

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
September 7, 2021**

The September 7, 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

**GUNNISON COUNTY LOCAL LIQUOR LICENSING AUTHORITY:**

**CALL TO ORDER:** Chairperson Houck called the meeting to order at 8:30 am.

**FERMENTED MALT BEVERAGE ALCOHOL BEVERAGE LICENSE #04-01232; SKYHIGH COLORADO LLC DBA TAYLOR PARK TRADING POST; EFFECTIVE DATES 7/01/2021 – 7/01/2022:** **Moved** by Commissioner Mason, seconded by Commissioner Smith to approve the Fermented Malt Beverage Alcohol Beverage License #04-01232, for Skyhigh Colorado LLC dba Taylor Park Trading Post. Motion carried unanimously.

**ALCOHOL BEVERAGE LICENSE #26-54026-0000; BLACK MESA LODGE LLC DBA BLACK MESA LODGE; EFFECTIVE DATES 9/06/21 – 9/06/2022:** **Moved** by Commissioner Mason, seconded by Commissioner Smith to approve the Alcohol Beverage License #26-54026-0000 for Black Mesa Lodge LLC dba Black Mesa Lodge. Motion carried unanimously.

**ADJOURN:** Chairperson Houck adjourned the Local Liquor Licensing Authority meeting at 8:32 am.

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

**CALL TO ORDER:** Chairperson Houck called the Gunnison County Board of County Commissioners Regular Meeting to order at 8:32 am.

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

**MINUTES APPROVAL:** **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve both the June 22nd and the August 3rd, 2021 minutes, as presented. Motion carried unanimously.

1. June 15, 2021 Regular Meeting - **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the June 15, 2021 Regular Meeting minutes as presented. Motion carried unanimously.
2. June 22, 2021 Special Meeting - **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the June 22, 2021 Special Meeting minutes, with one change from "12 am" to "12 pm" at the bottom of the second page. Motion carried unanimously.
3. August 3, 2021 Regular Meeting - **Moved** by Commissioner Smith, seconded by Commissioner Mason to approve the August 3, 2021 Regular Meeting minutes as presented. Motion carried unanimously.

**SCHEDULING:** There were no additions or changes to the schedule.

**CONSENT AGENDA:** With no questions or concerns by the Board, it was **moved** by Commissioner Smith, seconded by Commissioner Mason, to approve the Consent Agenda as presented. Motion carried unanimously.

1. Memorandum of Understanding; Gunnison County and the USDA Forest Service
2. Acknowledgment of County Manager's Signature; CDOT; Gunnison County Juvenile Services; to provide programs intended to reduce the number of deaths and serious injuries from traffic crashes; 10/01/2021 – 9/20/2022; \$95,000
3. Acknowledgment of County Manager's Signature; Modification of Agreement; National Association of County and City Health Officials (NACCHO); Gunnison County Health and Human Services; project extension; Invoice due 12/31/2021; \$12,302
4. Grant Award Agreement; U.S. Dept of Transportation; Small Community Air Service Development Program (SCASDP); to help expand current air service to Dallas/Fort Worth for Summer service June – September; \$600,000; 9/7/2021 – 1/08/2027
5. Lease Agreement; the Bishop of Pueblo; Voter and Service Polling Center location lease; Queen of All Saints Parish Hall, Crested Butte; 10/28, 10/29, 10/30, 11/01, 11/02; \$600
6. Grant Acceptance Letter; Temple Hoyne Buell Foundation; Gunnison Hinsdale Early Childhood Council; \$30,000 Renewal Grant

7. Ratification of Chair Signature; Intergovernmental Agreement; Colorado Dept of Health Care Policy and Financing; Gunnison-Hinsdale Counties Board of Human Services; to help manage the workload at the end of the Public Health Emergency (PHE); 7/01/2021 – 6/30/2022; \$37,741.23 for Gunnison County
8. Acknowledgement of County Manager Signature; Contract Amendment #1; Colorado Department of Health Care Policy and Financing; Gunnison County-Hinsdale County Human Services; for Gunnison County incentives – Health Care Policy and Financing (HCPF), Medicaid; State Fiscal Year 2021, \$18,509.67; State Fiscal Year 2022, \$18,509.67
9. Purchase of Service Agreement, Regional Cores Services – Mental Health; The Center for Mental Health; Gunnison County-Hinsdale County Human Services; for Mental Health Services to Gunnison and Hinsdale Human Services clients; 6/01/2021 – 5/31/2022
10. Revised Contractor Agreement; Walter A. Sorrentino; County Board of Equalization Hearing Officer; term to be 9/15/2021 – 11/01/2021; \$65/hr plus expenses

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

1. Completed the performance report for 2019 and 2020. County Manager Birnie noted that these reports usually came out much earlier, but due to the interruptions of last year, they were just now completed for both 2019 and 2020. A few printed copies were available, and the electronic version was also available online at the County website.
2. Gunnison Valley Health (GVH). CM Birnie reminded the Board of Trustees for GVH would be giving an update to the BOCC in September, and before they came, they wanted to ask the Commissioners for their support regarding the opportunity for a USDA grant for emergency medical services. Since the County actually owns the facilities, they wanted to know if the BOCC was willing to sponsor this; it would be a grant that the County would keep on record, but GVH would be responsible for writing the grant. Deputy County Manager Crosby advised that, based on past experience, it would be best to get any promise for funds from the USDA in writing. After brief discussion, it was given approval by the Commissioners.

