

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
May 20, 2025**

The May 20, 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.

SPECIAL EVENT LIQUOR PERMIT 2-2025; ARROWHEAD VOLUNTEER FIRE DEPARTMENT; 7/5/2025 FROM 10:00 AM TO 3:00 PM: Moved by Commissioner Smith, seconded by Commissioner Houck to approve the Special Event Liquor Permit for the Arrowhead Volunteer Fire Department. Motion carried unanimously.

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 Smith, seconded by Commissioner Houck to approve the minutes for May 6, 2025 as presented. Motion carried unanimously.

1. May 6, 2025 Regular 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. Acknowledgment of County Manager Approval to Submit; 2025 Community Foundation of the Gunnison Valley Grant Application; Gunnison County Community Health Coalition Operating Expenses; \$7,000
2. Amendment No. Five (5) to Contract Dated September 29, 2022 between Jviation, a Woolpert Company, LLC and Gunnison County Gunnison Colorado; Gunnison-Crested Butte Regional Airport; Pavement Maintenance; \$61,085
3. Intergovernmental Agreement between San Miguel County and Gunnison County Regarding Fiscal Agent for State Homeland Security Grant
4. Rocky Mountain Health Foundation Award Acceptance Letter; Gunnison County Health Coalition; \$10,000
5. State of Colorado Department of Health Care Policy and Financing Agreement with Gunnison County Department of Health and Human Services for the Colorado Dental Health Care Program for Low-Income Seniors; 7/1/2025-6/30/2026; \$10,010
6. Colorado Department of Early Childhood Grant Application; Community Based Child Abuse Prevention Implementation; 10/1/2025-9/30/2026; \$75,000
7. State of Colorado Department of Public Health and Environment Task Order No. 2026*0298; Contract 23 FAA 00023; 7/1/2025-6/30/2026; \$97,661

GUNNISON COUNTY ROAD AND BRIDGE BALLOT MEASURE DISCUSSION: Assistant County Manager for Public Works Martin Schmidt and Jason Reimer were present for discussion.

ACM Schmidt relayed he was grateful for the work session last week and then conveyed that every year that goes by that is underfunded, there is more deferred. CM Birnie commented that having funding sooner is better, but we want to be smart about strategy and timing, therefore this fall may too soon, particularly since the City has a ballot measure and we are more likely to be successful without competition. Commissioner Houck relayed the commitment they made as a board is to not go to the ballot until they are able to explain to the public what is needed and the data to show the need. With competing interests on the ballot, he is more inclined to not go into the ballot this fall, but the following year in order to have more time to reach out to the voters of Gunnison County. Commissioner Smith stated they may have the time to reach out to the public, but maybe not for them to fully digest the information. Commissioner Puckett Daniels suggested that the public outreach should begin now, and that urgency doesn't lend itself to thoughtful planning. Commissioner Smith and Commissioner Houck lastly commented that with the

allocations with State and Federal funding it may be beneficial to see what occurs there before making an ask so that it is accurate. It was decided not to pursue a ballot measure for this year.

RESOLUTION; SUPPORTING PUBLIC LANDS:

Commissioner Puckett Daniels thanked Commissioner Houck for his work on drafting this. Commissioner Houck relayed how public lands are the baseline for everything in Gunnison County and wanted to be on the record where they stand and why, alongside fellow counties who have done the same. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve Resolution 2025-21, a Resolution Supporting Public Lands. Motion carried unanimously.

Commissioner Puckett Daniels then congratulated Commissioner Houck on the Gunnison Outdoor Resource Protection (GORP) Act being introduced to the House by Congressmen Hurd and introduced to the Senate by Senator Bennet and Senator Hickenlooper with unanimous bipartisan support. Commissioner Houck thanked the community for staying engaged and their support.

COMMISSIONER ITEMS: This discussion began earlier than scheduled due to Commissioner Smith wanting Commissioner Houck's opinion on this matter before he leaves the meeting.

Commissioner Smith:

1. Proposed changes to Federal Emergency Management Agency (FEMA) – Commissioner Smith explained the thresholds that counties and other jurisdictions would have for aid would rise dramatically to where it is speculated whether the Marshall Fire would even qualify. She stated several counties, spearheaded by Larimer County, are signing on to consolidate their voices to discourage the change to significantly reduce access to public funding during emergencies. Commissioner Houck commented that these Federal programs are important and is supportive of Gunnison County advocating continued partnership. Commissioner Puckett Daniels is also supportive.

COUNTY MANAGER'S REPORTS:

1. Whetstone Housing – CM Birnie noted there is a tremendous amount of earth being moved and are starting to prepare the pads for some of the initial building.
2. Communications Director – CM Birnie announced he is interviewing the finalists on Wednesday and expressed excitement for the folks that are lined up.
3. Deputy Finance Director – CM Birnie relayed there is an offer out for this position.

