



BOARD OF COUNTY COMMISSIONERS SPECIAL MEETING AGENDA

April 04, 2023 at 10:00 AM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

9:00 AM - COMMISSIONERS MEETING WITH STAFF

10:00 AM - PUBLIC MEETING

Join via Zoom: <https://us02web.zoom.us/j/82550511219> | **Meeting ID:** 825-5051-1219

1. PLEDGE OF ALLEGIANCE

2. AGENDA APPROVAL

3. ACTION ITEMS

- [a.](#) A Proclamation recognizing National Public Safety Telecommunicators Week 2023
 - [b.](#) A Resolution to Adopt a Policy for Colorado Open Records Act Compliance
 - [c.](#) A Resolution to appoint Greg Garrett to the Huerfano County Tourism Board
 - [d.](#) 2023 County Commissioner Redistricting
 - [e.](#) Scanning and Indexing of County Personnel and Payroll Files
 - [f.](#) SECOM CMP Power Outlet Lease Agreement
 - [g.](#) Open Burning Delegation of Authority
 - [h.](#) National Wilderness Stewardship Alliance Letter of Support for La Veta Trails
 - [i.](#) Promotion for Hallie Coulter
 - [j.](#) Promotion for Krissie Aldretti
 - [k.](#) Promotion for Lea Vigil
- #### **4. EXECUTIVE SESSION**
- a.** For discussion of a personnel matter under C.R.S. §24-6-402(2)(f) 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. **2:30PM**

5. ADJOURNMENT

6. UPCOMING MEETINGS

- a.** 12 Noon - County Elected Officials Lunch

PROCLAMATION NO. 23-01**THE BOARD OF COUNTY COMMISSIONERS
OF HUERFANO COUNTY, COLORADO****NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK
APRIL 9 - 15, 2023**

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and,

WHEREAS, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and,

WHEREAS, the safety of our Sheriff's deputies, firefighters and paramedics is dependent upon the quality and accuracy of information obtained from citizens who telephone the Huerfano County emergency communications center; and,

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

Whereas Public Safety Telecommunicators are the single vital link for our deputies, firefighters and paramedics by monitoring their activities by radio, providing them information and ensuring their safety; and,

WHEREAS, Whereas Public Safety Telecommunicators of the Huerfano County 911 Dispatch have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and,

WHEREAS; each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year

NOW, THEREFORE, LET IT BE RESOLVED that the Board of Huerfano County Commissioners does hereby proclaim the week of April 9 through 15, 2023, to be National Public Safety Telecommunicators Week in Huerfano County in honor of the men and women whose diligence and professionalism keep our city and citizens safe and and calls upon the residents of Huerfano County to join in this special observance.

INTRODUCED, READ, APPROVED AND ADOPTED on this 4th day of
APRIL 2023.



ATTEST:

County Clerk and Recorder and
Ex-Officio Clerk to said Board

BOARD OF COUNTY COMMISSIONERS
OF HUERFANO COUNTY, COLORADO

BY _____

John Galusha, Chairman

Arica Andreatta, Commissioner

Karl Sporleder, Commissioner

RESOLUTION NO. 23 - 15

THE BOARD OF COUNTY COMMISSIONERS OF HUERFANO COUNTY, COLORADO

A RESOLUTION TO ADOPT A POLICY FOR COLORADO OPEN RECORDS ACT COMPLIANCE

WHEREAS, pursuant to C.R.S. §§ 30-11-101(1)(e) and 30-11-107(1)(e), the Board of County Commissioners of the County of Huerfano, State of Colorado (hereinafter “Board” or “County”), has legislative authority to represent the County and manage the business and concerns thereof; and

WHEREAS, the Colorado Open Records Act (“CORA”), C.R.S. §§ 24-72-200.1 et seq., has been declared to be the public policy of the State of Colorado, and that all applicable public records shall be open for inspection by any person at reasonable times, except as otherwise provided by law; and,

WHEREAS, the Board is authorized to make such rules and regulations with reference to the inspection and copying of such public records as are reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the duties of the official and actual custodians of such records; and

WHEREAS, in order to balance the public interests in having reasonable access to public records, and the Board’s interest in otherwise serving the general public and in preserving its public records, the Board deems it prudent and necessary to establish reasonable rules and regulations governing the production, inspection and copying of such public records; and

WHEREAS, each elected official is the official custodian of the records of their office and may adopt their own policies and procedures regarding public records in their custody as they may have to comply with certain statutory and/or regulatory requirements.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Huerfano County, Colorado that the following are hereby adopted:

Section 1. Title.

This resolution shall be known and referred to as the “Huerfano County Open Records Policy”

Section 2. Policy, Purpose, and Scope

1. It is the policy of Huerfano County to make public records available for public inspection as set forth in the Colorado Open Records Act, C.R.S. § 24-72-201, et seq. (“CORA”).
2. The purpose of this policy is to assure prompt and equitable service to citizens requesting access to public records, including those records created by electronic mail, in accordance with the requirements of the Colorado Open Records Act, C.R.S. § 24-72-201, et seq.
3. This policy does not apply to criminal justice records or public records maintained by appointed or elected officials unless adopted by said appointed or elected official.
4. This policy applies to all requests for public records made to all offices and departments reporting to the Board of County Commissioner. It shall apply to records requests made

to any other elected official if, and only if, adopted by said official. A list of such officials will be published on the County's website.

Item 3b.

Section 3. Definitions.

The definitions found in C.R.S. § 24-72-202, as amended from time to time, shall apply herein. Three definitions of particular relevance are included below:

1. "Custodian" means and includes the official custodian or any authorized person having personal custody and control of the public records in question.
2. "Public records" means "all writings made, maintained, or kept by the state or any agency, institution, ... or political subdivision ... for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds." C.R.S. § 24-72-202(6). Criminal justice records are not included in this definition.
3. "Writings" include "all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics. Writings include digitally stored data, including without limitation electronic mail messages, but does not include computer software." C.R.S. § 24-72-202(7).

Section 4. Procedures for Making and Responding to Requests for Public Records.

The following procedures apply to all formal requests for public records:

1. Unless otherwise named by the Board of County Commissioners, the County Attorney, or their designee, is the official custodian of all records maintained by all offices and departments reporting to the Board of County Commissioners, unless otherwise prescribed by law. Department heads are the actual, physical custodians of all records maintained within their departments. It is the responsibility of each department head to become familiar with and to educate their employees about the standards and requirements of this policy.
2. Huerfano County has determined that the use of an official request form to be used by persons is necessary for the efficient handling of such public record requests. Any request to Huerfano County for public records must be made on the official request form. Any request not submitted on the official request form will not be processed.
 - a. The County Administrator is hereby instructed to create and maintain an official request form both in an online form and a printable or paper form. The County Attorney will review and approve the form before submission to the Board of County Commissioners for final approval.
 - b. The official request form should be provided to any person submitting a public records request that is not on this form and the person should be informed that Huerfano County requires the use of the official request form in order to process their public records request.
3. Requests on the paper form may be delivered in person or mailed to the Custodian of Records. All requestors with access to the internet are encouraged to use the online form. Because of spam filters as well as incorrect or inactive email accounts, requests made via electronic mail will not automatically be accepted. The custodian, at the custodian's sole prerogative, may accept requests sent via e-mail upon request. If a request is sent via e-mail to anyone other than the custodian, it will not be considered as received by the County and the statutory time for response to the requests will not begin until a confirmation has been sent by the custodian.
4. All requests for records must be specific as to the records sought and the relevant dates. Requests for correspondence must identify the parties to the correspondence. For any

request that is vague or broadly stated the custodian may require the requestor to provide a more specific request.

5. If a requestor is unable to identify the specific documents sought, the requestor is encouraged to contact the County in advance of submitting a request for assistance in providing the requisite specificity.
6. The custodian is not required by the Open Records Act to construct or create a record that does not exist.
 - a. Any records custodian may set a fee for reports, maps, or products that are produced through the manipulation of data for the benefit of the requestor.
 - b. Any records custodian may refuse any request requiring data manipulation on the basis that CORA does not require manipulation.
7. Time for response to records requests shall be as follows:
 - a. The normal time for production shall be three working days, beginning on the first business day after the request is received.
 - b. Such period may be extended upon determination by the custodian that extenuating circumstances exist. Such period of extension shall not normally exceed seven working days. The requestor shall be notified of the extension within the three-day period.
 - c. Time periods will be calculated without including the date on which the custodian receives any request.
8. Requests to inspect records documents will not take priority over the regular work activities of County employees.

