

**GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING MINUTES  
June 26, 2012**

The June 26, 2012 meeting was held in the Commissioners' boardroom in the Courthouse located at 200 E. Virginia, Gunnison, Colorado. Present were:

Hap Channell, Chairperson	Matthew Birnie, County Manager
Paula Swenson, Vice-Chairperson	Katherine Haase, Clerk to the Board
Phil Chamberland, Commissioner	Others Present as Listed in Text
David Baumgarten, County Attorney	

**CALL TO ORDER:** Chairperson Channell called the meeting to order at 4:27 pm.

**CONSIDERATION OF STAGE 2 FIRE BAN; POSSIBLE ACTION:** Sheriff Rick Besecker, Undersheriff Randy Barnes, Emergency Manager Scott Morrill, Gunnison County Fire Protection District Chief Dennis Spritzer, Crested Butte Fire Protection District representative Rick Ems and Mt. Crested Butte Police Chief Hank Smith were present for discussion.

Mr. Ems explained that the fire concerns are evident, and that the Stage 2 ban was absolutely necessary in the County. Mr. Spritzer stated that conditions within the county are well below acceptable dryness levels, every bit as bad as 2002 and in some respects worse, and that recent fires have had erratic behaviors. Emergency Manager Morrill noted that fires are exploding quickly around the state.

The draft resolution was discussed and modifications were agreed upon. Chairperson Channell asked for an explanation for why gas grills would be allowed, yet charcoal grills would not. Mr. Spritzer explained that the difference is in relation to having a solid fuel source versus liquid or gas. Solid fuels can easily send sparks through the wind, while gas grills can be shut off. Mr. Smith asked if two-burner stoves could be specified since outlawing propane stoves could be bad for tourism, but Mr. Spritzer explained that the language was consistent with the Forest Service and the Bureau of Land Management (BLM). He also explained that consistency is important in order for public understanding.

Mr. Spritzer explained that no fireworks would be allowed in the northern part of the valley because it is too close in proximity to the forest lands. Fireworks will be allowed in Gunnison due to the location next to irrigated pasture land, the airport, asphalt surfaces and wetlands.

Mt. Crested Butte is expected to convene an emergency council meeting to adopt a resolution similar to the County's.

SG Interests representative Eric Sanford noted that the process calls for burning of gas, no solids. He asked that the flare stack be allowed at BLM or Colorado Oil and Gas Conservation Commission (COGCC) approved locations. County Attorney Baumgarten confirmed that the draft had been reviewed by COGCC Director Thom Kerr. Mr. Sanford stated that a drill rig will be coming within a month and that flaring can occur, but it's not planned. He also confirmed that safety equipment and water are on site, so they should not have any problems complying with the specifics. County Attorney Baumgarten stated that he also sent the draft language to Gunnison Energy Corporation President Brad Robinson.

**Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adopt Resolution #2012-18, a Resolution Implementing Stage 2 Fire Restrictions, as amended, and authorize signatures. Motion carried unanimously.

**ADJOURN:** **Moved** by Commissioner Swenson, seconded by Commissioner Chamberland to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 4:45 pm.

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Hap Channell, Chairperson

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Paula Swenson, Vice-Chairperson

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Phil Chamberland, Commissioner

Minutes Prepared By:

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Katherine Haase, Deputy County Clerk

Attest:

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Stella Dominguez, County Clerk

## GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

### BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, COLORADO RESOLUTION NO. 2012-18

#### A RESOLUTION IMPLEMENTING STAGE 2 FIRE RESTRICTIONS

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado previously has adopted Ordinance No. 8 a., An Ordinance Establishing a Permanent Process to Periodically Ban Open Fires Within the Unincorporated Areas of Gunnison County, Colorado, ("Ordinance No. 8 a."); and has adopted Ordinance No. 14, An Ordinance Amending Ordinance No. 8 Establishing A Permanent Process To Periodically Ban Open Fires Within the Unincorporated Areas Of Gunnison County, Colorado, ("Ordinance No. 14"); and

WHEREAS, pursuant to Ordinance No. 8 a. and Ordinance No. 14, the Board of County Commissioners of the County of Gunnison, Colorado has power at any meeting, by resolution, to ban open fires to a degree and in a manner that the Board deems necessary to reduce the danger of wildfires within those portions of the unincorporated areas of Gunnison County where the danger of forest or grass fires is found to be high based on competent evidence; and

WHEREAS, the Board of County Commissioners of the County of Gunnison, Colorado, has determined that currently the danger of forest or grass fires in all of unincorporated Gunnison County is high at this time and fire restrictions are necessary and appropriate in all unincorporated Gunnison County to reduce the danger of wildfires in Gunnison County.