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

1. Snow and Ice Conference. DCM Crosby invited the Board to the Snow and Ice Conference which Public Works was hosting at the Fred Field Center Thursday and Friday, September 9-10. She explained that, although they were unable to host this event last year, this had been done previously for the past 25 plus years. DCM Crosby then detailed for the Board that the event would include 20-25 participating vendors, guest speakers addressing COVID-related impacts, a presentation by Western Slope Ford on how to attract employees, a State overview of new CDL regulations, and equipment/skill competitions.
1. Household Hazardous Waste Collection Agreement; Clean Harbors; Gunnison County Public Works; \$30,000. DCM Crosby outlined for the Board that the County has someone collect hazardous waste every two years, as it is too expensive to do otherwise. At the request of the County Attorney’s Office, and per County procurement policy, she had requested competitive bids from three sources to verify pricing, but had not yet received all bids back. Also, as she still needed the commitment of funds from the City of Gunnison in order to afford the contract, she needed more time. DCM Crosby asserted that once the decision is made, it would need to be a fast approval; therefore, she was asking Board approval for CM Birnie to sign, and then they could ratify his signature at a following meeting. CM Birnie noted that he would bring the final before the Board for their acknowledgment of his signature, and the Board approved this arrangement.

**PUBLIC HEARING; TINCUP STREET VACATION REQUEST; THAT PORTION OF LAUREL STREET ADJACENT TO LOTS 18024, BLOCK 14, AND LOTS 1-7, BLOCK 13, TOWN OF TINCUP; SALLY KUISLE AND LYLE & CHERYL RIEGER (HUMMING BIRD PROPERTIES, LLC):**

**1. Resolution; A Resolution Vacating a Certain Portion of Laurel Street Lying Within the Town of Tincup, County of Gunnison, State of Colorado**

Present in the room for the Public Hearing was Deputy County Manager Marlene Crosby; the applicant Sally Kuisle was also present via Zoom.

1. Open of Public Hearing: Commissioner Houck opened the Public Hearing at 8:52 am.
2. Public Notice Confirmation: Public Notice was confirmed by Deputy County Manager Marlene Crosby.
3. Identify Ex Parte Communications: No ex parte communication was received by Commissioners Smith and Mason; Chairperson Houck did note that he received an email from Sally Kuisle asking for his support, but that he did not answer it at all, and treated this as information of a hearing coming to the Board, and as such wanted to note it for the record.
4. Staff Presentation: DCM Crosby explained that Sally Kuisle had requested a vacation of a portion of Laurel Street, which would allow her to then install a legally compliant septic system. There would be another property involved in the street vacation, Humming Bird Properties LLC, and they had already clustered their lots. A representative of American Mountain Association in Tincup communicated with DCM Crosby, requesting that this application not be granted, asserting that they needed this access to 10<sup>th</sup> Street in order to reach the American Mountain Association. DCM Crosby then showed a new map to the Board, noting that the grade was too steep there and the County would not approve that area for access. Instead, she pointed out an approved access would be off Walnut Street to 10<sup>th</sup> street. She noted one other concern was that the applicant had not yet clustered her lots, but Ms. Kuisle was

willing to do so – just under ½ acre, which she had an engineer design for a septic system. CM Birnie then asked if the environmental health board had to give an exemption for under an acre, to which CA Hoyt affirmed that they did.

5. Applicant Comments: Chairperson Houck then asked for any comment from the applicant, Sally Kuisle, who was present via Zoom. She explained that she had discovered her leach field runs under Laurel Street into her neighbor's property, and had then engaged an engineer to make this area compliant. As Laurel Street dead ends in that location and is a very steep hillside there, she stated that driving access would not be a possibility and was unsure why American Properties thought it was an access possibility. She also noted that the utility, Century Link, had approved the easement vacation the last weekend. Chairperson Houck then asked if she knew the total lot size if the vacation approved. Ms. Kuisle state that she was unsure, but Sarah at Williams Drilling was the engineer finishing the design, and it showed that, with the 30 feet of street vacation, she would have the necessary area.
6. Board Questions: Commissioner Smith asked if there was any other area possible for the septic system, and DCM Crosby noted that because of terrain considerations and the location of two wells, this was the area chosen. Commissioner Mason asked if there were any other issues that came up for the street vacation, other than possible access for American Mountain, to which DCM Crosby said she had received no other objections. CA Hoyt then added that a street vacation could be granted upon the contingency of approval for the new septic system. DCM Crosby stressed here that, whether or not the area is clustered and the septic system is built, the County would not approve access being extended there from Laurel Street. Another concern was that the septic system be able to be installed this fall.
7. Public Comments: Chairperson Houck then opened to public comment. Roger Sauerhagen, representative for the American Mountain Association came forward, stating that there were 15 lots in American Mountain Association, of which seven had cabins on them which were actively used, and the total area was approximately 13.5 acres of Tincup. He asserted that the area of the proposed street vacation was the only pedestrian access they had; otherwise, they would need to go a much longer route through 10<sup>th</sup> Street to Walnut Street. He explained that their association looked at the criteria from County Road & Bridge Standards 2.92 and noted six points of criteria for a street vacation which the association wished to take exception to – these points were then given to the Board for public record, and each point was read. He then concluded by saying that a private owner with a private property issue should not seek a public solution by taking away access of Laurel Street at this location, and they did not feel the standards for this street vacation had been met. Chairperson Houck thanked the association for coming and then noted that this was an issue in other communities in the County such as Irwin; however, he noted that updating wastewater treatment systems was also a priority for the County, in preventing contamination of groundwater and private wells, and was definitely for the greater good in protecting public health.
8. Acknowledge Correspondence Received: Correspondence from American Mountain Association was noted as received by DCM Crosby.
9. Applicant Response: The applicant, Sally Kuisle noted that true Laurel Street pedestrian access would have to have a hand rope to navigate the steep slope. Pedestrians currently must access over private property on what they thought was the road. She added that, if it were possible, she would be happy to grant pedestrian and internet access.  
Chairperson Houck noted this was a larger discussion and that several factors needed to be ascertained, as well as the actual application submittal needing to be completed. With some discussion regarding whether pedestrian access could be allowed there with a street vacation and whether pedestrian access was possible in that location, Chairperson Houck elected to continue the Public Hearing at a later time.
10. Close Public Hearing: Commissioner Houck closed the public portion of the street vacation hearing at 9:28 am.

