

# ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

Timothy V. Corrigan  
District I

Douglas B. Monger  
District II

M. Elizabeth Melton  
District III

## Commissioners' Daily COVID-19 Agenda July 16, 2020

Times listed on the agenda are approximations and may be longer or shorter with no notice. Agendas are subject to change 24 hours before the meeting start time. To ensure you have the most up-to-date information, please check the agenda after 24 hours of its start time.

If you are joining the meeting for a specific item, please join 10 minutes before the item to ensure you are present for the beginning of the item.

**Please click the link below to join the webinar:**

<https://us02web.zoom.us/j/85106670945?pwd=UXZZSGx1Q01Mc0s2cklGVk13Qld5UT09>

Password: 522

Or Telephone:

Dial(for higher quality, dial a number based on your current location)

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099

Webinar ID: 851 0667 0945

Password: 522

*The Routt County Board of County Commissioners or Board of Health may enter executive session pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice related to specific legal questions concerning Routt County's COVID-19 response.*

- 1. 9:30 A.M. CALL TO ORDER**
- 2. 9:30 A.M. COUNTY MANAGER RECRUITMENT WORK SESSION**  
Presenter: Larry Gilley, Strategic Government Resources

*Executive session may be requested under C.R.S. Section 24-6-402(4)(f)(I)&(II) for discussion of a personnel matter and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees;*

**3. 10:30 A.M. APPROVE STAGE 1 FIRE RESTRICTIONS FOR UNINCORPORATED AND STATE LANDS WITHIN ROUTT COUNTY**

Consideration to approve and authorization of the Chair's signature on a Declaration enacting Stage 1 Fire Restrictions pursuant to Ordinance No. 2013-002

**Documents:**

[BCC AGENDA COMMUNICATION FORM RE FIRE RESTRICTIONS MO.PDF](#)  
[2020 FIRE RESTRICTION DECLARATION - STAGE 1- 07-16-20.PDF](#)  
[ROUTT COUNTY FIRE RESTRICTION PLAN - ORDINANCE 2013-2.PDF](#)

**4. 11:00 A.M. COVID-19 WORK SESSION**

The Commissioners will address critical items for regular county and emergency operations related to the COVID-19 pandemic. Action may be taken and direction to staff may be given in relation to any of these items.

**5. 12:00 P.M. MEETING ADJOURNED**

Please click the link below to join the webinar:

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# ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

## AGENDA COMMUNICATION FORM

<b>ITEM DATE:</b> July 16, 2020	<b>ITEM TIME:</b> 10:30 a.m.
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<b>FROM:</b>	David 'Mo' DeMorat, Emergency Operations Director
<b>TODAY'S DATE:</b>	July 14, 2020
<b>AGENDA TITLE:</b>	APPROVE STAGE 1 FIRE RESTRICTIONS FOR UNINCORPORATED AND STATE LANDS WITHIN ROUTT COUNTY

<b>CHECK ONE THAT APPLIES TO YOUR ITEM:</b>	
<input checked="" type="checkbox"/> <b>ACTION ITEM</b>	
<input type="checkbox"/> <b>DIRECTION</b>	
<input type="checkbox"/> <b>INFORMATION</b>	

<b>I. DESCRIBE THE REQUEST OR ISSUE:</b>
Consideration to approve and authorization of the Chair's signature on a Declaration enacting Stage 1 Fire Restrictions pursuant to Ordinance No. 2013-002

<b>II. RECOMMENDED ACTION:</b>
Consideration to approve and authorization of the Chair's signature on a Declaration enacting Stage 1 Fire Restrictions pursuant to Ordinance No. 2013-002

<b>III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):</b>
<b>PROPOSED REVENUE:</b> None
<b>PROPOSED EXPENDITURE:</b> None
<b>FUNDING SOURCE:</b> N/A

<b>IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):</b>
On July 14, 2020 the Northwest Colorado Fire Management Unit had a conference call with multi-county agency representatives to review current fire conditions and the need to move to Stage 1 Fire Restrictions. All Routt County agencies agreed that the criteria for Stage 1 Restrictions have been meant.

**ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS**  
**AGENDA COMMUNICATION FORM**

**V. BACKGROUND INFORMATION:**

After the 2012 wildland fire season it was apparent that Ordinance 99-1 did not recognize the authority of the District Fire Chiefs by Title 32 and Senate Bill 20 within their Fire Protection Districts.

Ordinance No. 2013-002 recognizes their authority in their Fire Protection District by allowing the District Chief to enforce fire restrictions on open burning during periods of high fire danger within their district and was adopted by the County Commissioners on April 2, 2013.

**VI. LEGAL ISSUES:**

None

**VII. CONFLICTS OR ENVIRONMENTAL ISSUES:**

None

**VIII. SUMMARY AND OTHER OPTIONS:**

The Medicine Bow-Routt National Forests & Thunder Basin National Grassland went into State 1 Fire Restrictions on July 3, 2020. Moffat and Rio Blanco counties entered Stage 1 fire restrictions July 14. Jackson County went in to Stage 1 fire restrictions last week. All other federal properties in neighboring counties are entering into Stage 1 fire restrictions consistent with the counties in which these federal lands reside.



THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ROUTT, COLORADO

## DECLARATION

Pursuant to Ordinance No. 2013-002, an ordinance to restrict fires in unincorporated portions of Routt County during periods of high fire danger, the Board of County Commissioners hereby declares a county-wide Stage One Fire Restriction. This declaration shall be effective at 8:00 a.m. on Friday, July 17, 2020, and will remain in force until rescinded.

The fire restriction applies to all private and state lands outside of municipal boundaries.

### STAGE ONE RESTRICTIONS:

The following acts are prohibited on all private and state owned lands outside of municipal boundaries. This does not affect federal lands within Routt County.

1. Building, maintaining, attending or using any fire to burn trash, debris, fence rows, irrigation ditches or vegetation, any campfire, warming fire, charcoal grill, except in designated campgrounds, picnic areas or developed recreational sites.
2. Smoking, except within an enclosed vehicle or building, a developed recreational site, or while stopped in an area of at least (3) feet in diameter that is barren or cleared of all flammable material.
3. Operating a chainsaw without a USDA or SAE approved spark arresting device (muffler) properly installed and in effective working order, and a chemical pressurized fire extinguisher of not less than eight (8) ounce capacity by weight, and one (1) round pointed shovel with an overall length of at least 36 inches. The extinguisher will be with the chainsaw operator. The shovel may be kept with the fueling supplies but readily available for quick use.
4. Welding or operating acetylene or other torch with open flame; except within an area that is barren or cleared of all flammable material at least 10 feet on all sides from the equipment.
5. Using explosives requiring fuses or blasting caps.

Exemptions from Stage One Restrictions:

1. Persons with a valid written permit which specifically authorizes the prohibited act: (a) from the fire protection district chief if subject land is within a fire protection district; (b) or Routt County Emergency Operations Director after consultation with the Routt County Sheriff if subject land is not within a fire protection district.
2. Any federal, state or local officer or member of an organized rescue or firefighting force in the performance of an actual duty.
3. Any fires contained within stoves, fireplaces within buildings, charcoal grill fires, recreational fires at private residences with valid permit from district chief, and permanent fire pits or fire grates in developed picnic grounds and campgrounds.
4. Burning of irrigation ditches located within and completely surrounded by irrigated farm lands where such burning is necessary for crop survival with proper permit from: (a) fire protection district chief if subject land is within a fire protection district; (b) or Routt County Emergency Operations Director after consultation with the Routt County Sheriff if subject land is not within a fire protection district.
5. Hot air balloon activities and the use of UL approved liquid-fueled or gas fueled "Camp Fire in a Can."
6. Campfires or bonfires required in religious ceremonies where a specific written permit has been granted in advance by: (a) the fire protection district chief if subject land is within a fire protection district; or (b) the Routt County Emergency Operations Director after consultation with the Routt County Sheriff if subject land is not within a fire protection district.