Section 5. Inspection of Public Records

1. In order to safeguard the integrity of the County's records, the custodian of the records to be inspected shall retain control of the records at all times. Inspection of all public records is subject to the supervision of the records custodian. Inspection of public records will generally be scheduled during regular business hours.
2. The requestor may take notes and may bring a laptop or portable computer device to take notes while inspecting/reviewing documents. However, the requestor shall not bring and shall not use outside photocopiers, scanners, fax machines, smart phones, cameras or other copy, scanning or reproduction devices to copy Huerfano County records.
3. Please note the County may require that members of the public be allowed to inspect only copies of documents when the custodian of records determines that allowing access to originals could interfere with the regular discharge of duties of the County or its staff or production of original records could jeopardize the condition of the requested records.
4. Requestors who have not come in to view the requested information within ten (10) working days of being notified that the records are available for review will be required to submit a new public records request.
5. If fees are charged pursuant to Section 9 of this policy, then inspection of the requested records shall occur only after payment, or an acceptable payment arrangement, is made.

Section 6. Production of Public Records

1. In the event the requestor requests copies of available records in lieu of an inspection, such records will be provided within the timeframe set forth in Section 4, of this policy.
2. In the event the requestor conducts an inspection and requests copies of records at the time of such inspection, the requestor must mark with tabs or clips the pages he or she wants copied. Copies may be made at a later date and time, based on volume and staff availability. In such case, the requestor will be notified when the copies are available for pick-up. Copies of records may be mailed upon request at an additional fee.

3. If the public record requested is stored in "sortable" or "searchable" formats, the County will provide the record in this format if requested unless producing the record in native format would violate the terms of any copyright or licensing agreement between the County and a third party or result in a release of a third party's proprietary information, or where the native format renders it technologically or practicably infeasible to redact information the County is required or allowed to withhold.
4. Responses to requests will be made via email of attached documents if possible in order to reduce expenditure of County resources and reduce costs to citizens. If records requested exceed 10MB of data, requestors will be provided the records on a USB Thumb Drive or an alternative method provided by the County at the cost indicated herein.
5. In order to preserve the security of the County data network, under no circumstances shall a memory device or other media not authorized by the County IT Department be used to transfer data to a requester nor shall requesters be allowed to provide their own USB Thumb Drive or other storage device to receive copies of the requested records.
6. Huerfano County has no obligation to upload requested public records to a "cloud" service to allow for their access by a requestor. Such requests will be denied except in extenuating circumstances. Under no circumstances will a "cloud" service owned, controlled, or paid for by Huerfano County be used to transmit such records.

Section 7. Denial of Request.

In accordance with CORA, certain County records are either prohibited from disclosure or may be withheld from public inspection. Reasons for denial may include but are not limited to that disclosure is contrary to statute, court order or the public interest. Any denial of inspection or copies of records will be specific and the justification for such denial, as authorized by CORA, will be provided in writing upon request.

Section 8. Closure of Request.

An open records request will be considered closed and a new request must be submitted under any of the following circumstances:

1. The records have been made available for inspection, the records have been inspected and no copies of the records were requested;
2. After the records have been made available for inspection, have been inspected by the requestor and copies of the records have been provided consistent with this Policy;
3. If the requestor fails to appear for the scheduled review of the records; or
4. If the requestor fails within ten business days to:
 - a. make arrangements for review of the records after request;
 - b. pre-pay a deposit required; or
 - c. does not pay the total actual costs after receiving notice of such costs.

Section 9. Fees and Charges.

Charges for copies of requested records shall be as follows:

1. The fee for a paper copy of any public county record, including copies requested pursuant to CORA, shall be as follows:
 - a. \$0.25 per page for black and white printing up to 11" by 17"
 - b. \$0.50 per page for color printing up to 11" by 17"
 - c. \$1.00 per document for certified copies
 - d. The fee for pages larger than 11" by 17" or documents in non-standard formats will not exceed the actual costs of reproduction. Non-standard formats shall include, but are not limited to documents that are either (1) historically

significant; (2) of fragile nature; or (3) bound and held together in such a manner that makes it particularly difficult for a member of the public to copy without damage

2. The fee for an electronic copy of any public county record, including copies requested pursuant to CORA shall be the actual cost of the delivery medium. If the record has to be printed and then scanned the fee will also include the appropriate paper copy fee.
3. If the request will take more than two hours to fulfill, the fee for researching, retrieving, reviewing, and, if necessary, redacting requested information, shall be \$30 per hour after the first two hours.
4. Should a requestor desire to inspect records, with or without further production of said records, the fee for staff time required for supervision of such inspection, if required by the official custodian, shall be \$30 per hour.
5. Any records custodian may require and collect a 50% advance deposit of estimated research, retrieval and copy fees for public records requests that will require significant staff time and resources to complete. A records custodian may require and collect 100% advance deposit of estimated research, retrieval, and copy fees for public records requests from any person who has made a previous request and not paid or not come in to view the requested information.
 - a. In the event advanced payment is requested and the request is voluminous requiring several hours of staff time, the County may refrain from researching and retrieving such a request until an advance deposit is received.
 - b. All requestors should expect to be charged for requests which take longer than two hours to fulfill. Fees may only be waived in extreme, compelling, and rare circumstances after consultation with the County Attorney.

Section 10. Annual Training.

1. The County Attorney and County Administrator will conduct or arrange an annual training session on this resolution and the Colorado Open Records Act generally.
2. Each department head and supervisor is required to participate and will be given the opportunity to ask questions.
3. The County Attorney and County Administrator will certify the completion of this training to Board of County Commissioners.

Section 11. Elected Official Adoption of this Policy.

1. Any Elected Official may adopt this policy by submitting a letter to the Board of County Commissioners. Such adoption shall expire at the conclusion of that Elected Official's term of office and must be renewed for up to another term.
2. The letter adopting this policy should specify the official custodian for their office. The Elected Official may serve as the official custodian or may appoint one of their employees to that role.
3. The letter may also specify any procedures or legal requirements specific to the Elected Official's office.

INTRODUCED, READ, APPROVED AND ADOPTED ON THIS 4th day of APRIL 2023.



ATTEST:

County Clerk and Recorder and
Ex-Officio Clerk to said Board

BOARD OF COUNTY COMMISSIONERS
OF HUEFANO COUNTY, COLORADO

BY _____

John Galusha, Chairman

Arica Andreatta, Commissioner

Karl Sporleder, Commissioner

COLORADO OPEN RECORDS REQUEST FORM

Requestor's name:



Organization represented (if any):

Address:*

Telephone (with area code):

Country (212) 123 4567

Fax (with area code):

Country (212) 123 4567

Email:

Select Department or Office to submit CORA Request: *

Select your answer

Select Department or Office to submit CORA Request: *

Select your answer ▼

Name of document(s) requested, including the department where the document(s) originated:

How would you like the report delivered?

Select your answer ▼

I have read and understand the Huerfano County CORA Policy. *

<https://huerfano.us/>

Select your answer ▼

Upload File(s) or Images

Drag & drop some files here, or click to select files

Submit

John Galusha, Chairman
Arica Andreatta, Commissioner
Karl Sporleder, Commissioner



Item 3b.

Board of County Commissioners

COLORADO OPEN RECORDS REQUEST FORM

Date: _____

Requestor's Name: _____

Organization represented (if any): _____

Address: _____

Telephone (with area code): _____

Fax (with area code): _____

Email: _____

Name of document(s) requested, including the department where the document(s) originated:

Signature of Requestor: _____

For Official Use Only:

Time spent by staff in assembling the records request: _____ Number of pages: _____

Cost: \$ _____ See reverse side for itemized costs.

Records request received by: _____ Date: _____ Time: _____ a.m. or p.m.