NOW, THEREFORE, it is resolved that as of June 28, 2012 at 12:01 a.m., Stage Two fire restrictions will be in place in all of unincorporated Gunnison County, until further notice, prohibiting:

1. Open burning, the use of fireworks, open wood fires, charcoal grills, the burning of trash or debris, or agricultural burning.
2. Building, maintaining, attending or using a campfire of any kind.
3. Smoking unless in an enclosed vehicle, trailer, or building.
4. Fireworks, including all incendiary devices on public and private land.
5. Operating a chainsaw without an approved spark arrester and without a chemical pressurized fire extinguisher of not less than eight ounces capacity by weight, and one size 0 or larger pointed shovel with an overall length of at least 36 inches. The extinguisher shall be with the power saw operator. Operation of chainsaws is prohibited during Red Flag Warnings.
6. Operation of any internal combustion engine without an approved spark arrester.
7. Welding or operating an acetylene or other torch with an open flame except in an area that is barren or cleared of all flammable materials at least 10 feet on all sides from the equipment. Welding or operation of any type of torch is prohibited during Red Flag Warning days.
8. EXCEPT THAT the following activity is permitted: cooking on manufactured pressurized liquid fueled stoves or appliances with on/off switch or valve.
9. AND EXCEPT THAT the Rotary Club of Gunnison 4<sup>th</sup> of July fireworks display shall be allowed unless further restricted by the Board.

IN ADDITION TO THE ABOVE PROHIBITIONS, all oil and gas pipeline construction, access road construction and maintenance, drilling, completion, work over, testing and maintenance operations shall comply with the following additional requirements:

- a. All field personnel will carry an adequate radio or cell phone along with emergency contact numbers and information, including local and BLM Fire Dispatch. All fires will be reported to local and BLM Fire Dispatch immediately
- b. Vehicles and equipment shall not block access roads.
- c. Operators will inform Gunnison County Emergency Management Coordinator (at 970-641-2481) of the location and duration (start date, end date, work hours) of active work sites (oil and gas pipeline construction, access road construction and maintenance, drilling, completion, work over, and testing) at least 24 hours before commencing activities. After hours, contact Gunnison County fire dispatch (970) 641-8000.
- d. Smoking is prohibited except inside an enclosed building, trailer or vehicle.
- e. Using machinery that may cause ignition (e.g., welding, pipefitting, metal grinding, rock striking, explosives, etc.) or operating an acetylene or other torch with open flame is

prohibited on Red Flag Warning days, and when allowed, is only permitted under the following conditions:

- 20 lb. fire extinguisher is present at all times.
  - A ten (10) foot diameter area is cleared of all surface vegetation, scraped to bare mineral soil, prior to welding or grinding.
  - Cut vegetation is scattered well outside the cleared area, not piled
  - Five gallons of water is available on site.
  - A watch person patrols the site for one hour following cessation of welding operations.
  - Operations will be suspended if winds carry sparks beyond the cleared area.
- f. Every internal combustion engine, shall be equipped with a 2.5 pound (or larger) class ABC chemical fire extinguisher.
- g. Each vehicle used on operations will carry at least one shovel and five gallons of water.
- h. The operator will assure that all workers are aware of fire prevention and safety procedures; evacuation routes and procedures; the designated safe meeting place; and emergency shutdown procedures. The operator will have a roster of all persons on location in the event of an evacuation.
- i. Building, maintaining, attending or using a fire, campfire, coal or wood burning stove or any type of charcoal-fueled broiler or open fire of any type is prohibited.
- j. The operator is required to contain all flaring operations by using either self-contained equipment or a flare stack that is located at a Bureau of Land Management or Colorado Oil and Gas Conservation Commission approved location, with no less than twenty-four hours prior notice to Gunnison County. Flaring operations over an open pit may not be done without prior approval of Gunnison County. All flaring operations must be continuously monitored by onsite personnel.

This Resolution has immediate effect upon its passage by the Board of Commissioners without further action necessary.

BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF GUNNISON, COLORADO

Chamberland – yes; Channell – yes; Swenson – yes.