

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
April 19, 2022**

The April 19, 2022 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
Roland Mason, Vice-Chairperson [ABSENT]	Melanie Bollig, Deputy County Clerk
Liz Smith, Commissioner	Others Present as Listed in Text

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 8:30 am. He noted for the record that Commissioner Mason was absent for this meeting, as he was with his family for Spring Break.

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

SCHEDULING: Commissioner Smith noted she would be out of office for the April 26th Work Session, to attend a State Noxious Weed Advisory Commission meeting in Boulder.

MINUTES APPROVAL: **Moved** by Chairperson Houck, seconded by Commissioner Smith, to approve the Regular Meeting minutes from both February 15th and March 15th, as presented. Motion carried.

1. February 15, 2022 Regular Meeting
2. March 15, 2022 Regular Meeting

CONSENT AGENDA: **Moved** by Commissioner Smith, seconded by Chairperson Houck, to approve the Consent Agenda, as presented. Motion carried.

1. Public Service Grant Agreement; City of Gunnison; for Upstream Prevention services; January 1, 2022 - December 31, 2022; \$15,000
2. Jail Service Agreement Amendment; TW Vending Inc, dba Turn Key Corrections; Sheriff's Office; adding Fastcase access, providing a full law library to all detention center inmates; \$1 per inmate per month
3. Acknowledgment of County Manager's Signature; Colorado Department of Human Services Grant; Low Income Household Water Assistance Program (LIHWAP); Providing assistance for water balances; October 1, 2021 - September 30, 2023; \$20,000
4. Statement of Work; Colorado Department of Public Health & Environment; Health and Human Services; Annual Review of Gunnison County Child Fatality Prevention activities; 7/1/2022 - 6/30 2022; \$3,500
5. Contract Amendment #1; Colorado Department of Public Health and Environment; Health and Human Services; July 1, 2021 - June 30, 2023; Increase of \$14,727
6. Letter of Support Approval; Colorado River District Grant Application; for Town of Crested Butte's Rec Path Bridge River Access and Restoration Project
7. Acknowledgment of County Manager's Approval; Circle Grant Application; Gunnison-Hinsdale Early Childhood Council; Elevate the Workforce Initiative; \$125,000
8. Approval, Buell Foundation 2022 Grant Application; for Gunnison-Hinsdale Early Childhood Council; \$30,000

COUNTY MANAGER'S REPORT AND PROJECT UPDATES: County Manager Matthew Birnie was present for discussion and questions from the Board.

1. Projects are going well at the Airport. CM Birnie stated that they were getting things cleared away and cleaned up, and materials like windows, flooring and the escalator had now arrived and were ready to be installed. A local craftsman would soon be working on a rough-hewn log wall at the main entrance.
2. Progress at the Library. CM Birnie noted that this had been a smooth process, and everything was coming along quite well, with the roof now completed. He highlighted the new type of metal siding going up as much better maintenance and very attractive to the eye.
3. Whetstone Project. CM Birnie reported that he and staff were continuing with the design and negotiation process as they prepare to submit Whetstone to the County's land use process.
4. Bathrooms at Shady Island River Park. CM Birnie explained that the cost of prefab bathrooms had more than doubled, so the County was currently looking into the feasibility of the building them instead. He further noted that they did not anticipate charging for parking until these amenities were in place.
5. Attended a Colorado City & County Management Association (CCCMA) conference in Glenwood Springs April 13-15. CM Birnie highlighted that, at the conference, Dr. Wobbekine from the University of Colorado in Boulder, had stated that Colorado was back to slightly above pre-pandemic employment levels, with unemployment in Colorado lower than for much of the rest of the nation.

CM Birnie added that the construction industry was having a labor force issue and it was fortunate that Gunnison County had been able to start projects back during the pandemic.

2022 CAPITAL LEASE PURCHASE FINANCING WITH HOLMAN CAPITAL: Chief Financial Officer Juan Guerra was present for discussion and questions from the Board.

CFO Guerra introduced this by stating that capital leases were not new to Gunnison County, and explained that it would be a cash-management tool used to expand the County's purchasing power. He briefly went over financing options, recommending the 7-year financing with Holman. He concluded by stating that he would like to lock in the rate before it goes up again, and that currently he had two more days to do so.