ATTENDANCE CHANGE: Commissioner Houck left the meeting.

BREAK: The meeting recessed from 9:00 am until 10:04 am in order to hold the below Public Hearing.

PUBLIC HEARING; AMENDING THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE; AND ESTABLISHING A SCHEDULE OF PERMIT FEES:

1. Open Public Hearing. Commissioner Puckett Daniels opened the public hearing at 9:00 am.
2. Public Notice Confirmation. Assistant County Manager for Community and Economic Development Cathie Pagano confirmed that the Public Hearing had been properly public noticed in the newspaper and online.
3. Identify Ex Parte Communications. Commissioner Smith explained she did have an in-depth conversation with Fred Niederer regarding the building fees. Commissioner Puckett Daniels had no outside conversation.
4. Staff Presentation. ACM Pagano relayed they were here in March to discuss land use change fees and building code changes. The two items that will be talked about today are the proposed fee change as well as proposing a change to remove the fee schedule from the building code so that it is separately adopted and can be amended without having to adopt a separate building code amendment which also tracks with other fee schedules. She then explained that the primary reason to revise the building permit fee schedule is because it is a progressive fee and not linear which means the higher the valuation, the lower the fee. For example, one of the highest valuation structures needed 22 building inspections, which was a significant amount of staff time and resources that needed to be dedicated to that. Additionally, with the goal to adequately cover costs, ACM Pagano noted they have been in the black the last two years, which is the first time since 2016, but they have had to subsidize through their department general fund other years.

Environmental Health Official Crystal Lambert noted the values are moving towards the top end and the current schedule doesn't reflect that due to the way it was put together. She conveyed that Eagle County has similar fee schedule but has amended it to be more linear at the top end and Pitkin County has adopted percentages. The current fee schedule includes a plan review that's

added on top of the fee schedule, and they are proposing a percentage without a plan review and to drop plan reviews altogether.

5. Applicant Presentation. N/A
6. Board Questions. Commissioner Puckett Daniels asked for clarification on the deposits listed and then verified the general fund, which is the general public taxpayer dollars, were being used to subsidize the cost of private individuals developing their property. ACM Pagano projected a table to show the expenses versus revenues for the last several years. EHO Lambert noted 0.9% was safe but there would be no room for error. Commissioner Smith confirmed the commercial development fees are in alignment with other counties due to having so many different types of developments and asked if there was a way to encourage better practice from people with projects that could reduce costs. ACM Pagano does not believe there is a way to initiate that. Lastly, EHO Lambert conveyed she just went through the process herself, and stated contractors add on fees if your valuation goes up during the process, but the Community Development Department does not unless there are structural changes.
7. Public Comments. Commissioner Puckett Daniels opened the public hearing to comments at 9:37 am.
 - a. Ben Somrak – Mr. Somrak explained how much the fees have risen for him since 2018 as well as the increase of the Fire Department (District) Review Fee. Lastly, he stated the real person that's struggling is faced every day with more and more fees.
 - b. Fred Niederer – Mr. Niederer requested a performance-based review and inspections which is a base permit fee that include seven field inspections for new project, and they would need to pay for any additional. He stated that due to the massive difference in commercial projects; to apply a one size fits all fee is not equitable across the board and fears it would embrace mediocrity while also not giving people a reason to do a good job.
 - c. Dustin Dyar – Mr. Dyar stated that while he supports the comments brought up about the cost of fees, he appreciates the County Commissioners fighting for the local people. However, he relayed with the fees and building costs he is struggling to build a modest home for under \$1,000,000.

Commissioner Puckett Daniels closed the public hearing to comments at 9:49 am.

8. Acknowledge Correspondence Received. No additional correspondence was identified.
9. Applicant Response. N/A
10. Staff Response. EHO Lambert responded to Mr. Niederer that performance-based is what is in place now and the schedule is complicated. She then responded to Mr. Somrak that a majority of the fees described included the linkage fees which are different than the building and permit fees. CM Birnie clarified with Mr. Somrak if the Fire District's fee was an impact or inspection fee. Commissioner Puckett Daniels recommended having a conversation with the fire districts due to more comments and frustration regarding their fees. Commissioner Smith agreed and noted they do not want to raise fees for the sake of raising fees, however there are several macroeconomic factors coming to the table as well.

Commissioner Smith and Commissioner Puckett Daniels agree they would like Commissioner Houck's input before deciding. It was decided to receive written comment until June 3rd but will close the public hearing portion today.

11. Close Public Hearing. Commissioner Puckett Daniels closed the Public Hearing at 10:04 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

Commissioner Puckett Daniels asked the Community and Economic Development Department to give more information on the difference between 0.9% and 1% in the proposed fee schedule. Commissioner Smith explained she would also like to delve into how the performance-based fees and percentage fees meet. Commissioner Smith and Commissioner Puckett Daniels would like to have both conversations with staff and in a public meeting with Commissioner Houck. June 17th was scheduled for a follow-up conversation.

