AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Draft BOCC Meeting Minutes; 7/31/2018

Action Requested:

Parties to the Agreement:

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

Summary:

The draft 7/31/2018 minutes are attached for consideration.

Fiscal Impact:

Submitted by: Liz Mense **Submitter's Email Address:** EMense@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:

Reveiwed by: GUNCOUNTY1\mhoyt Discharge Date: 8/2/2018 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 8/2/2018

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

Agenda Date: 8/7/2018

Revised April 2015

GUNNISON COUNTY BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING MINUTES
July 31, 2018

The July 31, 2018 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 (VIA PHONE)
Matthew Birnie, County Manager
Elizabeth Mense, Deputy County Clerk
Others Present as Listed in Text

CALL TO ORDER: Chairperson Chamberland called the meeting to order at 3:58 PM.

Discussion of and Possible Action regarding Fire Restriction Modification in areas of Gunnison County adjacent to the White River National Forest:
Present were County Attorney David Baumgarten, Deputy County Attorney Matt Hoyt, Sheriff Rick Besecker, Emergency Manager Scott Morrill, and Deputy County Manager Marlene Crosby. CM Birnie explained the options recommended by staff for fire restrictions in the Marble area. The two suggestions provided by staff were discussed amongst the Board which included using latitude and longitude coordinates or a map drafted by staff that determines fire ban boundaries. County Attorney Baumgarten explained the options further and reiterated that Gunnison County does not have jurisdiction in the town of Marble. County Attorney recommended that the restriction be defined by a map and not latitude and longitude coordinates for ease of citizen knowledge and understanding. The Board inquired as to whether it would be ideal to reinstate restrictions on the County. CM Birnie and EM Morrill explained the current restrictions in effect in the surrounding areas. Sheriff Besicker reported on the recent wildfire council meetings that prompted Gunnison County to lift all restrictions. The Board discussed the possibility of certain areas that may require various levels of restriction. EM Morrill explained how the U.S. Forest Service makes their decision regarding fire restriction levels. Commissioner Messner, who was participating by phone, lost service at 4:09 PM. Discussion ensued on where the boundary should be. CM Birnie stated his concern with changing the level of restriction so rapidly which could result in confusion for the public. Commissioner Messner rejoined the meeting via phone at 4:16 PM. Commissioner Messner lost service at 4:21 PM and was dropped from call. He did not participate in the motion to adopt this resolution.
Moved by Commissioner Chamberland, seconded by Commissioner Houck to adopt resolution 2018-26; A Resolution Implementing Stage 2 Fire Restrictions in the Crystal River Valley and the Valley of the North Fork of the Gunnison River. Motion carried.

ADJOURN: **Moved** by Commissioner Houck to adjourn the meeting. The meeting adjourned at 4:22 PM.

_____
Phil Chamberland, Chairperson

_____
Jonathan Houck, Vice-Chairperson

_____
John Messner, Commissioner

Minutes Prepared By:

_____
Elizabeth Mense, Deputy County Clerk

Attest:

_____
Kathy Simillion, County Clerk

DRAFT

GUNNISON COUNTY BOARD OF COMMISSIONERS TEXT INCLUSION INTO MINUTES

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON, COLORADO
RESOLUTION NO. 2018-26

A RESOLUTION IMPLEMENTING STAGE 2 FIRE RESTRICTIONS

WHEREAS, the Board of County Commissioners 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 Gunnison County 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 Gunnison County, Colorado, has determined that currently the danger of forest or grass fires in the Crystal River Valley, the town sites of Crystal and Schofield, all portions of the White River National Forest that lie within Gunnison County, and all portions of unincorporated county in the valley of the North Fork of the Gunnison River, is high at this time and fire restrictions are necessary and appropriate in the Crystal River Valley, including the town sites of Crystal and Schofield, all portions of the White River National Forest that lie within Gunnison County, and all portions of unincorporated county in the valley of the North Fork of the Gunnison River, to reduce the danger of wildfires in Gunnison County.

NOW, THEREFORE, it is resolved that as of 4:21 PM July 31, 2018, Stage 2 fire restrictions, as defined as follows will be in place in the Crystal River Valley, including the town sites of Crystal and Schofield, all portions of the White River National Forest that lie within Gunnison County, and all portions of unincorporated county in the valley of the North Fork of the Gunnison River, until further notice.

The following are prohibited:

1. Building, maintaining, attending or using a fire, campfire, or stove fire. This includes charcoal grills and barbecues, coal and wood burning stoves and sheepherder's stoves and includes use in developed camping and picnic grounds.

EXCEPT: Devices using pressurized liquid or gas (stoves, grills or lanterns) that include shut-off valves are permitted when used in an area at least three feet or more from flammable material such as grasses or pine needles.

2. Smoking.

EXCEPT: Within enclosed vehicle, trailer or building.

3. Welding or operating acetylene or other torch with open flame.

4. Operating or using any internal combustion engine (e.g. chainsaw, generator, ATV) without a spark arresting device properly installed, maintained and in effective working order meeting either:

   (a) Department of Agriculture, Forest Service Standard 5100-1a; or

   (b) Appropriate Society of automotive Engineers (SAE) recommended practice J335(b) and J350(a).

5. Operating a chainsaw without an approved spark arresting device as described in Prohibition #4, a chemical pressurized fire extinguisher (8 oz. capacity by weight or larger and kept with the operator) and a round point shovel with an overall length of at least 35 inches readily available for use.

6. Using an explosive. This includes but is not limited to fuses or blasting caps, fireworks, rockets, exploding targets, and tracers or incendiary.

7. Possessing or using a motor vehicle off established roads, motorized trails or established parking areas, except when parking in an area devoid or vegetation within 10 feet of the vehicle.

EXEMPTIONS:

1. Persons with a valid Forest Service permit or contract specifically authorizing the otherwise prohibited act or omission may be eligible for an exemption from Prohibitions #1, #3, #4, #5, #6 and #7. Any exemption must be applied for in writing, include an appropriate mitigation plan and must be authorized in writing by the appropriate Forest Service official. The authorization must be in the physical possession of the person or persons undertaking the exempted activities.

2. Any Federal, State or local officer or member of an organized rescue or firefighting force in the performance of an official duty is exempt from Prohibitions #1, #3, #5, #6 and #7.

3. Residents, owners or lessees within the restricted area are exempt from Prohibition #1, provided such fires are within a permanent dwelling and there is a spark arrestor in working order on the chimney.

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

INTRODUCED by Commissioner Chamberland, seconded by Commissioner Houck, and adopted this 31st day of July, 2018.

BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO

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

DRAFT