The Board then discussed some concerns noted by the County Attorney's Office concerning the addition of TABOR language. Deputy County Attorney Alex San Filippo-Rosser also confirmed that part of this language would be contingent on the Master Lease Agreement which had not yet been given to them to review. County Manager Birnie asked the Board for authority to sign the lease contract on behalf of the Board, once DCA San Filippo-Rosser had finalized the language.

With no further questions from the Board, it was **moved** by Chairperson Houck, seconded by Commissioner Smith to approve and authorize Matthew Birnie as County Manager to act on the Board's behalf to finalize the negotiations within the deal and then execute the contract that was before the County Commissioners. Motion carried.

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

1. **Temporary Road Use Agreement; Crested Butte/Mt Crested Butte Chamber; for Closure of Kebler Pass, Chainless World Championships; Friday, June 24, 2022, 3:00-6:00 pm.**

DCM Crosby explained that the temporary road agreement was being done in advance in order to not run up against deadlines. She noted that the Crested Butte/Mt. Crested Butte Chamber did not yet have proof of insurance, but that they had affirmed they were in the process of attaining this and it would be added before the event.

Moved by Chairperson Houck, seconded by Commissioner Smith to approve the Temporary Road Use Agreement for the Chainless World Championships, as presented that morning. Motion carried.

2. **Mining Lease for Sand Gravel and Aggregate; Alphonse Tamarcaz, Owner; 12-year lease; \$10, royalties of \$1 per ton/yard of material removed, and extraction and crushing of 200 tons of Class 6 road base for the Owner.**

DCM Crosby stated this pit was opened in 1985 after the flooding, and later inherited by Alphonse Tamarcaz. She further identified the pit location as being in Doyleville, and noted that the gravel there was particularly good for gravel roads.

Moved by Chairperson Houck, seconded by Commissioner Smith to approve the Mining Lease for Sand Gravel and Aggregate with Alphonse Tamarcaz, as presented that day, and to authorize the Chair's signature on the contract Motion carried.

TREASURER'S REPORT: County Treasurer Debbie Dunbar was present via Zoom, for discussion and to answer any questions from the Board. When asked if there was anything usual to report by Chairperson Houck, she reported that this was the usual report, with nothing unusual to report.

With no questions from the Board, it was **moved** by Chairperson Houck, seconded by Commissioner Smith, to accept the Treasurer's Report and authorize the Chair's signature. Motion carried.

VOUCHERS AND TRANSFERS: Chief Financial Officer Juan Guerra and Senior Accountant Kelly Weak were both present to answer any questions the Board might have.

1. April 2022 Accounts Payable Report. With no questions from the Board, it was **moved** by Commissioner Smith, seconded by Chairperson Houck to approve the voucher approval in the amount of \$4,193,320.86. Motion carried.
2. January 2022 Purchase Card Report.
3. March 2022 Cash Transfer Report. **Moved** by Commissioner Smith, seconded by Chairperson Houck to approve the cash transfer in the amount of \$5,189,623.30. Motion carried.
4. Sales Tax - LMD Reports. Chairperson Houck noted the continued strong sales tax performance; CM Birnie highlighted that building permits were also way up.

CONTINUED PUBLIC HEARING; STREET AND ALLEY VACATION REQUEST IN OHIO CITY; JERRY AND TERRY SMITH-STALLARD: Deputy County Manager Marlene Crosby was present in the room for discussion, along with Law of the Rockies Attorney Kendall Burgemeister who attended remotely, representing the applicants Jerry Stallard and Terry Smith-Stallard.

1. Open of Public Hearing: Chairperson Houck opened the continued public hearing at 9:00 am, and noted that the first public hearing for this request began on February 15th, 2022. He added that he had not been at the first hearing, but had been able to review the materials and go through the presentations in order to be up-to-speed with where the hearing is presently at.
2. Public Notice Confirmation: Public Notice was again confirmed by Deputy County Manager Marlene Crosby, from the original start of the hearing.

