

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING MINUTES  
June 6, 2023**

The June 6, 2023 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	John Cattles, Acting County Manager
Liz Smith, Vice-Chairperson [REMOTE]	Melanie Bollig, Deputy County Clerk
Laura Puckett Daniels, Commissioner [ABSENT]	Others Present as Listed in Text

**GUNNISON COUNTY LOCAL LIQUOR LICENSING AUTHORITY:**

**CALL TO ORDER:** Chairperson Houck called the meeting to order at 8:30 am. He noted for the record that Commissioner Smith was joining the meeting online, and Commissioner Puckett Daniels would not be able to attend, due to the injuries she sustained in a car accident.

**RECESS:** The meeting recessed from 8:30 until 8:35 am, in order to hold the following Public Hearing.

**PUBLIC HEARING; COLORADO LIQUOR RETAIL LICENSE APPLICATION; WILDER'S ORGANIC MARKET, LLC DBA BLUESKY MERCANTILE; 10209 HWY 135, SUITE A, ALMONT, COLORADO:** Gunnison County Clerk and Recorder Kathy Simillion was present in the room, and BlueSky Mercantile Owners Cassia and Donald Montgomery were present remotely via Zoom.

1. Open Public Hearing. Chairperson Houck opened the Public Hearing at 8:31 am.
2. Public Notice Confirmation. County Clerk Simillion confirmed that the Public Hearing had been properly noticed.
3. Identify Ex Parte Communications. No ex parte communications were identified.
4. Staff Presentation. County Clerk Kathy Simillion confirmed for Chairperson Houck that the application was going through a concurrent review from the County and the State, and there was nothing found to be out of the ordinary in the review process.
5. Applicant Presentation. Chairperson Houck noted that the applicants had held a liquor license before in the City of Gunnison with no issues, while this application would be for Gunnison County. He invited the applicants, Cassia and Donald Montgomery, to make comment for the public hearing if they desired.

Applicant Donald Montgomery then stated that the business was going to be a deli with an espresso bar, offering sandwiches, and would possibly sell charcuterie boards as well. He wondered if there was the possibility to serve beer and wine as part of this license. County Clerk Simillion answered that she had talked to the Department of Revenue last Friday, and this would be included in their license; however, whatever alcohol was purchased must be consumed on the premises – the customer would not be able to take any alcohol with them off-premises.
6. Board Questions. There were no questions from the Board.
7. Public Comments. Chairperson Houck opened the Public Hearing to comments at 8:34 am. No one in the room or remotely via Zoom was present for comment.
8. Acknowledge Correspondence Received. Commissioner Houck confirmed that no additional correspondence was received.
9. Applicant Response. There was no need for further response from the applicant.
10. Close Public Hearing. Chairperson Houck closed the Public Hearing at 8:35 am and immediately reconvened the Local Liquor License Authority meeting.

Commissioner Houck asked County Clerk Simillion when the license would be brought to the Board for approval. She replied that the application presented here would be signed that morning by Chairperson Houck and then sent to her; once she received it, she would then email it to the state. The state's process should probably take no more than one to two weeks, so she explained that it would be submitted for the next regular Board meeting as soon as it came back from state.

Commissioner Houck then let the applicants know that, historically, once the license has gone through this process with no red flags, the approval should be fairly straightforward.

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

1. Special Event Liquor Permit 3-2023; Taylor Canyon Fire Station, Inc., PO Box 503, Crested Butte, Colorado; 7/3/2023 from 12:00 pm to 4:00 pm
2. Alcohol Beverage License #07-74205-0002; Crested Butte LLC dba Ice Bar / Rest Twister Warming Hse; Sec 25, T135, R86W, Crested Butte, Colorado

**ADJOURN:** Chairperson Houck adjourned the meeting of the Local Liquor Licensing Authority at 8:36 am.

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

**CALL TO ORDER:** Chairperson Houck called the meeting to order at 8:36 am.

**AGENDA REVIEW:** No changes were needed to the agenda.

**SCHEDULING:** There were no changes needed to the schedule.

**MINUTES:** **Moved** by Commissioner Houck, seconded by Commissioner Smith, to approve the meeting minutes of May 2<sup>nd</sup>, May 16<sup>th</sup>, and May 23<sup>rd</sup> with the corrections and additions as noted by Commissioner Smith. Motion carried unanimously.