Fine Schedule and Penalty Assessment Procedure:

Any person who violates this order commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than six hundred dollars (\$600) for each separate offense. However, the following fine schedule shall apply:

First Offense	Not more than \$100
Second Offense	Not more than \$200
Third or Subsequent Offense	Maximum fine permitted by law – \$1,000 as of March 31, 2013

The penalty assessment procedure provided for in Section §16-2-201, C.R.S. may be followed by any law enforcement officer issuing a citation or making an arrest for a violation of this ordinance.

ORDERED this 16<sup>th</sup> day of July, 2020.

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ROUTT, COLORADO

By: \_\_\_\_\_  
Timothy V. Corrigan, Chair

ATTEST:

By: \_\_\_\_\_  
Kim Bonner, Clerk & Recorder

ORDINANCE NUMBER 2013-2

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ROUTT, COLORADO

AN ORDINANCE TO BAN OPEN FIRES IN UNINCORPORATED PORTIONS  
OF ROUTT COUNTY DURING PERIODS OF HIGH FIRE DANGER

WHEREAS, Section 30-15-401 (1)(n.5), Colorado Revised Statutes, authorizes the Board of County Commissioners of any county, by ordinance, to ban open fires in portions of the unincorporated areas of the county under certain circumstances; and

WHEREAS, Section 29-22.5-103(1)(a), Colorado Revised Statutes provides, "The chief of the fire department in each fire protection district in the state is responsible for the management of wildland fires that occur within the boundaries of his or her district and that are within the capability of the fire district to control or extinguish in accordance with the provisions of section 32-1-1002(3)(a), C.R.S."; and

WHEREAS, at certain times of some years under certain conditions there exists a high danger for forest or grass wildfires in some or all of the unincorporated portions of Routt County; and

WHEREAS, the Board of County Commissioners (the "Board") of Routt County finds that the health, safety and welfare of the residents of Routt County would be better protected if the Board has the ability to ban open fires in the unincorporated portions of Routt County during times in which a high danger of forest or grass wildfires exists; and

WHEREAS, the Board desires to establish mechanisms for determining when open fires should be banned pursuant to the Board's authority to do so and for notifying the public when such open fire bans have been declared; and

WHEREAS, the Board desires to establish a mechanism for the granting of exemptions from any fire ban in consultation with the fire chief of the fire protection district, if any, in which the fire subject to the exemption would occur; and

WHEREAS, the Board desires to provide for a penalty assessment procedure and a graduated fine schedule for violations of this ordinance providing for an open fire ban; now, therefore,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ROUTT, COLORADO AS FOLLOWS:

**Section 1. Process for Proposing Open Fire Ban.** From time to time and upon the request of the Routt County Emergency Manager in consultation with the fire protection district chiefs and the

Routt County Sheriff or upon the Board's own motion, the Board shall conduct a public hearing, upon notice as required by law, to determine if a high danger of forest or grass wildfires exists in all or a portion of the unincorporated portions of Routt County. At such hearing, the Board shall receive evidence concerning the existence of such danger, the portions of Routt County subject to it and whether the banning of open fires will reduce that danger. At such hearing, the Board shall take such actions and take into consideration such information as is specified in Section 30-15-401 (1)(n.5), Colorado Revised Statutes. Additionally, in assessing fire danger within Routt County and determining the appropriate restrictions, the Board shall employ, with the assistance of the Routt County Emergency Manager, the Routt County Fire Restriction Plan, a copy of which is attached hereto as Exhibit A.

**Section 2. Declaration of Open Fire Ban.** If, following such hearing, the Board determines that a high danger of forest or grass wildfire exists and that the banning of open fires will reduce that danger, the Board may declare, on the record, an open fire ban within the areas of Routt County which it finds subject to that danger. The Board shall also declare whether Stage One, Stage Two or Stage Three Restrictions, as defined in Exhibit A are to be imposed.

