

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
June 1, 2021**

The June 1, 2021 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present, either in person or via Zoom, were:

Jonathan Houck, Chairperson
Roland Mason, Vice-Chairperson
Liz Smith, Commissioner

Matthew Birnie, County Manager
Melanie Bollig, Deputy County Clerk
Others Present as Listed in Text

CALL TO ORDER: Chairperson Houck called the meeting to order at 8:31 am.

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

SCHEDULING: Reminders were noted regarding vacations and previous adjustments to the schedule; however, there were no changes made to the present schedule. Chairperson Houck gave a reminder that the BOCC meeting for June 8th, 2021 had been canceled. County Manager Birnie also noted that he would be out of town the second half of June.

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

1. Task Order Contract, 2022*0237, Waiver #154; Colorado Department of Public Health and Environment; to provide food inspections in Gunnison County Retail Food Establishments, Child Care Facilities, and Schools; 7/1/2021 to 6/30/2024; \$15,000
2. Contractor Agreement; Trestle Strategy Group LLC; 6/01/2021 to 12/31/2021; \$124,000
3. Grant Application; Colorado Division of Criminal Justice; Gunnison County Juvenile Diversion Program; Funding towards the Program Director's salary; \$35,000
4. Grant Agreement Approval; Caring for Colorado/Colorado Centennial Fund; Gunnison County Department of Health and Human Services for Gunnison County Vaccine Equity Effort; 5/17/2021 to 1/16/2022; \$35,164
5. Memorandum of Understanding; Colorado Department of Human Services and Hinsdale County; Performance Contract for the Works Program and Child Care Program; 7/01/2021 to 6/30/2024, reaffirmed annually
6. Memorandum of Understanding; Colorado Department of Human Services and Gunnison County; Performance Contract for the Works Program and Child Care Program; 7/01/2021 to 6/30/2024, reaffirmed annually
7. Amendment #5 to the Core Public Health Services Contract; Colorado Department of Public Health and Environment; 7/01/2021 to 6/30/2022; \$57,054
8. Acknowledgement Letter for Gunnison County Health and Human Services; Early Learning and Childcare (ELC); Enhancing Detection of COVID 19, Expansion #2; Scope of Work, Allowability Roadmap, Federal Provision; Service from 5/10/21 to 7/31/23; \$693,498
9. Commercial Lease Agreement; Michael Barnes and Chris Osmundson d/b/a Drug Test West, Inc; 725 S. 10th Street, Unit A-1, Gunnison, Colorado; 4/01/2021 to 3/31/2022; \$350 monthly plus \$325 security deposit
10. Approval for Purchase; Airport Terminal New Parking Lot; WPS Parking System; \$78,045
11. Release and Agricultural Lease; Joe Schultheis; Property / Water Rights south of "UMPTRA Haul Rd" as described in Appendix A, Except for 5.5 acres reserved for Observatory site; 2/01/2021 to 6/30/2022; \$25 per ton of hay produced; \$10/\$5 per AUM (Animal Units per Month)
12. Release and Agricultural Lease; Todd Shallbetter; Property / Water Rights north of "UMPTRA Haul Rd" as described in Appendix A; 2/01/2021 to 6/30/2022; \$25 per ton of hay produced; \$10/\$5 per AUM
13. Contractor Agreement; Cesare, Inc; Airport Terminal Project; Special Consultant; 4/01/2021 to 6/01/2021; \$51,134
14. Letter to White River National Forest; Recreation Manager, Shelly Grail; District Ranger, Kevin Warner; Requesting Collaboration on challenges related to County Road 3, connecting the Town of Marble to the Lead King Loop trailhead

COUNTY MANAGER'S REPORTS: County Manager Matthew Birnie was present for discussion.

1. Delegation of Authority to Execute Easement for City Intersection. CM Birnie advised the Board that this project will require a portion of the County's land for the City of Gunnison's intersection realignment improvement project at Quartz Street, Spencer Avenue, North 11th Street, and County Road #15 – located at the corner of the new library project and the Gunnison Community School. The Library had agreed to fund a portion of the project; the City obtained a grant, and the County was waiting for survey results to see what amount of land would be needed. CM Birnie asked the Board to formally delegate authority to execute the easement, once the survey results came in and documents could be executed. **Moved** by Chairperson Houck, seconded by Commissioner Smith to delegate the authority to County Manager Matthew Birnie to execute the easement that will be necessary, and documents for the intersection project, specific to Spencer Avenue, North 11th Street, County Road 15, and Quartz Street – the intersection where the library is being developed – and to work on that agreement with the City of Gunnison. Motion carried unanimously.

