

HILLS, SOMERSET AND NORTH GUNNISON DIVISIONS OF THE GUNNISON COUNTY SEWER & WATER DISTRICT: Senior Accountant Kelly Weak was present to answer any questions the Board might have regarding this item. Chairperson Houck asked SA Kelly Weak to validate that these were the delinquent taxes on water and sewer, and were continuing to be delinquent at the time of the meeting. SA Weak affirmed this was the case, and that before attempting to collect on these delinquent taxes, action by the Board was needed to certify the list that was presented to the Board.

With no further questions from the Board, it was **moved** by Chairperson Houck, seconded by Commissioner Smith to certify the delinquent taxes and authorize County Treasurer Debbie Dunbar to begin collecting those taxes pursuant to C.R.S. 30-20-420, for those delinquent accounts noted in the memo presented before the Board that day. Motion carried unanimously.

ADJOURN: **Moved** by Chairperson Houck, seconded by Commissioner Mason to adjourn the meeting. Motion carried unanimously. The Gunnison County Board of County Commissioners Special Meeting adjourned at 12:22 pm.

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 GUNNISON COUNTY
RESOLUTION NO. 21-16**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY, COLORADO
PERTAINING TO OPEN FIRE BANS AND THE IMPOSITION OF
FIRE RESTRICTION STAGES AND EXEMPTIONS

WHEREAS, the Board of County Commissioners of Gunnison County ("Board"), pursuant to C.R.S. §§ 30-11-101(2) and 30-15-401, et seq. has the general enabling power to adopt ordinances, resolutions, rules and other regulations as may be necessary for the control or licensing of those matters of purely local concern, and to do all acts which may be necessary or expedient to promote the health and welfare of the citizens and residents of Gunnison County ("County"); and

WHEREAS, the Board may adopt ordinances to ban open fires and impose fire restriction stages within those portions of the unincorporated areas of the County where the danger of forest or grass fires is found to be high, pursuant to C.R.S. § 30-15-401(1)(n.5); and

WHEREAS, the Board is authorized to prohibit the sale, use, and possession of fireworks, including permissible fireworks, within those portions of the unincorporated areas of the County, pursuant to C.R.S. § 30-15-401(1)(n.7); and

WHEREAS, the Board acknowledges that from time-to-time fire conditions resulting from extended hot, dry and windy weather in the area make it prudent to impose restrictions on fires, burning and sale, use

and possession of fireworks in order to reduce the danger of wildfire in the unincorporated areas of the County; and

WHEREAS, the Board specifically finds that in certain high fire-danger conditions such restrictions are in the best interests of the citizens and residents of the County in order to preserve the health, safety and welfare of the citizens and residents; and

WHEREAS, the Gunnison County Sheriff ("Sheriff") is authorized pursuant to C.R.S. §§ 30-10-512 and 30-10-513, to act as fire warden of the County and is responsible for coordination of fire suppression efforts in case of prairie, forest or wildland fires or wildfires occurring in unincorporated areas of the County outside the boundaries of a fire protection district or that exceeds the capabilities of the fire protection district to control; and

WHEREAS, the Board believes that the Sheriff, as fire warden, is the appropriate person, using his or her expertise and discretion along with established fire restriction evaluation guidelines, and in collaboration with local Fire Chiefs, State and Federal land management agencies, State and Federal fire suppression authorities, to determine whether a restriction of open fires, open burning and use of fireworks should be implemented or elevated in times of extreme fire danger or suspended during times of decreased fire danger;

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

1. The Sheriff or his or her designee shall have the authority, in collaboration with local Fire Chiefs, State and Federal land management agencies, and State and Federal fire suppression authorities to declare Stage I or Stage II Restrictions regarding open fire, open burning or the sale, use or possession of fireworks, whenever the danger of forest or grass fires is found to be high and without the need for further proceedings, ordinance or resolution ("Restrictions"). The Sheriff or his or her designee shall also have the authority to rescind or modify, in whole or in part, Restrictions when he or she determines it is appropriate considering the current fire danger.
 - a. Stage I Restrictions shall allow the Sheriff to impose the following prohibitions:
 - i. Building, maintaining, attending or using a fire, campfire or stove fire, including but not limited to agricultural burning and the burning of trash or debris, except:
 1. building, maintaining, attending or using a fire in constructed, permanent fire pits or fire grates within developed recreation sites;
 2. fires fueled by gas, jellied petroleum, or pressurized liquid fuel; or
 3. fires burned in portable chimineas, fire pits and tiki torches located wholly on or within private property.
 - ii. Smoking, except:
 1. within an enclosed vehicle or building; or
 2. a developed recreation site or while stopped in an area at least three feet (3') in diameter that is barren or clear of all flammable materials.
 - iii. Restrictions or prohibitions on the sale, use and possession of fireworks pursuant to C.R.S. § 30-15-401(1)(n.7).
 - iv. Using explosives, including but not limited to fuses or blasting caps, model rockets, exploding targets, tracer bullets or incendiary rounds.
 - v. Welding or operating acetylene or other torch with open flame except in cleared areas of at least 10 feet (10') in diameter and in possession of a chemical pressurized fire extinguisher with a minimum rating of 2A.
 - vi. Operating or using internal or external combustion engine without a spark arresting device properly installed, maintained and in effective working order.
 - b. Stage II Restrictions shall allow the Sheriff to impose the following prohibitions:
 - i. Building, maintaining, attending or using a fire, campfire or stove fire, including but not limited to:
 1. agricultural burning and the burning of trash or debris;
 2. maintaining, attending or using a fire in constructed, permanent fire pits or fire grates within developed recreation sites;
 3. fires fueled by gas, jellied petroleum, or pressurized liquid fuel, except that devices using pressurized liquid fuel or gas (e.g., stoves, grills or lanterns) and shut-off valves are