Date Completed: _____

CORA REQUEST FEE SCHEDULE

1. Research Man Hours (first hour is free after that it is \$25.00 per hr)

Total Man Hours: _____ Fee: _____

2. Cost per printed page is \$.25

Total Number of pages: _____ Fee: _____

3. Cost of Media (Choose media type)

a. USB Drive is \$3.69 Fee: _____

b. CD is \$4.29 Fee: _____

c. Other _____ Fee: _____

Total Cost: _____

RESOLUTION NO. 23 - 16**THE BOARD OF COUNTY COMMISSIONERS
OF HUERFANO COUNTY, COLORADO****A RESOLUTION APPOINTING GREG GARRETT TO THE HUERFANO
COUNTY TOURISM BOARD FOR A TERM EXPIRING ON DECEMBER 31,
2026**

WHEREAS, the Board of County Commissioners serve as the governing body of Huerfano County and are vested with administering the affairs of the County pursuant to state statutes; and,

WHEREAS, the Board of County Commissioners has determined that the establishment of certain Boards are necessary to help protect the best interests of the county's inhabitants and promote the health, safety, prosperity, security and general welfare of the County's inhabitants; and,

WHEREAS, the Board of County Commissioners has determined that it is in the best interest of Huerfano County to delegate the representation of the County on certain boards and commissions of public and other bodies to members of the public with particular experience and expertise; and,

WHEREAS, Greg Garrett has submitted a letter of interest and has demonstrated his qualifications to serve on the Tourism Board for Huerfano County and agrees to serve as a member of the Board while adhering to the principles applicable to governmental units and other requirements of law; and,

WHEREAS, the Board of Huerfano County Commissioners desires to appoint Greg Garrett to serve as a member of the Huerfano County Tourism Board as a reflection of the values of the Huerfano County Board of County Commissioners.

NOW THEREFORE BE IT RESOLVED that the Huerfano County Board of County Commissioners hereby appoints Greg Garrett to serve as a member of the Huerfano County Tourism Board until December 31, 2026, and until his successor has been appointed.

INTRODUCED, READ, APPROVED AND ADOPTED THIS 4th day of APRIL 2023.



ATTEST:

County Clerk and Recorder and
Ex-Officio Clerk to said Board

**BOARD OF COUNTY COMMISSIONERS
OF HUERFANO COUNTY, COLORADO**

BY _____
John Galusha, Chairman

Arica Andreatta, Commissioner

Karl Sporleder, Commissioner

Submitted on Wednesday, March 1, 2023 - 8:37pm

Submitted by user: Visitor

Submitted values are:

First Name Greg

Last Name Garrett

Email hautshot@verizon.net

Phone Number 6618864367

Select the Board of Commission you would like to join Tourism Board

Tell us about yourself and why do you want to be a member of this particular board or commission?

My wife and I purchased an RV Park in La Veta in 2019 and have enjoyed operating the park every summer since then. Our original intention was to be here only in the summer, but we quickly fell in love with the area and purchased a home in La Veta to become full time residents. Owner/Operator of the RV Park is my current occupation. Prior to that I spent 35 years in the aerospace industry working for Raytheon. When not working I like to spend my time traveling, camping, skateboarding, surfing, and restoring vintage trailers. I'd like to become a member of the tourism board to bring some fresh ideas and have a positive influence on how the lodging tax dollars are spent.

What experience, training, or qualifications do you have for this particular board?

My current work in the Hospitality/Tourism industry brings me face to face with the visitors to Huerfano County on a daily basis. I am a member of the national campground owners association (ARVC) and of the Colorado Campground and Lodging Owners Association. Through these organizations I take advantage of training and networking to improve my personal and professional knowledge of the industry. At my RV Park I have brought two new events to the area; the "Antiques at the Spanish Peaks" vintage trailer rally, and the "La Veta Flea" community flea market. Both of these events have been very well received by the community and have brought participants and visitors from around the county, the state and beyond. In my previous career as a Program Quality Manager at Raytheon I gained years of experience managing people, schedules, compliance and budgets. All under the strict government requirements imposed on government contractors.

What do you hope to contribute to this board or commission?

I believe that Huerfano county is a hidden gem in Colorado. Our unique communities and natural beauty seem to be undiscovered by the masses. The Tourism Board has the difficult task of promoting and increasing tourism without spoiling what we have with overcrowding. I hope to bring new and creative ideas to the board while still being mindful of this delicate balance.

Resume, Education, etc. (Optional)

Are you 18 years of age or older? Yes

Do you reside within Huerfano County? Yes

Do you certify that the information given on this application is complete and correct? Yes

By submitting this application and checking this box, you acknowledge that you understand that the Colorado Open Records Act may require that certain information contained in this application be available for inspection by the general public. Yes

John Galusha, Chairman
Arica Andreatta, Commissioner
Karl Sporleder, Commissioner



HUERFANO COUNTY GOVERNMENT BRIEFING MEMORANDUM

Date: April 4, 2023
To: Huerfano County Board of County Commissioners
From: Carl Young, County Administrator
Re: 2023 County Commissioner Redistricting
Attachments: Proposed Map Exhibits A-D

Under State law, all counties must review their commissioner district boundaries after each federal census to ensure the districts are as equal in population as possible. Specifically, there should be no more than a 5% difference between the most populous and the least populous district in each county, at the time such district boundaries are adopted. Counties are required to use population data prepared by staff of the Legislative Council and Office of Legislative Legal Services.

Traditionally, this review occurred in the year following the federal census. However, significant delays in availability of population data from the 2020 Census due to the COVID-19 pandemic led the State Legislature to pass HB21-1047, which extended the statutory deadline for counties to complete BOCC redistricting until September 30, 2023.

I have reviewed our Commissioner Districts and determined that redistricting is required under C.R.S. 30-10-306. Currently, District 2 is the largest district with 2161 people and District 3 is the smallest with 1698. A deviation of approximately 24%.

Attached to this memo you will find four proposed maps for your consideration. With your direction a public hearing will be scheduled and these maps will be released for public comment. After the public hearing, you will give staff direction to prepare a resolution for new districts which you can adopt 30 days after the hearing. The Clerk and Recorder's Office has requested that we adopt new maps before July. My recommendation is that you set the public hearing for May 9th and tentatively schedule adoption for June 13th.

Requested Motion/Action:

Motion to instruct the Administrator to release the proposed redistricting maps and schedule a public hearing on *May 9, 2023* during our regular business meeting and set a tentative date of *June 13, 2023* for adoption of a resolution to implement new a district map.

Note:

District Number	Current Commissioner	Population as of 2020 Census
District 1	John Galusha	1863
District 2	Arica Andreatta	2161
District 3	Karl Sporleder	1698