2. Updates for several County projects. CM Birnie highlighted progress made in several areas:
 - a. Airport – close to having all the geothermal wells drilled. They also poured the footings for the GSE / large utility building.
 - b. Library – the foundation was starting to be poured
 - c. Shady Island River Park paving. Chairperson Houck added that when some constituents had asked about how the County could afford all the pavement for the new River Park, he had been happy to let them know this was all recycled asphalt from the airport project. Commissioner Mason added that cost savings with the recycled materials were estimated to be \$200,000.

DEPUTY COUNTY MANAGER’S REPORT AND PROJECT UPDATES: Deputy County Manager Marlene Crosby was present for discussion.

1. Funding Request Asphalt Paving. DCM Crosby let the Board know that there was an opportunity to get pricing from two companies, hopefully at a much-reduced rate. Normally they were only able to purchase whatever they could obtain. She went on to add that \$350,000 was budgeted for asphalt; however, they had requested \$553,929 for 2021 from the Capital Improvement Plan (CIP), and though they usually received at least \$200,000 to \$300,000, they had received no funds for asphalt for this year. She asked the Board for extra funds from sales taxes – between \$350,000 to \$400,000, with \$100,000 being contributed from already budgeted funds.

After some discussion regarding what amount might be expected and what was budgeted, it was **moved** by Chairperson Houck, seconded by Commissioner Smith to approve the funding request to engage a contractor and, pending availability of funds through the Finance Department, to delegate the ability for Deputy County Manager Marlene Crosby and County Manager Matthew Birnie to move forward with this, bringing back a budget adoption piece for the Board to consider at a future session. Motion carried unanimously.

2. Approval for Purchase; Public Works; John Deer 6120R Tractor and ALAMO Samurai 22 Side Boom Mower; \$107,500 and \$66,878. DCM Crosby asked the Board for a tractor and side boom mower to replace a unit that they had purchased in 1999.

The funds for this had already been budgeted, and so it was **moved** by Commissioner Smith, seconded by Commissioner Mason to authorize the purchase of a John Deer tractor and ALAMO mower to use for roadside right-of-way clearing and maintenance. Motion carried unanimously.

3. Approval of Cooperative Forest Road Agreement; U.S. Department of Agriculture, Forest Service, White River National Forest; 5-Year Agreement; Schedule A - Joint Road Maintenance Plan. DCM Crosby explained that every five years the Forest Service revises their master agreement and the accompanying "Schedule A." DCM Crosby sought approval of this newest master agreement – for the roads that Gunnison County maintains, that are put on the County highway user’s tax, but which are Forest Service roads.

With no further discussion, it was **moved** by Commissioner Mason, seconded by Commissioner Smith to approve the Cooperative Forest Road Agreement with the White River National Forest and to authorize the Chair’s signature. Motion carried unanimously.

4. Other updates. DCM Crosby briefly updated the Board on the following:
 - a. Engineer Greg Anderson has been working on updating the County’s permit for the Somerset replacement-in-kind of the system. This plan has been submitted to Department of Public Health and Environment for their review.
 - b. Gunnison Nordic Cottonwood Ride. DCM Crosby drove over Cottonwood Pass last Thursday, May 27th. She stayed at the top to make sure there were no conflicts with traffic. Joellen Fonken had estimated the fundraiser would have no more than 50 participants, and instead 94 participated. Overall, this was a very successful event and DCM Crosby was sure the Board would get a request for this event to be held again next year.

PUBLIC HEARING; STREET VACATION, LAVETA ADDITION TO THE TOWN OF PITKIN; STREETS AND ALLEYS ADJACENT TO LOTS 1-4, BLOCK 32, LOTS 1-4, BLOCK 33, AND LOTS 1-32, BLOCK 24; CHRISTOPHER M. ROMERO: Present for questions were Deputy County Manager Marlene Crosby and owner Chris Romero.