**Section 3. Activities Prohibited by Open Fire Ban.** Unless otherwise specified in the Board's declaration of an open fire ban, from and after the effective date of the declaration until the Board shall have modified or terminated such declaration, the restrictions for the stage determined to exist by the Board as set forth in Exhibit A shall be applicable in the portions of the unincorporated areas of Routt County which are subject to such ban.

**Section 4. Exemptions from Open Fire Ban.** The foregoing notwithstanding, the following persons and acts are exempt from the prohibition:

- a. Persons with a valid written permit which specifically authorizes the prohibited act: (a) from the fire protection district chief; or (b) Routt County Emergency Manager after consultation with the Routt County Sheriff.
- b. Any federal, state, or local officer or member of an organized rescue or firefighting force in the performance of an actual duty.
- c. Any fires contained within liquid-fueled or gas-fueled stoves, fireplaces within buildings, charcoal grill fires, recreational fires at private residences with a valid written permit from the district chief and permanent fire pits or fire grates in developed picnic grounds and campgrounds.
- d. Burning of irrigation ditches located within and completely surrounded by irrigated farmlands where such burning is necessary for crop survival with a valid written permit from: (a) the fire protection district chief; or (b) the Routt County Emergency Manager after consultation with

the Routt County Sheriff.

e. Hot air balloon activities and the use of UL approved liquid-fueled or gas fueled "Camp Fire in a Can"

f. Campfires or bonfires required in religious ceremonies and for which a valid written permit has been granted in advance from: (a) the fire protection district chief; or (b) the Routt County Emergency Manager after consultation with the Routt County Sheriff.

Exemptions to this order: (a) in unincorporated private and state lands within fire protection district may be granted only by the fire protection district fire chief; or (b) in unincorporated private and state lands outside of a fire protection district by the Routt County Emergency Manager after consultation with the Routt County Sheriff, and only if the proposed action is deemed by the fire protection district chief or, if appropriate Emergency Manager, in consultation with the Sheriff to be safe and the attendant fire danger can be satisfactorily mitigated.

**Section 5. Notice to Public of Open Fire Ban.** The Routt County Emergency Manager in consultation with the fire district chiefs and Routt County Sheriff is directed to take such action as is proper and necessary to have notice of this fire ban given to the public through radio and newspaper announcements and other means. The Routt County Emergency Manager in consultation with the fire protection district chiefs and Routt County Sheriff are also directed to take similar actions to advise the public of any modification or termination of the fire ban.

**Section 6. Fine Schedule and Penalty Assessment Procedure.** Any person who violates this ordinance commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than six hundred dollars for each separate offense. However, the following fine schedule shall apply:

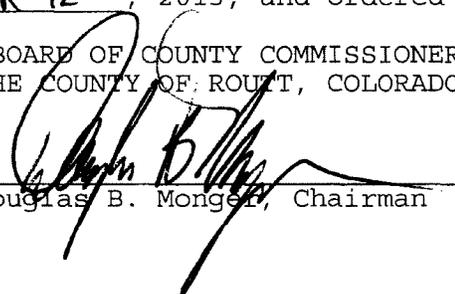
First Offense	Not more than \$100
Second Offense	Not more than \$200
Third or subsequent Offense	The maximum fine permitted by law \$1,000 as of March 31, 2013

The penalty assessment procedure provided for in Section 16-2-201, C.R.S. may be followed by any law enforcement officer issuing a citation or making an arrest for a violation of this ordinance.

**Section 7. Effective Date.** This ordinance shall be effective on April 2, 2013 after adoption on second reading.

INTRODUCED, READ AND ADOPTED on first reading on MARCH 12, 2013, and ordered published in the Steamboat Pilot.

