AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Draft BOCC Minutes; 4/4/2017

Action Requested:

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Attached are the draft 4/4/17 meeting minutes for consideration.

Fiscal Impact:

Submitted by: Josh Ost **Submitter's Email Address:** jost@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok - gs

Reveiwed by: GUNCOUNTY1\gstuhr Discharge Date: 4/13/2017 Certificate of Insurance Required

Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 4/13/2017

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 1

Agenda Date: 4/18/2017

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING MINUTES
April 4, 2017

The April 4, 2017 meeting was held in the Board of County Commissioners' meeting room located at 200 E. Virginia Avenue, Gunnison, Colorado. Present were:

Phil Chamberland, Chairperson
Jonathan Houck, Vice-Chairperson
John Messner, Commissioner

Matthew Birnie, County Manager
Josh Ost, Deputy County Clerk
Others Present as Listed in Text

GUNNISON RIVER VALLEY LOCAL MARKETING DISTRICT:

CALL TO ORDER: Chairperson Chamberland called the meeting to order at 8:31 am.

Acknowledgement of County Managers Signature; Bear Cloud Short Term Rental Helper Software Agreement; $19,500:
County Manager Matthew Birnie explained the contract and why he chose to go with the company.
Moved by Commissioner Houck, seconded by Commissioner Messner to acknowledge the County Managers Signature; Bear Cloud Short Term Rental Helper Software Agreement; $19,500. Motion carried unanimously.

ADJOURN: **Moved** by Commissioner Messner, seconded by Commissioner Houck to adjourn the Gunnison River Valley Local Marketing District meeting. The meeting adjourned at 8:33 am.

GUNNISON COUNTY BOARD OF COUNTY COMMI0SSIONERS:

CALL TO ORDER: Chairperson Chamberland called the meeting to order at 8:33 am.

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

MINUTES APPROVAL: **Moved** by Chairperson Houck, seconded by Commissioner Messner to approve the 2/7/2017 regular meeting minutes as presented. Chairperson Chamberland abstained from voting as he was absent from this meeting. Motion carried.
Commissioner Messner had one change to his Commissioner items on the 3/21/2017 regular meeting minutes.
Moved by Chairperson Chamberland, seconded by Commissioner Messner to approve the 3/21/2017 regular meeting minutes with the correction on the wording of Commissioner Messner's Commissioner Items. Commissioner Houck abstained from voting as he was absent from this meeting. Motion carried.

1. 2/7/2017 Regular Meeting
2. 3/21/2017 Regular Meeting as amended

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

1. Ratification of Commissioner Houck's Signature; North Fork Mancos Master Development Plan Comments
2. Ratification of Commissioner Houck's Signature; Office of Surface Mining, Reclamation and Enforcement Oversight Process Comments
3. Out of State Travel Request; Health Care for Women Over 40 Conference; Scottsdale, AZ; Family Planning Coordinator, Health Coordinator, Administrative Services Supervisor; 4/24/2017 thru 4/27/2017; $4,100
4. Out of State Travel Request; American Planning Association National Conference; New York, NY; Director & Assistant Director of Community and Economic Development; 5/4/2017 thru 5/10/2017; $7775
5. Out of State Travel Request; 2017 Aircraft Rescue & Fire Fighting Schools; San Bernardino, CA; Six Airport Duty Officers; May 2017; $10,248
6. Resolution 2017-13; Ratifying and Reaffirming Previous Vacation Resolutions Within the County of Gunnison, State of Colorado

SCHEDULING: The Upcoming Meetings Schedule was discussed and updated.

COUNTY MANAGER'S REPORTS:

1. Funding for Energy Efficiency Program: County Manager Birnie had Commissioner Messner discuss the Coldharbour Institute funding from the Board and his conversations with them regarding the possibility of moving the funding approved for them to use for an energy efficiency program administered by Lotus Sustainability Engineering. Commissioner Messner explained he spoke with the Coldharbour Board about moving the $5,000 to Lotus Engineering or through the Gunnison Valley Regional Housing Authority to start the program.