1. **May 2, 2023 Regular Meeting.** One edit was requested by Commissioner Smith: Page 5, under item #6 - change "Walker" to "Wacker" to read "Margaret Wacker."
2. **May 16, 2023 Regular Meeting.** Commissioner Smith requested four edits: 1) Page 2, second full paragraph - change "mill site parking" to "the parking at Mill Site Park"; 2) Page 3, under Unscheduled Public Comment, Teri Havens' comments – replace "mill site" with "Mill Site Park" in two places; 3) Page 4, under Commissioner Items for Commissioner Smith, item #6 – change Grass Roots Consortium" to "GRASP" Consortium"; and 4) Page 4, under Commissioner Smith's Item #8 – change last sentence on the bottom of Page 8, top of Page 9 to instead read, "She explained that there had not really been enough time to get a new location approved after the City of Gunnison determined, due to public input, that they would not proceed with the proposed plans located next to the Recreation Center."
3. **May 23, 2023 Special Meeting.** No changes were needed.

**CONSENT AGENDA:** **Moved** by Commissioner Smith, seconded by Commissioner Houck, to approve the Gunnison County Board of County Commissioners consent agenda, as presented. Motion carried unanimously.

1. Acknowledgment of County Manager Signature; Professional Services Agreement; Policy Confluence, Inc. (Polco); Administration of Biennial Gunnison County Citizen Survey; \$20,600
2. Ratification of County Manager's Approval to Submit; Gunnison Basin Cheatgrass Implementation Project Grant Application FWS-ES2023006073; US Fish and Wildlife Service; \$227,068
3. Approval for Gunnison County Employee Medical, Dental and Vision Plan Amendments; Amendment #2 to the Gunnison County Employee Dental and Vision Plan; Amendment #4 to the Gunnison County Employee Medical Benefit Plan
4. Approval for Colorado Department of Human Services Behavioral Health Administration Contract Amendment #2, 24 IBEH 181957; Sheriff's Office; to provide substance abuse and mental health treatment in the jail; 7/01/2023 - 6/30/2024; \$164,500
5. Approval for Colorado Department of Public Health and Environment (CDPHE) Task Order 2024\*0436; Health and Human Services; to provide uniform enforcement of standards and rules set by CDPHE for retail food establishments, child care facilities and schools; State FY 2024; \$15,000
6. Approval for Airport Terminal Lease Agreement; Gunnison-Crested Butte Regional Airport; ARINC Incorporated; for installation of aeronautical communications equipment cabinets and antennas; 6/01/2023 - 5/31/2026; \$2,400 per year
7. Approval for Colorado Department of Early Childhood Intergovernmental Contract Amendment #6; Gunnison County Health and Human Services; for Early Childhood Services, amendments to Exhibits A, B F, and G; Contract Expiration Date extension to 6/30/2024; Increased funding by \$112,072 for SFY 2024 and by \$9,153 for SFY 2025
8. Approval for the Safe Streets for All Action Plan Grant Agreement; U.S. Department of Transportation Federal Highway Administration; for development of an action plan to improve safety along the State Highway 135 corridor from Gunnison to Crested Butte; Effective date of award - 22 months; \$160,000
9. Ratification of Correspondence; BOCC Letter of Support requested by Colorado Association of Ski Towns (CAST); for the Affordability and Fairness for Mountain Communities Act

**PULLED FROM AGENDA:** ~~CONDOMINIUMIZATION APPLICATION; LUC-23-00016; SKYLAND DEVELOPMENT PARTNERS, LLC; GOLF VILLAS AT SKYLAND ON A 0.49 ACRE TRACT OF LAND LEGALLY DESCRIBED AS TRACT D, AS SHOWN ON THE PARTIAL REPLAT OF PORTIONS OF MULTIFAMILY TRACT 4, SKYLAND INITIAL FILING, INTO TRACTS B THROUGH F AS RECORDED AT RECEPTION NO. 639080;~~

Chairperson Houck noted that this agenda item would be pulled from consideration, as there were still documents not yet ready for presentation.

**BOUNDARY LINE ADJUSTMENT; LUC-23-00010; TAYLOR ADVENTURES LLC, BIGHORN LLC AND ADOBE HOUSE LLC; TRACTS OF LAND IN THE NORTHEAST 1/4, SOUTHEAST 1/4 OF SECTION 22, TOWNSHIP 51 NORTH, RANGE 1 EAST N.M.P.M.:** Community and Economic Development Planner Sean Pope was present in the room for discussion and to answer any questions the Board might have.

CED Planner Sean Pope explained that the Taylor Adventures LLC boundary line adjustment was to coordinate with two other LLC's – Bighorn and Adobe House. The adjustment will make the small lot more

useable with no changes to the acreage. He further noted that it had been reviewed and approved by the County Attorney's Office.

