

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
October 5, 2021**

The October 5, 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	Matthew Birnie, County Manager [ABSENT]
Roland Mason, Vice-Chairperson [Remote & In-person]	Marlene Crosby, Deputy County Manager
Liz Smith, Commissioner	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 8:32 am.

Alcohol Beverage License #05-29384-0002; Crested Butte Nordic Council, dba CBNC Magic Meadows Yurt; 9/15/2021 – 9/15/2022

Alcohol Beverage License #03-10559; Kebler Corner Liquors, LLC dba Kebler Corner Liquors; 10/2/2021 – 10/2/2022

With no questions or concerns from the Board, it was **moved** by Commissioner Smith, seconded by Commissioner Mason to approve each of the two Alcohol Beverage Licenses presented that day. Motion carried unanimously.

ADJOURN: Chairperson Houck adjourned the Gunnison County Local Liquor Licensing Authority meeting at 8:33 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 8:33 am.

AGENDA REVIEW: Commissioner Smith wanted to note for the other commissioners that, during the 9:25 am agenda item, Southwestern Colorado Opioid Regional Council Intergovernmental Agreement, they would also be appointing Gunnison County's voting members to this council.

SCHEDULING: Several dates were noted: 1) Commissioner Smith and DCM Marlene Crosby confirmed they would be attending the Mayors & Managers Meeting on October 7th; Chairperson Houck added he would be absent; Commissioner Mason noted that he would also attend if he was feeling well enough by then. 2) DCM Crosby reminded the Board that the first Public Meeting regarding the Brush Creek Intersection would be Thursday October 7th, from 4:30-7:30 pm.

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. Department of Local Affairs Affordable Housing Incentives Grant; Support Possible Code Revisions to the Gunnison County Land Use Resolution; \$48,750
2. Grant Agreement; The Colorado Health Foundation; Community-Initiated Solutions in Gunnison, Grant ID #21039; 9/15/2021 – 9/14/2023; \$80,000
3. Acknowledgment of County Manager Signature; Gunnison Home Association Request for Grant; Stackable Banquet Chair Replacement at the Gunnison County Fairgrounds; \$20,000
4. Grant Acceptance; Rocky Mountain Health Foundation; \$16,500
5. Revised Policy 4.3.1; Gunnison County Employee Handbook
6. National Association of County and City Health Officials Grant Application; Adverse Childhood Experiences; \$433,174
7. Acknowledgment of County Manager Signature; Letter of Support for City of Gunnison's Rural Economic Development Initiative (REDI) Grant Program Application
8. Grant Acceptance; Daniels Fund; Substance Abuse Prevention Project; Grant ID #R-2107-22949; 10/1/2021 – 9/30/2022; \$50,000
9. Grant Application; Colorado Sexual Health Initiative; Community Education and Youth Education in Schools; \$24,315.50
10. Opioid Response Settlement Funds Planning Grant; State of Colorado; \$20,000
11. Letter of Support; Maroon Bells Snowmass Wilderness Overnight Fee Proposal

COUNTY MANAGER'S REPORT AND PROJECT UPDATES: Chairperson Houck noted that CM Birnie was currently attending the International County Manager's Association (ICMA) Conference, and therefore his report could not be given.