3. Identify Ex Parte Communications: Both Commissioners present confirmed they had received no ex parte communications.
4. Staff Presentation: DCM Marlene Crosby began by explaining that at the original public hearing, there was concern about 1st street and the access it provided to a large public parcel. The applicant's representative, Attorney Kendall Burgemeister, had then resubmitted a revised application for street vacation with everything still included but 1st Street. DCM Crosby stated that she had also revised her comments, and at this point, she believed it addressed the Board's prior concerns. She then recommended the revised vacation request and noted that a resolution was also in their packet to be considered.
5. Applicant Comments: Attorney Burgemeister stated that he did not have much to add, noting only that the amended application reflected the concerns and direction from the Board, given last February 15th at the first public hearing, and that he did concur with Staff's recommendation for approval of the amended application.
6. Board Questions: There were no questions from the Board; Commissioner Smith thanked Attorney Burgemeister and Staff for their work on amending the application to create a suitable solution.
7. Public Comments: None were present, either in the room or remotely via Zoom, for comments.
8. Acknowledge Correspondence Received: DCM Crosby confirmed that there had been no calls or emails regarding this street and alley vacation request; County Administrative Assistant Melanie Bollig also confirmed that there had been no correspondence or calls received.
9. Applicant Response: No further response was made by Attorney Burgemeister.
10. Close Public Hearing: Chairperson Houck closed the public hearing at 9:04 am.

Chairperson Houck noted that the staff recommendation was for approval of the amendments. Commissioner Smith added that she had reviewed the February 15th public hearing, and felt this reflected the conversation and the guidance which she and Commissioner Mason had given at that time, and that the amendments made were an appropriate solution.

Commissioner Smith then **moved** to approve Resolution 2022-19, Vacating Certain Portions of Streets and Alley Lying Within the Town of Ohio City, County of Gunnison, State of Colorado. Chairperson Houck seconded the motion. Motion carried.

CONTINUED, TWO LOT CLUSTERS IN OHIO CITY; AGREEMENT AND DECLARATION; JERRY STALLARD AND TERRY SMITH-STALLARD; LUC-21-00056: Community Development Administrative Services Manager Beth Baker was present in the room for discussion. She explained to the Board that the Jerry and Terry Smith-Stallard had submitted an amended legal description for their lot cluster, which matched the amended, now approved, streets and alley vacation. Also, the County Attorney had reviewed this amended description and had approved it as legally sufficient.

Moved by Commissioner Smith, seconded by Chairperson Houck to approve the lot cluster agreement for the Stallard property, for the two separate parcels described as parcels A & B, as described in the attached exhibit. Motion carried.

CHANGE IN AGENDA: As the meeting was ahead of schedule, Chairperson Houck elected to take a brief break from 9:09 am to 9:14 am.

BOUNDARY LINE ADJUSTMENT PLAT; LOTS 8 & 9; WHETSTONE INDUSTRIAL PARK; LUC-22-00006: Community Development Administrative Services Manager Beth Baker was present in the room for discussion and to answer any question the Board might have. Also joining the discussion was Attorney Jacob With, representing the applicants L & D and DNA Ranches.

Admin Svcs Manager Baker began by explaining that the boundary line adjustment between Lots 8 and 9 would result in each lot being an acre or larger in size. She reported that the lender, HOA, and the County Attorney's Office had all approved the request, and that the County property taxes were current.

Attorney With also explained to the Board that the designation of each lot had been intended to be procured at the time of each sale; however, this had not happened. This boundary line adjustment would allow a purchaser to do a "lot swap" so that they could be moved over one lot and be given a residential designation. He further noted that there would be a few more lots which would receive adjustments for designation purposes, but that they were almost all through making the changes. He stated that the amended designation on this boundary line adjustment would be for Lot 9, and noted that the boundary line adjustment and lot re-designation should be signed and recorded at the sign time. Chairperson Houck asked Deputy County Attorney Alex San Filippo-Rosser if this could be done legally at that time, and DCA San Filippo-Rosser cited a need for proper public notice. He advised that it would be best to put the lot designation request on the next meeting's consent agenda, so that it would receive proper public notice.

Attorney With then added his approval for this decision, and requested – not related to the item before the Board – that there were some issues, as in covenant items, which should not have to come before the Board for review. He suggested these were items which Assistant County Manager for Community & Economic Development Cathie Pagano should be given authority to make decisions on, in order to shorten the process and increase efficiency. Chairperson Houck thanked Attorney With for bringing this to the Board's attention, and recommended to ACM Pagano that this proposed change be something they discuss at their next joint meeting between the Planning Commission and the Board of County Commissioners.

