

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
February 17, 2026**

The February 17, 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  
Sammy Obaid, Assistant County Attorney

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

Due to Commissioner Puckett Daniels participating remotely via Zoom, Commissioner Smith will be running the meeting.

**GUNNISON COUNTY LOCAL LIQUOR LICENSING AUTHORITY MEETING:**

**CALL TO ORDER:** Commissioner Smith called the meeting to order at 8:30 am.

**ALCOHOL BEVERAGE LICENSE #03-13185; SKYHIGHCOLORADO LLC DBA NUGGET CAFÉ;  
4/6/2026 TO 4/6/2027:**

**Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to approve the liquor license as presented this morning. Motion carried unanimously.

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

**GUNNISON COUNTY HOUSING AUTHORITY MEETING:**

**CALL TO ORDER:** Commissioner Smith called the meeting to order at 8:31 am.

**CONSENT AGENDA:** CM Birnie clarified that this is putting ongoing operations into place as Gunnison County moves from the transition period. **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to approve the consent agenda as presented this morning for the Gunnison County Housing Authority. Motion carried unanimously.

1. Acknowledgment of Executive Secretary's Signature; Amended and Restated Agreement Among Housing Authority Risk Retention Group, Inc and It's Members; Gunnison County Housing Authority; 1/1/2026
2. Acknowledgment of Executive Secretary's Signature; Proposal; HAI Group; Gunnison County Housing Authority; \$5,700

**ADJOURN:** Commissioner Smith adjourned the meeting of the Gunnison County Housing Authority at 8:33 am.

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

**CALL TO ORDER:** Commissioner Smith called the meeting to order at 8:33 am.

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

**MINUTES APPROVAL:** **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to approve the February 3, 2026 Regular Meeting minutes as amended here this morning. Motion carried unanimously.

1. February 3, 2026 Regular Meeting

**SCHEDULING:** The Upcoming Meetings Schedule was discussed and updated.

**CONSENT AGENDA:** **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to approve the consent agenda as presented this morning. Motion carried unanimously.

1. Amendment No. Six to Contract Dated September 29, 2022; Jviation, A Woolpert Company, LLC; Project No. 110015580.07; Gunnison-Crested Butte Regional Airport; \$871,352
2. Letter of Support; Town of Crested Butte's Application to the CEO Local IMPACT Accelerator Grant Program; Facilities
3. Acknowledgment of County Manager's Signature; Gunnison County Agreement for Professional Services with Magellan Strategies; Public Works; 1/1/2026 to 7/31/2026; \$16,500
4. Impact Assistance Grant Application; Colorado Parks and Wildlife; Assessor's Office; Tax Year 2025; \$21,241.13
5. Resolution; Pertaining to Open Fire Bans and the Imposition of Fire Restriction Stages and Exemptions

6. Acknowledgment of County Manager’s Approval; 2026-27 Track 3 One-Year Optional Add-On; Health and Human Services; 4/1/2026 to 3/31/2027; \$7,500
7. County Aid Agreement; Gunnison Conservation District; Finance; 1/1/2026 to 12/31/2026; \$10,000
8. County Aid Agreement; Gunnison Country Food Pantry; Finance; 1/1/2026 to 12/31/2026; \$14,000
9. County Aid Agreement; Gunnison Valley Animal Welfare League; Finance; 1/1/2026 to 12/31/2026; \$12,000
10. County Aid Agreement; Gunnison Valley Health Foundation; Finance; 1/1/2026 to 12/31/2026; \$11,500
11. Amendment #2 to the Gunnison County Flexible Spending Plan; Imagine360; Human Resources; 1/1/2026
12. Professional Services Agreement; Souder, Miller & Associates, Inc.; Public Works; 2/17/2026 to 12/31/2027; \$59,820
13. Resolution to Lease, Purchase And/Or Finance Caterpillar Equipment
  - a. Sales Agreement; Quote 290695; Wagner Cat; Contract No 001-70207654; Public Works; \$637,445.82
  - b. Governmental Equipment Lease-Purchase Agreement; Cat Financial; Contract No 001-70207654; Public Works
  - c. Amendment to Governmental Equipment Lease-Purchase Agreement; Cat Financial; Contract No 001-70207654; Public Works
14. County Aid Agreement; Project Hope of Gunnison Valley; Finance; 1/1/2026 to 12/31/2026; \$10,500
15. County Aid Agreement; Safe Ride of Gunnison, Inc.; Finance; 1/1/2026 to 12/31/2026; \$4,000
16. Second Amendment to Agreement Regarding Assisted Living Gunnison Living Community; Board of Trustees of the Gunnison Valley Hospital; 10/31/2025 to 10/31/2030
17. County Aid Agreement; Six Points Evaluation and training, Inc.; Finance; 1/1/2026 to 12/31/2026; \$12,000
18. Professional Services Agreement Extension; Vaisala Inc.; 12/1/2025 to 11/30/2026; Public Works; \$10,670
19. Intergovernmental Agreement Inter-Agency Partnership for the Women, Infants, and Children Program; Board of County Commissioners of the County of San Miguel and Board of County Commissioners of the County of Ouray; Health and Human Services; 10/1/2025 to 9/30/2026
20. Letter of Support; Upper Gunnison River Water Conservation District (UGRWCD); Community Funding Partnership Re: Tomichi Basin Stream Restoration and Irrigation Diversion Improvement Project

