

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
February 3, 2026**

The February 3, 2026 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present, either in person or via Zoom, were:

Laura Puckett Daniels, Chairperson
Elizabeth Smith, Vice-Chairperson
Jonathan Houck, Commissioner
Matthew Hoyt, County Attorney

Matthew Birnie, County Manager
Holly Perry, Deputy County Clerk
Others Present as Listed in Text

GUNNISON COUNTY LOCAL LIQUOR LICENSING AUTHORITY MEETING:

CALL TO ORDER: Commissioner Puckett Daniels called the meeting to order at 8:30 am.

CONSENT AGENDA: **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve the consent agenda for the Gunnison County Local Liquor Licensing Authority as presented this morning. Motion carried unanimously.

1. Alcohol Beverage License #03-15949; The Wooden Spoon LLC dba The Wooden Spoon; 3/7/2026 to 3/7/2027
2. Special Event Liquor Permit 1-2026; Crested Butte Mountain Educational Radio Inc.; 3/9/2026 & 3/10/2026 from 3:00 pm to 11:00 pm

ADJOURN: Commissioner Puckett Daniels adjourned the meeting of the Gunnison County Local Liquor Licensing Authority at 8:31 am.

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS REGULAR MEETING:

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

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

MINUTES APPROVAL: **Moved** by Commissioner Smith, seconded by Commissioner Houck to approve the Gunnison County Board of County Commissioners Regular Meeting minutes for January 20, 2026 as presented. Motion carried unanimously.

1. January 20, 2026 Regular Meeting

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

CONSENT AGENDA: Commissioner Puckett Daniels noted that the consent agenda #13 did have a couple rounds of edits before making its way to an agenda. **Moved** by Commissioner Smith, seconded by Commissioner Houck to approve the consent agenda as presented. Motion carried unanimously.

1. Acknowledgment of Appointment; Gunnison Basin Sage-grouse Strategic Committee; Bureau of Land Management (BLM); Regular and Alternate; Jon Kaminsky & Brian Brown; 2/1/2026 to 2/1/2028
2. Acknowledgment of Appointment; Gunnison Basin Sage-grouse Strategic Committee; Gunnison County Stockgrowers' Association; Regular and Alternate; John Scott & Paul Mowery; 2/1/2026 to 2/1/2028
3. Acknowledgment of Appointment; Sustainable Tourism and Outdoor Recreation Committee (STOR); City of Gunnison; Audrey Zahradka; Remainder of term ending 2/1/2027
4. Professional Services Agreement; Mead & Hunt, Inc.; Public Works; 2/3/2026 renewed monthly until terminated; \$287,800
5. Agreement for Consulting Services; Gunnison Conservation District; Community and Economic Development; 1/1/2026 to 12/31/2026; \$12,000
6. Subcontractor Agreement; Gunnison Valley Health; Jail Based Behavioral Services (JBBS); Sheriff's Department; 1/1/2026 to 12/31/2026; \$79,782.50
7. Grant Application; Low Income Senior Dental Grant; Health and Human Services; \$3000
8. Emergency and On-Call Water and Wastewater Services Trade Contractor Agreement; Crested Butte Water Systems LLC; Public Works; 2/3/2026 to 2/3/2027
9. Credit Application; Master Rental & Sales Agreement; Rain for Rent; Public Works
10. Ratification; Waiving of Section 4a from Resolution 2024-13, A Resolution Establishing and Amending the Policy for Appointments to Boards and Commissions Managed by Gunnison County and Other Organizations
11. Stop Loss Insurance Application; HHC Life Insurance Company; Human Resources; 1/1/2026 to 12/31/2026
12. Sustainable Tourism and Outdoor Recreation Committee (STOR) Charter Amendment
13. Correspondence; Letter to Governor Polis, Senate President Coleman and Speaker McCluskie regarding unfunded or underfunded mandates

14. Colorado Counties Casualty and Property Pool Agreement for Partially Self-Funded Program Gunnison SF County; Finance; 1/1/2026 to 12/31/2026; \$668,484

COUNTY MANAGER’S REPORTS:

1. Assistant County Manager for Community and Economic Development Finalists – CM Birnie announced they are down to finalists for this position and that there is a reception the evening of February 19th.
2. Strategic Planning – County Manager Matthew Birnie relayed they will have the strategic planning at the end of the month.

LAND USE CHANGE APPLICATIONS: Planning Technician Aidan McComas, Applicant Sharon Affinati, Planner I Caroline Danielson and Applicant John O’Neal were present for discussion.