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Moved by Commissioner Messner, seconded by Commissioner Houck to re-appropriate the $5,000 that was initially earmarked to Coldharbour for energy efficiency programs to Lotus Sustainability Engineering/Gunnison Valley Regional Housing Authority. Motion carried unanimously.

2. Brush Creek Request For Qualifications: CM Birnie reported that he has had 5 responses to the RFQ. It is now closed and will be moving to the next stage and the members of the Participating Parties.

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

1. Resolution; To Lease, Purchase and/or Finance Caterpillar Equipment: DCM Crosby explained the resolution and when the lease agreement was signed.
   Moved by Commissioner Houck, seconded by Commissioner Messner to adopt resolution 2017-14; A Resolution To Lease, Purchase and/or Finance Caterpillar Equipment. Motion carried unanimously.
2. Agreement; Federal Highway Administration; Cottonwood Pass Conduit Installation: DCM Crosby explained the agreement that is being drafted and that it is not ready. She reported that there will be inspectors on hand during the build to make sure everything is built per the plans. She is requested approval of the County Manager's signature once the agreement is finalized.
   Moved by Commissioner Houck, seconded by Commissioner Messner to approve the County Managers signature on the Agreement; Federal Highway Administration; Cottonwood Pass Conduit Installation once it is finalized. Motion carried unanimously.
3. Agreement; Century Link; Cottonwood Pass Conduit Installation: DCM Crosby explained the agreement that is being drafted and that it is not ready. She is requested approval of the County Manager's signature once the agreement is finalized. DCM Crosby explained that there would still be a gap for Century Link to fill from the Taylor Park Trading Post to the base of Cottonwood Pass.
   Moved by Commissioner Houck, seconded by Commissioner Messner to approve the County Managers signature on the Agreement; Century Link; Cottonwood Pass Conduit Installation once it is finalized. Motion carried unanimously.

Boundary Line Adjustment Request; Don Howell; Steuben Creek; SE 1/4 Section 15 and N1/2 Section 22, Township 49 North, Range 2 West, NMPM:
Assistant Community and Economic Development Director Neal Starkebaum was present for the discussion. He explained the boundary line adjustment and the history of the area with Mr. Howell.
Moved by Commissioner Houck, seconded by Commissioner Messner to approve the Boundary Line Adjustment Request; Don Howell; Steuben Creek; SE 1/4 Section 15 and N1/2 Section 22, Township 49 North, Range 2 West, NMPM. Motion carried unanimously**.**

Resolution; Approving Land Use Change Permit No. LUC-2016-00027 A Land Use Change Permit for Dawn Delany Nine Mile Ranches Subdivision E1/2SE1/4 Section 22, Township 48 North, Range 2 West, N.M.P.M:
Assistant Community and Economic Development Director Neal Starkebaum was present for the discussion. He explained the location of the property.
Moved by Commissioner Houck, seconded by Commissioner Messner to adopt resolution 2017-15; A Resolution Approving Land Use Change Permit No. LUC-2016-00027 A Land Use Change Permit for Dawn Delany Nine Mile Ranches Subdivision E1/2SE1/4 Section 22, Township 48 North, Range 2 West, N.M.P.M. Motion carried unanimously**.**

Resolution; Approving Land Use Change Permit No. LUC-2016-00034 A Land Use Change Permit for Homestead Cabin LLC Starlight Subdivision NE1/4SW1/4 Section 26, Township 13 South, Range 86 West, 6th P.M.:
Assistant Community and Economic Development Director Neal Starkebaum was present for the discussion. He explained the subdivision application and the recommendation from the Planning Commission.
Moved by Commissioner Houck, seconded by Commissioner Messner to adopt resolution 2017-16; A Resolution Approving Land Use Change Permit No. LUC-2016-00034 A Land Use Change Permit for Homestead Cabin LLC Starlight Subdivision NE1/4SW1/4 Section 26, Township 13 South, Range 86 West, 6th P.M. Motion carried unanimously**.**