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

1. Grant Application; Colorado Special Highway Committee; Off-System Bridge Program; Bridge Over Slate River on Gothic Road. DCM Marlene Crosby explained that this cycle, they would be applying for the bridge design, noting that estimated total costs would be \$312,000 and the County must pay 20% of this amount. She asserted that this amount was included in the budget to come before the Board for approval on October 12th, and that Chairperson Houck would then sign this application when the final packet was put together. With some discussion regarding the likelihood of receiving this grant, it was **moved** by Commissioner Smith, seconded by Commissioner Mason, to approve the grant application for the Colorado Special Highway's Off-System Bridge Program and authorize the Chair's signature. Motion carried unanimously.
2. Eagle Ridge Ranch bridge. DCM Crosby stated that she had been working with the president of the Eagle Ridge Ranch Homeowner's Association, who was interested in replacing the bridge over Miller Lane. The HOA had paid for some preliminary engineering, and the HOA also planned to pay for the entire design and engineering, as well as the actual bridge. The County's part would entail installation of the concrete abutments. She wished to let the Board know of this opportunity to replace another older, timber-abutment bridge.
3. Meeting with area surfers and kayakers. DCM Crosby informed the Board that she had met with a group of surfers and kayakers, along with Joellen Fonken and Sonja Chavez of the Upper Gunnison River Water Conservancy District and Rick McLaughlin of McLaughlin Whitewater Design Group. DCM Crosby highlighted that they had evaluated and found that whitewater structure #2 on the Gunnison River was deteriorating just as structure #3 had – it was lifting up because it hadn't been rounded off into the river, and now posed a possible entrapment hazard. If rebuilt, the surfers were promoting the installation of a wave shaper which would adjust to high and low water flows. It was also noted that the wave shaper could be adapted to be a benefit to the rafters and kayakers as well, creating a "green room" safe space. A full scope of work was being generated by Rick McLaughlin, and Sonja Chavez was looking at possible funding sources; DCM Crosby added that she would be including this in the Capital Improvements Plan for upcoming consideration by the Board.
4. Recycling center and a state inspection write-up. DCM Crosby explained to the Board that the County recycling center had recently received a no-cost write-up because they were had not officially registered with the Colorado Department of Public Health & Environment – they needed an official registration number and operations plan. Noting that this had now all been resolved, she added that they had never been informed they needed this in all the years since 1991 that they had been in business, and stated this was a new inspector following up on all points.

THORNTON MEADOWS COVENANT AMENDMENT; LUC-21-00046: Community and Economic Development Administrative Services Manager, Beth Baker, presented this amendment to the Board. Also present was Attorney Jacob With, representing Thornton Meadows. Beth noted that 67% of the Thornton Meadows homeowners' approvals were needed for this amendment, and they had obtained this. Attorney With noted some of the minor changes included square footage changes to the main highway; no time-share for any of the units, and chickens would be allowed, but not roosters. With no questions from the Board, it was **moved** by Commissioner Smith, seconded by Commissioner Mason to approve the Thornton Meadows covenant amendments, LUC-21-00046. Motion carried unanimously.

RESOLUTION; APPROVING THE APPLICATION FOR DOS RIOS VILLAGE TOWNHOMES LUC-20-00015, SIMCO VENTURES, LLC: Community and Economic Development Director Cathie Pagano was present for discussion, along with attorney Jacob With, representing Dos Rios Village Townhomes. Chairperson Houck noted that the Board had previously attended meetings with the Planning Commission which helped to understand this application and process. He then asked CED Director Pagano to add anything needed for the Board's understanding of this project. CED Director Pagano then outlined that she had received last minute, minor revisions to the square footage for the 2 bed/1.5 bath and 3 bed/2 bath units. Attorney With then shared the revisions, with CED Director Pagano suggesting that the wording in the resolution be amended to include "approximately" for the square footages in the first and second paragraphs.

All three commissioners expressed satisfaction with this change, and noted that they had no further questions, as their questions had been answered in the prior joint meetings with the Planning Commission.

Chairperson Houck then **moved** to approve Resolution #2021-25; A Resolution Approving the Application for Dos Rios Village Townhomes, LUC-20-00015, SIMCO Ventures, LLC, with the following edits to the resolution as it presently existed in the Board's packet: 1) in the first "Whereas," it would say "12 townhomes will be 2-bedroom, 1.5 bath at approximately 1,000 square feet, and 12 of the units will be 3-bedroom, 2-bath at approximately 1,200 square feet"; and 2) in the second paragraph, it would say "total aggregate floor area of all the buildings is approximately 27,060 square feet." Commissioner Smith seconded, and the motion carried unanimously.