Chairperson Houck then **moved** to continue the street vacation hearing to October 19<sup>th</sup>, 2021 at 10:00 am, in the Board of County Commissioners meeting room. Commissioner Smith seconded. The motion carried unanimously.

**TOWNHOME PLAT AND DECLARATION; ALPINE COURT TOWNHOME PLAT; LOT RNT-1, SKYLAND RIVER NEIGHBORHOOD; LUC-21-00037**: Presented by Community and Economic Development Administrative Services Manager, Beth Baker. She explained that the plat and declaration had all been completed; the County Attorney's Office had reviewed and approved; the Homeowners Association had reviewed and approved; taxes were paid, and all was ready to go. **Moved** by Commissioner Mason, seconded by Commissioner Smith to approve the Townhome Plat and Declaration of Alpine Court Townhome Plat, Lot RNT-1, in the Skyland River Neighborhood. Motion carried unanimously.

**GRANT AGREEMENT; CB LAND TRUST; KIKEL LOT 3 ACQUISITION AND CONSERVATION PROJECT; \$123,700**: Presented by Jake Jones. He noted this was his first presentation to the Board in his new role with the CB Land Trust. Jake explained this acquisition makes trail experiences like the Lupine Trail possible. Kikel Lot 3 would fill out the matrix of protected land in that area. He further noted that, with the BOCC's approval of this grant, in addition to other private funding they had raised in the past 10 days, they were confident they could close on this parcel in mid-October. With the Board expressing support, it was **moved** by Commissioner Mason, seconded by Commissioner Smith, to approve the Grant

Agreement, CB Land Trust, for the Kikel Lot 3 Acquisition and Conservation Project, in the amount of \$123,700. Motion carried unanimously.

**CHANGE TO AGENDA:** Chairperson Houck then elected to change the agenda, moving the Airport items to after the 10:45 am Break, and continuing with the Public Hearings which had been scheduled and noticed for 9:30 am and 9:45 am.

**PUBLIC HEARING; RENEWAL OF MARIJUANA FACILITY CULTIVATION LICENSE; RIVERLAND REMEDIES, 80 BUCKLEY DR, UNITS 2A, 2B, 2C, RIVERLAND INDUSTRIAL PARK; ROB VANAERMEN AND ROB CARNEY:** Present in the room was Community and Economic Development Administrative Services Manager, Beth Baker; also present via Zoom were Riverland Remedies owners Rob VanAermen and Rob Carney.

1. Open of Public Hearing: Commissioner Houck opened the Public Hearing at 9:37 am.
2. Public Notice Confirmation: Public Notice was confirmed by CED Admin Svcs Manager Beth Baker.
3. Identify Ex Parte Communications: There were no ex parte communications identified. Beth Baker did note that general communication had been received on Monday, September 6<sup>th</sup>, by her office and that she had forwarded this to the Board that same day. This correspondence was a letter reflecting disappointment in the marijuana industry in general.
4. Staff Presentation: CED Admin Svcs Manager Beth Baker outlined that Riverland Remedies had applied to renew their license, which would be effective 9/7/2021 – 9/7/24 if approved. They contacted the Gunnison County Sheriff's Office regarding this renewal and the SO had no concerns; Crested Butte Fire District did an inspection and they passed the inspection; and the Homeowners Association reapproved this use. Also, CED Admin Svcs Manager Beth Baker performed a staff inspection and observed that the County and State licenses were displayed, a visitor's pass was given to staff to wear while on site, they were required to sign in and out, no visible signage was displayed outside the building, no odors outside the building were detected at that time, no complaints had been received about their facility, all employees were badged and the facility had cameras throughout the building, with images being kept for 40 days as was required.
5. Applicant Comments: The owners expressed gratitude to Beth Baker and the Board for working to help them regain their license quickly when they discovered it had expired.
6. Board Questions: There were no questions from the Board
7. Public Comments: There were no additional public comments from anyone present in the room or via Zoom.
8. Acknowledge Correspondence Received: The correspondence received was already noted to the Board by Beth Baker.
9. Applicant Response: With no public comments or questions, there was no response needed by the applicant.
10. Close Public Hearing: Commissioner Houck closed the public hearing at 9:42 am.

**Moved** by Commissioner Mason, seconded by Commissioner Smith to approve the renewal of the Marijuana Facility Cultivation License for Riverland Remedies, with the staff recommendations. Motion carried unanimously.

**BREAK:** Chairperson Houck called a recess in the meeting from 9:43 am to 9:47 am.

**PUBLIC HEARING; 2021 LAND USE REGULATIONS (LUR) AMENDMENTS:** Present for discussion was Community and Economic Development Director Cathie Pagano.