Quit Claim Deed; Estate of Edward Allan Shotwell, Donation of Lot 30, Marble Ski Area Filling No. 3:
County Attorney David Baumgarten was present for the discussion and explained the circumstances with the property and why it was being donated to Gunnison County.
Moved by Commissioner Houck, seconded by Commissioner Messner to accept the Quit Claim Deed; Estate of Edward Allan Shotwell, Donation of Lot 30, Marble Ski Area Filling No. 3. Motion carried unanimously**.**

Resolution; To Establish Gunnison County Policy Format, Review Timeframes, and Adopting/Revision/Rescission Procedures:
Assistant to the County Manager Katherine Haase was present for the discussion. CM Birnie explained why this resolution was created and the need to organize the County's policies and have a consistent format. Commissioner Messner asked if this format will only be using going forward or if older policies will be

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retrofitted. Assistant to the County Manager Haase explained it will be used going forward although many of the older policies will need to be changed and updated so when that happens that will be placed into this format.
Moved by Commissioner Houck, seconded by Commissioner Messner to adopt resolution 2017-17; A Resolution To Establish Gunnison County Policy Format, Review Timeframes, and Adopting/Revision/Rescission Procedures. Motion carried unanimously**.**

Resolution; Adopting Gunnison County Travel Policy and Rescinding All Previous Travel-Related Policies:
Assistant to the County Manager Katherine Haase was present for the discussion. CM Birnie explained the changes from the previous travel policy that was in place.
Moved by Commissioner Messner, seconded by Commissioner Houck to adopt resolution 2017-18; A Resolution Adopting Gunnison County Travel Policy and Rescinding All Previous Travel-Related Policies. Motion carried unanimously**.**

BREAK: The meeting recessed at 9:15am for a short break. The meeting resumed at 9:20am.

Draft Gunnison County Strategic Plan:
CM Birnie discussed the changes to the plan since the work session. He explained the change to the affordable housing goal date to 2021 based on the current timelines indicated by the responses to the Brush Creek RFQ. Discussion amongst the Board about the plan ensued. CM also reported that he has changed John Cattles position title to Sustainable Operations Director.
Moved by Commissioner Messner, seconded by Commissioner Houck to adopt the Gunnison County Strategic Plan. Motion carried unanimously**.**

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

COMMISSIONER ITEMS:

Commissioner Messner:
1. IceLab: Commissioner Messner discussed the Accelerator program at the ICELab at Western State Colorado University. It is planned to start in August and they would like to come to the Board and present at an upcoming work session regarding funding.
2. Club 20: Commissioner Messner asked the Board would like to talk about Club 20 and its efforts to encourage the move of the Bureau of Land Management national office to Grand Junction on a future work session. Discussion ensued about the concept.
3. PILT/SRS Bill Support: Commissioner Messner asked how the Board would like to support this.
4. Gunnison Valley Regional Housing Authority: Commissioner Messner reported that Skype Interviews have been completed for the Director search. Two of the individuals have been invited for in person interviews. He explained the candidates and their qualifications. There will be a reception to meet the finalists on April 11th.

Commissioner Houck:
1. Bureau of Land Management: Commissioner Houck reported Gunnison Trials will be putting in their proposal for the Signal Peak trail improvement. It was asked if Gunnison County would like to be a cooperating agency.
2. Forest Service: Commissioner Houck discussed the upcoming changes in staff at the Gunnison office and his conversations with the regional office decisions that will be made on local issues.
3. Colorado Public Radio: Commissioner Houck reported that he will be on Colorado Public Radio to give feedback on coal recovery in the County for the Colorado Matters program.
4. CCI Survey: Commissioner Houck discussed a survey he received about jail overcrowding.

Commissioner Chamberland:
1. Health and Human Services: Chairperson Chamberland reported he attended the small block grant meeting and discussed the criteria for receiving the grant.
2. Region 10: Chairperson Chamberland reported on phase one of the broadband project and the money available in the business revolving loan fund.
3. Early Childhood Council: Chairperson Chamberland reported that he attended the ECC meeting. He discussed the strategic plan that the ECC has developed.

ADJOURN: **Moved** by Commissioner Houck to adjourn the regular meeting. The meeting adjourned at 10:28 am.