Huerfano County Commissioner Redistricting

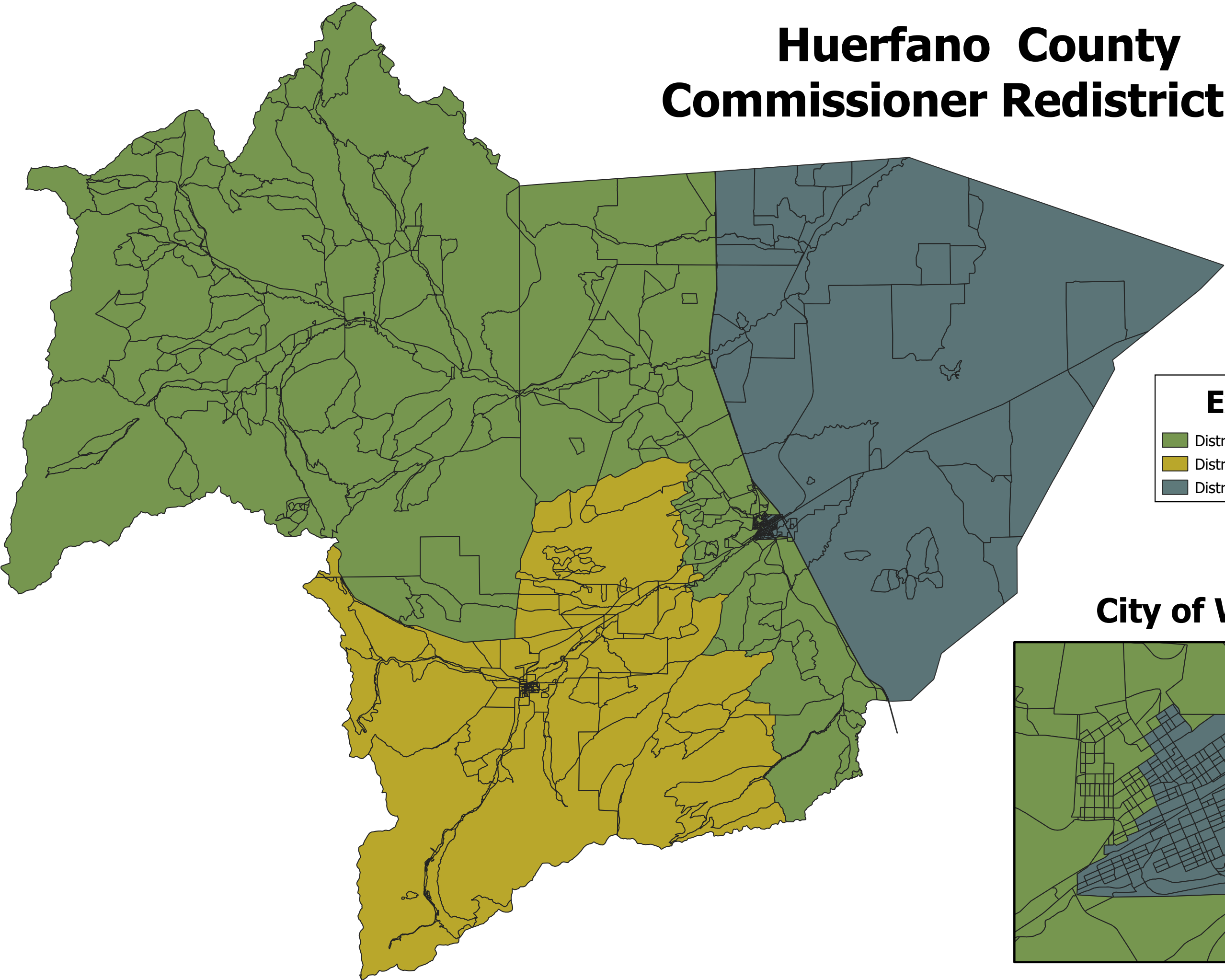
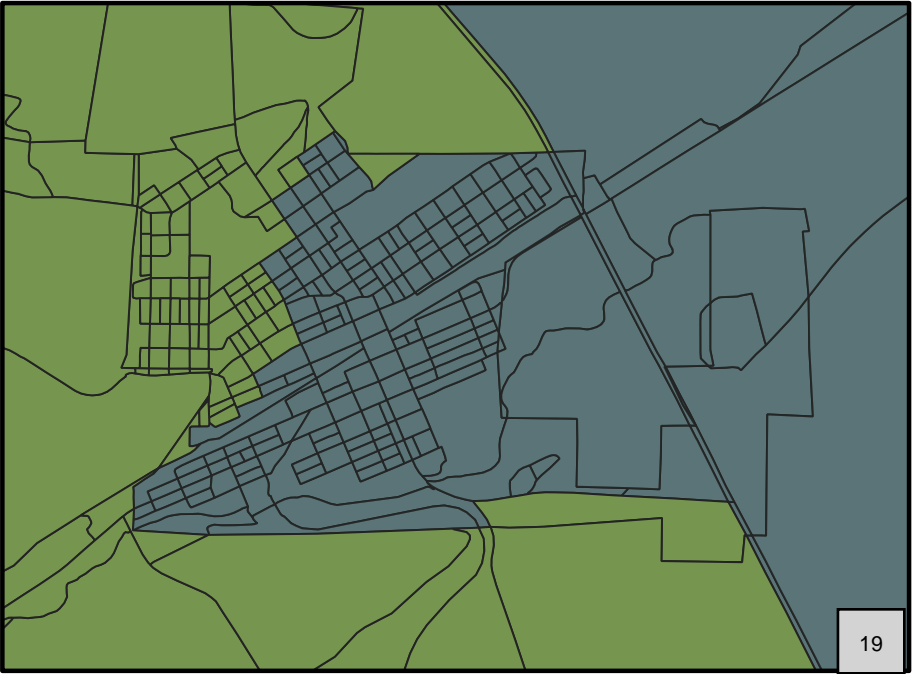


Exhibit A

- District 1 - Population 1908
- District 2 - Population 1911
- District 3 - Population 1905

City of Walsenburg



Huerfano County Commissioner Redistricting

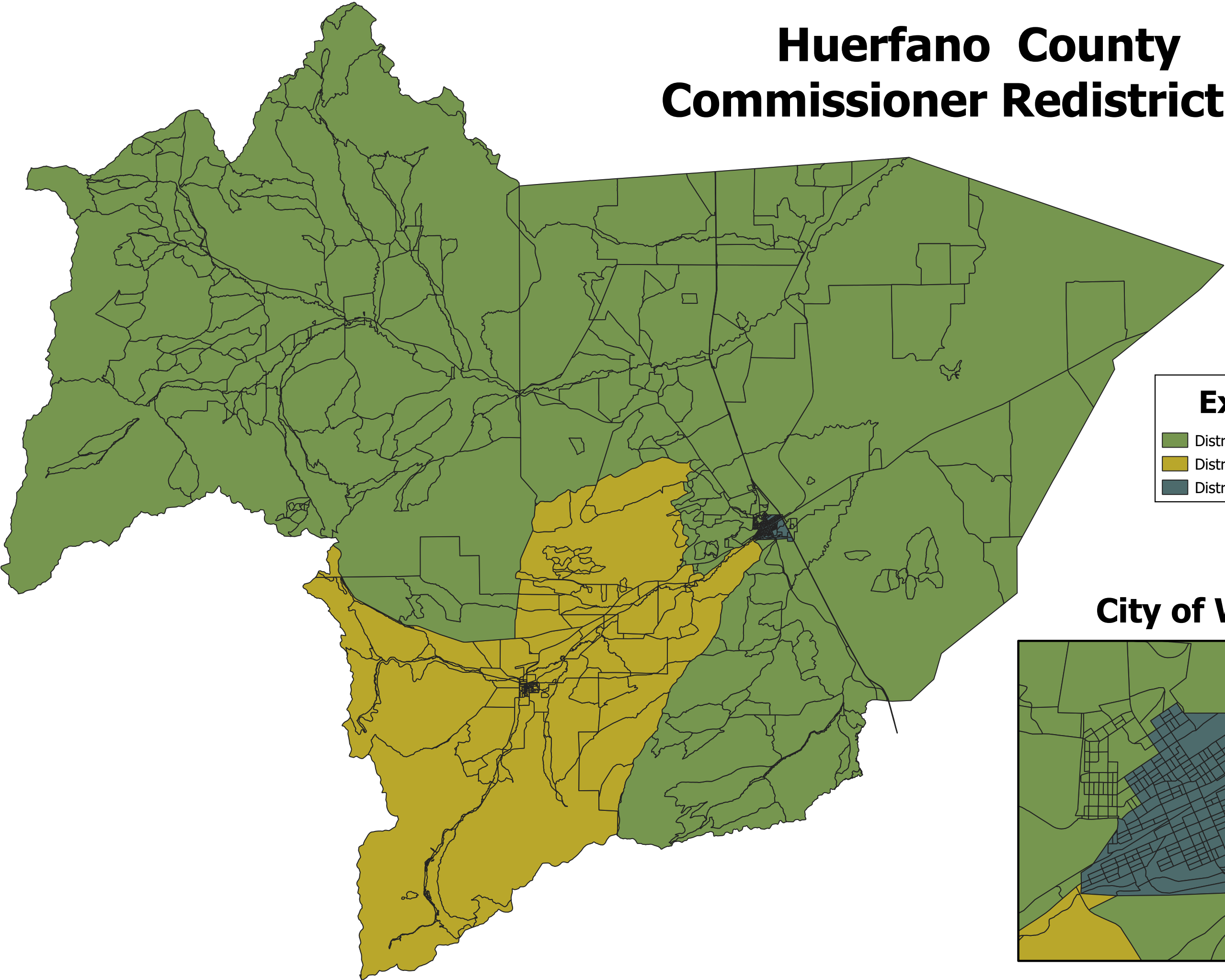
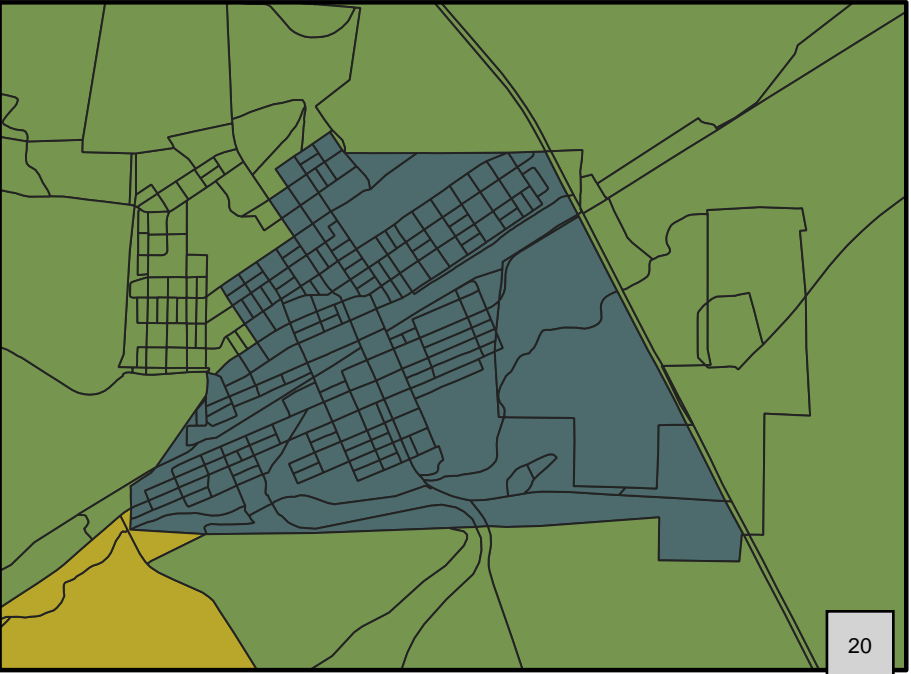