OPIOID RESPONSE PRESENTATION; COLORADO ATTORNEY GENERAL'S OFFICE: Colorado Attorney General's Legislative Affairs Director, Jefferey Riester, was present via Zoom for discussion and presentation. He explained that during the legislative interim he was working to support Heidi Williams, Director of Opioid Response for the State. Jefferey introduced his presentation to the Board by explaining the Memorandum of Understanding (MOU) crafted to help get the projected opioid settlement of

approximately \$200 million to the localities that need it more, adding that the best way to maximize the funding was to sign the MOU, and with local agreement and sign on, the awarded amount would more than double to approximately \$450 million. Director Riester presented statistics that claimed over 1,200 persons in Colorado were lost to opioid overdoses in 2020, a figure exacerbated by the COVID pandemic. Additional statistics given were: 70% of heroin users report that they got started with opioids; for those wanting help, there was only a 20-30% facility capacity available to aid in their recovery; in the criminal justice system, jails are being used to treat mental health and opioid addiction – in Alamosa County, around 90% of the jail occupants are addicted to opioids, and one-third of the people who have had an opioid overdose are involved with the criminal justice system in just the last year.

After showing some of the problems with opioid use in Colorado, Director Riester then turned to outlining areas for maximizing outreach effectiveness. Ideas highlighted included use of current infrastructure, increased education, and abatement practices. Five major areas identified for creating equity with local funding were: 1) Treatment (travel accessibility); 2) Recovery (housing); 3) Preventive Education and outreach; 4) Harm reduction (Narcan); and 5) Criminal Justice system (appropriate, trained help while in jail).

Director Riester also briefly outlined the distribution of funds plan as follows: 20% direct to locals, by use of a formula; 60% to regions with governing boards from local governments (plans submitted and approved by a state advisory committee); 10% to build up infrastructure and capacity in hardest hit areas; and 10% toward state-side education outreach and workforce development. A statewide abatement council of 13 would include 6 local government appointees – 2 from the Western Slope, 2 from the I-25 corridor, 2 from the Eastern Plains, plus 6 appointed by the Attorney General who are either experts in the field, or people personally affected by opioid use. The last will be the Attorney General, who will vote only in the event of a tie.

Director Riester also touched on the structure of regional councils, noting there would be voting and non-voting members, with the voting members hopefully being a good balance of law enforcement, county courts, health-care professionals, and advocates to bring the most diverse background and creative input. Non-voting members would be the experts in the related areas who can help develop the plan and have a say in what will actually work. These councils will create 2-years funding plans, and the funds can also be rolled over; there is not a timeline with spending deadlines. Director Riester also informed the Board that their website had very recently come online – coag.gov/opioids – for the latest information and updates. Also, he let the Board know that any questions could be emailed to Heidi.Williams@coag.gov.

After a brief question and answer session with the Board, County Attorney Matthew Hoyt, and Health and Human Services Director Joni Reynolds, Chairperson Houck then thanked Director Jefferey Riester for his presentation, noting that this would be an important collaboration which Gunnison County looked forward to working with his team on, not just for the Gunnison region only, but for the betterment of lives across the State.

SOUTHWESTERN COLORADO OPIOID REGIONAL COUNCIL INTERGOVERNMENTAL AGREEMENT; MONTROSE, DELTA, GUNNISON, SAN MIGUEL, OURAY AND HINSDALE COUNTIES: Commissioner Smith introduced the new Region #14 Council by thanking County Attorney Matt Hoyt (present in the room) for taking the lead in drawing up bylaws. She then let the Board know that the initial representatives from the counties in the region had met and decided that the general guidelines for structure from the State Attorney General’s Office were a bit top-heavy for rural policy making. Therefore, their group had voted unanimously for a structure with two voting members from each county, and a larger group of non-voting experts to ensure they had the specialized feedback and perspective essential for making good policy decisions regarding resource distribution. Commissioner Smith also noted that they had been able to submit a grant proposal for obtaining a facilitator, and the next step would be to appoint a board.