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ROUTT, COLORADO

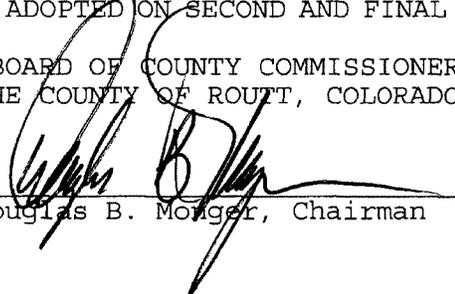
By:   
Douglas B. Monger, Chairman

ATTEST:

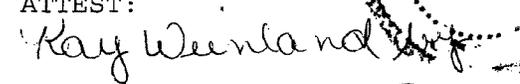
  
Kay Weinland  
Clerk and Recorder *Deputy*

ADOPTED ON SECOND AND FINAL READING on April 2, 2013

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF ROUTT, COLORADO

By:   
Douglas B. Monger, Chairman

ATTEST:

  
  
Kay Weinland  
Clerk and Recorder





**Routt County**  
**FIRE RESTRICTION PLAN**  
**Exhibit A**

**GUIDELINES APPLICABLE TO ALL FIRE RESTRICTION AREAS:**

Restrictions should be implemented only after all other reasonable prevention measures have been taken. These measures may include increased signing, public contacts, media campaigns etc. Fire restrictions should be considered only when very high or extreme fire danger is predicted to persist. Other considerations are the level of human-caused fire occurrences being experienced, potential high risk occasions (4<sup>th</sup> of July, etc.) and large fire activity occurring in Routt County. Emergency closures have an extreme impact on the public and fire agencies and are discouraged except under the most severe conditions. They cannot be justified by fire danger alone and should be driven by high potential for human-caused fires, severe shortages of resources, numerous large fires, etc.

**PROCEDURES FOR INITIATING OR RESCINDING FIRE RESTRICTIONS  
INITIATION:**

1. When the factors identified in the FIRE RESTRICTION EVALUATION GUIDELINES (page 2) approach critical levels for an area, begin considering the initiation of a fire restriction. The Routt County Emergency Manager will be responsible for monitoring these conditions.

**RESCINDING A RESTRICTION:**

Removing of the restrictions will follow the same procedures outlined above as the critical elements diminish.

**FIRE RESTRICTION EVALUATION GUIDELINES FOR ROUTT COUNTY:**

When weather factors or fire suppression impacts become a concern, the following criteria will be used to determine if a Fire Restriction should be considered by area. Use weather data from weather stations in each Fire Restriction Area to make determination.

## Routt County Fire Restriction Evaluator Guidelines

Restriction Factor		Routt County
1	1,000 fuel moistures content is 9% or less below 8,000 feet or 12% or less above 8,000 feet.	
2	Three day mean energy release component (ERC) is at 90% or above.	
3	Live fuel moisture content is 90% or less in sagebrush.	
4	Fires are impacting available resources.	
5	Area is receiving a higher than normal occurrence of human-caused fires.	
6	Drought Indicators (Palmer or Drought Outlook).	
7	Adverse fire weather is predicted to continue Zone 201.	

## **RESTRICTION STAGES:**

There are three fire restriction stages, based upon consideration of the Routt County Fire Restriction Guideline.

## **PROCESS FOR IMPLEMENTING COUNTY FIRE RESTRICTIONS:**

1. 1,000 hour fuel moisture content is 9% or less below 8,000 feet or 12% or less above 8,000 feet.
2. Three (3) day mean energy release component (ERC) is at 90% or above.
3. Live fuel moisture content is 90% or less in sagebrush.
4. Fires are impacting available resources.
5. Area is receiving a higher than normal occurrence of human caused fires.\*
6. Adverse fire weather is predicted.
7. Drought indicators (Palmer or Drought Outlook).