**COUNTY MANAGER’S REPORTS:**

1. Gunnison County Housing Authority Transition – CM Birnie stated he will be asking for a resolution to clarify his authorities as County Manager also apply to his role in the Gunnison County Housing Authority.
2. Whetstone – CM Birnie explained that there was an additional test with Fire Department and since they exceeded flow requirements they are allowed to begin framing another building.
3. Assistant County Manager for Community and Economic Development Finalist Interviews – CM Birnie noted that the finalist interviews will be taking place this week.
4. Roads and Bridges Open House – CM Birnie reminded everyone of the two open houses on Wednesday.

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

**Commissioner Houck:**

1. Colorado River Map Group – Commissioner Houck has been working with this group and Colorado Parks and Wildlife (CPW) regarding river access and management around recreation and other competing interests. They are also starting to set up local workshops within the community.
2. Uncompahgre Field Office – Commissioner Houck has been having conversations with CA Hoyt regarding comments for the Resource Management Plan Amendment (RMPA) litigation.
3. State Land Board – Commissioner Houck stated they are still meeting with counties regarding parcels that can be nominated for layered, additional uses, or expanding uses of leased state land.

**Commissioner Puckett Daniels:**

1. Sustainable Tourism and Outdoor Recreation Committee (STOR) – Commissioner Puckett Daniels relayed they had some conversations with reappointed member LB Mullins regarding Gunnison Wildlife Association and his comments. She has also been participating in subcommittees including trailhead infrastructure for Lower Loop Trailhead. Crested Butte Land Trust (CBLT) will be initiating a planning process this summer for management of the parcel of land. She is also participating in a fundraising subcommittee who is trying to determine who to grow the Gunnison Stewardship Fund. Lastly, Commissioner Puckett Daniels is involved with the Wildlife Vehicle Collisions subcommittee and they are starting to draft a scope of work for the \$50,000 Regional Partnership Initiative (RPI) funding they received to build on the Colorado

Parks and Wildlife (CPW) and National Park Service (NPS) study of the Highways 50 and 135 corridors.

**BREAK:** The meeting recessed from 8:46 am until 9:34 am in order to hold the below Abatement Hearing.

**HEARING; PETITION FOR ABATEMENT OR REFUND OF TAXES; PROPERTY TAX YEARS 2023 & 2024; R074074; PARCEL NO. 3701-250-09-004; LOT 2, GUNNISON SECURE STORAGE SUBDIVISION, #684299; GUNNISON SECURE STORAGE LLC:** Petitioner's Agent Darla Jaramillo, Appraiser John Zimmerman and Appraiser III Bob Blackett were present for discussion.

1. Open Abatement Hearing. Commissioner Smith opened the Abatement Hearing at 8:47 am.
2. Public Notice Confirmation. Clerk Perry confirmed that the Abatement Hearing had been properly public noticed.
3. Identify Ex Parte Communications. There were no ex parte communications identified.
4. Staff Presentation. Appraiser Zimmerman introduced himself as a contract commercial appraiser for Gunnison County and relayed the abatement petition was properly filed. He explained that the applicant property is classified as mixed-use and therefore gave a recommendation to deny adjustment for the commercial aspect. He relayed in a previous submission, there were several buildings omitted from the petitioner's case that were included in the materials provided a few days before the hearing. However, this does not change his recommendation. Appraiser Zimmerman then explained that the petitioner is basing the valuation on the current vacancies it has since it's a new development, when Colorado law dictates to treat properties the same regardless of vacancies.

Appraiser Blackett stated both he and Appraiser Zimmerman did a physical inspection of this property on November 25th. The applicant noted the duplex is a deed-restricted household, which the Assessor's Office didn't recognize, and Appraiser Blackett also changed the condition rating from excellent to good. Thus, he recommends a reduction in the residential aspect of the property.

5. Applicant Presentation. Petitioner's Agent Jaramillo referenced her Exhibit B and highlighted some excerpts from the Assessor Reference Library regarding the processes of valuation and abatements which are put out by the Division of Property Taxation of Colorado and relayed that evidence should be presented by the Assessor's Office for their recommendation.