Chairperson Houck then **moved** to approve the Boundary Line Adjustment Plat for Lots 8 and 9 of Whetstone Industrial Park, LUC-22-00006. Commissioner Smith seconded. Motion carried.

APPROVAL OF APPLICATION FOR GUNNISON VALLEY LAND PRESERVATION FUND (GVLPF); GUNNISON RANCLAND CONSERVATION LEGACY, 48-ACRE MARBLE PROPERTY; FOR TRANSACTION COSTS ASSOCIATED WITH TRANSFERRING LAND OWNERSHIP TO THE FOREST SERVICE; \$10,690: Geographic Information Systems Manager Mike Pelletier was present for discussion and to answer questions. He outlined for the Board that this application stemmed from a landowner who had given the property to Gunnison Ranchland Conservation Legacy. The Legacy was transferred to the Forest Service. The Gunnison Ranchland Conservation Legacy was asking for funds to help with the cost of processing and transferring this land ownership. Commissioner Smith **moved** to approve the grant for the 48-acre property in Marble, for \$10,690. Chairperson Houck seconded. Motion carried.

CHANGE IN AGENDA: Chairperson Houck elected to jump to Commissioner Items and then come back to the Marble discussion, "Motorized Use of Vehicles on County Road #3", in order to give Marble residents more opportunity to join in remotely via Zoom.

COMMISSIONER ITEMS:

Commissioner Smith

1. In conversations with State Representative Boesenecker's team, working on HB 22-1287, to enhance the protections for mobile home park residents. Commissioner Smith let the Board know that she had been looking at ways to assist purchases on behalf of mobile home park residents, to better enable them in becoming resident-owned communities, both in Gunnison County and across the State. She noted that there were liability concerns which had come up in looking at the option for counties and local governments to become the assignees, and commended County Attorney Matt Hoyt [not present] for his work on this. Commissioner Smith explained that the statute would clarify that these resident groups would be able to negotiate with a local government entity as to what the liabilities might be; these mobile homes would not be considered public buildings, and the right of first refusal would be built into the legislation. Commissioner Smith added that she had been able to testify on this legislation with the liability concern embedded in the bill.
2. Progress with the Southwest Colorado Opioid Regional Council. Commissioner Smith reported that the council was getting closer in development of their two-year plan, coordinating with other adjacent regions to see where they could improve their own efficiencies in making the dollars go as far as they can. She noted that there had been some confusion on how municipalities could deliver their funds to the counties, but after speaking to the State Attorney General's office, the council was now working on the construction of an Intergovernmental agreement with the municipalities to deliver all their allocation of funds directly to the counties. Commissioner Smith further noted that the Attorney General's would be sending out instructions to the municipalities for how to cede their monies to their regional funds.
3. Attended the Gunnison Watershed Weed Commission meeting last week. Commissioner Smith highlighted that there may be a name change for the commission coming soon. She let the Board know that the Commission would like her to become a Board representative, and she wanted to run this by the Board for approval. She felt this would be good, in light of the work she was now doing with the State's Noxious Weed Advisory Committee as well as the cheatgrass and habitat restorations projects she was currently involved in getting up and running within the County. After a minute's discussion, CM Birnie and Chairperson Houck felt this would be a good position for her to take. Commissioner Smith also felt it would be a good way to coordinate and be successful in the mitigation efforts about to be launched.
4. Cheatgrass Mitigation and Habitat Restoration Coordinator contract position search almost ready to launch. Commissioner Smith stated that it was currently in Human Resources and about ready for the search to go out. She expressed hope that the salary range would be one which could attract several qualified and talented candidates, adding that it would be posted in the newspapers and across multiple platforms later in the week. She further stated that an Intergovernmental agreement was in the process of review and revision, and there was some discussion over the agencies that had been included, along with a few which might still be approached.
5. Request for a letter of support from Whit Blair with the U.S. Fish & Wildlife Service. Commissioner Smith reported that a request had come in from Whit Blair, for a letter of support involving a grant for cheatgrass coordination and wetland restoration. She noted that the letter had to be in by that Friday, April 22nd, and asked permission to prepare a letter that could then be ratified on the next consent agenda by the entire Board. Chairperson Houck gave his approval for Liz to produce a letter of support on behalf of the Board.
6. Welcoming America Initiative survey. Commissioner Smith reminded those present that she was the County rep on this Board, and let everyone know that the City of Gunnison would be launching a survey in preparation for their own rural welcoming initiative. She advised that one of the main goals would be for community resources available. She would be meeting on Wednesday, April 20th, to talk with Drew Brookhart about consolidating outreach resources in the library. Also, they were asking businesses around town to post a QR code, in order to give more digital ways to gain access.
7. Early Childhood Council hosted their annual conference last week. Commissioner Smith noted that this conference for early childhood leaders and educators had been held on the Western Colorado