1. Lot Cluster; LUC-25-00044; Affinati – Planning Technician McComas did not have anything additional to present aside from the memo. **Moved** by Commissioner Smith, seconded by Commissioner Houck to approve lot cluster proposal for LUC-25-00044 as presented and authorize the full Board’s signature on the document. Motion carried unanimously.
2. Townhome Plat; LUC-25-00048; O’Neal – Planner Danielson did not have anything additional to add aside from the memo. **Moved** by Commissioner Houck, seconded by Commissioner Smith to approve the townhome plat LUC-25-00048 as presented this morning and authorize the Chair’s signature on the plat. Motion carried unanimously.

POTENTIAL UPCOMING LEGISLATION DISCUSSION:

1. SB 26-035 Concerning an Increase of Traffic Violation Penalties – Commissioner Smith asked where this came up, and Commissioner Puckett Daniels answered it was from Counties & Commissioners Acting Together (CCAT). Commissioner Puckett Daniels relayed there was general support at CCAT and the Board agreed on the support, however, Commissioner Houck is curious about the Sheriff’s opinion. CA Hoyt mentioned that it is a good general idea to keep in mind the resources that are available when it comes to prosecutions and enforcement from creating and/or increasing penalties for violations of criminal or traffic laws.
2. SB 26-070 Concerning Prohibiting a Government Entity from Accessing a Database that Stores Historical Location Information – Commissioner Puckett Daniels relayed she has more questions and she is unsure if she can take a position today. Commissioner Smith agreed and stated the only reasonable path forward would be to request amendments while preserving the functions of law enforcement. CA Hoyt stated his concerns regarding any effects on criminal prosecutions. CM Birnie brought up an example when location services were used to find a murderer at the University of Idaho and if the information is deemed inadmissible, it could be an acquittal of someone accused of violent crime based on this legislation. Commissioner Smith requested considering if they agreed with the philosophical direction the bill is going. Commissioner Houck commented there have been episodes of this being used inappropriately, but in communities it does help with amber alerts or elderly with memory problems and car thefts. With how much good these tools do, it may be challenging to even use the tool with restrictions, and Commissioner Houck is concerned if the legislation at this level is a solution for the misuse. Commissioner Puckett Daniels stated she would like the bill to support legitimate law enforcement while also protecting people from undue listing. The Board agreed to continue to ask clarifying questions.
3. HB 26-1001 Concerning the Promotion of Residential Developments on Qualifying Properties – Commissioner Puckett Daniels stated that there were two memos from the Community and Economic Development Department and that this bill mostly doesn’t apply to Gunnison County, but Commissioner Smith stated it does because it is contrary to current performance zoning processes. Planning Director Hillary Seminick confirmed that the largest challenge is that Gunnison County does not have traditional Euclidean zoning, and that even though parcels that are not connected to water and sewer would be exempt, there are areas that have those services available that are not appropriate for densities that could be accomplished through this legislation. Commissioner Smith then suggested adding an amendment that exempts counties that do not have Euclidean zoning, if they are unable change it. It was decided to support with amendments if the amendments are positive, but otherwise oppose.
4. HB 26-1008 Concerning Measures to Enhance Outdoor Recreation Opportunities in the State, and, in Connection Therewith, Expanding the Division of Parks and Wildlife’s Capacity for Outdoor Recreation Coordination, Planning and Management – Commissioner Puckett Daniels has emailed comments to Representative Meghan Lukens and relayed she doesn’t understand why it needs to be legislation, but overall supports the intent. Commissioner Houck asked if there was clarification on where the funding is coming from to which Commissioner Puckett Daniels answered it would come from the Parks and Recreation Cash Funds and will stagger implementation over the next few years. Commissioner Smith agrees with the direction the Board is going which is not a clear position of support just yet.
5. HB 26-1037 Concerning Prohibiting a Government Entity from Obtaining Certain Personal Data from a Third Party for Use by a Government Entity in Exchange for Anything of Value – Commissioner Puckett Daniels relayed she has larger concerns regarding this bill with being too broad with the intent. Commissioner Smith would like Gunnison County to engage productively in the conversations. CA Hoyt reiterated this bill could potentially prevent law enforcement from using these tools for child support enforcement.