1. Open of Public Hearing: Commissioner Houck opened the Public Hearing at 9:47 am. He introduced the hearing by noting the Board had the ability to make a decision at the close of the public hearing, and also to extend the hearing beyond that day if it was necessary. He then outlined the history of changes in the LUR square footage maximums over the years, from 2001 beginning with 7,500 aggregate and later increased to 12,500 aggregate square feet. He noted for the record that what is proposed is not a cap on building size, but is the size covered before the process of a minor impact land use change would need to take place. He also reminded those present that the LUR is not set in stone, but is a living document that was conceived of and built to change with the needs of the community.
2. Public Notice Confirmation: Public Notice was confirmed by CED Director Cathie Pagano.
3. Identify Ex Parte Communications: There was no ex parte communication identified.
4. Staff Presentation: CED Director Cathie Pagano began by going into a more detailed history of the square footage changes since 2001, to the current residential square footage maximum of 10,000 square feet, with an aggregate total of 12,500 square feet. She also noted that less than a dozen houses had been over this size, and had undergone the minor impact land use change, and they were scattered across the County. Further data was presented by CED Director Pagano, notably that 820 building permits had been issued in Gunnison County between 2007 and June 2021; of those, 44, or 5%, required a land use change (LUC) for greater than 4,200 sq. feet; 22, or 2%, required an LUC for greater than 5,000 square feet.
5. Public Comments: Chairperson Houck noted that all correspondence and emails had been forwarded to the Board, and saved for the record. He asked those present in the room and via Zoom to please

refrain from making further comment here, if they had already submitted comments. He invited those present in the room to make bring their comments forward first, and stipulated a time limit of two minutes per each comment. Comments were as follows:

- a. Jennifer Hartman, Sunlit Architecture in Crested Butte – She brought the questions, “Should sections and codes for environment be noted and changed and not the LUR? Is there a valid reason to diminish the existing development patterns of the County?”
- b. Julia Kidd of Hargrove & Kidd Construction in Crested Butte – Julia was concerned about the economic viability of this change, and the negative impact of downsizing buildings. She concluded that a 56% change is too large of a change without further study.
- c. Beth Wyman from Crested Butte – she pointed out that the LUR square footage should apply to everybody applying for a house, as all have a fundamental right to buy land and then have the right to do what they want with it. Further, she did not want the negative impact for the businesses in the valley, and saw no reason to put an artificial limitation on what can be done here. She concluded by suggesting that this decision be slowed down and go through a much longer process.
- d. Jim Starr from Crested Butte – Jim Starr noted that he was on the Board of County Commissioners in 2007 when they changed the square footage residential maximum to 10,000 square feet. He felt much has changed and there are too many wanting larger and larger houses, with far greater impact. He suggested that this move will help the affordable housing problem. He favored lowering the square footage and then having the larger projects going through the minor impact land use change process.
- e. Albert Roper, family ranch owner – Albert wanted to explain that the minor impact process was no “minor” impact. His own experiences with the planning department led him to believe there are too many regulations, and you could ask a question and get five different answers from five different people at the planning department. Also, he felt that it is insulting as a third-generation rancher to have to ask his neighbors for permission to make changes to the land that he owned.
- f. Laney Sorenson (speaking for husband Scott as well) – Laney stated that she works at Western; her husband works as a small business owner. She felt it was hypocritical to limit house sizes when subdivisions already were exempt from any changes. As the proposed change would limit what she and her husband planned to build on their newly purchased land, she then asked the Board to create an exception for people with existing plans to be able to submit these before the changes were put into effect.
- g. Ben Somrak, architect and builder in Crested Butte (speaking on behalf of his wife Kate Somrak, as well) – Ben opened noting he was working on the Wandering Willows project, and stated that he felt those who signed the petition to lower the square footage did not truly understand the impact on the valley. He added that many people do not rely on income from this area; they found the place, but now they are here, do not want to share. He thought more of the taxpayer and business owners’ voices needed to be heard, and he had wanted to be there today to represent the working man who is trying to make a living. He asked the Board to look at other resource solutions in order to aid the second largest industry in the valley – construction, adding that this industry draws many in and the workers contribute a lot of income to the community.
- h. Lizzie Plotkin from Almont, CO – Lizzie wanted to share a song that was relevant to the comments, and then accompanied herself on the guitar as she sang her composition, “Clean Water.”
- i. Kendall Burgemeister (via Zoom) – Kendall reiterated what he had written to the Board in earlier letters; he asked to have a larger square footage than that decided on for the amendment.
- j. John’s iphone/John Hess (via Zoom) – John supported the change in the size of the houses. He asked the Board to “Please do it.”
- k. Andrew Arell from Mt Crested Butte – Andrew was in favor of lowering the current aggregate for 12,500 square feet, feeling that amount is excessive. He told the Board that we are working to protect the environment for our future children; “do not privilege opulence at the price of sustainability.”
- l. Derek Harwell, resident of Crested Butte South (via Zoom) – Derek spoke in favor of the amendment, adding that he noted the last time that the LUR made an amendment for the residence size to go up, it was to perceived fears of restrictions to the community’s economy. He noted, “When having more becomes a divisive issue, we have to ask that question, ‘what is enough?’”
- m. Keith Pearen (via Zoom) – Keith opened by saying he had sent a letter the day before, but listening to the comments made him want to add a few more thoughts. He appreciated that the trend of lowering square footage really reflects where the community is at currently. He expressed support of the smaller size footprint offering less impact to the wildlife and environment, and supported an additional review process for those desiring a larger square footage than that set in the LUR.
- n. Marcus Lock (via Zoom) – Marcus explained that he had been through the land use processes numerous times, and he understood the reviews are not a rubber stamp. He felt the increased process requirement will bring a detrimental impact because of increased time for the construction industry. He added that he understands the County government’s aim is to balance economy versus environment, but felt that this reduction seemed too drastic of a reduction, and was not balanced.
- o. Tim Szurgot, 130 Wildbird, Upper Slate River Valley – Tim stressed that this was about the future of our next generations, about clean water and thriving wildlife. He stated that this minor change would help the experts on the Planning Commission give input to ensure the future of our clean water, healthy wildlife, and our quality of living.