She described the property as 179-unit drive-up self-storage property with a deed restricted residential duplex. Originally the property had 82 units, and the additional 97 units were constructed during 2022. However, based on the dates looked at for valuation, the additional 97 units would have been vacant on June 30, 2022. Agent Jaramillo provided two previous Board of Assessment Appeals (BAA) cases where they have accepted a lease-up on self-storage properties.

Following the description, Agent Jaramillo went over her own assessment and calculations using the model she explained was used in the previous BAA Appeals with three-year lease-up stabilization which brought the commercial value to \$2,358,110 and residential to \$50,000 with a final valuation of \$2,408,110.

6. Board Questions. Commissioner Puckett Daniels clarified the duplex is being valued at \$25,000 each, \$50,000 total on her assessment to which Agent Jaramillo confirmed based on her comparables. Commissioner Puckett Daniels then relayed the comparables used did not match to what the petitioner's property is such as a unit that is one of 20 in a building or a mobile home park. Commissioner Puckett Daniels then asked Appraiser Zimmerman to clarify some aspects of the commercial side. Appraiser Zimmerman explained that one of three approaches of valuation is the income approach which includes occupancy rate and expense rate, and that they are only allowed to use the income methodology on commercial portion of this property.

Commissioner Houck stated he does not see evidence that the Gunnison County Assessor's Office's assessment was not properly calculated and had no specific questions.

Commissioner Smith confirmed the Assessor's Office used the mass appraisal process for the residential portion. Agent Jaramillo stated this is no longer at the level at the Assessor and the mass appraisal does not apply. Appraiser Zimmerman stated there are significant problems with Agent Jaramillo's assessment and lease-up formulas.

7. Public Comments. Commissioner Smith opened the Abatement Hearing to comments at 9:31 am.
8. Acknowledge Correspondence Received. No additional correspondence was identified.

9. Applicant Response. Agent Jaramillo added that the Assessor's Office has not provided sales for comparables. She feels they have presented enough evidence where they have not seen anything from the Assessor's Office.
10. Close Abatement Hearing. Commissioner Smith closed the Abatement Hearing at 9:34 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

Commissioner Puckett Daniels relayed the agent's presentation was off in sales and would like to move forward with the Assessor's recommendation. Commissioner Houck suggested possibly pushing this hearing to another day, but he is comfortable moving forward. Commissioner Smith agreed. Commissioner Houck then highlighted per statute, the Assessor's recommendation is assumed correct, and the burden relies on the petitioner. **Moved** by Commissioner Smith, seconded by Commissioner Puckett Daniels to deny the applicant's petition for request for abatement or refund of taxes for property years 2023 and 2024, R074074 and accept the Assessor's recommendations for both the residential and commercial property adjustments.

**BREAK:** The meeting recessed from 9:43 am until 10:11 am in order to call to order as the Gunnison/Hinsdale Board of Human Services (see separate minutes) and from 10:11 am to 10:16 am for a short break.

**GUNNISON/HINSDALE BOARD OF HUMAN SERVICES REGULAR MEETING:** See separate minutes

**RESOLUTION AUTHORIZING ATV, OHV, AND UTV USE ON CERTAIN COUNTY ROADS IN SOMERSET COLORADO:** Assistant County Manager for Public Works Martin Schmidt was present for discussion.

Commissioner Puckett Daniels requested that ACM Schmidt show a map to better explain the areas the resolution refers to. ACM Schmidt then explained they did not include 9<sup>th</sup> and 10<sup>th</sup> street in the resolution, but included 1<sup>st</sup> through 8<sup>th</sup> Street, Pike Avenue, King Avenue and River Road which are all south of Highway 133. He emphasized that it does not give permission to cross the highway in any way that doesn't comply with state regulations.

Commissioner Puckett Daniels asked if they wanted to add additional verbiage regarding speed limits, helmet use, and other items previously discussed. CM Birnie relayed CA Hoyt recommended to bring it down to the County jurisdiction and authority. Commissioner Puckett Daniels then asked if Gunnison County could set a speed limit, but ACM Schmidt relayed they would need an engineering traffic study. CM Birnie reiterated ACM Schmidt stating the sheriff will still be enforcing the area and observe behavior. The Board all stated their concerns and comfort level with this resolution. Commissioner Smith suggested adding additional language regarding the physical landscape of Somerset and proposed giving directions to the Attorney's Office to make those changes and bring back an updated document while Commissioner Houck relayed it is unnecessary in his opinion. After further discussion, it was decided to give that direction to the Attorney's Office. Commissioner Puckett Daniels emphasized the resolution is not passing today, but it will still be considered at a future meeting once some language has been updated.

**LOT CLUSTER; LUC-26-00003; BONAPACE:** Planning Technician Aidan McComas was present for discussion.

Planning Technician McComas stated this met the standards of the Crested Butte South Special Area Regulations needed for approval. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Houck to approve LUC-26-00003 Lot Cluster for Bonapace as presented. The motion was amended to include authorizing the signature of the full Board. Motion carried unanimously.