1. Open of Public Hearing: Commissioner Houck opened the Public Hearing at 8:54 am.
2. Public Notice Confirmation: Public Notice was confirmed by Deputy County Manager Marlene Crosby.
3. Identify Ex Parte Communications: There were no ex parte communications identified.
4. Staff Presentation: DCM Crosby began by noting that there had been a minor typing error in the public notice but the legal description presented to the board was now without error. She then went over with the Board the sections on the map showing all the survey and adjacent owners, explaining how the access to power would not be hindered by this street vacation. She further noted that the REA had signed off on the lot cluster for this.
5. Board Questions: There were no questions from the Board.
6. Public Comments: DCM stated that one person, Larry Link, had contacted her, but had mainly needed clarification on what a street vacation involved and what the advantage of one would be, and after lengthy discussion then raised no further concern with this street vacation. No one was present in the Boardroom or via Zoom for public comment.
7. Acknowledge Correspondence Received: There was no correspondence received.
8. Applicant Response: Chris Romero added his appreciation for the excellent survey.
9. Close Public Hearing: Commissioner Houck closed the public hearing at 9:02 am.

Moved by Commissioner Smith, seconded by Commissioner Mason to adopt Resolution 2021-13, A Resolution Vacating Certain Portions of Streets and Alleys Lying Within the LaVeta Addition to the Town of Pitkin, County of Gunnison, State of Colorado. Motion carried unanimously.

LOT CLUSTER AGREEMENT AND DECLARATION; LOTS 1-4, BLOCK 32, LOTS 1-4, BLOCK 33, AND LOTS 1-32, BLOCK 24; LAVETA ADDITION TO THE TOWN OF PITKIN; CHRISTOPHER M. ROMERO AND FAWN ROMERO: Present for discussion was Community Development Administrative Services Manager, Beth Baker. She explained to the Board that there had been some discrepancy in the lot descriptions, but through research found that the "lots" and "blocks" description had been added through a title action at a later date. Beth added that she did have the utility agreements for both Century Link and Gunnison Electric, and everything seemed straight-forward on this lot cluster.

Moved by Commissioner Smith, seconded by Commissioner Mason to approve the Lot Cluster Agreement defined as Lots 1-4, Block 32, Lots 1-4, Block 33, and Lots 1-32, Block 24 of the LaVeta addition in the Town of Pitkin, pursuant to the plat recorded under Reception No. 258799, May 4, 1964, County of Gunnison, State of Colorado. Motion carried unanimously.

BREAK: There was a short recess from 9:08 am to 9:15 am.

RESOLUTION: A RESOLUTION OPPOSING THE PROPOSED BALLOT INITIATIVE 16 "PROTECT ANIMALS FROM UNNECESSARY SUFFERING AND EXPLOITATION" (PAUSE) ACT: Chairperson Houck filled in for those listening and attending in person, that after a discussion about this initiative during a previous work session, he went ahead and drew up the resolution presently before the Board for consideration. Chairperson Houck added that he PAUSE Act had made it through the signature board, and was currently out for signatures. If they were to collect enough signatures, this would make it onto the ballot. He noted that he was sure there was no one on the Board or in this county who did not support the prevention of animal cruelty, but cautioned that the PAUSE Act takes a huge leap beyond that. Chairperson Houck then highlighted the main reasons why the PAUSE Act should be opposed:

1. The PAUSE Act expanded into an untenable area for agriculture. Impacts to Gunnison County and even the entire state would be unbelievable. It would end common animal husbandry and veterinarian procedures currently being taught at the university level. Animals would be required to live out a required 25% of their average lifespan before being harvested for food. For cows, this would be around 8 years. Chairperson Houck added that there is definitely a better way to address the issues around animal cruelty better than the approach taken in the PAUSE Act.
2. It was important to stand with the Gunnison County ranching community. Chairperson Houck emphasized that those who practice animal husbandry and ranching here in Gunnison County demonstrate that they are good stewards of the land and of livestock and it was important to support them in this as well.
3. It was important to bring this to the public's attention through a formal stance by the Board. Chairperson Houck expressed his hope that this public stance would help inform the public of the extremes in the PAUSE ACT and would help sway them away from adding their signature.

After some further discussion and Commissioners Smith and Mason both expressing their willingness to take a formal stance, it was **moved** by Chairperson Houck, seconded by Commissioner Smith to adopt Resolution 2021-14; A Resolution Opposing the Proposed Ballot Initiative 16 "Protect Animals from Unnecessary Suffering and Exploitation" also known as the (PAUSE) Act. Motion carried unanimously.