University campus, and she highlighted that it had been very well attended and successful, with a great exchange of ideas.

CHANGE IN AGENDA: Chairperson Houck elected to move back to the agenda item, "Motorized Use of Vehicles on County Road #3 in the Marble, Colorado Area."

MOTORIZED USE OF VEHICLES ON COUNTY ROAD #3 IN THE MARBLE, COLORADO AREA: Deputy County Manager Marlene Crosby was present in the room for discussion and to answer any questions the Board might have.

Chairperson Houck began by stating that the deadline for the resolution concerning motorized vehicles on CR #3 had begun with the intent to not keep this road open forever; however, he noted that the road did need to remain open as long as they were still doing work in collaboration with the Town of Marble, National Forest Service, Colorado Parks & Wildlife, and law enforcement – in order to manage a complex connection of jurisdictional authority.

DCM Crosby added that the last of the listening sessions was coming up on April 28th. She let the Board know that the stakeholder meetings held earlier had addressed three topics – education, permitting, and parking – and the consensus of these groups would now be brought to the upcoming listening session. DCM Crosby also stated that, acting on an earlier meeting request from the Board to have a Forest Service report, she had contacted Kevin Warner and Shelly Grail with the White River National Forest Service, to see if they were available on April 26th. However, since then, she had learned that Commissioner Smith would be absent for the Board's work session on April 26th, and she wondered if they would still like to schedule the Forest Service for a report on the 26th. After some discussion, the Board decided to go ahead and have the Forest Service on the 26th, with Commissioner Smith able to hear a recording of the work session and possibly the last listening session, before the May 3rd regular meeting.

UNSCHEDULED CITIZENS: There were no Unscheduled Citizens present for discussion.

COMMISSIONER ITEMS:

Commissioner Houck

1. Worked with the bill sponsors on House Bill 22-1356. Chairperson Houck explained that this bill was centered around creating a small, community-based nonprofit infrastructure grant program which could assist nonprofit organizations that have been economically impacted by COVID-19. He further noted that the number of non-profit organizations in the Gunnison area were around 120. Commissioner Smith suggested that the bill sponsors might wish to contact the Community Resource Center, as they were sponsors of Rural Philanthropy Days and this would give the bill sponsors a broader perspective of rural Colorado non-profit organizations. Chairperson Houck agreed and said he would let them know.
2. Watching progress House Bill 22-1028. Also called the "Idaho Stop Bill," Chairperson Houck explained that this bill concerned statewide regulation of persons approaching controlled intersections who were not operating motor vehicles, and he felt it was particularly relevant for all the bicyclists in our area. He reported that CCI and CML were opposing this, as they felt it was an overreach of local government authority by the general assembly. He then went on to explain that it allowed bicyclists to be able to stop at a red-light intersection, and if the intersection was clear both ways, they could then proceed. Also, stop signs could be treated as yield signs by cyclists if the intersection was clear. He added that he did not believe there was any opt-out language for municipalities or counties.
3. House Bill 22-1046. Chairperson Houck briefly outlined that HB 22-1046 had been signed by the Governor, and that it helped clarify the way in which counties could designate certain roads to not be plowed in the winter, allowing then for grooming and over-snow use only. He further noted that the legislative session would be ending May 11th and he would continue to watch as the last flurry of bills came through before that deadline.
4. Sustainable Tourism and Outdoor Recreation (STOR) Committee to meet the end of April. Chairperson Houck noted that discussions would center around recreation infrastructure and how to prioritize the bills and potential action on HB 21-1117. He added that he wanted to get a better idea from the National Forest Foundation (NFF) on how they might best donate and leverage LMD monies via NFF.
5. Spruce Beetle Epidemic Aspen Decline Management Response (SBEADMR) annual meeting will be held this week. Chairperson Houck indicated that Grand Mesa-Uncompahgre-Gunnison (GMUG) National Forests were in approximately year five out of a ten-year management program for the spruce beetles, and he was interested in learning how the climate change and drought had changed this plan.
6. Colorado Outdoor Industry Leadership Summit (COILS) conference to be held in Mt Crested Butte on May 19th and 20th. Chairperson Houck noted that this would be put on by the Colorado Parks & Wildlife, and he would be participating on panels as well as moderating some of the sessions at the conference.
7. Reminder that the Whitewater Park clean-up will be held this next Saturday, April 23rd. Chairperson Houck wanted to let everyone present know that the clean-up would start at 9:30 am, and to bring gloves and totes for carrying trash. Tools and trash bags would be provided as well.