**At least four (4) criteria are met, consider Stage One restrictions.**

**At least five (5) criteria are met; consider Stage Two after Stage One has been in place.**

**Consider Stage Three if all criteria are met.\*\***

- High human caused risk may include holidays, such as July 4<sup>th</sup>, Labor Day or special events such as county fairs and hunting season.\*
- Stage Three area closures are extremely rare events, and will only be implemented in extraordinary situations, after significant interagency coordination.\*\*

## **STAGE ONE RESTRICTIONS:**

The following acts are prohibited on all private and state owned lands outside of municipal boundaries. This does not affect federal lands within Routt County.

1. Building, maintaining, attending or using any fire to burn trash, debris, fence rows, irrigation ditches or vegetation, any campfire, warming fire, charcoal grill, except in designated campgrounds, picnic areas or developed recreational sites.
2. Smoking; except within an enclosed vehicle or building, a developed recreational site, or while stopped in an area of at least (3) feet in diameter that is barren or cleared of all flammable material.
3. Operating a chainsaw without a USDA or SAE approved spark arresting device (muffler) properly installed and in effective working order, and a chemical pressurized fire extinguisher of not less than eight (8) ounce capacity by weight, and one (1) round pointed shovel with an overall length of at least 36 inches. The extinguisher will be with the chainsaw operator. The shovel may be kept with the fueling supplies but readily available for quick use.
4. Welding or operating acetylene or other torch with open flame; except within an area that is barren or cleared of all flammable material at least 10 feet on all sides from the equipment.
5. Using explosives requiring fuses or blasting caps.

## **EXEMPTIONS FROM STAGE ONE RESTRICTIONS:**

1. Persons with a valid written permit which specifically authorizes the prohibited act: (a) from the fire protection district chief if subject land is within a fire protection district; (b) or Routt County Emergency Manager after consultation with the Routt County Sheriff if subject land is not within a fire protection district.
2. Any federal, state or local officer or member of an organized rescue or firefighting force in the performance of an actual duty.
3. Any fires contained within stoves, fireplaces within buildings, charcoal grill fires, recreational fires at private residences with valid permit from district chief, and permanent fire pits or fire grates in developed picnic grounds and camp grounds.
4. Burning of irrigation ditches located within and completely surrounded by irrigated farm lands where such burning is necessary for crop survival with proper permit from: (a) fire protection district chief if subject land is within a fire protection district; (b) or Routt County Emergency Manager after consultation with the Routt County Sheriff if subject land is not within a fire protection district.

5. Hot air balloon activities and the use of UL approved liquid-fueled or gas fueled "Camp Fire in a Can."
6. Campfires or bonfires required in religious ceremonies were a specific written permit has been granted in advance by: (a) the fire protection district chief if subject land is within a fire protection district; or (b) the Routt County Emergency Manager after consultation with the Routt County Sheriff if subject land is not within a fire protection district.

#### **STAGE TWO RESTRICTIONS:**

1. All open fires and campfires are prohibited except petroleum-fueled stoves, lanterns and heating devices that meet the underwriter's specifications for safety are permitted.
2. Smoking is restricted to enclosed vehicles and buildings.
3. All chainsaws and other internal combustion engines, including motorcycles and ATV's, must have spark arresting devices that are properly installed and in working order.
4. Use of explosives is prohibited.
5. Use of welding and cutting torch devices is prohibited outdoors.
6. Individual agencies may further restrict commercial activities not included in this plan such as construction, logging or oil and gas operations.

#### **GENERAL EXEMPTIONS TO STAGE TWO RESTRICTIONS:**

1. Persons with a valid written permit which specifically authorizes the otherwise prohibited act from: (a) the fire protection district chief; or (b) the Routt County Emergency Manager after consultation with the Routt County Sheriff.
2. Persons conducting activities in those designated areas where the activity is specifically authorized by written posted notice.
3. Any federal state, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.

**STAGE THREE RESTRICTIONS:**

Stage Three restrictions include Stage Two restrictions and constitute the restriction of access to the full closure of public lands within the declared area.