_____
Phil Chamberland, Chairperson

_____
Jonathan Houck, Vice-Chairperson

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_____
John Messner, Commissioner

Minutes Prepared By:

_____
Josh Ost, 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: 2017-13

A RESOLUTION RATIFYING AND REAFFIRMING PREVIOUS VACATION RESOLUTIONS WITHIN THE 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 alleys and roads lying within the County of Gunnison; and

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

WHEREAS, on September 6, 1974, pursuant to Colo. Rev. Stat. §139-19-101, *et seq.*, the Colorado Secretary of State determined that the town of Ohio City was an abandoned town and Gunnison County acquired all the real property owned by the town including the roads and alleys; and

WHEREAS, that Colorado Secretary of State determination is titled: *Findings of Fact and Determination* which was recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 23, 1974 in Book 476 at page 234, bearing Reception No: 302811; and

WHEREAS, prior to September 6, 1974 certain roads and alleys within Ohio City were vacated by the Board by the following resolutions:

1. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on February 3, 1965 in Book 378 at page 378, bearing Reception No: 262169; and

2. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 20, 1966 in Book 392 at page 22, bearing Reception No: 269013; and

WHEREAS, on November 14, 1980, pursuant to Colo. Rev. Stat. §31-3-201, *et seq.*, the Colorado Secretary of State determined that the town of Tincup was an abandoned town and Gunnison County acquired all the real property owned by the town including the roads and alleys; and

WHEREAS, that Colorado Secretary of State determination is titled: *Findings of Fact, Conclusions, and Determination* which was recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on November 24, 1980 in Book 559 at page 263, bearing Reception No: 355300; and

WHEREAS, prior to November 14, 1980 certain roads and alleys within Tincup were vacated by the Board by the following resolutions:

1. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 5, 1957 in Book 330 at page 389, bearing Reception No: 235884; and

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2. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 27, 1958 in Book 337 at page 234, bearing Reception No: 239763; and

3. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 27, 1958 in Book 337 at page 236, bearing Reception No: 239764; and

4. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on November 10, 1958 in Book 337 at page 320, bearing Reception No: 239876; and

5. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 26, 1960 in Book 348 at page 138, bearing Reception No: 246356; and

6. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on August 28, 1961 in Book 355 at page 94, bearing Reception No: 249289; and

WHEREAS, the Board would like to ratify and reaffirm the above referenced resolutions;

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

A. The following resolutions for vacations within Ohio City shall be and hereby are ratified, reaffirmed and effective nunc pro tunc September 6, 1974:

1. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on February 3, 1965 in Book 378 at page 378, bearing Reception No: 262169; and

2. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 20, 1966 in Book 392 at page 22, bearing Reception No: 269013; and

B. The resolutions for vacations within Tincup shall be and hereby are ratified, reaffirmed and effective nunc pro tunc November 14, 1980:

1. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on September 5, 1957 in Book 330 at page 389, bearing Reception No: 235884; and

2. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 27, 1958 in Book 337 at page 234, bearing Reception No: 239763; and

3. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 27, 1958 in Book 337 at page 236, bearing Reception No: 239764; and

4. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on November 10, 1958 in Book 337 at page 320, bearing Reception No: 239876; and

5. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on October 26, 1960 in Book 348 at page 138, bearing Reception No: 246356; and

6. A Resolution recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado on August 28, 1961 in Book 355 at page 94, bearing Reception No: 249289.

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and passed on this 4th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

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BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY

RESOLUTION NO. 2017-14

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

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 Gunnison County, 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 that certain Sales Agreement, dated August 26, 2016 (the "Agreement") with Caterpillar; and

WHEREAS, a copy of the Agreement has been presented to the Board at this April 4, 2017 meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, 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, is 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 change 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 Messner, and passed on this 4th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY

RESOLUTION NO. 17-15

A RESOLUTION APPROVING LAND USE CHANGE PERMIT NO. LUC-2016-00027
A LAND USE CHANGE PERMIT FOR DAWN DELANY
NINE MILE RANCHES SUBDIVISION
E1/2SE1/4 SECTION 22, TOWNSHIP 48 NORTH, RANGE 2 WEST, N.M.P.M.