**FOLLOW UP; STREET VACATION REQUEST FOR AGATE DRIVE AND A PEDESTRIAN EASEMENT ADJACENT TO LOTS 3, 4, 5, 6, 9, AND 10, BLOCK 2, MARBLE SKI AREA FILING #5 IN THE TOWN OF MARBLE, COLORADO; WILLIAM AND JUDY PERRY, CINDY SUPLIZIO AND PETER MUELLER:** Assistant County Manager for Public Works Martin Schmidt, Permit Right of Way Manager Chris Hill and Planner Rachael Blondy were present for discussion.

1. A Resolution Vacating a Certain Portion of a Certain Street and Pedestrian Easement Lying within the Town of Marble, County of Gunnison, State of Colorado – ACM Schmidt reminded the Board that this application was already considered by the Board but may have needed an easement for a lumen line. He explained that it was determined the line was not in Agate Drive, and that no easement was required. **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to approve Resolution 2026-5 a Resolution Vacating a Certain Portion of a Certain Street and Pedestrian Easement Line within the Town of Marble, County of Gunnison, State of Colorado, as presented in the packet today and authorize the full Board's signature on the resolution. Motion carried unanimously.
2. Lot Cluster and Boundary Line Adjustment; LUC-25-00024; Suplizio-Mueller, Fox-Perry – Planner Blondy relayed the applicant has purchased another lot that they would like to be clustered. The Boundary Line Adjustment is to transition Agate Drive into three different parcels that were originally plotted to access. **Moved** by Commissioner Puckett Daniels, seconded by Commissioner Houck to approve LUC-25-00024, Lot Cluster and Boundary Line Adjustment for Suplizio-Mueller,

Fox-Perry as presented today and authorize the signature of the full Board on the Lot Cluster Agreement and the signature of the Chair on the plat. Motion carried unanimously.

**GUNNISON COUNTY BOARDS AND COMMISSIONS APPOINTMENTS:**

1. Planning Commission Alternate (Fill Two vacancies for one-year terms)
  - Applicants:
    1. Stuart Asay
    2. Betsy Dupree-Kyle
    3. Anna Fenerty
    4. Steve Jenkins
    5. Beverly Troxtell

Commissioner Puckett Daniels relayed that Anna Fenerty made an error in her calendar for the interview, but she is still interested in the position. She then stated that even though normally interviews are desired, the Board does have experience with working with Ms. Fenerty on previous projects or boards. Commissioner Puckett Daniels further noted her opinion would be valuable because she lives in town as a renter and is inclined to appoint her because she brings a set of skills that no one else does. Commissioner Smith is amendable to appointing Ms. Fenerty despite not having an interview. Commissioner Houck relayed he did listen to the recording of the interviews and is up to speed on the applicants and based on the interviews, applications and needs of the Board, he would like to appoint Anna Fenerty and Beverly Troxtell. Commissioner Puckett Daniels agreed with Commissioner Houck’s viewpoint but is also open to appointing Betsy Dupree-Kyle due to her experience with oil and gas. However, she agrees with appointing Beverly Troxtell and Anna Fenerty. Commissioner Smith would like to encourage Steve Jenkins to keep being involved but also agrees with Commissioner Puckett Daniels and Commissioner Houck. **Moved** by Commissioner Smith, seconded by Commissioner Houck to appoint Anna Fenerty and Beverly Troxtell to the two vacancies for the Planning Commission alternates for one-year terms. Motion carried unanimously.

**GRANT APPLICATION; CERTIFIED LOCAL GOVERNMENT (CLG) SUBGRANT APPLICATION; COLORADO OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION (OAH); PHASE 1 RECONNAISSANCE LEVEL SURVEY OF HISTORIC BUILDINGS WITHIN THE CITY OF GUNNISON; HISTORIC PRESERVATION COMMISSION; \$24,720:** Geographic Information Services Manager Mike Pelletier and Historic Preservation Commission (HPC) members Jody Reeser and Heather Thiessen-Reily were present for discussion.

HPC Member Reeser relayed the surveys are needed for a knowledge base to help with potential support, protections and is a huge portion of the economy. They conducted a survey plan in 2016, and a high priority is within the City of Gunnison. Additionally, in 1998, the City did a survey of downtown buildings, however, there is no database for residential properties in the City. HPC was able to use Assessor database to discover about 150 homes were supposedly built from 1900 and before. HPC Member Reeser noted that History Colorado does a CLG Grant every year and with access to Historic Fund Granting, they would like to have four phases; the first being the northwest quadrant of the City. Overall, they have received good feedback locally regarding the potential survey. Commissioner Puckett Daniels asked what could happen once the information is available. HPC Member Reeser explained homeowners can pursue protections and the State offers tax breaks for historic buildings as well. **Moved** by Commissioner Houck, seconded by Commissioner Smith to support the grant application and authorize the Chair’s signature stamp to be used on that today in order to meet the deadline for the application. Also included in the motion is an appreciation of the work done by the committee. Motion carried unanimously.