Exhibit B

- District 1 - Population 1915
- District 2 - Population 1901
- District 3 - Population 1906

City of Walsenburg



Huerfano County Commissioner Redistricting

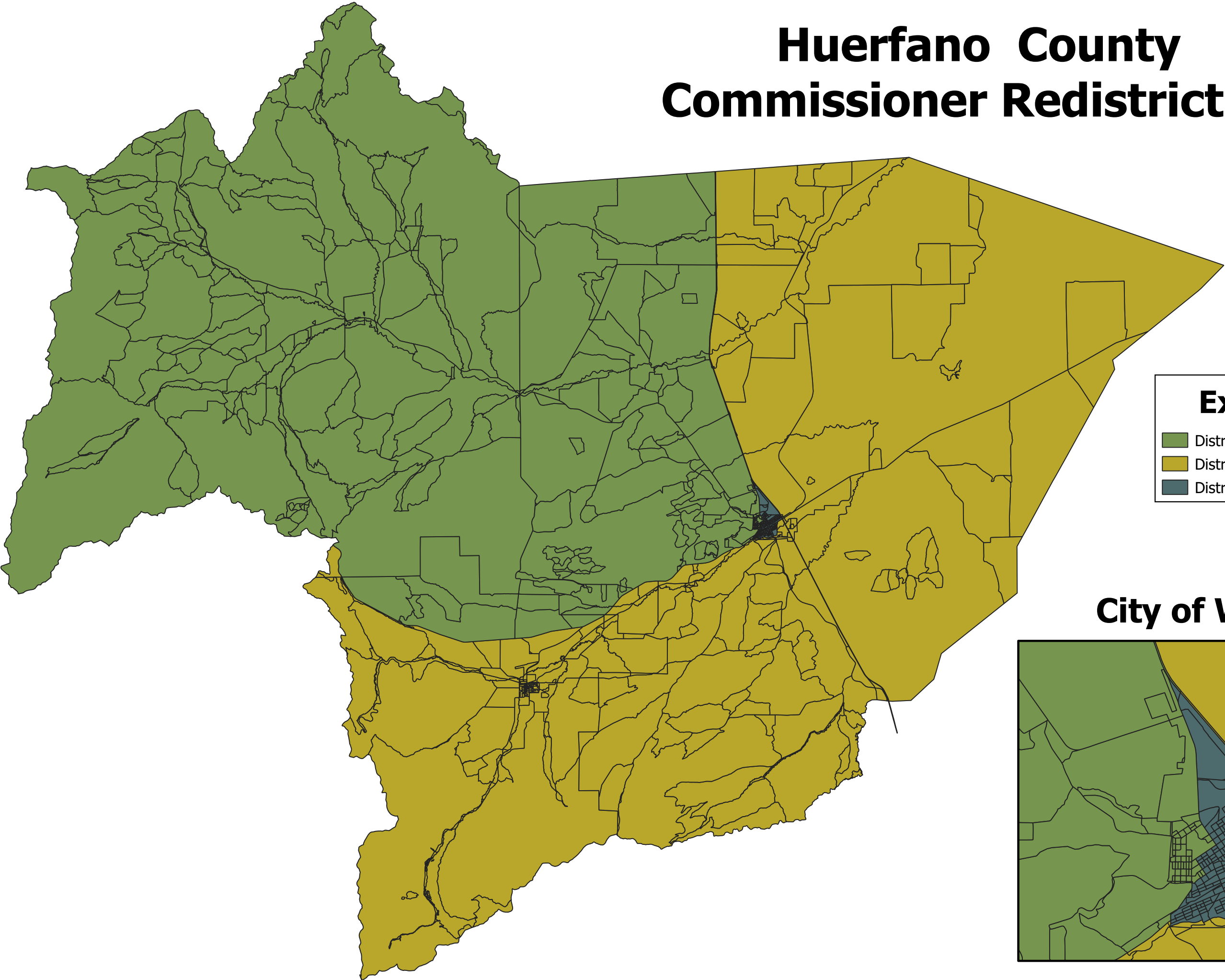
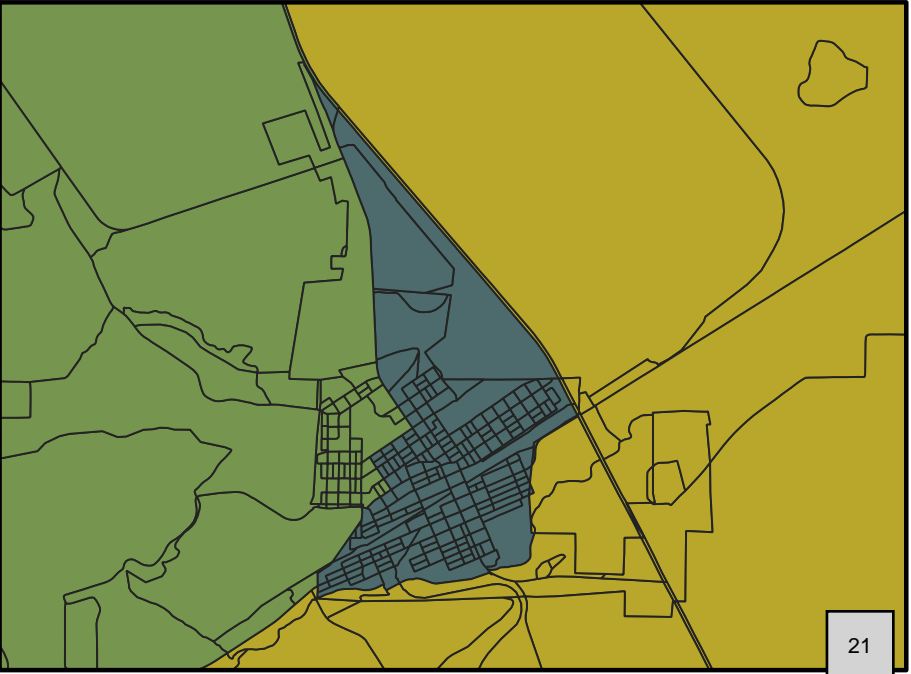


Exhibit C

- District 1 - Population 1923
- District 2 - Population 1880
- District 3 - Population 1919

