to maintain the capacity and increase safety, the Colorado Department of Transportation, the City of Gunnison and Gunnison County contracted an engineering consulting firm to conduct a study and develop a comprehensive roadway access control plan to manage existing and future access points.

WHEREAS, the goal of the United States Highway 50 plan is to provide appropriate access to United States Highway 50, while maintaining the safety and efficiency of the facility.

WHEREAS, the goal of the Colorado Highway 135 plan is to provide appropriate access to Colorado Highway 135, while maintaining the safety and efficiency of the facility.

WHEREAS, the adopted plans will provide landowners who develop their property with a predictable known location, configuration, and conditions for their access, as well as the location of future intersection treatments on the Highway.

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

- a. The intergovernmental agreement will provide for the coordinated regulation of vehicular access for the subject section of United States Highway 50.
- b. The intergovernmental agreement will provide for the coordinated regulation of vehicular access for the subject section of Colorado Highway 135.
- c. The County Manager of Gunnison County is authorized to execute the Intergovernmental Agreement.

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 18th day of March 2025.

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. 25-14**

**A RESOLUTION ADJUSTING GROUND RENT FOR USE OF PREMISES AT THE GOLD BASIN
INDUSTRIAL PARK**

WHEREAS, the Board of County Commissioners of Gunnison County, Colorado owns and operates the Gold Basin Industrial Park located in the County of Gunnison, State of Colorado and as legally described as 38.79 acres in NE4NW4. Section 11 49N1W #499861 and portions of 21.28 acres in SE4SW4. Section 2 49N1W #499861; and

WHEREAS, the Board of County Commissioners wants to adjust the ground rental rate where such an adjustment is not precluded by a current written lease; and

WHEREAS, the Board of County Commissioners is taking this action in order to better fund the operation and maintenance of the Gold Basin Industrial Park; and

WHEREAS, the Denver-Boulder-Greeley Consumer Price Index for All Urban Consumers, as published by the United State Department of Labor Bureau of Labor Statistics, for 2024 was 327.572, a 2.27% increase from 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that effective on April 1, 2025:

- 1. The ground rental rate shall be in the amount of \$3,859.00 per annum per acre of premises occupied.
- 2. Premises occupied will be rounded to the nearest thousandth of an acre (x.xxx acres).

BE IT FURTHER RESOLVED THAT these rates shall remain in effect until changed by resolution by the Board of County Commissioners.

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 18th day of March 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. 25-15

**A RESOLUTION AUTHORIZING A TEMPORARY CLOSURE FOR A PORTION OF COUNTY ROAD
10 ALSO KNOWN AS WALKER LANE AT
GUNNISON COUNTY BRIDGE #GUN10-01.20**

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado, (hereinafter the "Board") has the legal authority to regulate and control the use of certain highways and roads in Gunnison County, Colorado; and

WHEREAS, pursuant to C.R.S. § 42-4-111 (1)(v) and C.R.S. §18-9-117(1)(b),(c), and (f) the Board has the authority to adopt temporary regulations and closures as may be necessary to cover special conditions; and

WHEREAS, Colo. Rev. Stat. §§ 42-1-102(43) and 42-4-106 authorize Gunnison County to prohibit the operation of identified vehicles on any road or bridge open to use of the public for purposes of vehicular travel for a total period not to exceed ninety (90) days in any one calendar year; and

WHEREAS, Gunnison County bridge GUN10-01.20, located on County Road 10 (Walker Lane), approximately 4.27 miles from the frontage road on the south end and .35 miles from Highway 135 on the north end is in need of a necessary bridge deck replacement; and

WHEREAS, Closure of the aforementioned bridge from April 21, 2025 to approximately May 16, 2025 is necessary to accommodate the needed replacement of the bridge decking; and

WHEREAS, the Board acknowledges that it is necessary that property owner(s) and occupant(s) of adjacent lands are able to access their land and that this closure does not eliminate access for any property owner; and

WHEREAS, adjacent property owner(s) and occupant(s) of adjacent lands may have to only use the south entrance of County Road 10 to access their residents/land during this project; and

WHEREAS, adjacent property owner(s) and occupant(s) of adjacent lands may have to only use the north entrance of County Road 10 to access their residents/land during this project; and

WHEREAS, the temporary closure of Gunnison County bridge GUN10-01.20 will not adversely affect health and safety nor will it cause substantial injury to the owner(s) or occupant(s) of adjacent land(s); and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that Gunnison County bridge GUN10-01.20, located on County Road 10 (Walker Lane), approximately 4.27 miles from the frontage road on the south end and .35 miles from Highway 135 on the north end is in need of a necessary bridge deck replacement and shall be closed from April 21, 2025 to approximately May 16, 2025 to accommodate the needed repairs.

INTRODUCED by Commissioner Smith, seconded by Commissioner Houck, and adopted this 18th day of March 2025.

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. 2025-16

A RESOLUTION APPROVING AN AMENDMENT TO THE CRESTED BUTTE SOUTH SPECIAL AREA REGULATIONS

WHEREAS, the Crested Butte South Property Owners Association submitted LUC-24-00006, a Land Use Change application to amend the Commercial Area Master Plan and Special Area Regulations. The Crested Butte South Special Area Regulations were approved by the Gunnison County Board of Commissioners in Resolution 2008-38; and,

WHEREAS, The Crested Butte South Special Area Regulations, Section 106: Amendment of Existing Covenants, Restrictions, Resolutions, Rules and Regulations states, "The Existing Covenants, Restrictions, Resolutions, Rules and Regulations, and no portion of them, shall be amended without the prior written acknowledgement, by motion or recorded resolution, of the BOCC."

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that the Crested Butte South Special Area Regulations be replaced with the attached Exhibit A, "Crested Butte South Special Area Regulations."

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 Houck, and adopted this 18th day of March 2025.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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