CA Matt Hoyt outlined that the bylaws were adapted from bylaws already adopted by Region #19 – Pueblo County area – and that the primary function for their southwest regional council would be to come up with a two-year plan outlining to the State Attorney General’s office what programs and services would be provided. He noted that this would require, through the Intergovernmental Agreement, a fiscal agent to shepherd the two-year plan’s expenditures. CA Hoyt also suggested the Board might decide that day who their two voting members to the council would be. He highlighted that: 1) they needed to be employees of the participating local government, and 2) they could not be a recipient of any funds (an example given was no private provider), in order to serve as a voting member. He also advised the Board that there were five remaining documents they would need sign before November 5th in order to put the Region in the “pipeline” for receiving any settlement funds. [At this point, Commissioner Mason needed to leave the meeting for a pre-scheduled medical appointment.]

Chairperson Houck, upon recommendation from both Commissioner Smith and Health and Human Services Director Joni Reynolds, then **moved** to authorize the chair’s signature on the Southwest Colorado Opioid Regional Council Intergovernmental Agreement with Montrose, Delta, Gunnison, San Miguel, Ouray, and Hinsdale Counties, as presented that morning, and to make Gunnison County appointments of Commissioner Liz Smith and Gunnison County Substance Abuse Prevention Project (GCSAPP) Director Kari Commerford. Commissioner Smith seconded, and the motion carried unanimously.

Unscheduled Citizens:

1. Tracy Leonard, President of the Riverwalk Estates Homeowner’s Association – Tracy wanted to recognize the extraordinary efforts of some of the Gunnison County staff in helping the residents of Riverwalk Estates this past summer. He outlined for the Board that Riverwalk had been having

numerous issues with their trail before – trespassing, paintball, camping and campfires, and people had been using the trail as a restroom. However, with the assistance of County Manager Matthew Birnie and Facilities Director John Cattles, the Sustainable Tourism & Outdoor Recreation (STOR) group came out, reoriented where the trail was, and built a beautiful organic trail system. Cameras had been installed along the trail system, and had shown no instances of trespassing since the rebuild. Mr. Leonard wanted to expressly thank Cathie Pagano, Marlene Crosby, John Cattles and the STOR group for all their involvement, adding that they had taken the time to walk the trails with the homeowners, and had been very involved with the entire process.

COMMISSIONER ITEMS:

Commissioner Mason: Commissioner Mason informed the Board earlier that, as he had to leave the meeting early for his appointment, he would give an update at the next regular meeting instead.

Commissioner Smith

1. Community Grand Opening of the Computer Science and Engineering Section of the Paul M. Rady Building at Western Colorado University. Commissioner Smith asserted this was a great achievement and asset to the school, and she further noted that the Tourism and Prosperity Partnership (TAPP) group had some ideas for collaboration. Commissioner Smith invited the Board and those present to pay a visit to the facility and be sure to talk to Jenny Blackstock and others who are part of the project.
2. Wonderland Nature School. Commissioner Smith suggested that the Board tour the updated facility in order to add support for and see the innovations brought to the early childhood education school. She noted that it had been a struggle through the pandemic to get up and running, but it was a much-needed asset for the community.
3. Inside Airbnb webinar. Commissioner Smith stated that she found this webinar on airbnb data very illuminating, and had reached out to the owner of this organization. He had responded saying that he could collaborate for a small fee to help them look at the data of short-term rentals and explore how this is affecting the County's housing crisis.
4. Preview of the draft transition plan report from the Transition Advisory Group, Department of Early Childhood Education. Commissioner Smith informed those present that the report would be coming out Friday, with a statewide listening session to follow in the next week. She stated that there would be two virtual sessions, of which she should be able to attend one, and noted that part of this involved a universal preschool program which allowed 10 hours of free preschool per week per each child before they enter kindergarten. Commissioner Smith asserted that she had been working with the Early Childhood Council on the accessibility, challenges and assets for Gunnison County.
5. Met with John Whitney from Senator Bennett's team. Commissioner Smith wished to discuss possible funding sources and larger-scale help from multiple agencies for the cheat grass mitigation needing to be done as part of the Gunnison Basin Sage-grouse conservation efforts. She added that the Senator's Office has been very receptive, and she was currently composing a letter to the Senator and would soon be bringing the letter to the full Board for their support.