City of Walsenburg



Huerfano County Commissioner Redistricting

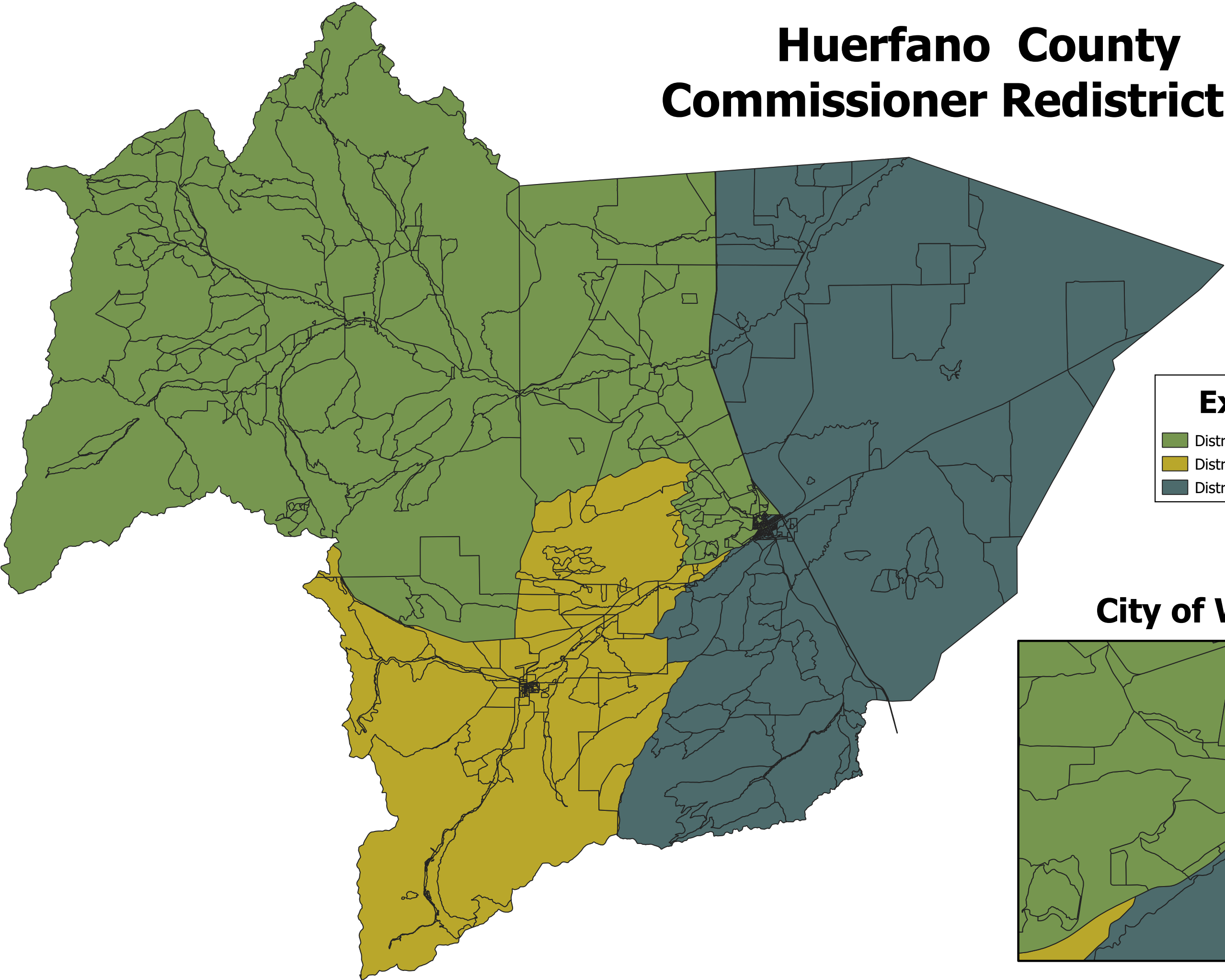
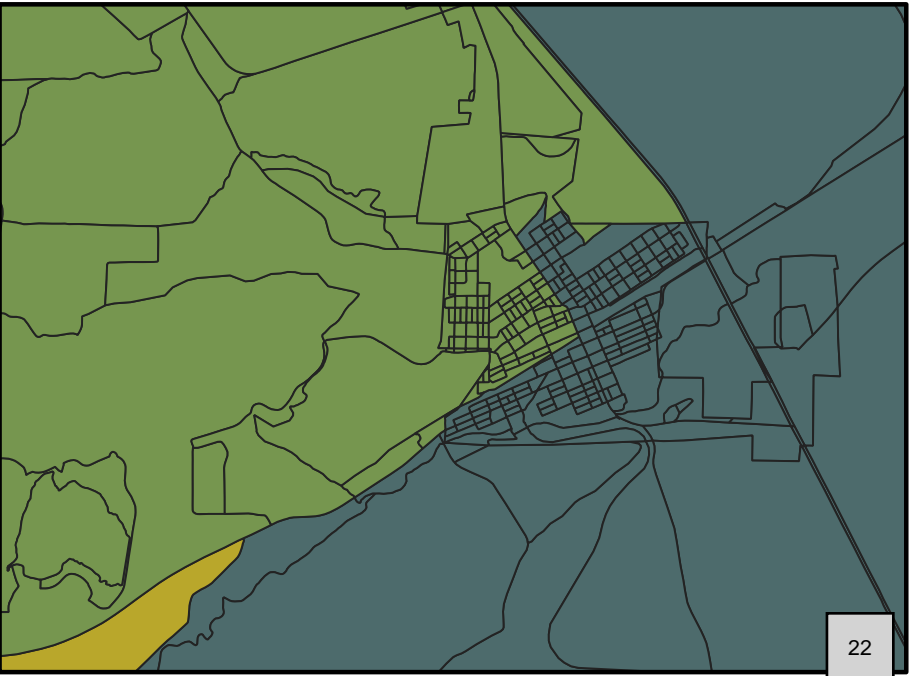


Exhibit D

- District 1 - Population 1863
- District 2 - Population 1953
- District 3 - Population 1908

City of Walsenburg



LEASE AGREEMENT

This location agreement ("Agreement") is made and entered into this 1st day of January, 2023 by and between Huerfano County, a political subdivision of the State of Colorado ("Lessor") and SECOM ("Lessee"). whose address is 27850 Harris Rd, PO Box 357, La Junta, Colorado, 81050 .

WITNESSETH:

WHEREAS the Lessor contracts the operations and maintenance, including the payment of certain utilities to the Panadero Ski Corporation, a Colorado Non-Profit Corporation, whose physical address is 1234 Panadero Ave, Cuchara, CO and mailing address is PO Box 983, La Veta, 81055; and

WHEREAS the Lessor does presently allow Lessee to have their wireless and network equipment to be present on the Operator Building atop Lift#4 located at 37.345398, -105.127068 by mutual agreement.

WHEREAS the Lessor desires to lease to Lessee a 120VAC output at Operator Building atop Lift#4 located at 37.345398, -105.127068 for the purpose of providing electrical power to the wireless and network equipment already installed to enable Lessee to provide wireless and fiber optic service to the surrounding area.

NOW THEREFORE, in consideration of the mutual and respective promises, agreements, and covenants set forth herein, Lessor and Lessee do hereby agree, and covenant as follows:

1. Parties. The parties agree that this Agreement shall inure to the benefit of any successor business entity of SECOM and may be assigned to them.
2. Lease.
 - a. Lessor hereby leases, lets, and demises to Lessee, property and improvements for telecommunications systems on the property owned by the Lessor and any of lessee's poles, cabling, wiring and electronic equipment already installed on the property as of January 1st 2023.
 - b. Lessee agrees to install said equipment in such a manner as to not adversely impact the property.
3. Use of Property.
 - a. The Lessor may continue to use and maintain the property and improvements for their intended purposes. Where such maintenance is required, Lessor shall notify Lessee as soon as practicable.
 - b. Lessor may also use the property for any other purpose where such use does not cause harm to or impede the successful operation and maintenance of Lessee's equipment