With no questions from the Board, Commissioner Houck **moved** to approve LUC-23-00010 for the boundary line adjustment for Taylor Adventures LLC, Bighorn LLC, and Adobe House LLC, as presented that morning, and authorize the chair's signature on the plat. Commissioner Smith seconded. Motion carried unanimously.

**SUBDIVISION EXEMPTION REQUEST; LUC-23-00008; HOTCHKISS RANCHES, LLC; 22.73-ACRE LOT, LEGALLY DESCRIBED AS A PARCEL OF LAND LOCATED WITHIN THE SW1/4 OF THE NE1/4 OF SECTION 20, TOWNSHIP 12 SOUTH, RANGE 89 WEST OF THE 6TH P.M.:** Community and Economic Development Planner Sean Pope was present in the room for discussion and to answer any questions the Board might have.

CED Planner Sean Pope outlined that this application for subdivision exemption started with the applicants wanting to put a well on that tract. Colorado Division of Water Resources Well Commissioner, Greg Powers, requested that the lot be recognized by the county, as it had not gone through the county's subdivision process; instead, it was subdivided when CDOT moved the highway, and so the owners ended up with a special warranty deed, never legally recognized by Gunnison County. CED Planner Sean Pope stated that the parcel had now gone through the county's subdivision exemption process per the LUR, and had been reviewed and approved by the County Attorney's Office.

With no questions from the Board, Commissioner Houck **moved** to approve LUC-23-00008, Hotchkiss Ranches LLC, for the subdivision exemption request, also authorizing the chair's signature on the new plat. Commissioner Smith seconded, and requested that the motion be changed to LUC-23-00008 [an extra zero]. Commissioner Houck accepted the friendly correction to the LUC number. Motion carried unanimously.

**CHANGE IN AGENDA:** Chairperson Houck called for a break in the meeting from 8:47 am to 8:50 am, in order to begin the following public hearing at its noticed time of 8:50 am.

**RECESS:** The meeting recessed from 8:50 am until 8:56 am in order to hold the below Public Hearing.

**PUBLIC HEARING; MARIJUANA CULTIVATION AND PRODUCT MANUFACTURING FACILITY LICENSE; ALPINE ALCHEMY, LLC; 260 GRIFFING ROAD, GUNNISON, COLORADO, AKA LOT 5, VISTA BUSINESS CENTER, COUNTY OF GUNNISON, STATE OF COLORADO:** Community and Economic Development Planner Sean Pope was present in the room, joined a little later in the public hearing by applicants Eric Piper and Darin Slattengren.

1. Open Public Hearing. Chairperson Houck opened the Public Hearing at 8:50 am.
2. Public Notice Confirmation. CED Planner Sean Pope confirmed that the Public Hearing had been properly noticed.
3. Identify Ex Parte Communications. No ex parte communications were identified.
4. Staff Presentation. CED Planner Sean Pope let the Board know that this application came through in 2020. The application had gone through administrative review for the land use change permit and this was now complete. State licensing had been received back in 2020 and the applicants had continued that license while waiting for the county licensing in order to begin cultivation. CED Planner Sean Pope outlined that the application met all the standards of Resolution 2014-18; a recent site visit had also confirmed the standards were being met, and all was now ready for the Board's approval.
5. Applicant Presentation. The applicants were not yet present for comment at this point in the hearing. Chairperson Houck confirmed that there had been no correspondence from the applicants as well.
6. Board Questions. Commissioner Smith asked about the conditions attached to the recommendation to approve. CED Planner Sean Pope confirmed that the conditions she was looking for were listed on the license itself. CED Planning Director Hillary Seminick, also present in the room, added that this information was located on page 271 of the BOCC meeting portfolio, and would be included on the actual license.
7. Public Comments. Chairperson Houck opened the Public Hearing to comments at 8:54 am.
8. Applicant Presentation, revisited. Applicants Eric Piper and Darin Slattengren entered the meeting room at 8:55 am, so Chairperson Houck asked if they had anything for comment. The applicants both replied that they had no comment to add.
9. Acknowledge Correspondence Received. Commissioner Houck confirmed that no additional correspondence had been received.
10. Applicant Response. No further response from the applicants was needed.
11. Close Public Hearing. Chairperson Houck closed the Public Hearing at 8:56 am and immediately reconvened the Gunnison County Board of County Commissioners Meeting.

**Moved** by Commissioner Houck to approve the Marijuana Cultivation and Product Manufacturing Facility License as presented that morning for Alpine Alchemy LLC, and authorize the chair's signature on the license. Commissioner Smith seconded. Motion carried unanimously.