- p. Greg Dunham – Greg stated that he has a construction business, and mentioned that he respected his friend, Albert Roper, for going through the entire process in the appropriate way. He felt that the business owners in the area could understand the desire for a smaller footprint in the LUR, but overall just wanted to have very clear rules and guidelines to be able to go through the process correctly.
- 6. Board Questions: Chairperson Houck asked each of the Board to give their thoughts on the LUR change proposal.  
Commissioner Mason marked his experiences and the changes in the community as a builder for over 20 years. He concluded that, though he believed reducing the square footage was a good choice, he also felt 4,200 square feet was too small a footprint to move down to for residences.  
Commissioner Smith thanked all those that submitted comments and letters. She noted that she saw this as a balance between needing to thoughtfully plan and build out this valley, while weighing out the significant environmental impact it will have. Commissioner Smith also saw her decisions as data-driven, pulling from information gathered over the past 13 years, and concluded that she was prepared to come in with a little higher square footage number because of recent disclosures that the data information which had influenced a decision of 4,200 square feet may not have included the square footage for attached garages.  
Chairperson Houck emphasized that this conversation had been going on for the last couple of years, concerning values and what it takes for the people in the community to be able to have a long-term, sustainable future here – a future that is economic, environmental, cultural, and tied to this landscape. He concluded by stating he supported lowering the square footage, as he felt there were important issues linked to the next level of review: water quality, wildlife, connectivity on the landscape, and climate change. However, he did lean toward going back to the original LUR’s 5,000 square footage.
- 7. Acknowledge Correspondence Received: The correspondence received was noted by the Board as well as by Community and Economic Development Director Cathie Pagano.
- 8. Close Public Hearing: Commissioner Houck closed the public hearing at 11:26 am.

After a few more minutes of Board discussion regarding both residential and aggregate square footage, the Board then directed Community and Economic Development Director Cathie Pagano and her staff, and the County Attorney’s Office to draft any necessary documents for an LUR change and resolution that would be needed to support the LUR amendment to 5,000 residential square feet plus 2,000 square feet, for an aggregate of 7,000 square feet. Then Board then directed that they would make a motion to adopt this at the next regular meeting to be held either on September 21<sup>st</sup> or possibly October 5<sup>th</sup>, if extra time was needed.

**AGREEMENT BETWEEN BOCC AND BLR AEROSPACE, LLC; FOR AUTHORIZATION FLIGHT TESTING ACTIVITIES, USE OF THE HELICOPTER TETHER TEST PAD, PROVISION OF AIRPORT RESCUE FIRE FIGHTING (ARFF) AND OTHER AIRPORT SERVICES:**

Present for discussion was Gunnison-Crested Butte Regional Airport Manager, Rick Lamport. Chairperson Houck introduced that this contract was specifically for use of the tether pad, and the Board had the option to deny this contract if they felt it was necessary, as the tether pad belonged specifically to the County. County Manager Birnie noted there had been a lot of public input on this issue regarding times and noise. Chairperson Houck and Commissioner Smith leaned toward denying the tether pad schedule because of the early morning and weekend schedules. Commissioner Mason felt that the contract was for a minimal dollar amount and would deny it, if the flight times could not be adjusted. Airport Manager Lamport offered to go back and see if they could re-negotiate for later times in the day for the testing, mentioning that even the fees could be revisited.

The Board decided to make no decision yet, and to allow Airport Manager Rick Lamport the time to approach BLR Aerospace LLC and come back with another agreement, if possible.

**AIRLINE INCENTIVE POLICY AND RESOLUTION; TO ENHANCE AIR CARRIER SERVICE AT GUC BY NOT CHARGING AIRPORT RATES:**

**1. Resolution; A Resolution Adopting the Gunnison-Crested Butte Regional Airport Air Service Incentive Policy**

Present for discussion was Gunnison-Crested Butte Regional Airport Manager, Rick Lamport. Airport Manager Lamport introduced this policy by noting that the airport could offer an incentive such as this, because it is something an airport could control, as it was based on charges the airport sets, such as landing fees to airline services. He added that this was a very good way to help entice airlines to come to Gunnison. The resolution gave an abatement of landing fees to airlines for one year, if the airlines each provided services for two years. County Manager Birnie added his support to this idea, stating that Gunnison is needing to be very competitive in the competition to have more than one carrier look at Gunnison. With the support of the Board, it was then **moved** by Commissioner Mason, seconded by Chairperson Houck to approve Resolution 2021-23; A Resolution Adopting the Gunnison-Crested Butte Regional Airport Air Service Incentive Policy. Motion carried unanimously.