4. Term. The initial term of this Agreement shall be for one (1) year and will commence on January 1, 2023 until December 31, 2023, subject to all terms and conditions of this Agreement. Following expiration of any term, the term shall automatically renew for additional periods of two (2) years, unless either party notifies the other party, in writing, of its intent not to renew at least ninety (90) days prior to the end of initial Term or renewal Term, as the case may be.
5. Rent. Lessee agrees to deliver, and Lessor agrees to accept from Lessee, in full payment for the rental amount due Lessor for the use of the property and other rights granted herein, the following consideration:
 - a. One-time payment of \$2500 to the Panadero Ski Corporation
 - b. \$50 per month for electrical usage, paid to the Panadero Ski Corporation
 - i. Lessee agrees to cover any additional costs for Lessee's electrical usage that goes beyond \$50.
6. Access/Utilities.
 - a. Unrestricted ingress and egress shall be allowed to Lessee's tower/equipment location by Lessee's employees, agents, and contractors from the nearest public street to allow Lessee to exercise the rights herein granted. Lessor shall provide Lessee 120VAC electrical service. Any modifications to move such electrical service will be at the sole cost of the Lessee.
7. Use. Lessee shall not use the location for any other purpose than stated herein without the written consent of Lessor; such consent may not be unreasonably withheld.
8. Insurance.
 - a. At all times during the term of this Lease, Lessee shall maintain and shall require its contractors and subcontractors, which do any work in connection with this Lease to maintain insurance coverage as described herein and will produce proof of insurance on demand by Lessor.
 - b. Lessee agrees to execute and deliver to Lessor, prior to the execution of this Lease, certification that it has in force a commercial general liability insurance policy written on an occurrence basis with a combined single limit of not less than \$1,000,000 including public liability, contractual liability, premises liability and property damage, reasonably acceptable to and reasonably approved by Lessor, covering bodily injury and property damage, premises, and operations described hereunder and along with products therein. Such insurance policy shall provide that

Lessor shall receive not less than thirty (30) days written notice prior to the cancellation or reduction in coverage of such insurance.

- c. Lessee agrees to execute and deliver to Lessor, prior to the execution of this Lease, a comprehensive business automobile liability coverage covering all owned, hired and non-owned vehicles utilized by Lessee covering claims for bodily injury and property damage with a combined single limit of \$1,000,000 each occurrence.
 - d. Lessee shall at all times maintain statutory Workers' Compensation Insurance and Employer's Liability Insurance with a limit of not less than \$1,000,000, which includes voluntary compensation.
 - e. Lessor shall be listed as additional insured in any required liability insurance policy (except for workers' compensation). Such policies shall state that this coverage is to function as the "primary" insurance coverage for Lessee and non-contributing with any insurance maintained by the Lessor.
 - f. A valid certificate(s) of insurance on a standard ACORD form evidencing the existence thereof of the above policies shall be delivered to Lessor upon request by Lessor.
 - g. Annually, upon request by Lessor, Lessee shall provide to Lessor a renewal certificate evidencing that such insurance has been maintained and is in full force and effect during the Term of the Lease.
 - h. Failure to maintain or provide proof of insurance upon request, shall constitute an immediate breach of this Lease and shall not be construed as a waiver of Lessee's obligation to provide the required insurance coverage. All insurance policy deductibles, self-insured retentions and retrospective premiums will be the sole responsibility of Lessee.
9. Lessee Business Conduct. Lessee shall provide all services and meet all obligations in a timely and professional manner, follow all rules and regulations, ordinances, statutes, and law that govern Lessee's industry.
10. Repair, Maintenance, and Non-interference. Neither Lessor nor Lessee shall allow any use of the Leased Property that interferes with the operations of Lessee or causes interference with radio signal reception by radio transmission from Lessee's equipment. Neither Lessee nor Lessor shall allow any lien to exist with respect to any work done or materials supplied on the Property or Improvements and shall take such measures as necessary to promptly remove any such lien as may be filed under applicable law.

11. Covenant of Quiet Enjoyment. Lessee shall, at all times during the Term, peaceably and quietly have, hold, use, occupy, possess and enjoy all the rights and benefits granted by this Agreement, without suit, eviction or disturbance by Lessor, its heirs, successors, or assigns, or any other person(s) lawfully claiming through Lessor or asserting an interest superior to Lessor in the Property or Improvements.
12. Termination.
- a. This Agreement may be terminated by written notice of termination as follows:
 - i. by either Lessor or Lessee, if the other fails to cure any breach of its covenants, agreements, representations or warranties under this Agreement within 30 days after written notice thereof from the party seeking termination;
 - 1. by either party, if Lessee fails to obtain or retain all licenses, permits, zoning, variances, rulings, approvals, and other similar items from all federal, state, county, and local governments, and agencies thereof required for the conduct of the Lessee's business;
 - 2. by Lessee, if the equipment locations become unsuitable either technologically or economically for Lessee's use, or;
 - 3. by Lessee, if Lessee is prevented from conducting its business by injunction, regulatory order, revocations or non-renewal of any license, permit or franchise to operate Lessee's facilities, or otherwise, for reasons not arising out of the breach by Lessee of its obligations hereunder.
 - 4. Should the Agreement be terminated for any of the reasons stated above or any others, all Lessee Equipment is to be removed by the Lessee and Lessee's expense within 30 days of said Agreement Termination.
13. Notices. All notices required to be given hereunder shall be in writing and shall be deemed given when delivered in person or by confirmed delivery service, by confirmed telegram or by confirmed facsimile, or when mailed certified mail, postage prepaid, return receipt requested, to the addresses set forth above for each party or to such address or addresses designated by notice to the other party.
14. Entire Agreement and Modification. This Agreement contains the entire agreement between parties and shall not be modified in any manner except by an instrument executed by the parties.
15. Choice of Law and Venue. The parties agree that this Agreement will be governed by the law of the State of Colorado and that venue for any dispute shall lie exclusively in the state and federal courts in Colorado.

17. Severability. If any term, covenant or condition contained herein is, to any extent, held invalid or unenforceable in any respect under the laws governing this Agreement, the remainder of this Agreement shall not be affected thereby, and each term, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

18. Counterparts. This Agreement may be executed in one or more counterparts, all of which taken together shall constitute one and the same instrument.

19. Authority to Execute. By executing this Agreement each signatory affirms that the signatory has the authority to enter into this Agreement on behalf of their respective entities.

In Witness Whereof, the parties have hereunto set their hands and seals effective the day and year written above.

LESSOR: Huerfano County

Signature: _____ Date: _____

Printed Name: John Galusha

Title: Chairman, Huerfano County Board of County Commissioners

LESSEE: SECOM

Signature: _____ Date: _____

Printed Name: Elijah Quinn-Ridgwell

Title: Chief Network Officer

IN CONCURRENCE: Panadero Ski Corporation

Signature: _____ Date: _____

Printed Name: _____

Title:

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LESSOR: Huerfano County

Signature: _____

Date: _____

Printed Name: John Galusha

Title: Chairman, Huerfano County Board of County Commissioners

LESSEE: SECOM

Signature:  _____

Date: 3/27/23

Printed Name: Elijah Quinn-Ridgwell

Title: Chief Network Officer

IN CONCURRENCE: Panadero Ski Corporation

Signature:  _____

Date: 3/28/23

Printed Name: CALE DANCHO

Title: PSC VICE CHAIR



Delegation of Authority Huerfano County

Pursuant to the Colorado Air Pollution Prevention and Control Act, §25-7-111(2)(f), C.R.S., Huerfano County (“Agent”) is hereby designated to perform certain duties as an Agent of the Air Pollution Control Division of the Colorado Department of Public Health and Environment (“Division”) within the following jurisdiction: Huerfano County.

The Agent does hereby accept this designation and agrees to perform such activities as are necessary to meet the requirements of the Colorado Air Pollution Prevention and Control Act (“Act”), and regulations promulgated pursuant thereto, regarding the delegated duties and responsibilities specified in this delegation of authority. Agent agrees to exercise and perform the powers and duties designated in this delegation of authority in accordance with all applicable written policies of the Division.

This delegation of authority to Huerfano County is limited to the following prescribed powers and duties:

- 1) To issue or deny general open burning permits on a Division-approved form, which is attached to this delegation of authority, in accordance with the Air Quality Control Commission’s Regulation No. 9 regarding general open burning.
- 2) In the event any person, as defined by the Act in §25-7-103(19), C.R.S., fails to obtain an open burning permit, fails to comply with permit conditions or fails to comply with Regulation No. 9 regarding general open burning, the Agent must notify the Division immediately upon the Agent’s discovery of the noncompliance. Should the Division issue a Notice of Violation pursuant to §25-7-115(2) regarding the noncompliance, and if requested by the Division, Agent must attend the conference(s) held by the Division, pursuant to § 25-7-115(3)(a), C.R.S., to discuss the noncompliance.
- 3) In the event any person, as defined by the Act in §25-7-103(19), C.R.S., violates a Compliance Order issued by the Division pursuant to the Division’s authority in §25-7-115(3)(b), C.R.S., the Agent must notify the Division immediately upon the Agent’s discovery of the noncompliance. Should the Division cause to be instituted by court action for injunction and/or civil penalties, pursuant to §§25-7-121 and/or 25-7-122, C.R.S., Agent must assist the Division when directed by the Division.