WHEREAS, Dawn Delany, represented by Rose Foli, submitted a land use change application for the subdivision of 38-acres into three single-family lots: Lot 1, 9.7-acres (with existing residence); Lot 2, 13-acres; Lot 3, 13.6-acres. The new residences will be served by well and septic. Access will be from Highway 149. No covenants are proposed; and

WHEREAS, after a review of the information, documentation and substantial public testimony related to it, the Gunnison County Planning Commission did, after a joint public hearing on January 6, 2017 unanimously approve a Recommendation to the Board of County Commissioners, with certain Findings and Conditions:

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FINDINGS:

1. The Planning Commission has classified the application as a Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units*.

2. The land use change complies with all applicable requirements of the *Gunnison County Land Use Resolution* and *Section 6-10: Standards of Approval for Minor Impact Projects*.

3. The Commission finds that the proposed three-lot residential subdivision is compatible with existing development in the neighborhood and will result in no significant net adverse impacts to the neighborhood.

4. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

CONDITIONS:

1. This permit is limited to activities described within the "Project Summary" of this application, and as depicted on the Site Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.

2. The applicant shall comply with the following conditions for the protection of Gunnison Sage-grouse and Sage-grouse habitat:

    1) Due to the proximity of Tier 1 Habitat, a Gunnison County Reclamation Permit will be required for any site disturbing activities on the proposed parcels. That permit should contain specific reclamation conditions. Disturbed areas need to be reseeded with an approved seed mix. CPW and/or NRCS are available to help identify an appropriate seed mix.

    2) For activities not requiring a Reclamation Permit, disturbed areas should be reseeded with an appropriate seed mix. Colorado Parks and Wildlife (CPW) and/or the Natural Resources Conservation Service (NRCS) are available to help identify an appropriate seed mix.

    3) Woven wire fencing will not be allowed for perimeter fencing or as interior cross fencing. Perimeter and cross fencing must be built using specifications from the most recent edition of the Colorado Parks and Wildlife (CPW) publication *Fencing with Wildlife in Mind.*

    4) Property owners must control or attempt to eradicate any noxious weeds that occur on the property. A list of noxious weeds may be found in the Colorado Noxious Weed list: www.colorado.gov/pacific/agconservation/noxious-weed-species The Gunnison County Weed Management Program should be contacted (970- 641-4393) for additional information and technical assistance.

    5) Per Section 11-106 G.3.d.1. of the *Gunnison County Land Use Resolution,* dogs and cats must be kept under appropriate control, by means which may include kenneling or other physically secure methods to ensure that negative effects to wildlife from pets do not occur. This includes construction workers' pets.

3. A mylar subdivision plat, in compliance with Section 6-105, *Gunnison County Land Use Resolution*, shall be provided to the Community Development Department, for signature by the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder.

4. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.

5. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.

6. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.

7. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such

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future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. 2016-00027, Dawn Delany, Nine Mile Ranches Subdivision, is approved as a Minor Impact Project, subject to each and all conditions of the Planning Commission Recommendation, as identified above.

THIS APPROVAL is effected noting that decision documentation includes, but is not limited to, the application and the entire Community Development Department Land Use Change Permit application file relative to this application. This approval is founded on each individual finding and requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and passed on this 4th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY

RESOLUTION NO. 17-16

A RESOLUTION APPROVING LAND USE CHANGE PERMIT NO. LUC-2016-00034
A LAND USE CHANGE PERMIT FOR HOMESTEAD CABIN LLC
STARLIGHT SUBDIVISION
NE1/4SW1/4 SECTION 26, TOWNSHIP 13 SOUTH, RANGE 86 WEST, 6TH P.M

WHEREAS, Homestead Cabin, LLC, represented by Kristine Kapushion, submitted a land use change application for the subdivision of 38-acres into two single-family lots; one of three-acres (Lot 1) and one of 35-acres (with exiting residence – Lot 2)). The Mt. Crested Butte Water and Sanitation District will provide water and sewer to Lot 1 and pursuant to a previous agreement with the Town of Mt. Crested Butte, access to Lot 1 will be via Big Sky Drive, within the Pitchfork development. Access to an existing residence on Lot 2 is from an existing driveway on Washington Gulch Road (CR 811).