6. HB 26-1065 Concerning Transit and Housing Investment Zones – Commissioner Puckett Daniels relayed this is voluntary and creates an incentive opportunity for incremental State sales tax growth and she is supportive by default because it doesn't involve Gunnison County. Commissioner Smith agreed. Commissioner Houck wanted to verify that while this doesn't give an advantage to Gunnison County, that it will also not hurt the county as well regarding where the money is pulled from in the State budget and how it will affect other needs.
7. HB 26-1030 Concerning Facilitation of Data Center Development While Supporting Utility Resources, and, in Connection Therewith, Creating the "Colorado Data Center Workforce, Clean Energy, Grid Modernization, and Consumer and Environmental Protection Act" – Commissioner Smith relayed this is more incentivizing to attract data centers and Colorado and she has concerns around water and water usage. Commissioner Puckett Daniels suggested asking for more representatives of water projects as members, to which Commissioner Smith doesn't feel comfortable shifting responsibility to a committee without clarity on the demands of the industry. Commissioner Puckett Daniels is concerned about the cost of electricity of the data centers being put on the general households of the district. CA Hoyt also recommended interfacing with Water Quality & Quantity (QQ) regarding the bill. The Board expressed general discomfort regarding this legislation. CM Birnie then asked if they decided to join Colorado Counties for Climate Action (CC4CA) to which the Board supported.
8. HB 26-1036 Concerning Authorization for a Local Government to Impose Taxes on Vacant Residential Properties, and, in Connection Therewith, Allowing a Local Government to Levy an Excise Tax Based on the Characteristics of Residential Property, Allowing a Local Government to Create a New Property Tax Classification for Vacant Residential Properties and Levy an Additional Property Tax on Those Properties, and Allowing Local Governments to Contract to Form a Local Housing Tax Authority – Commissioner Smith relayed a person can purchase a short term rental (STR) license and not rent it for short term due to the exemption for short term rentals not being clearly defined. Commissioner Puckett Daniels stated the community would define what a vacant residential property is, but it would be an administrative burden and would like amended language on what a vacant residential unit is. CM Birnie recommended no exemptions for STRs. CA Hoyt stated that some primary residents do take extended periods of time to travel and how they can determine what length of time of vacancy would equate to a vacancy. Alternatively, Commissioner Houck noted that schools get half of property taxes and without second homeowners, the schools funding would decrease and that is a service that a majority of second homeowners do not utilize. CA Hoyt recommended a luxury home tax over this bill due to enforceability. Commissioner Houck explained the difference between the economy and cost of living in Colorado as well as what would dictate a luxury home versus a second home. The Board agreed to be neither in support nor opposition until more questions are answered.
9. Not Introduced; Concerning Authorization for the Statewide Bridge and Tunnel Enterprise to Impose a Fee as Part of the Keep Colorado Wild Pass to Fund Wildlife Safe Passage Projects – Commissioner Puckett Daniels stated this is a voluntary \$5 fee on the Keep Colorado Wild Pass that would not be a separated fee in an attempt to create steady statewide funding for wildlife infrastructure. Commissioner Smith stated she is more comfortable with this proposal rather than the fee on top of car insurance that was not voluntary, which was proposed last year, but wonders if Colorado Department of Transportation (CDOT) will pull out of funding if it comes from a different source. Commissioner Houck wanted to reiterate the tipping point that people will begin opting out which will retroactively affect the other areas such as avalanche safety and search and rescue that are funded with the Keep Colorado Wild Pass. Additionally, he explained that the additional monies raised that are not used for state parks and outdoor safety will be used to support the State Wildlife Action Plan, which could include vehicle conflicts and wonders how much excess revenue has already been distributed to this problem.

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

COMMISSIONER ITEMS:

Commissioner Puckett Daniels:

1. Statement to Crested Butte News – Mayor Ian Bilick and Commissioner Puckett Daniels are planning on a statement to CB News reaffirming their commitment to planning together on the corridor plan and values of this community.
2. Sustainable Tourism and Outdoor Recreation Committee (STOR) – Commissioner Puckett Daniels relayed STOR had enough funding for the applications for the Gunnison Stewardship Fund.
3. Legislative Steering Committee – Commissioner Puckett Daniels is planning on attending both upcoming meetings.
4. Representative Jeff Hurd – Commissioner Puckett Daniels did have a conversation with Representative Hurd to express concerns about ICE's behavior in Minnesota and other states regarding the way they are considered law enforcement but aren't upholding any of the standards or laws that law enforcement is required to uphold. She understands that this is not Gunnison County issue, but it could happen anywhere. Representative Hurd did not make any commitments but was responsive and receptive.