**RECESS:** Chairperson Houck elected to skip the Unscheduled Citizens and Commissioner Items momentarily in order to convene the Gunnison-Hinsdale Board of Human Services and the Gunnison County

Board of Equalization. The Gunnison County Board of County Commissioners regular meeting was recessed at 11:54 am.

**GUNNISON/HINSDALE BOARD OF HUMAN SERVICES:**

**CALL TO ORDER:** Chairperson Houck called the Gunnison / Hinsdale Board of Human Services Regular Meeting to order at 11:55 am.

**CONSENT AGENDA:** With no questions or concerns by the Board, it was **moved** by Commissioner Smith, seconded by Commissioner Mason, to approve the Consent Agenda as presented. Motion carried unanimously.

1. Ratification of Chair Signature; Intergovernmental Agreement; Colorado Dept. of Health Care Policy and Financing; Gunnison-Hinsdale Counties Board of Human Services; to help manage the workload at the end of the Public Health Emergency (PHE); 7/01/2021 – 6/30/2022; \$1,282.62 for Hinsdale County
2. Ratification of Chair Signature; Contract Amendment #1; Colorado Department of Health Care Policy and Financing; Gunnison County-Hinsdale County Human Services; for Hinsdale County incentives – Health Care Policy and Financing (HCPF), Medicaid; State Fiscal Year 2021, \$6,072.29; State Fiscal Year 2022, \$6,072.29

**ADJOURN:** Chairperson Houck adjourned the Gunnison / Hinsdale Board of Human Services at 11:56 am.

**GUNNISON COUNTY BOARD OF EQUALIZATION:**

**CALL TO ORDER:** Chairperson Houck called the County Board of Equalization to order at 11:56 am.

**ASSESSOR'S REPORT TO THE CBOE:** Present to give the report was Senior Appraisal Analyst William Spicer. He went over with the Board three required yearly reports: the 2021 Total of Assessed Values for Gunnison County; a list of 2021's Failure to Report Personal Property; and the 2021 Assessor-level Appeals.

After these reports, Sr. Appraisal Analyst Spicer then touched briefly on the procedures, format and timing to be expected for hearing recommendations from the 2021 Hearing Officer contracted by the CBOE. A tentative time of the last week in October was suggested.

With no questions from the Board, it was **moved** by Chairperson Houck, seconded by Commissioner Mason to accept the 2021 CBOE report as presented by William Spicer, Senior Appraisal Analyst for the Assessor's Office.

**ADJOURN:** Chairperson Houck adjourned the Gunnison County Board of Equalization at 12:09 pm.

**RECESS:** As the Gunnison County Board of County Commissioners was still in recess, it was discussed and decided to continue the recess for a lunch break.

**LUNCH:** The recess continued from 12:09 pm until 1:15 pm.

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

**RECONVENE:** The Gunnison County Board of County Commissioners regular meeting reconvened at 1:15 pm.

**UNSCHEDULED CITIZENS:** There were no Unscheduled Citizens present in the room for discussion; however, a Chat room text item has been added for the record.

1. Eric Aslakson – I have been having troubles with CBGMaps app showing my property as a public area.

Eric Aslakson: Would you please check with them and make sure they fix their maps? I am having bad trespassing problems, and avalanches in the winter that endanger the lives of snowmobilers and myself.

Eric Aslakson: I've spoken there before - would be happy to bring in the maps - or could email them to you as well. I don't want anyone injured this winter due to incorrect information being displayed.

Eric Aslakson: thanks - that is my comment. you can email me at [eric.aslakson@gmail.com](mailto:eric.aslakson@gmail.com).

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

**Commissioner Mason:**

1. Attended a Region 10 meeting. Commissioner Mason highlighted the completion of Region 10's Comprehensive Economic Development Strategy report, a 60-page report containing a breakdown of information for our region from the latest census. He noted it was a good snapshot of Gunnison County as well as all six West Slope counties, adding that he had forwarded it to the other members of the

Board for their reference. Hinsdale County also received good news in the form of project approval to provide broadband to Lake City. Commissioner Mason reported that Pitkin was also looking at the possibility of broadband through Visionary, a provider who was going to be bringing broadband to the Marble area.

2. Attended a Gunnison Valley Regional Housing Authority (GVRHA) meeting. Commissioner Mason reported to the Board concerning the opportunity for a 33-bed hostel in Crested Butte through a private investment group. He explained that the Town of Crested Butte, at a meeting that evening, would be deciding if they would change zoning from tourism to a high-density rental zone. If this were to go through, the next step would be creating a master lease between the GVRHA and the private investment group. A master lease between the GVRHA and area businesses would also be created, drawing from the businesses' input into how many rooms they would need for their employees. The rent would be a fixed rate; projections showed it operating in the red, but that was without the consideration for a laundromat and commercial kitchen also bringing in money. The master lease was projected to be a yearly lease and a very good short-term option, with a preliminary survey showing businesses were willing to take 5-6 rooms.