The applicant has submitted protective covenants, titled Declaration of Protective Covenants of Starlight Subdivision (Covenants) and which identify specific design standards and limitations. A residence is limited to a maximum of 5,000 square feet and an aggregate square footage of all structures is limited to 7,500 square feet. A second residence is only allowed on Lot 2. The applicant has waived further development rights, eliminating further subdivision of the property; and

WHEREAS, after a review of the information, documentation and substantial public testimony related to it, the Gunnison County Planning Commission did, after joint public hearings, on February 17, 2017 unanimously approve a Recommendation to the Board of County Commissioners, with certain Findings and Conditions:

FINDINGS:

5. The Planning Commission has classified the application as a Minor Impact Project, based upon the impact classification found in *Section 6-102: Projects Classified as Minor Impact Projects A. 2-4 Units*.

6. The land use change complies with all applicable requirements of the *Gunnison County Land Use Resolution* and *Section 6-10: Standards of Approval for Minor Impact Projects*.

7. The subdivision plat was reviewed and approved by the County Attorney's office, as to form and content.

8. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

CONDITIONS:

8. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the Site Plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution*.

9. A mylar subdivision plat, in compliance with Section 6-105, *Gunnison County Land Use Resolution*, shall be provided to the Community Development Department, for signature by the Board of County Commissioners. Approval shall not be effective until and unless the plat is recorded with the Office of the Gunnison County Clerk and Recorder.

10. The approval shall be memorialized by Board Resolution. Approval shall not be effective until the Resolution is recorded with the Office of the Gunnison County Clerk and Recorder.

11. The *Declaration of Protective Covenants of Starlight Subdivision* shall be recorded contemporaneously with the Plat.

12. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.

13. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.

14. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that Land Use Change Permit No. 2016-00034, Homestead Cabin LLC, Starlight Subdivision, is approved as a Minor Impact Project, subject to each and all conditions of the Planning Commission Recommendation, as identified above.

THIS APPROVAL is effected noting that decision documentation includes, but is not limited to, the application and the entire Community Development Department Land Use Change Permit application file relative to this application. This approval is founded on each individual finding and requirement. Should the applicant successfully challenge any such finding or requirement, this approval is null and void.

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

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and passed on this 4th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY

RESOLUTION NO. 2017-17

A RESOLUTION TO ESTABLISH GUNNISON COUNTY POLICY FORMAT, REVIEW TIMEFRAMES, AND ADOPTION/REVISION/RESCISSION PROCEDURES

WHEREAS, Gunnison County wishes to establish a uniform policy format and an adoption and periodic review process to promote consistency and uniformity throughout the organization; and

WHEREAS, Gunnison County's current policy documents are in many forms and formats, including policies, resolutions, ordinances, policy statements, position/support statements, guidelines, and unformatted policies created via the adoption of meeting minutes; and

WHEREAS, Gunnison County currently lacks a unified, correct and complete policy document appropriate for staff and public reference; and

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WHEREAS, the proposed policy template and policy-numbering system have been presented to and reviewed by the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that the following procedures will be applied to all Gunnison County policies:

1. APPLICABILITY
    a. A Gunnison County policy incorporates the written description of a direction set forth by the Board of County Commissioners (BOCC) to inform the public and guide actions taken by departments and offices in the County organization.
    b. Policies may be administrative or regulatory.
        i. Administrative policies establish powers, responsibilities, and/or rules for County employees and appointed board members.
        ii. Regulatory policies establish rules or orders having the force of law.
    c. A policy shall be established when:
        i. Directed by the BOCC; or
        ii. Required in accordance with state or federal law; or
        iii. Requested by an elected official or department director, and approved by the BOCC.