BREAK: The meeting recessed from 10:11 until 10:15 am.

VOUCHERS AND TRANSFERS APPROVAL: Finance Director Ana Cañada presented the voucher approval report dated April 15, 2025 and the cash transfer authorization dated April 2025 for discussion and approval. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the voucher report in the amount of \$3,608,285.24. Motion carried unanimously. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the cash transfer in the amount of \$8,277,231.03. Motion carried unanimously.

TREASURER'S MONTHLY REPORT: County Treasurer Debbie Dunbar presented the April 2025 Treasurer's report, and investment report for discussion and acceptance. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to approve the Treasurer's Report as presented and authorize the Chair's signature. Motion carried unanimously.

LAND USE CHANGE APPROVALS: Planner Rachael Blondy was present for all three discussions.

1. Boundary Line Adjustment; LUC-25-00005; Lot 32, Dos Rios Homesites; Stephanie Porter and William Gattis – Mike O'Laughlin was present for discussion.

Planner Blondy conveyed the parcel is being shifted 17 feet so the house that exists on the property can exist within the parcel boundaries. She explained that this is between the HOA and parcel owners to which the HOA has approved this change. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve boundary line adjustment LUC-25-00005 and authorize the Chair's signature on the plat. Motion carried unanimously.

2. First Amendment to Declaration of Protective Covenants; LUC-25-00012; The Back Nine Townhomes – Kendall Burgemeister with the Back Nine Townhome Homeowners Association (HOA) and Developer Mark Lucas were present for discussion.

Planner Blondy stated this would change two items in the covenants including reducing the number of permitted units on the parcel from two to one and extending the current development deadline of March 6, 2027 to March 6, 2029. There was a discussion regarding compatibility with the Land Use Resolution (LUR) and Mr. Burgemeister commented on the consequences of not approving this.

Commissioner Smith stated she is inclined to grant the extension due to the single-family dwelling being proposed in the first place. Commissioner Puckett Daniels asked for clarification on what occurs if this is approved but the deadline extension expires. Mr. Burgemeister explained they would either do another application for an extension or the development rights would expire. He then explained that the number of permitted units is a right and not an obligation but needs the permission of the County to change the covenants to match what the developer and HOA would like. Commissioner Puckett Daniels noted they are trying to encourage density due to a limited amount of land that can be developed and does not want to take the right to have a duplex there away. Commissioner Smith commented that while she does not disagree with Commissioner Puckett Daniels, approving the extension and change covenants makes sense based on the information available. Specifically, approving the proposed single-family residence along with the requested covenant restriction would increase the chance of housing being built quickly, preventing the developer from a lengthy reapplication process that likely would not result in 2-unit housing proposal.

Planning Director Hillary Seminick conveyed for the Board's consideration, that per the LUR Amendments, there is a buy right allowance for any property within Gunnison County where they could develop a secondary residence. Mr. Burgemeister answered that property owners within the Back Nine are subject to the covenants and there is no clear path to compel the developer into building a second unit on this lot. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Smith to approve the amendments to the covenants for the Back Nine Townhomes, LUC-25-00012 as presented in the packet today. Commissioner Puckett Daniels appreciated the time spent on this discussion. Motion carried unanimously.

3. Lot Cluster Agreement; LUC-25-00009; Parcels 3701-250-00-105 and 3701-250-00-114; Donald and Victoria Archuleta – Victoria Archuleta was present for discussion.

Planner Blondy relayed these parcels meet the standards but do fall in the Gunnison Area Plan which includes to increase density in the area. Ms. Archuleta would like to combine the parcels because she is being taxed as a vacant lot and would like to combine it under her residential lot. CM Birnie conveyed that if the land use regime changes to encourage density, this lot cluster would not prevent a future owner from redeveloping. ACM Pagano explained that subdivision can occur, but there will be additional barriers down the line to develop the parcel if they must come through for future subdivision. Commissioner Puckett Daniels and Commissioner Smith hesitation to approve the lot cluster because this area is targeted for growth, and they do not want to hinder future development. Ms. Archuleta was then given some recommendations on what can be done with the properties. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to deny LUC-25-00009. Motion carried unanimously.

UNSCHEDULED PUBLIC COMMENT: There were no persons present for discussion.

COMMISSIONER ITEMS:

Commissioner Smith:

- 1. Child Fatality Review – Commissioner Smith had a strategy policy meeting to discuss the impacts of domestic violence and develop policy recommendations around those impacts.
- 2. Colorado Counties, Inc. Steering Committees (CCI) – Commissioner Smith is hoping to attend the CCI Summer Conference in a couple weeks.
- 3. Child Welfare Allocation Committee – Commissioner Smith relayed they are discussing the allocation formula for child welfare that is planned to be adopted in the 2025-2026 fiscal year.
- 4. Cheatgrass Pull Day – Commissioner Smith mentioned this is taking place on May 31st.