Commissioner Houck

1. Attended Grand Mesa—Uncompahgre, Gunnison (GMUG) National Forest Plan open house online. Chairperson Houck stated he had been meeting regularly with commissioners from San Miguel, Hinsdale, and Ouray Counties to work through the revisions; likewise, he would also work with the Town of Crested Butte, as they were also planning to make comments on the draft revisions. Chairperson Houck outlined that the comments would be due November 11th or 12th, and he planned to have a draft of comments prepared by Friday, October 29th for review, then to bring this before the Board on either the agenda set for November 2nd or 9th.
2. Participated in the Colorado Counties Inc legislation prioritization meetings. Chairperson Houck noted that he would that these meetings were for the 5 legislative items that CCI carried as priorities. He added that, in all likelihood, he would not be able to participate in the meeting to be held on Friday, but would have Commissioner Smith stand in as the designated voting alternate.
3. Met with Sustainable Tourism & Outdoor Recreation (STOR) Committee last Thursday, September 30th. Chairperson Houck highlighted that STOR was wrapping up an incredible amount of projects from the summer, including joint projects among all the partner organizations in the area. He also let the Board know he was loosely participating in the new organization for the Ouray-Ridgway area, which was modeled after the STOR model, and named Ouray Recreation & Conservation Alliance (ORCA), noting that the area they were covering pulled in a small piece of both Hinsdale and Gunnison Counties, near the Owl Creek Pass area.
4. Next week's Western Interstate Region Conference, National Association of Counties (NACo) to be held in Salt Lake City, Utah. Chairperson Houck stated he decided he would attend virtual sessions rather than drive to Salt Lake City.

RECESS: Chairperson Houck recessed the regular meeting at 10:03 am, in order to go into an executive session.

EXECUTIVE SESSION PURSUANT TO C.R.S. § 24-6-402(4), PERSONNEL MATTERS, AND PURSUANT TO C.R.S. 24-6-402(4)(E)(I), FOR DETERMINING NEGOTIATION POSITIONS RELATIVE TO PERSONNEL MATTERS: Chairperson Houck then **moved** to go into Executive Session, pursuant to C.R.S. § 24-6-402 (4), personnel matters, and pursuant to C.R.S. §24-6-402 (4)(E)(i), for determining negotiation positions relative to personnel matters. Also, 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 Attorney Matt Hoyt. Commissioner Smith seconded the motion. It was further noted that Commissioner Mason was back from his appointment and would be included in the Executive Session; additionally, a contemporaneous record of the meeting would be kept. Motion carried unanimously.

The Board went into executive session at 10:06 am. 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)(E)(i) and §24-6-402(4)(f).*

Attorney Statement Regarding Executive Session

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

Date: _____

Matthew Hoyt
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

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

Date: _____

Jonathan Houck, Chairperson
Gunnison County Board of Commissioners

At 2:13 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 let those present know that no direction or guidance was needed.

ADJOURN: Moved by Commissioner Smith, seconded by Commissioner Mason, to adjourn the Gunnison County Board of County Commissioners Special Meeting. Motion carried unanimously. The meeting was adjourned at 2:14 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: 2021-25

A RESOLUTION APPROVING THE APPLICATION FOR DOS RIOS VILLAGE TOWNHOMES, LUC-20-00015,
SIMCO VENTURES, LLC

WHEREAS, Simco Ventures, LLC, proposes to build six buildings containing four townhomes each for a total of 24 townhomes. Twelve of the townhomes will be 2-bedroom, 1.5 bath at 900 square feet total. Twelve of the units will be 3-bedroom, 2-bath at 1,125 square feet.