2. STANDARDS
    a. All new policies shall be adopted by the BOCC during a regular/special meeting.
    b. All policies, excluding ordinances, may be revised administratively only for format modifications, corrections to reflect organizational changes, or similar non-material changes without BOCC review and approval. All policy rescissions must be approved by the BOCC.
    c. All adopted policies shall be referenced in the electronic Gunnison County Policy Manual on the County's website.

3. FORMAT
    a. The format outlined in Exhibit A shall be used for all adopted Gunnison County policies. Should this format be changed at any time in the future, the County Manager's office will communicate the changes and the new format to each department.
    b. The County Manager must approve any exceptions to the format outlined in Exhibit A. However, any policies kept under separate cover in a format that deviates from that outlined in Exhibit A, such as the Gunnison County Employee Policies and the Gunnison County Land Use Resolution, shall still be referenced in the online Gunnison County Policy Manual.
    c. After adoption of a policy, the County Manager's office will assign the appropriate policy number following the numbering format outlined in Exhibit B. Should this format be changed at any time in the future to allow the addition/deletion of categories/policies, the County Manager's office will update Exhibit B and the appropriate section of the County's website.

4. PROCESS AND REPOSITORY
    a. <u>Adoption</u>:
    Prior to adoption by the BOCC, the policy custodian will prepare the adoption request memo, work with the County Attorney's Office to create the applicable adoption resolution, and work with the County Manager's Office to create the formatted copy of the proposed policy.
    b. <u>Revisions/Rescissions</u>:
    In the event that any established policy requires revision/rescission, the policy custodian shall contact the County Manager's office prior to drafting any modifications and/or reinitiating the above adoption process. If revisions/rescissions are warranted, the County Manager will decide whether or not the policy revisions/rescissions should be scheduled for approval/ratification by the BOCC in accordance with Section 2b above.
    c. <u>Repository</u>:
    The County Manager's office shall serve as the repository for all adopted Gunnison County policies. The County Manager's office will also ensure that all adopted Gunnison County policies are accessible to staff and the public on the County's website.

5. REVIEW FREQUENCY
    Each policy shall be assigned a custodian. Designated policy custodians will be responsible for reviewing any and all assigned policies to ensure accuracy and completeness according to the below established frequencies. Policy custodians will also be responsible for confirming that the required reviews have occurred by communicating this information to the County Manager's office.
    a. Policies that set fees or list specific contact information (i.e., name, phone, email) will be reviewed at least annually;

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b. All other policies, general in nature and not applicable to either of the above categories, will be reviewed at least every five (5) calendar years.

INTRODUCED by Commissioner Houck, seconded by Commissioner Messner, and passed on this 4th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY

RESOLUTION NO. 2017-18

A RESOLUTION ADOPTING GUNNISON COUNTY TRAVEL POLICY AND RESCINDING ALL PREVIOUS TRAVEL-RELATED POLICIES

WHEREAS, Gunnison County has established a uniform policy format and an adoption and periodic review process to promote consistency and uniformity throughout the organization; and

WHEREAS, Gunnison County currently has numerous travel policies, which include contradictory information; and

WHEREAS, the attached Travel Policy (Exhibit A) was created to reflect Gunnison County's current travel-related practices, which conform to Internal Revenue Service regulations.

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

1. The attached Travel Policy (Exhibit A) is adopted;
2. Section 10-8 of the Gunnison County, Colorado Personnel Policies, adopted October 5, 2010 and amended November 16, 2010, is changed, in its entirety and effective immediately, to simply reference the attached Travel Policy;
3. The following existing policies regarding official employee travel are hereby rescinded and deleted, effective immediately:
    a. Out-of-State Travel Memorandum, signed by the Board of County Commissioners and issued by the County Manager on May 4, 1999;
    b. Policy Statement No. 002, adopted by the Board of County Commissioners on February 23, 2000; and
    c. Any and all other official travel-related policy documents previously utilized by the organization.

INTRODUCED by Commissioner Messner, seconded by Commissioner Houck, and passed on this 4th day of April, 2017.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

Chamberland – yes; Houck – yes; Messner – yes.

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