DISCUSSION AND RECOMMENDATIONS; LAND USE RESOLUTION (LUR) AMENDMENTS; REGARDING LUR SECTION 13-105; RESIDENTIAL BUILDING SIZES AND LOT COVERAGES: Present for discussion was Community and Economic Development Director (CEDD), Cathie Pagano.

Chairperson Houck introduced the item and explained that, due to the large amount of public opposition to the proposed building site on the Upper Slate River Valley, he wanted to set parameters for this discussion by addressing what the Board of County Commissioners are and are not able to do in terms of a moratorium. He added that the Board is also bound by an active application to not discuss matters with the public pertaining to this subject. At that point, Chairperson Houck then asked County Attorney Matt Hoyt to outline for those attending the meeting, in person or via Zoom, just what the legal underpinnings were for the Board's actions.

CA Matt Hoyt highlighted the following legal points:

1. The County has the ability to impose a moratorium on land use development in the unincorporated areas of the County. This is time limited; normally, a moratorium can only last six months.
2. If there is an active application, there cannot be a moratorium on that active application unless the County was actively pursuing such a change prior to the application's submission. An example of active pursuit was when Cathie prepared a memo to the Board on May 25th stating, "Members of the Board, I'd like to recommend a change to the LUR." If the Board decides at that point to impose a moratorium, then any application received on or after that date is subject to the moratorium. However, importantly, any application before that date would not be subject to the moratorium, because there was no basis for the County to assert there was active pursuit of a land use change prior to May 27th.

3. Any moratorium has to be rationally related to the proposed change in the LUR. For example, if the Board decides to instruct staff to explore changing the LUR to change the square footage for the partial exemption that currently exists in the LUR – if the Board passes a moratorium, it has to apply for all such applications for that. It cannot target the moratorium to a single application or based on where the structure might be if not rationally connected to the change.

CEDD Cathie Pagano presented an outline of the memo which she had provided to the Board and online to the public. She noted that the LUR currently does have a maximum residential size limitation, as referred to in Section 13-105, which states that no building on a parcel equal to or larger than 6,500 square feet shall exceed 10,000 square feet, and that a secondary residence shall be no larger than 2,500 square feet. The aggregate of all structures shall not exceed 12,500 square feet per legal lot. The LUR does give the opportunity for applicants to apply for a land use change permit to exceed those thresholds, and that is viewed as a minor land use application. CEDD Pagano also went over a history of the various years in which the LUR had revisions to the residential square footage, with a change in 2007 to an aggregate of 10,000 square feet on a legal lot. She explained that the history showed the LUR allows for the Board, the Community Development Director, the Planning Commission and even citizens to be able to initiate changes to the LUR.

Commissioner Smith asked CEDD Pagano what drove the decisions over time to move from a residential maximum of 5,000, to 9,000, to 10,000 square feet. CEDD Pagano explained that this was most probably a feeling that the greater house sizes allowed would help spur economic growth in the Gunnison Valley area.

After some discussion regarding effects on economic development, possible pre-existing subdivision exemptions, and agriculture, open spaces, wildlife and wetlands preservation, it was decided by the Board to look at reducing residential square footage in a broad, county-wide approach. Consideration was also given to considering whether to look only at aggregate square footage or to consider changing the maximum square footage for secondary structures separately. CEDD Cathie Pagano let the Board know that her staff would work on these directions internally for the next month or so, and then hopefully have a packet put together to take to the Planning Commission for review.

Chairperson Houck then noted to those present and listening in via Zoom, that as they move forward with potential changes to the LUR, there is built into the LUR a public engagement process that includes public hearings and an ability for the public to speak directly to the Board, and to have conversations with the Board specific to what they support, and what they would like to see – the pros and cons of the proposal changes. This public feedback is critical for the Board to hear as they go through the process of making policy changes.

When asked by Commissioner Mason if she felt there was a need to issue a moratorium, CEDD Pagano replied that, given the current building supply shortages and the long time it takes to pass all codes and restrictions, she did not see that there would be a need for this. CEDD Pagano added that moratoriums are challenging and have significant impact, not something to be entered into lightly.

SPECIAL PRESENTATION, RECESS: At 10:05 am, Chairperson Houck paused the regular meeting and handed the floor over to Emergency Management Manager Scott Morrill for a surprise proclamation presentation to Arden Anderson, declaring June 1, 2021 to be Arden Anderson Day. Scott's presentation noted that, from the very beginning of the pandemic, Arden selflessly donated his time and talents as pandemic coordinator for a large group of volunteers, coordinating their efforts to serve the citizens of the County in a time of need, especially reaching out to those in the housebound and underserved population of Gunnison County.