**VOUCHERS AND TRANSFERS APPROVAL:** Chief Finance Officer Melissa LaMonica was present for discussion.

1. January 2026 Voucher Report – **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to approve the vouchers in the amount of \$8,450,227.85.
2. January 2026 Cash Transfer Report – **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to approve the cash transfer in the amount of \$11,061,116.80.
3. January 2026 Purchase Card Report – The Board did not pose any questions about this report.
4. December 2025 Sales and Local Marketing Tax Report – The Board did not pose any questions about this report. Commissioner Houck commented that typically they are about a month or two out from seeing the impacts of what is going on weather-wise.

**TREASURER’S MONTHLY REPORT:** County Treasurer Teresa Brown was not present for the discussion, but she provided the January 2026 Treasurer’s report and investment report for discussion and acceptance. **Moved** by Commissioner Houck, seconded by Commissioner Puckett Daniels to accept the Treasurer’s Report as presented and authorize the use of the Chair’s signature stamp on the document. Motion carried unanimously.

**COMMISSIONER ITEMS (CONT’D):**

**Commissioner Puckett Daniels:**

2. Legislative Updates – Commissioner Puckett Daniels relayed that the vacant home tax was postponed indefinitely and the wildlife passages bill has not been introduced but they are

reviewing a draft. She has been heavily involved with a Colorado Counties, Inc. Steering Committees (CCI) group on making amendments to the Colorado Outdoor Opportunities Act including to strengthen the language around local government needing to be part of Regional Partnering Initiatives (RPIs) and acknowledging impacts of recreation on counties. The Board agreed to be in support of the amend position at CCI.

3. Water Quality & Quantity (QQ) – Commissioner Puckett Daniels relayed they have taken an oppose stance for the two data center bills.
4. CCI and Counties & Commissioners Acting Together (CCAT) Steering Committees – Commissioner Puckett Daniels would like to have another discussion before March 4<sup>th</sup> regarding updates.
5. Gunnison Valley Regional Transportation Authority (RTA) – Commissioner Puckett Daniels will be participating at the meeting via Zoom.

**Commissioner Smith:**

1. Gunnison Valley Regional Transportation Authority (RTA) – Commissioner Smith relayed she will also be participating via Zoom.
2. Southwest Colorado Opioid Regional Council – Commissioner Smith relayed there is contention from Montrose County to get the voting membership to be more reflective of the population of the region whereas at the moment grants are scored based on merits of proposals and is how resources are allocated. Montrose County announced they do not want to be fiscal agent of the grants unless they get another voting seat, however, the City of Montrose may be interested.
3. Early Childhood Council – Commissioner Smith attended a meeting last week and left early to attend a meeting with Western Colorado University (WCU) and Gunnison Valley Health (GVH) regarding a space GVH renovated. WCU is proposing to take on the administrative director position of new program. She relayed there are two pro formas for consideration and there are conversations regarding going with one that will not be financially in the black. Commissioner Smith explained that the waitlist at Tenderfoot are in the 130s and they are considering using the renovated space purely for toddler and infant specific use as well as possibly contracting or getting a consultant on the analysis on what an infant/toddler subsidy to the center may look like. Commissioner Houck relayed the history of the funding of Tenderfoot and how it is an opportunity for businesses rather than all of the burden be on governments.
4. HB26-1001 – Commissioner Smith suggested if there is not Euclidean zoning to limit the areas of eligibility to ones that have special area regulations that could facilitate an administrative process. CM Birnie relayed that he and Planning Director Hillary Seminick have had discussions regarding this legislation.
5. Proposition 123- Commissioner Smith relayed the State is not amendable to more than one formula and that the new formula has increased the county obligations.
6. SB26-070 – Commissioner Smith has reached out to several people regarding this bill. Commissioner Houck wants to make sure the Sheriff is deeply engrained in these conversations. Commissioner Puckett Daniels relayed she did speak with Sheriff Adam Murdie, who is in support of the stance the Board has taken and stated having a voice for law enforcement is very important.
7. County Revenue Working Group – Commissioner Smith attended last Friday regarding a long term approach to the constraints and challenge the Counties are having. She stated that counties cannot afford to treat revenues as abstract and spoke of the projects Gunnison County is currently doing and how they cannot do more.
8. Child Welfare Allocation Committee (CWAC) – Commissioner Smith attended a meeting and they had conversations regarding shifting costs and preparing for what counties will have to pay that they didn't in the past.

**Commissioner Houck:**

4. Hartman Castle Preservation Non-Profit – Commissioner Houck explained that they have applied for a grant to covert the property into a community event space and the Office of Just Transition would like to confirm that the county is generally in support of the contract. He then stated their desire to convert into community and event space would be a process that will need to go through a land use change application.