**Commissioner Smith:**

1. Update on Whetsone Project last August 26-27. Commissioner Smith reported that approximately 35 people had participated in the public session the week before; she had received a good overview from that session to review. Also, she reported the next step would be a two-stage presentation to come at next week's work session, laying out where some of the design elements were going to be placed. Another step would be engagement with grade-school aged children, after-school activities with kids from Gunnison as well, letting them engage and contribute with a fresh, creative outlook. Another step after this would entail outreach to employers in the valley, attending staff meetings with their workers at various businesses to gain further valuable perspectives. Other projected stages highlighted were a possible community walk-about and financial feasibility discussions with the project developers. Commissioner Smith forecasted that more details would be coming after next week's session.
2. Early Childcare Council Update. Commissioner Smith revealed that they were currently collecting people to get started on a workforce innovation grant which would help provide salary subsidies for some of the early childcare education workers in the valley.
3. Attended the retirement celebration for Gunnison Valley Health's CEO, Rob Santilli. Commissioner Smith relayed that it was a heartfelt and wonderful turnout for Rob, and she applauded his diligence in making sure there were expanded services at the community hospital, while keeping it community-oriented and affordable. Commissioner Smith noted further that GVH had announced the new CEO, Jason Amrich. CM Birnie added that Jason would be introduced to the Board sometime in December or January for GVH's next quarterly update.
4. Organization of the Southwestern Colorado Opioid Regional Council. Commissioner Smith explained that she had been busy following up with the regional counties for this new council – getting feedback for ratification of the intergovernmental agreement and bylaws as they begin to develop a region-wide plan.

**Commissioner Houck:**

1. Senator Hickenlooper's visit last week. Chairperson Houck outlined that he was able to have the Senator spend time last week at the ICElab business incubator program, feeling this was important to the Senator's understanding of changes happening to Western Slope community businesses. Chairperson Houck also noted the Senator was able to highlight Federal funding and partnering in aviation and transportation in general during his time in the valley.
2. Progress on the GMUG (Grand Mesa, Uncompahgre, Gunnison) Nation forest revision plan draft. Chairperson Houck let the Board know that he was about done reading through the full forest plan revisions, and was drafting up initial comments on behalf of the Board. He reported that he had been in contact with several of the other counties – getting their reactions and finding out where they were in the process, as well.
3. Colorado Counties, Inc. Chairperson Houck reported that he was working with Commissioner Elisabeth Lawrence from Summit County in taking a look at the Local Marketing District (LMD) and Lodging tax language. He noted that he has discovered during this process that there were only three counties that have an LMD tax only, and that Alamosa and Moffat Counties had both LMD and Lodging taxes.
4. Attended an August 26<sup>th</sup> gathering for Pam Montgomery at the Gunnison Arts Center. Chairperson Houck explained that because they were in the middle of the pandemic when Pam had retired from the Community Foundation of the Gunnison Valley (CFGV), they were having a celebration for her at this later date. Chairperson Houck had attended on behalf of the Board and thanked her for her years of leadership and service to the County.
5. Attended a Sustainable Tourism & Outdoor Recreation (STOR) Committee meeting. Chairperson Houck remarked on how many counties were now putting together their own comprehensive recreation management plans, using Gunnison's STOR Committee as a template, and were consequently competing for the same monies that Gunnison does.

- 6. Comment on the success of the Shady Island River Park. Chairperson Houck wanted to highlight how many people had stopped him to give their positive reactions to the new river park. He further added that this was without even more additions coming in the fall.

**RECESS:** Chairperson Houck recessed the regular meeting at 1:38 pm, in order to go into an executive session.

**EXECUTIVE SESSION, PURSUANT TO C.R.S. § 24-6-402(4)(f), FOR PERSONNEL MATTERS:** Chairperson Houck then **moved** to go into Executive Session, pursuant to C.R.S. § 24-6-402 (4)(f), for personnel matters. Additionally, pursuant to C.R.S. §24-6-402 (4)(f), the employee who was the subject of this executive session had been informed of the employee’s right to have this session conducted in public, and the employee had waived this right. The participants in the Executive Session were the full Board of County Commissioners and County Manager Matthew Birnie. Commissioner Smith seconded the motion, and the motion was carried unanimously. It was further noted that a contemporaneous record of the meeting would be kept.

The Board went into executive session at 1:39 pm. The executive session was held in the BOCC Boardroom, and a contemporaneous record was kept. *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 §24-6-402 (4)(f).*

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: \_\_\_\_\_

\_\_\_\_\_  
Jonathan Houck, Chairperson  
Gunnison County Board of Commissioners

At 2:50 pm, it was **moved** by Chairperson Houck to come out of executive session, affirming that the participants in the executive session remained consistent with those read into the record, and that they did stay on topic. Commissioner Smith seconded the motion. Motion carried unanimously.

Chairperson Houck then let those present know that no direction or guidance was needed.

**ADJOURN: Moved** by Commissioner Houck, seconded by Commissioner Smith, to adjourn the Gunnison County Board of Commissioners Regular Meeting. Motion carried unanimously. The meeting was adjourned at 2:50 pm.

\_\_\_\_\_  
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 THE COUNTY OF GUNNISON, COLORADO**

**RESOLUTION NO: 2021-23**

A RESOLUTION ADOPTING THE *GUNNISON-CRESTED BUTTE REGIONAL  
AIRPORT AIR SERVICE INCENTIVE POLICY*

WHEREAS, it is the intent of the Board of County Commissioners of the County of Gunnison, Colorado ("Board") to offer an air carrier incentive program to enhance air carrier service and to further create an opportunity to increase air and passenger traffic to support long-term growth at the Gunnison-Crested Butte Regional Airport; and

WHEREAS, an air carrier incentive program will foster a responsible, and non-discriminatory air carrier incentive program that complies with the Federal Aviation Administration rules, regulations, and policies pertaining thereto; and

WHEREAS, the Board has reviewed the *Gunnison-Crested Butte Regional Airport Air Service Incentive Policy*, attached hereto and incorporated herein by the reference as Appendix "A", and in support of the Policy's success, commit to the measurable goals, objectives, strategies, implementation and assessing of results identified in the Policy; and

WHEREAS, it would be in the best interest of the residents of Gunnison County to adopt the *Gunnison-Crested Butte Regional Airport Air Service Incentive Policy* to support and sustain air and passenger traffic for long-term growth of the airport; and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado, that the *Gunnison-Crested Butte Regional Airport Air Service Incentive Policy* attached hereto as Appendix "A" shall be and hereby is adopted.