BREAK: There was a short recess from 10:10 am to 10:21 am.

RECONVENE: At 10:21 am, Chairperson Houck reconvened the regular meeting to continue with the next item on the agenda, Unscheduled Citizens.

UNSCHEDULED CITIZENS:

1. Tom Zieber – a resident of the City of Gunnison for the last 10 years. Tom gave a brief background, outlining his experience as a biological technician on the Yellowstone wolf project, and in working with wolves for over a decade in ambassador wolf programs throughout the country. Tom then reviewed for the Board the latest legislation and legislative proposals for the reintroduction of wolves to Colorado. His requests to the Board highlighted: a) hoping the BoCC would form a work group to coordinate with the area ranchers to help prevent or minimize predation depravation; b) hoping that Gunnison County would work to provide a model where both the wolf and sage-grouse can co-exist together; and c) hoping the County will educate its visitors and new residents on how ranching and wildlife can co-exist successfully.
2. Emily Artale (on Zoom) – founder and co-owner of a small consulting firm based out of Denver. Emily wanted the Board to know that Gunnison County is not alone in dealing with the larger homes issue; homes up to 15,000 square feet are becoming more common. She asked the Board, as they were considering this issue, to look at net (operational and embodied) carbon emission plans as well – this

- included all the carbon that goes into transporting to the site and also what goes into disposing anything left over at the end of the project. Chairperson Houck affirmed her information would be very helpful in the beginning of their looking into possible revision of the LUR residential square footage maximums, and that her insights would be appreciated as they moved forward to shape policy.
3. Jim Starr of Valley Housing Fund. Jim thanked the Commissioners and County Attorney Matt Hoyt for looking into addressing the size of residential buildings in the Upper Slate River Valley. He let them know that he now understood a moratorium may not be necessary, but he believed the pending ordinance doctrine made it possible for the County to not accept any new applications while working on this issue. Jim also asked the Board to take into account a few things as they explored LUR changes: a) to look at the issue of people combining subdivided lots for the purpose of building significantly large buildings with a total of up to 25,000 square feet in a small geographic area; b) to consider the 35-acre subdivision that existed back in the early 2000s; that more are looking toward building larger building. Jim felt it would be better to go back to smaller building caps for residential purposes; c) to evaluate the percentage of glass that can go into a residential structure; and d) to consider the drainage areas that include the 100-year floodplain, and the environmental impact on wetlands. Jim wanted the Board to possibly look at establishing special areas that are within wetlands areas, to better protect water quality.
 4. Tim Szurgot – a resident of Wild Bird subdivision, up Slate River Road. Tim thanked the Board for taking care to look into changes to maximum square footage in the LUR. However, he also wanted the commissioners to know that he and many others in Crested Butte felt that Upper Slate needs more immediate and special attention. He let them know that a petition for marking this area as a special geographic area currently had over 1,500 citizen signatures, that CB Land Trust is the largest landowner in the area, and the CB community had spent over \$11 million protecting this area. Tim stressed that equally important with the issues of restricting building size, would be Gunnison County’s restricting building in the 100-year floodplain, in order to protect this part of the State’s limited, diminishing wetlands. He suggested that a committee be established to review the issues.
 5. Jasmine Whelan – a resident of CB and a signatory on the petition mentioned by Tim Szurgot. Jasmine expressed that she was happy to see the Board was wanting to revisit the square footage; however, she wanted to understand better if there would be any way to restrict the building currently applied for in the Slate Valley corridor, particularly with a land use change. County Attorney Matt Hoyt reiterated one of the points he made earlier — the County would have needed to be in active pursuit of a change in land use within a time before the building was applied for.
 6. Sue Navy. Sue asked the Commissioners, in their LUR revision process, to pay special attention to sensitive areas – to increase setback areas on the wetlands; to consider the issue of obtrusive visibility; to guard against excessive lot coverage, including asphalt and surface disturbances; and to consider roads and driveways in the lot coverage.