Commissioner Smith:

1. Proposition 123 – Commissioner Smith has been having meetings with Representative Andrew Boesenecker regarding Proposition 123 and the Department of Local Affairs (DOLA) equation that quantifies eligible funding for housing due to combining building permits and job growth which when capturing workforce housing is counterintuitive. She recommends potentially an exemption for workforce housing.
2. Crystal River Coalition – Commissioner Smith relayed they have an Intergovernmental Agreement (IGA) ready for approval. Additionally, she stated there is consternation around conversations regarding Wild and Scenic.
3. Human Services – Commissioner Smith expressed that Human Services has made incredible strides in getting Counties to put forward an alternate proposal to put forward to the State.
4. Western Colorado University (WCU) Senior Cabinet – Commissioner Smith met with WCU Senior Cabinet and stated they would like to partner with Gunnison Valley Health (GVH) for an early childcare education operator in the building.
5. Prevention – Commissioner Smith noted there is a subcommittee out of the Child Welfare Allocation Committee regarding getting a wider net of case studies that incorporate prevention.
6. Cheatgrass Coordinator Contract – Commissioner Smith is working on this contract.

Commissioner Houck:

1. Gunnison Outdoor Resource Protection (GORP) Act – Commissioner Houck attended a monthly meeting.
2. State Land Board – Commissioner Houck stated they presented to CCAT and will present to CCI this week, about soliciting suggestions for parcels and how to meet the needs regarding ecological services, conservation, recreation, and maintaining use of agriculture. He then gave an example regarding a parcel on Highway 135.
3. Region 10 – Commissioner Houck attended the monthly meeting.
4. Bureau of Land Management (BLM) – Commissioner Houck attended a meeting with the Uncompahgre Field Office regarding concerns around managing Gunnison Sage-grouse in areas not in Gunnison County.
5. Strategic Plan – Commissioner Houck completed his strategic plan interview.
6. Legislative Steering Committees – Commissioner Houck attended meetings as he could.
7. Club 20 – Commissioner Houck relayed they are going through some reorganization as the executive director has left and they're looking at a new structure.

EXECUTIVE SESSION, PURSUANT TO C.R.S. § 24-6-402(4)(B): CONFERENCE WITH THE COUNTY ATTORNEY, DEPUTY COUNTY ATTORNEY OR ASSISTANT COUNTY ATTORNEY FOR GUNNISON COUNTY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE RELATED TO PROPERTY CLAIMS OR RIGHTS FOR REAL PROPERTY LOCATED IN GUNNISON COUNTY, COLORADO.

Moved by Commissioner Puckett Daniels, seconded by Commissioner Houck to go into Executive Session, pursuant to C.R.S. § 24-6-402(4)(b): Conference with the County Attorney, Deputy County Attorney or Assistant County Attorney for Gunnison County for the purpose of receiving legal advice related to property claims or rights for real property located in Gunnison County, Colorado. Participants in that session will be the full Board of County Commissioners, County Attorney Matthew Hoyt, County Manager Matthew Birnie, and Planning Director Hillary Seminick. Motion carried unanimously.

The board went into executive session at 10:56 am. *Executive sessions of the Board of County Commissioners are conducted as per C.R.S. 24-6-402(4). This specific session was conducted as per C.R.S. 24-6-402(4)(b).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Gunnison County Attorney, that I represent the Gunnison County Board of County Commissioners, that I attended all of the above referenced executive session, that all of the executive session was confined to the topic authorized for discussion pursuant to C.R.S. 24-6-402(4) and that, because in my opinion all of the discussion during the executive session constituted a privileged attorney-client communication, no record of the executive session was required to be kept and no such record was kept.

Date: _____

Matthew Hoyt
Gunnison County Attorney

Chairperson Statement Regarding Executive Session

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

Date: _____

Laura Puckett Daniels, Chairperson

Gunnison County Board of Commissioners

Moved by Commissioner Puckett Daniels, seconded by Commissioner Houck to come out of Executive Session and confirm that all those in attendance in the Executive Session were those read into the record at the start, and that we stayed on the topic announced in the motion to go into Executive Session. Motion carried unanimously. The Board came out of executive session at 11:43 am.

ADJOURN: Commissioner Puckett Daniels adjourned the meeting at 11:43 am.

Laura Puckett Daniels, Chairperson

Elizabeth Smith, Vice-Chairperson

Jonathan Houck, Commissioner

Minutes Prepared By:

Holly Perry, Deputy County Clerk

Attest:

Kathy Simillion, County Clerk