**UNSCHEDULED PUBLIC COMMENT:**

1. John Mlakar – Mr. Mlakar relayed the posted speed limit is 25 mph and he agrees that is too fast. He recommends having language regarding minimum regulations of the State to which Commissioner Puckett Daniels confirmed it is in the resolution.

**ADJOURN:** Commissioner Smith adjourned the meeting at 12:27 pm.

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Laura Puckett Daniels, Chairperson

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Elizabeth Smith, Vice-Chairperson

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Jonathan Houck, Commissioner

Minutes Prepared By:

\_\_\_\_\_  
Holly Perry, Deputy County Clerk

Attest:

\_\_\_\_\_  
Kathy Simillion, County Clerk

**GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES**

*Note: For all the details of each resolution including any exhibits, please refer to [gunnisoncounty.org](http://gunnisoncounty.org)*

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO  
RESOLUTION NO. 2026-3**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY,  
COLORADO PERTAINING TO OPEN FIRE BANS AND THE IMPOSITION OF FIRE RESTRICTION  
STAGES AND EXEMPTIONS**

WHEREAS, the Board of County Commissioners of Gunnison County ("Board"), pursuant to C.R.S. §§ 30-11-101(2) and 30-15-401, *et seq.* has the general enabling power to adopt ordinances, resolutions, rules and other regulations as may be necessary for the control or licensing of those matters of purely local concern, and to do all acts which may be necessary or expedient to promote the health and welfare of the residents and visitors of Gunnison County ("County"); and

WHEREAS, the Board may adopt ordinances to ban open fires and impose fire restriction stages within those portions of the unincorporated areas of the County where the danger of forest or grass fires is found to be high, pursuant to C.R.S. § 30-15-401(1)(n.5); and

WHEREAS, the Board is authorized to prohibit the sale, use, and possession of fireworks, including permissible fireworks, within those portions of the unincorporated areas of the County, pursuant to C.R.S. § 30-15-401(1)(n.7); and

WHEREAS, the Board passed Ordinance Nos. 8a, 14, 16, and 20 relating to fire bans and fire restrictions, including penalties for the violation of those Ordinances; and

WHEREAS, the Board acknowledges that from time-to-time fire conditions resulting from extended hot, dry and windy weather in the area make it prudent to impose restrictions on open fires, open burning and sale, use and possession of fireworks in order to reduce the danger of wildfire in the unincorporated areas of the County; and

WHEREAS, the Board specifically finds that in certain high fire-danger conditions such restrictions are in the best interests of the residents and visitors of the County in order to preserve the health, safety and welfare of the residents and visitors; and

WHEREAS, the Gunnison County Sheriff ("Sheriff") is authorized pursuant to C.R.S. §§ 30-10-512 and 30-10-513 to act as fire warden of the County and is responsible for coordination of fire suppression efforts in case of prairie, forest or wildland fires or wildfires occurring in unincorporated areas of the County outside the boundaries of a fire protection district or that exceed the capabilities of the fire protection district to control; and

WHEREAS, the Board believes that the Sheriff, as fire warden, is the appropriate person, using their expertise and discretion along with established fire restriction evaluation guidelines, and in consultation with local Fire Chiefs, State and Federal land management agencies, and State and Federal fire suppression authorities, to determine whether a restriction of open fires, open burning and use of fireworks should be implemented or elevated in times of extreme fire danger or suspended during times of decreased fire danger;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison Colorado, that:

1. The Sheriff or their designee shall have the authority, in collaboration with local Fire Chiefs, State and Federal land management agencies, and State and Federal fire suppression authorities to declare Stage I or Stage II Restrictions regarding open fire, open burning or the sale, use or possession of fireworks, whenever the danger of forest or grass fires is found to be high and without the need for further proceedings or resolution ("Restrictions"). The Sheriff or their designee shall also have the authority to rescind those Restrictions when he or she determines it is appropriate considering the current fire danger.
  - a. Stage I Restrictions shall allow the Sheriff to impose the following prohibitions:
    - i. Building, maintaining, attending or using a fire, campfire or stove fire, including but not limited to agricultural and the burning of trash or debris, except:
      1. Building, maintaining, attending or using a fire in constructed, permanent fire pits or fire grates within developed recreation sites;
      2. Fires fueled by gas, jellied petroleum, or pressurized liquid fuel; or
      3. Fires burned in portable chimineas, fire pits and tiki torches wholly on or within private property.
    - ii. Smoking, except:
      1. within an enclosed vehicle or building; or
      2. in a developed recreation site or while stopped in an area at least three feet (3') in diameter that is barren or clear of all flammable materials.
    - iii. Restrictions or prohibitions on the sale, use and possession of fireworks pursuant to C.R.S. § 30-15-401(1)(n.7).
    - iv. Using explosives, including but not limited to fuses or blasting caps, model rockets, exploding targets, tracer bullets or incendiary rounds.
    - v. Welding or operating acetylene or other torch with open flame except in cleared areas of at least 10 feet (10') in diameter and in possession of a chemical pressurized fire extinguisher with a minimum rating of 2A.
    - vi. Operating or using internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order.
  - b. Stage II Restrictions shall allow the Sheriff to impose the following prohibitions:
    - i. Building, maintaining, attending or using a fire, campfire or stove fire including but not limited to:
      1. Agricultural burning and the burning of trash or debris;
      2. Maintaining, attending or using a fire in constructed, permanent fire pits or fire grates within developed recreation sites;
      3. Fires fueled by gas, jellied petroleum, or pressurized liquid fuel, except that devices using pressurized liquid fuel or gas (e.g., stoves, grills or lanterns and shut-off valves are allowed when used at least three (3') or more from flammable material such as grasses or pine needles; and
      4. Fires burned in portable chimineas, fire pits and tiki torches.
    - ii. Smoking, except within an enclosed vehicle or building.
    - iii. Restrictions or prohibitions on the sale, use and possession of fireworks pursuant to C.R.S. § 30-15-401(1)(n.7).
    - iv. Operating a chainsaw or other equipment powered by an internal combustion engine without a USDA or SAE approved spark arrester properly installed and in effective working order, a chemical pressurized fire extinguisher with a minimum rating of 2A kept with the operator, and round point shovel with an overall length of at least 35 inches (35") readily available for use.
    - v. Welding, operating a torch with open flame, or any activities which generate flame or flammable material.
    - vi. Using explosives, including but not limited to fuses or blasting caps, model rockets, exploding targets, tracer bullets or incendiary rounds.
    - vii. Possessing or using a motor vehicle off established roads, motorized trails or established paring areas, except when parking in an area devoid of vegetation within ten feet (10') of the vehicle.
  - c. Stage III Restrictions may only be imposed by the Board by duly adopted Resolution or Ordinance.
2. Any declaration by the Sheriff or their designee of Restrictions shall specify the Stage level, parameters, and the duration of the Restrictions as deemed necessary and appropriate. The Sheriff or their designee shall promptly coordinate notification to the public through press release(s) to local radio and print media, as well as posting on the County Internet Website and County Sheriff's Office Facebook page. Likewise, when conditions indicate a reduction or the suspension of Restrictions, the same notification to the public shall occur.
3. No less than three (3) business days after imposing or suspending any Restriction pursuant to this Resolution, the Sheriff shall present, for ratification by the Board, a written summary of the competent evidence and recommendations that are or were the basis of the decision to impose or suspend the Restriction. Notwithstanding the above, the Sheriff will engage in all reasonable efforts to immediately notify the members of the Board, the County Manager and the County Attorney regarding the imposition, modification or lifting of any Restrictions.

4. Nothing in this Resolution shall be construed to allow the burning or combustion of any material or any burning or fire activity otherwise prohibited by law.
5. The Sheriff or their designee shall consult with various state and federal land management agencies and obtain their recommendation prior to the Sheriff imposing or suspending any Restrictions. Recommendations shall be made pursuant to Fire Restriction Evaluation Guidelines as currently used by such agencies to evaluate the indicators that predict fire danger. Upon any implementation or suspension of Restrictions, the Sheriff or their designee shall coordinate and cooperate with these agencies to enforce the Restrictions.
6. This Resolution shall be enforced by the Sheriff or their designee, through their Deputies, the Fire Chief or their designee of any fire protection district or administering agencies of the state and federal lands located therein, and they shall have authority to order any person to immediately cease any violation of this Resolution. This shall include the right to issue a penalty assessment notice and the right to take such person or persons violating this Resolution into temporary custody.
7. Pursuant to Ordinance No. 20, any person who violates this Resolution commits a civil infraction and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars for each separate offense. The penalty assessment procedure provided in C.R.S. § 16-2-201, as amended, may be followed by any arresting law enforcement officer for any such violation. That penalty assessment procedure shall provide for a fine of five hundred dollars (\$500.00) for each separate offense and a fine of one thousand dollars (\$1,000.00) for any repeat offense by the same individual. Pursuant to C.R.S. § 30-15-402(2)(a), in addition to the foregoing penalties, persons convicted of a violation of this Resolution are subject to a surcharge of ten dollars (\$10.00) to be paid to the clerk of the Gunnison County Court by the defendant, as well as any other penalties or surcharges set forth in C.R.S. § 30- 15-402, as amended, or as otherwise provided by law.
8. If any section, subsection, clause or sentence of this Resolution is judged by a court of competent jurisdiction to be invalid, such invalidity shall not affect, impair or invalidate any other provisions of this Resolution which can be given effect without the invalid provision.
9. The Board hereby finds, determines and declares that this Resolution is necessary for the immediate preservation and protection of the health, safety and welfare of the citizens of Gunnison County, Colorado because of the high danger of forest or wildland fires occurring in all unincorporated areas of the County. This Resolution shall take effect immediately upon adoption and remain in full force and effect until midnight Mountain Time, December 31, 2026 at which point this Resolution shall expire and no longer remain in effect, or until rescinded by subsequent Resolution or Ordinance adopted by the Board, whichever first occurs.