ADDED SCHEDULING; DISCUSSION FOR UPCOMING WORK SESSION: Chairperson Houck asked Deputy County Manager to also speak at this time regarding plans for an upcoming trip to Somerset and Marble. DCM Crosby went over a tentative itinerary for leaving right after the next BOCC regular meeting on June 15th, visiting areas in Somerset and then on to Marble and an evening Marble Town Council, spending the night in Redstone. Also mentioned possibilities for the Commissioners included meeting with residents and a possible quarry tour, followed by lunch and a meeting with US Forest Service Ranger Kevin Warner, to look at possible parking solutions. After some discussion, it was decided to make this trip a BOCC work session following the BOCC regular meeting on June 15th, and to schedule time for two full days, with the Board returning to Gunnison sometime in the afternoon of June 16th.

COMMISSIONER ITEMS:

Commissioner Smith:

1. Follow-up with facilitating Equity Discussion with Lauren Kugler from the Community Foundation. Commissioner Smith explained that Gunnison Valley Community Foundation has an \$80,000 grant opportunity, and is asking for people to submit their project ideas focused on improving the work of equity in the Gunnison Valley. Commissioner Smith was aiding in the process of hearing numerous project proposals, talking to individuals, and she also looked forward to seeing final projects results.

Commissioner Mason:

1. Attended an Affordable Housing subcommittee meeting the end of last week. Commissioner Mason explained that \$150 million is being set aside for housing; there will be future discussion how to get those funds distributed to all the counties, and to the people who can utilize these funds.
2. Lead King working group meeting June 1st at 1:00 pm. Commissioner Mason reported that he would be attending this meeting, with information on the truck and ATV parking at the mill site.
3. Region 10. – Commissioner Mason informed the Board that he will be Chair for the next year, starting with the next meeting in June, with Roger Rash as Post-Chair and Kris Holstrom as Vice-Chair. Corey Brindle, a resident of CB South, will be replacing Virgil Turner in September.
4. Phone call last week with John Lee. Explaining that John was a Spectrum employee who also sits on the Club 20 Board, Commissioner Mason relayed that John was curious about what plans Gunnison County has for spending the Robotic Process Automation (RPA) funds from the federal government. John had asked about projects that were that “last mile”, and Commissioner Mason thought of Pitkin. He then expressed interest in pursuing Pitkin as the next rural area internet project.

- 5. Participated in the Long Lake Hike with the Crested Butte Land Trust. Last week, Commissioner Mason and a group of homeowners that border the land hiked around the perimeter of the lake. A representative of the Allen family also attended. The group discussed infrastructure needs for the area—signage, improvements to be made, and the possible decommission of a few trails to prevent further erosion. The CB Land Trust plans to be managing this property extensively.

Commissioner Houck:

- 1. Attended the Sustainable Tourism & Outdoor Recreation (STOR) committee meeting last week. Chairperson Houck noted topics discussed during this meeting were: a) the Tourism and Prosperity Partnership (TAPP), its function and interface with STOR; and b) the RV dump site in Crested Butte. Matt McCombs, District Ranger for the Forest Service, attended remotely and reiterated his commitment on behalf of the Forest Service to being a partner in solving and finding new opportunities for a dump site station.
- 2. No BOCC work session on June 8th. Chairperson Houck reminded all that there would be no meeting next Tuesday, as Commissioners Smith and Mason would be attending a Colorado Counties, Inc. (CCI) conference in Vail.

ADJOURN: Moved by Chairperson Houck, seconded by Commissioner Smith to adjourn the meeting. Motion carried unanimously. The Gunnison County Board of County Commissioners meeting adjourned at 11:30 a.m.

Jonathan Houck, Chairperson

Roland Mason, Vice-Chairperson

Liz Smith, Commissioner

Minutes Prepared By:

Melanie Bollig, Deputy County Clerk

Attest:

Kathy Simillion, County Clerk

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 21-13**

A RESOLUTION VACATING CERTAIN PORTIONS OF STREETS AND ALLEYS LYING WITHIN THE LAVETA ADDITION TO THE TOWN OF PITKIN, COUNTY OF GUNNISON, STATE OF COLORADO

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado ("Board"), by virtue of Colorado law, has authority and is the owner of certain roads and alleys lying within the County of Gunnison; and

WHEREAS, the Board has determined that not all platted roads and alleys are necessary for public access to privately owned property; and

WHEREAS, the Board has received a request to vacate certain portions of streets and alleys lying within the LaVeta Addition to the Town of Pitkin, County of Gunnison, State of Colorado described as follows:

Those certain portions of Summit Street, 7th Avenue, Park Street and Center Street and alleys adjacent to Lots 1 through 32, inclusive, Block 24 and Lots 1 through 4, inclusive, Block 33, and Lots 1 through 4, inclusive, Block 32, lying within the LaVeta Addition to the Towns of Pitkin, according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 7, 2020, bearing Reception No: 670075; and