INTRODUCED by Commissioner Mason, seconded by Commissioner Houck, and adopted this 7<sup>th</sup> day of September 2021.

BOARD OF COUNTY COMMISSIONERS  
GUNNISON COUNTY

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

**APPENDIX A**

**Gunnison-Crested Butte Regional Airport Air Service Incentive Policy**

**1. Purpose**

It is the desire of Gunnison County (the airport sponsor) and the Gunnison-Crested Butte Regional Airport (the airport; GUC) to offer an air carrier incentive program to enhance air carrier service at the airport and create an opportunity to increase air and passenger traffic to support long term growth at the airport. This will be achieved by the following goals:

- Increase, market and promote existing commercial passenger air service;
- Develop and promote new commercial passenger air service to/from new destinations utilizing existing air carriers and/or new air carriers;
- Foster a healthy competitive environment amongst air carriers to promote air service opportunities;
- Promote public and industry awareness of airport air services and facilities.

**2. Policy Statement**

This purpose of this Air Service Incentive Policy is to establish and implement a responsible, and non-discriminatory air carrier incentive program that complies with Federal Aviation Administration rules, regulations, and policies pertaining to;

- Airport sponsor assurances;
- The use of airport revenue;
- Airport rates and charges.

**3. Definitions**

- a. New Air Service - is defined as at least one flight weekly to a destination not currently served from the airport sustained for a period of at least 24 (twenty four) months or two seasons (i.e. two winters in a row or two summers in a row).
- b. Increased Air Service - is defined as an increase in frequency of an existing scheduled route by one or more flights per week as compared against the previous years' applicable months or season, sustained for a period of least 24 (twenty four) months or two seasons (i.e. two winters in a row or two summers in a row).

#### **4. Applicability**

The incentives offered under this New Air Service Incentive Policy are applicable as follows;

- a. To FAR Part 121, 129, and 14 CFR Part 380 certificated commercial air carriers only;
- b. To existing air carriers that provide air service to a new destination not currently served to/from GUC beginning on or after the "Effective Date";
- c. To existing air carriers that increase frequency to/from an existing destination beginning on or after the "Effective Date";
- d. To new entrant air carriers that will serve new markets currently not served to/from GUC beginning on or after the "Effective Date".

#### **5. Targeted Markets and Goals**

The following goals and air service objectives have been identified and accepted by the airport sponsor and as amended from time to time:

- a. By the summer of 2022, Gunnison Valley will experience expanded air service to an additional Hub airport, which will further increase connectivity and our reach into other visitor markets.
- b. By the summer of 2022, GUC and Gunnison Valley residents and visitors will experience 69% or less leakage to other airports, accomplished through increased air service connectivity for originating passengers.

#### **6. Incentives**

The airport sponsor, shall provide a landing fee waiver and terminal rent waiver incentive to qualifying air carriers and qualifying air service as follows:

Landing Fee Incentives

- a. For New Air Service - Landing fee waivers for up to twelve (12) months for each flight serving a new destination as targeted by the airport sponsor.
- b. For Increased Air Service - Landing fee waivers for up to (12) months for each flight that results in an increase of frequency to an existing destination. The total number of air carrier operations must exceed all of the carrier's prior year flight operation levels.

Terminal Fee Incentives

- a. For New Air Carrier Service - terminal fee waivers for up to six (6) months for each new carrier serving a new destination as targeted by the airport sponsor.

#### **7. Term**

- a. This policy is effective October P1 2021 - the "Effective Date". The policy will terminate September 30<sup>th</sup> 2023.
- b. If an air carrier is awarded an incentive program at any time under this policy term, the incentive will be honored as stated in section 5, Incentives, regardless of this policy termination date.
- c. The airport sponsor may extend, suspend or amend this policy at any time without notice.

#### **8. Termination and Reduction of Air Service**

- a. In the event an air carrier, awarded an incentive under this policy, terminates the new or increased air service within 24 (twenty-four) months from the start of the service, the Airport shall be entitled to a reimbursement of all terminal use incentives issued.
- b. In order to maintain an awarded incentive, an incumbent air carrier introducing a new destination or increasing its level of service to an existing destination, may not reduce its current level of service (total for all its markets) it sustained at the airport in the previous months during the prior year. i.e. it cannot reduce one market's flights to introduce a new market or expand another market

#### **9. Miscellaneous**

In addition, the following is applicable with respect to this policy:

- a. The incentive program is directed to grow and support air service to or from GUC.
- b. The airport sponsor is not obligated to provide an air carrier service incentive for destinations not targeted by the sponsor.
- c. The airport sponsor does not recognize repeated seasonal service, upgrade of equipment type, or increased number of seats on existing flights as new service.
- d. All air carriers will have the same opportunity to receive the same incentives under the same circumstances.
- e. Incentives will not be offered to air carriers on an individual basis.
- f. Incentives will not be based on the type or size of aircraft or its passenger class configuration.