INTRODUCED by Commissioner Houck, seconded by Commissioner Puckett Daniels, and adopted this 17th day of February 2026.

BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO

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

**BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO  
RESOLUTION NO. 2026-4**

**A RESOLUTION TO LEASE, PURCHASE AND/OR FINANCE CATERPILLAR EQUIPMENT**

**Caterpillar Model 816-11 Landfill Compactor, Serial Number: J6N00509**

WHEREAS, the laws of the State of Colorado (the "State") authorize Gunnison County, a duly organized political subdivision of the State (the "County"), acting by and through the Board of County Commissioners of the County of Gunnison, Colorado (the "Board"), to purchase, acquire and lease personal property for the benefit of the County and its inhabitants and to enter into and necessary contracts; and

WHEREAS, the County wants to lease, purchase and/or finance equipment ("Equipment") from Caterpillar Financial Services Corporation and/or an authorized Caterpillar dealer ("Caterpillar") by entering into Sales Agreements with Caterpillar; and

WHEREAS, a copy of a Sales Agreement with Caterpillar has been presented to the Board at this February 17, 2026, meeting ("Agreement"); and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the County enters into the Agreement with Caterpillar and (iii) the Agreement is adopted as a binding obligation of the County; and

That Matthew Birnie, County Manager, Martin Schmidt, Assistant County Manager for Public Works, and/or Curtis Lupton, Fleet Manager for the Public Works Department, are authorized, directed and empowered

to (i) sign—or ratify-- and deliver to Caterpillar, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken, all actions he deems necessary or advisable to acquire the Equipment, including the signing—or ratification-- and delivery of the Agreement and related documents; and

That the Clerk of the Board is authorized to attest to this Resolution and affix the seal of the Board to the Agreement, this Resolution, and any related documents; and

That nothing in this Resolution, the Agreement, or any other document imposes a pecuniary liability or charge upon the general credit of the County or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the County as provided in the Agreement; and

That a breach of this Resolution, the Agreement or any related document will not impose any pecuniary liability upon the County or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the County as provided in the Agreement; and that the authority granted by this Resolution will apply equally and with the same effect to the successors in office of the Authorized Persons.

INTRODUCED by Commissioner Houck, seconded by Commissioner Puckett Daniels, and adopted this 17th day of February 2026.

BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO

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

**BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO**

**RESOLUTION NO: 2026-5**

**A RESOLUTION VACATING A CERTAIN PORTION OF A CERTAIN STREET AND PEDESTRIAN  
EASEMENT LYING WITHIN THE TOWN OF MARBLE, COUNTY OF GUNNISON, STATE OF  
COLORADO**

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

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

WHEREAS, the Board has received a request from William and Judy Perry, Cindy Suplizio and Peter Mueller to vacate a certain portion of a certain street and a pedestrian easement lying within the Town of Marble, County of Gunnison, State of Colorado described as follows:

All that portion of Agate Drive and a pedestrian easement adjacent to Lots 3, 4, 5, 6, 9 and 10, Block 2, Marble Ski Area Filing #5 in the Town of Marble, according to the plat recorded October 4, 1971 at Reception Number 286205 in the office of the Gunnison County Clerk & Recorder.; and

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

WHEREAS, there will be no adverse impact to the natural environment, community needs or public health, safety and welfare from the vacation of the above described portion of the street and pedestrian easement lying within the Town of Marble; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Gunnison, Colorado that the certain portion of a street and pedestrian easement lying within the Town of Marble, County of Gunnison, State of Colorado described as follows shall be and hereby is vacated:

All that portion of Agate Drive and a pedestrian easement adjacent to Lots 3, 4, 5, 6, 9 and 10, Block 2, Marble Ski Area Filing #5 in the Town of Marble, according to the plat recorded October 4, 1971 at Reception Number 286205 in the office of the Gunnison County Clerk & Recorder.; and

It is the specific intent of the Board that the vacation of the above described portion of a street and pedestrian easement lying within the Town of Marble shall accrue to and vest in the record owner(s) of adjacent real property pursuant to the provisions of C.R.S. § 43-2-302.

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

1. This Resolution.
2. Boundary Line Adjustment and Lot Cluster Agreement

INTRODUCED by Commissioner Houck, seconded by Commissioner Puckett Daniels, and adopted this 17th day of February 2026.

BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF GUNNISON, COLORADO

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