WHEREAS, the vacation of the above described portions of streets and alleys lying within the LaVeta Addition to the Town of Pitkin, will not hinder any property owners of any lands from having access to their respective land nor disrupt existing travel modes or anticipated conditions in traffic or development patterns; and

WHEREAS, there will be no adverse impact to the natural environment, community needs or public health, safety and welfare from the vacation of the above described portions of streets and alleys lying within the LaVeta Addition to the Town of Pitkin; and

WHEREAS, the notices required by Colorado law for such vacation have been given and a public hearing on such vacation has been conducted; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the certain portions of streets and alleys lying within the LaVeta Addition to the Town of Pitkin, County of Gunnison, State of Colorado described as follows shall be and hereby is vacated:

That certain portion of Summit Street adjacent to Lots 1 through 16, Block 24 and Lots 1 and 2, Block 33, inclusive and Park Street adjacent to Lots 17 through 32, Block 24 and Lots 3 and 4, Block 33 and Lots 1 and 2, Block 32, inclusive and Center Street adjacent to Lots 3 and 4, Block 32, inclusive and 7th Avenue adjacent to Lot 1 and 32, Block 24 and Lots 2 and 3, Block 33 and Lots 2 and 3, Block 32, inclusive AND the alley adjacent to Lots 1 through 32, Block 24, inclusive, and Lots 1 through 4, Block 33, inclusive, and the alley adjacent to Lots 1 through 4, Block 32, inclusive, lying within the LaVeta Addition to the Town of Pitkin, according to the official plat recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 7, 2020, bearing Reception No: 670075.

It is the specific intent of the Board that the vacation of the above described portions of streets and alleys lying within the LaVeta Addition of the Town of Pitkin shall accrue to and vest in the record owner(s) of adjacent real property pursuant to the provisions of C.R.S. § 43-2-302.

FURTHERMORE, this Resolution is contingent upon and shall not become effective until the recording in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado of the following:

1. The Lot Cluster Agreement executed by Gunnison County and the owner(s) of the respective adjacent property clustering said property and the above described portion of alley lying within the Townsite of Pitkin, County of Gunnison, State of Colorado; and
2. This Resolution.

INTRODUCED by Commissioner Smith, seconded by Commissioner Mason, and adopted this 1st day of June, 2021.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

Houck – yes, Mason – yes, Smith – yes.

**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 21-14**

A RESOLUTION OPPOSING THE PROPOSED BALLOT INITIATIVE 16 "PROTECT ANIMALS FROM UNNECESSARY SUFFERING AND EXPLOITATION" (PAUSE) ACT

WHEREAS, on March 17, 2021, a citizens’ initiative entitled “Protect Animals from Unnecessary Suffering and Exploitation” (PAUSE) was approved by the Title Board of the Colorado Secretary of State for petition to the November 2022 General Election as Initiative 16; and

WHEREAS, Initiative 16 (PAUSE) would criminalize common and accepted veterinary and animal husbandry practices including spaying and neutering, assistance with difficult births, artificial insemination, pregnancy diagnosis, and fertility testing; and

WHEREAS, Initiative 16 (PAUSE) would redefine these common and accepted veterinary and animal husbandry practices as a “sexual act with an animal;” and

WHEREAS, the economic impact to farmers, ranchers, meat cutters, veterinarians, and other related industries would be tremendous and negative; and

WHEREAS, Gunnison County embraces and celebrates our agricultural heritage and supports our livestock producers and are confident that our producers take great effort to treat their animals humanely; and

WHEREAS, we can all agree that animal cruelty is unacceptable; yet the consequences of this initiative to pet owners, veterinarians, and agriculture producers should also be unacceptable to our community.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Gunnison County, Colorado opposes any version of Initiative 16 (PAUSE) that may be placed on the Colorado ballot.

BE IT FURTHER RESOLVED that the Board urges all citizens of Gunnison County to decline to sign any petition that supports placing Ballot Initiative 16 (PAUSE) on the November 2022 ballot and also encourages all Gunnison County citizens to educate others about the importance of agriculture to the entire State of Colorado and the negative consequences of Ballot Initiative 16 (PAUSE).

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted this 1st day of June, 2021.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO

Houck – yes, Mason – yes, Smith – yes.