The total aggregate floor area of all the buildings is 13,524 square feet. The applicant is considering constructing carports that have not been included in the total floor area, however, are on the site plan.

The subject parcel is at 37764 W. Highway 50, Gunnison. It is west of the City of Gunnison. The parcel is legally described as parcels 1 and 2, Section 10, Township 48 North, Range 1 West, N.M.P.M.

WHEREAS, a joint public hearing was conducted by the Planning Commission and Board of County Commissioners on June 18, July 23, August 20, and September 3, 2021; and

WHEREAS, after a review of the application and all information, documentation and testimony related to it, the Gunnison County Planning Commission did, at its regular meeting on September 3, 2021 forward to the Board of County Commissioners a Recommendation of approval of that application with certain Findings and Conditions;

NOW, THEREFORE, the Board hereby adopts the Planning Commission's Recommendation, with these Findings:

1. This project is initially classified as a Major Impact and the applicant has demonstrated compliance with the standards of Section 3-111: B.1. and the impact classification has been reduced to Minor Impact.
2. This application is consistent with the standards and requirements of this Resolution.
3. The total disturbance area will be over one acre; therefore, it is anticipated the applicant will need to obtain a Storm Water Discharge Permit from the Colorado Department of Public Health and Environment (CDPHE) as well as a final release or final certification for the project from CDPHE when completed.
4. The proposed development is in Gunnison Sage-grouse and black bear habitat.
5. The proposed density of the development is substantially similar and compatible with the neighborhood.
6. "Dos Rios Village Declaration of Protective Covenants" have been included as part of the application and comply with applicable standards.
7. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development file relative to this application; including all exhibits, references and documents as included therein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that no additional public hearing on the Dos Rios Village Townhome application need be conducted by the Board, and further, the Board hereby approves the Dos Rios Village Townhome application for LUC No. 2019-00015 as recommended by the Planning Commission, with the following conditions:

1. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the Gunnison County Land Use Resolution.
2. The applicant shall comply with the conditions for developing within Sage-Grouse Habitat in accordance with a Certificate of Administrative Review (No. 57, Series 2020) recorded in the office of the Gunnison County Clerk and Recorder at Reception No. 666938.
3. Amendment or termination of the protective covenants is subject to approval by Gunnison County.
4. Bear proof trash containers shall be installed at the development in accordance with comments from Colorado Parks and Wildlife.
5. Gunnison County Public Works shall work with the developer during the installation of the deep utilities and connection to the County sewer system to resolve some issues on the south end of the parcel at County expense.
6. The storm water retention shall be engineered to ensure historic flow rates are not exceeded at proposed outfalls. This requirement shall be memorialized in the Development Improvement Agreement that will also require any necessary permits are issued by and released via final approval from CDPHE.
7. A description of the method(s) used to regularly inspect and maintain any proposed storm water retention and detention facilities, if applicable, shall be provided as part of the Development Improvement Agreement.
8. A Development Improvement Agreement shall be executed and funded in compliance with Section 16-118: Development Improvement Agreement Required and shall include the following improvements:
 - 1) Roadway Plan & Profile, Dos Rios Village, dated August 13, 2021 and stamped by Robert L. Williams, P.E.
 - 2) Grading, Drainage, & Erosion Control, Dos Rios Village, dated August 13, 2021 and stamped by Robert L. Williams, P.E.

- 3) Utility Plan, Dos Rios Village, dated August 13, 2021 and stamped by Robert L. Williams, P.E.
- 4) A Storm water Discharge permit from the Colorado Department of Public Health and Environment. Storm water retention shall be engineered so that historic flow rates are not exceeded at proposed outfalls.
- 5) Landscaping Schedule dated March 9, 2021.
- 9. This approval is founded on each individual requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.
- 10. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
- 11. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.
- 12. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

INTRODUCED by Commissioner Houck, seconded by Commissioner Smith, and adopted on this 5th day of October 2021.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

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