Commissioner Puckett Daniels:

- 1. Town Hall – Commissioner Puckett Daniels stated they will be having another Town Hall on June 17th in Crested Butte.
- 2. County Assessor – Commissioner Puckett Daniels had a meeting with County Assessor Alexandra Cohen and relayed that the new property valuations did go out.
- 3. Lincoln Vibrant Communities Fellows Program – Commissioner Puckett Daniels applied and was accepted into this fellowship program and will not be attending the CCI Summer Conference due to the two events conflicting.

ADJOURN: Commissioner Puckett Daniels adjourned the meeting at 11:32 am.

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. 2025-21

A RESOLUTION SUPPORTING PUBLIC LANDS

WHEREAS, Gunnison County, Colorado, is 3,259 square miles, of which 80% is comprised of federal public lands, and public lands are integral to the county's economy, environment, and quality of life; and

WHEREAS, these public lands, managed by federal agencies including the U.S. Forest Service, the National Park Service, and the Bureau of Land Management; and

WHEREAS, these public lands provide essential resources to our residents, workers and visitors, including clean air; grazing lands for agricultural operations; habitats for wildlife; rivers, lakes and watersheds which provide for our drinking water and healthy fish populations, wildfire suppression, and agricultural irrigation; cultural resources; scenic beauty; renewable energy, fossil fuels and minerals; timber; a ski area; and opportunities for other outdoor recreation; and

WHEREAS, the citizens of Gunnison County deeply value these public lands for their recreational, economic, cultural, and spiritual significance, recognizing that these lands are accessible to all Americans, regardless of socioeconomic status, race, or gender; and

WHEREAS, public lands contribute significantly to the local economy through activities such as mineral extraction, timber sales, ranching, tourism, and outdoor recreation, which contributes substantially to Colorado's economy; and

WHEREAS, federal management of these public lands ensures that resources are managed for the benefit of all Americans, addressing complex challenges such as wildfire management, watershed protection, and wildlife conservation; and

WHEREAS, the costs associated with managing these lands are a national responsibility, and federal involvement is crucial for the long-term health and sustainability of these resources; and

WHEREAS, Gunnison County is aware of the actual and proposed budget cuts and layoffs at the U.S. Forest Service, National Park Service and Bureau of Land Management that will compromise these agencies' capacity to respond to growing visitation numbers, manage rangelands, maintain trails and trail heads, educate and inform visitors of regulations and provide law enforcement, and will reduce their collective ability to fight wildfires and conserve these lands for the benefit of future generations; and

WHEREAS, there are ongoing attempts to transfer or sell off public lands, which are inconsistent with the values and interests of the residents of Gunnison County and the broader Colorado community; and
WHEREAS, Gunnison County is the largest coal producing county in Colorado and an oil and gas-energy producing county with a long history of balancing conservation needs with industry regulations, and there are currently Federal regulations on public lands in place to curb pollution, especially methane; and

WHEREAS, the 2023 Colorado Statewide Comprehensive Outdoor Recreation Plan (SCORP) reveals that outdoor recreation in Colorado generated \$65.8 billion in economic output, contributed \$36.5 billion to the state's GDP, supported 404,000 jobs, and generated \$11.2 billion in tax revenue, demonstrating the profound economic significance of public lands and outdoor recreation to the state and to Gunnison County.

WHEREAS, the 2023 SCORP data indicates that 96% of Coloradans engage in outdoor recreation, with 72% participating at least once a week, underscoring the widespread and active use of public lands for recreational purposes.

WHEREAS, GUNNISON COUNTY recognizes the importance of multiple uses of public lands, including but not limited to, grazing, energy development, sustainable timber harvest and recreation.

NOW, THEREFORE, BE IT RESOLVED, that the COUNTY of GUNNISON hereby:

1. Expresses its strong support for the continued federal management and stewardship of public lands within Gunnison County.
2. Opposes any efforts to sell, transfer, or dispose of these public lands.
3. Encourages the Colorado Congressional Delegation to oppose any legislation that would negatively impact public lands and to support policies that ensure their long-term preservation and sustainable use. This includes re-establishing adequate staffing levels and budgets to support the needs and programs of each agency.
4. Urges federal land management agencies to continue tribal consultation and collaborative efforts with local communities, governments, and stakeholders to ensure effective and responsible management of public lands.
5. Recognizes the multiple uses of public lands and encourages a balanced approach to land management.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the members of the Colorado Congressional Delegation, the Governor of Colorado, and the relevant federal land management agencies.

INTRODUCED by Commissioner Puckett Daniels, seconded by Commissioner Smith, and adopted this 20th day of May 2025.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

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