Commissioner Houck then encouraged the applicants to utilize both state and county resources as necessary when questions or concerns come up about their permit, and he wished them luck with their operation.

**SUBDIVISION EXEMPTION REQUEST; LUC-23-00020; CRESTED BUTTE FIRE PROTECTION DISTRICT (CBFPD); ADJUSTING THE AREA OF THE TWO EXISTING PARCELS WITHIN THE SPANN SUBDIVISION EXEMPTION PLAT RECORDED DECEMBER 21, 2021 AT RECEPTION NO. 681915 (EXHIBIT A):** Community and Economic Development Planning Director Hillary Seminick was present in the room for discussion and to answer any questions the Board might have. Also present remotely via Zoom was Crested Butte Fire Protection District (CBFPD) CEO Sean Caffrey.

CED Planning Director Hillary Seminick explained that this was an amendment to an existing subdivision plat that was recorded back in December 2021, and was essentially a boundary line adjustment to accommodate a new headquarters being located completely on one lot, rather than having the building straddle a lot line. She noted that the CBFPD was not statutorily required to do this; however, to keep it "clean and tidy," the applicants opted to amend the internal boundary line only. There would be no change to the overall parcel configuration and size.

Upon advisement of County Attorney Matt Hoyt, at 8:57 am Chairman Houck did open the meeting to public comment so that the Board might hear comments from the applicant, CBFPD CEO Sean Caffrey.

CA Matt Hoyt also added for clarification that this would not be a complete exemption; the District Board can overrule the decision of the Board of County Commissioners by a majority vote. Further, CA Hoyt pointed out that, if they ever sell or transfer the property to a private entity, everything would need to be subdivided correctly, or a private entity would be in violation. He felt that it did make sense for the district to take care of the adjustment at this time. CED Planning Director Hillary Seminick added that the subdivision component had been unanimously approved by the Planning Commissioner on May 18<sup>th</sup>, 2023.

Chairman Houck asked if CEO Sean Caffrey had any comment. Mr. Caffrey stated that CBFPD had previously purchased a portion of that parcel, thinking they might use the portion to the south, but as the project evolved, they ended up purchasing the entire parcel from Spann Ranches and would have the lot line now adjusted to run down the middle of the Slate River, giving the entire parcel to the west room enough to build the fire station and the search and rescue building.

Chairperson Houck noted that there was no one present in the room or remotely via Zoom who wished to make any further public comment.

With no questions from the Board, it was **moved** by Commissioner Houck to approve the subdivision exemption request LUC-23-00020 and move forward with executing the documents associated with it, as presented that day. Commissioner Smith seconded. Motion carried unanimously.

**REQUEST FOR AMENDMENT OF SUBDIVISION COVENANTS; LUC-23-00019; L & D RANCHES LLC; LOT 9, WHETSTONE INDUSTRIAL PARK SUBDIVISION, 120 BIFANO ROAD:** Community and Economic Development Planner Rachel Sabbato was present in the room for discussion and to answer any questions the Board might have.

CED Planner Rachel Sabbato began by stating that the applicant's representative, Attorney Jacob With, was also present in the room. She highlighted for the Board that this amendment to the Whetstone Covenants calls out a certain hierarchy which prohibits subordinate residential designation for lots adjacent to light industrial. However, as Lot 9 was located between a lot that was designated subordinate residential on one side, and light industrial on the other side, they requested that Lot 9 be given a designation of subordinate residential.

CED Planner Sabbato also advised that the amendment was unanimously approved by the HOA. She and CA Matt Hoyt confirmed for Chairperson Houck that this application had gone through the correct procedures and met all the requirements of Community Development and the County Attorney's Office.

With no questions from the Board, Commissioner Houck **moved** to approve the request for the Amendment of Subdivision Covenants LUC-23-00019, as presented that morning, and authorize the chair's signature on the approval. Commissioner Smith seconded. Motion carried unanimously.

**UNSCHEDULED PUBLIC COMMENT:** There was no one present in the room or remotely via Zoom who wished to make an unscheduled public comment.

**ADJOURN:** Chairperson Houck thanked Commissioner Smith for taking time out of her Harvard Leadership Program's busy schedule, and then adjourned the Gunnison County Board of County Commissioner regular meeting at 9:06 am.

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Jonathan Houck, Chairperson

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Liz Smith, Vice-Chairperson

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[ABSENT]  
Laura Puckett Daniels, Commissioner

Minutes Prepared By:

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Melanie Bollig, Deputy County Clerk

Attest:

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Kathy Simillion, County Clerk