RECESS: Chairperson Houck recessed the Gunnison County Board of County Commissioners Regular Meeting at 10:01 am, in order to hold an executive session.

EXECUTIVE SESSION, PURSUANT TO C.R.S. § 24-6-402 (4)(E)(I): DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS RELATED TO PROPERTY LOCATED IN GUNNISON COUNTY, COLORADO, AND PURSUANT TO C.R.S. 24-6-402(4)(B) CONFERENCES WITH THE COUNTY ATTORNEY OR DEPUTY COUNTY ATTORNEY FOR GUNNISON COUNTY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE RELATED TO PROPERTY LOCATED IN GUNNISON COUNTY, COLORADO:

Commissioner Houck **moved** to go into Executive Session, pursuant to C.R.S. § 24-6-402 (4) (e) (I), for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations related to property located in Gunnison County, Colorado, and pursuant to C.R.S. § 24-6-402(4)(b) conferences with the County Attorney or Deputy County Attorney for Gunnison County, for the purpose of receiving legal advice related to property located in Gunnison County, Colorado. The participants in the Executive Session would be Commissioner Houck, Commissioner Smith, County Manager Matthew Birnie, and Deputy County Attorney Alex San Filippo-Rosser (remote via Zoom). Because any discussion in the executive session would be protected by attorney-client privilege, no contemporaneous record of the meeting would be kept. Commissioner Smith seconded the motion, and the motion carried.

The Board went into executive session at 10:03 am. The executive session was held in the BOCC Boardroom, and no contemporaneous records were 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) (b).*

Attorney Statement Regarding Executive Session

Pursuant to C.R.S. 24-6-402(4), I attest that I am the Gunnison County Deputy 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)(e)(I) and 24-6-402(4)(b) 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: _____

Alex San Filippo-Rosser
Gunnison County Deputy 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)(e)(I) and 24-6-402(4)(b).

Date: _____

Jonathan Houck, Chairperson
Gunnison County Board of Commissioners

At 10:29 am, 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.

Chairperson Houck then gave direction by **moving** to delegate authority from the Board of County Commissioners to County Manager Matthew Birnie, to enter into agreements and sign contracts for the purchase of real property, and in turn – if CM Birnie is to enter into those type of arrangements – to facilitate meeting with the Board of County Commissioners at the next available regular session after entering into those contracts. Commissioner Smith seconded. Motion carried.

ADJOURN: Chairperson Houck adjourned the Gunnison County Board of County Commissioners Regular Meeting at 10.31 am.

GUNNISON/HINSDALE BOARD OF HUMAN SERVICES REGULAR MEETING: This separate meeting was held from 10:31 am to 11:01 am. Please refer to separate meeting minutes on record for the Gunnison/Hinsdale Board of Human Services.

GUNNISON COUNTY BOARD OF HEALTH:

CALL TO ORDER: Chairperson Houck called the Gunnison County Board of Health Regular Meeting to order at 11:01 am.

Health and Human Services Director Joni Reynolds noted that Medical Officer Dr. John Tarr would not be able to be there, as he had just had hip replacement surgery.

FINALIZE 2022 BOARD OF HEALTH MEETING TOPICS: HHS Director Joni Reynolds presented a schedule with topics to the Board, noting that the proposed topics for the 2022 Board of Health Meetings had not been formally approved, as she had not been able to be there for a January meeting. The Board noted the topics that she provided and approved the list.

VITAL RECORDS 2021 DATA REVIEW: HHS Director Joni Reynolds presented a review of suicide data in Gunnison from 2010 to 2021. She explained that the data showed a predominance of male deaths during the last decade, across a range of ages; during later years – 2016 to 2018 – there had been more youth suicides in both the schools and at the college. A crisis response was then developed and suicide deaths lessened in 2019 through 2021; however, HHS Director Reynolds stated that the numbers were so small that it was hard to determine if this was an actual trend. She added that the prevention work currently being done was not a crisis response as it had been previously, but a regular, ongoing community collaboration and outreach, integrated into the County’s behavioral health programs.

COVID Update: HHS Director Joni Reynolds began her COVID-19 updates with data on hospitalization, showing that statewide it was currently around 80, down from a peak of 1,500. For Gunnison, hospitalizations were at a very low level – less than one hospitalization per week average. There was currently a testing location at Gunnison Valley Hospital, where cases have remained at the low level of approximately two to five cases per week over the last two months. Nationwide, some states in the Northeast of the U.S. had seen a case rate increase due to the BA.2 strain. She cautioned that with the availability now of in-home testing, all data was skewed, as many cases would not be reported. A graph that illustrated the COVID wastewater monitoring data trends for Gunnison County was also presented. The data varied widely in the weekly testing recorded, and HHS Director Reynolds indicated that they could not determine any significant trends from it.

The Board, CM Birnie and HHS Director Reynolds briefly discussed the gradual lifting of mask mandates in the workplace and for travelers.

ADJOURN: Chairperson Houck adjourned the Board of Health Regular Meeting at 11:30 am.

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: 2022-19**

A RESOLUTION VACATING CERTAIN PORTIONS OF STREETS AND ALLEY LYING WITHIN THE TOWN OF OHIO CITY, 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 Jerry and Terry Stallard to vacate certain portions of streets and alleys lying within the Town of Ohio City, County of Gunnison, State of Colorado described as follows:

The west half of the alley east of Lots 15 and 16, Block 12; the east half of the alley west of Lot 17, Block 12; the south half of the alley north of Lots 17-20, Block 12 and north of the east half of the alley west of Lot 17, Block 12; that portion of the unnamed right of way to the east of Lot 20, Block 12 and the south half of the alley north of Lot 20, Block 12, north of the northern boundary of First Street extended; the alley east of Lots 5 through 16, Block 15; the alley south of Lots 1 through 4, Block 15, where not previously vacated; the alley south of Lot 21, Block 15, where not previously vacated; and the unnamed right of way to the east of Lot 1, Block 15 and the alley south of Lot 1, Block 15, south of the southern boundary of First Street extended, where not previously vacated, Town of Ohio City, County of Gunnison, State of Colorado; and

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

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

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

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

The west half of the alley east of Lots 15 and 16, Block 12; the east half of the alley west of Lot 17, Block 12; the south half of the alley north of Lots 17-20, Block 12 and north of the east half of the alley west of Lot 17, Block 12; that portion of the unnamed right of way to the east of Lot 20, Block 12 and the south half of the alley north of Lot 20, Block 12, north of the northern boundary of First Street extended; the alley east of Lots 5 through 16, Block 15; the alley south of Lots 1 through 4, Block 15, where not previously vacated; the alley south of Lot 21, Block 15, where not previously vacated; and the unnamed right of way to the east of Lot 1, Block 15 and the alley south of Lot 1, Block 15, south of the southern boundary of First Street extended, where not previously vacated, Town of Ohio City, County of Gunnison, State of Colorado; and

It is the specific intent of the Board that the vacation of the above described portions of streets and alleys lying within the Town of Ohio City 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. Lot Cluster Agreement

INTRODUCED by Commissioner Smith, seconded by Commissioner Houck, and adopted this 19th day of April 2022.

BOARD OF COUNTY COMMISSIONERS
GUNNISON COUNTY

Houck – yes, Mason – [ABSENT], Smith – yes