All powers, duties and responsibilities prescribed herein shall be exercised and performed within the specific geographical jurisdiction set forth in this delegation of authority.



This delegation of authority revokes and supersedes any prior delegation, whether written or oral, relating to air pollution control made to Agent.

This delegation of authority to Huerfano County revokes and supersedes any prior delegation, whether written or oral, relating to air pollution control made to Las Animas-Huerfano Counties' District Health Department.


The Division expressly reserves the right to cancel delegation of authority at any time, to issue enforcement orders, notices and open burning permits, including exercise oversight authority to issue those orders, notices, and permits specified in this delegation of authority, as authorized by the Act. This delegation of authority in no way relieves the Division of its duty to enforce according to mandates of the Act and regulations promulgated thereunder in the event Agent's enforcement activities and permit policy conflict or are otherwise inconsistent with enforcement activities and permit policies of the Division.

In order to ensure coordination of efforts and uniform enforcement of air pollution laws, activities conducted pursuant to this delegation of authority must be reported on a monthly basis to the Division on a form specified by the Division, a copy of which has been provided to the Agent.

This delegation of authority is effective on this 23rd day of March 2023 and will expire on the 23rd day of March 2028. Should both parties wish to continue the delegation, a new Delegation of Authority must be executed.

Dated this 23rd day of March 2023.

FOR COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT:

 Digitally signed by
Michael Ogletree
Date: 2023.03.23
08:23:35 -06'00'

3/23/2023

DATE

Michael Ogletree
Director
Air Pollution Control Division

FOR HUERFANO COUNTY:

DATE

John Galusha
County Commissioner, District 1
Huerfano County Board of County Commissioners



FOR LAS ANIMAS-HUERFANO COUNTIES' DISTRICT HEALTH DEPARTMENT:

**Kimberly
Gonzales**

Digitally signed by Kimberly Gonzales
Date: 2023.03.23 12:57:45 -06'00'

3-23-2023

DATE _____

Kimberly Gonzales

Executive director

Las Animas-Huerfano Counties District Health Department





DATE ISSUED: _____ DATE EXPIRES: _____ PERMIT #: _____

OPEN BURNING PERMIT APPLICATION**APPLICANT**

NAME: _____

MAILING ADDRESS: _____ CITY, ZIP: _____

PHONE: _____ FAX: _____ EMAIL: _____

BURN SITE LOCATION:

(Address & site

description

e.g. fence row, ditch) _____

LANDOWNER: _____

BURN SUPERVISOR: _____ PHONE: _____

PROXIMITY TO PUBLIC LANDS: _____

PROXIMITY TO STRUCTURES: _____

PURPOSE OF BURN: _____

TYPE OF DEBRIS TO BE BURNED: _____

TOTAL AMOUNT OF DEBRIS TO BE BURNED: (acres, number & dimensions of piles) _____

AUXILLARY FUEL TO BE USED: _____ ALTERNATIVE TO BURNING: _____

PROPOSED STARTING DATE: _____ PROPOSED COMPLETION DATE: _____

TOTAL DAYS, HOURS NEEDED TO COMPLETE BURN: _____

ADDITIONAL REQUESTS**AND INFORMATION:**

(Elaborate, if needed, on information given above) _____

APPLICANT SIGNATURE: _____ DATE: _____

GRANTING AUTHORITY: _____ DATE: _____



STANDARD OPEN BURNING CONDITIONS
(the applicant acknowledges and agrees to abide by these conditions):

- Burn Permits must be submitted at least **48 hours** in advance of the requested burn dates, and are valid for **5 days** from the date of final approval.
- The burn supervisor must notify the Huerfano County Dispatch Center at 719-738-1044 immediately prior to starting the fire and at the conclusion of the fire. If any temporary fire restrictions or weather conditions are in place at that time, the permittee will be advised to reschedule for a later date.
- The burn supervisor must notify dispatch that the burn has been completed.
- The burn supervisor is liable for all damages to property of his or others and is responsible for cost associated with the fire suppression if fire department intervention is necessary.
- **Permittee shall only burn in piles that do not exceed 8'x8'x8'. No more than 49 piles may be burned during the life of this permit.**
- ***Burning in barrels or incinerators is not permitted.***
- The permittee is responsible for checking the daily air quality forecast, before igniting the burn, to ensure that no Air Pollution Alert or Ozone Action Day alert has been issued for the location of the burn. For more information: www.colorado.gov/airquality.
- This permit can be revoked at any time by the fire chief or authorized agent and will become null and void upon either:
 - the issuance of a “fire ban” by the Huerfano County Commissioners or Huerfano County Sheriff;
 - public announcement of a period of air pollution emergency or alert; or
 - notification of a high-wind watch/warning day and/or a fire weather watch/red flag warning day.
- At no time shall the burn be left unattended. Burning shall be supervised by one or more responsible persons depending on the type of burning. Precautions shall be taken to localize the burning and in no way constitute a fire hazard to persons/property within or adjacent to the area of burning. The granting authority and the employees or agents thereof, in the issuing of a permit, do not assume any responsibility or results in damage to the person or property of the permittee, or the person or property of any third person.
- Other permits may be required or other state and federal laws and regulations may apply to the safe and legal burning of the material described herein.
- Burns that require fire department assistance to help property owners keep the fire under control may incur a fee for equipment, mileage and hours.
- Burning shall be restricted to the item(s) and location identified in the permit.
- Issuance of the permit signifies that the requesting individual has permission by the fire chief or other authorized agent to conduct controlled open burning of grass, brush, tree trimmings and other combustible debris not to include rubber, plastic, oils, asphalt or any other material which is considered to emit hazardous smoke or other byproducts at the location specified in this application.
- “Ignition” of material includes both starting a fire and adding more material to an existing fire. All fires must be completely extinguished no later than sunset.
- This permit is for compliance with air pollution requirements only and is not a permit to violate any existing local laws, rules, regulations or ordinances regarding fire, zoning or building.
- This permit is only valid for unincorporated Huerfano County in this permit. **Burns within the municipal limits of the Town of La Veta or City of Walsenburg do not use this process.**
- Any violations of these same conditions and restrictions shall render this permit null and void.



OFFICIAL USE ONLY

Application Received by: _____

Date Received: _____

Date Sent to Dispatch: _____

Date Sent to Fire Chief: _____

Fire District: _____

Fire District Approval
Chief/Authorized
Signature: _____

Date Approved: _____

CAD# (Dispatch to Enter) _____

Open Burning Permits Reporting

September 2022 burn permits

amber.stowell@state.co.us [Switch account](#)



* Required

Email *

Your email

* County

Choose

Month *

Choose

Open burning permits issued *

Your answer



Item 3g.

Open burning permits denied *

Your answer

A copy of your responses will be emailed to the address you provided.

Submit

Clear form

Never submit passwords through Google Forms.

reCAPTCHA
[Privacy](#) [Terms](#)

This form was created inside of State.co.us Executive Branch. [Report Abuse](#)

Google Forms



ORDINANCE NO. 22-01

**AN ORDINANCE ESTABLISHING AN OPEN BURN PERMIT SYSTEM,
NOTIFICATION PROCESS OF OPEN BURNS, AND RESTRICTIONS DURING RED
FLAG DAYS, HIGH WIND WATCH DAYS AND HIGH WIND WARNING DAYS**

WHEREAS, pursuant to § 30-15-401, C.R.S., the Board of County Commissioners (“the Board”) has the power to adopt ordinances for control of those matters of local concern; and

WHEREAS, § 30-15-401(1)(n.5), C.R.S., grants the Board the specific authority to ban open fires to a degree and in a manner that the board of county commissioners deems necessary to reduce the danger of wildfires within those portions of the unincorporated areas of the county where the danger of forest or grass fires is found to be high based on competent evidence; and

WHEREAS, the Board finds that the reduction of hazardous fuels on public and private land within Huerfano County reduces the threat of wildfire and improves the health of forest land in Huerfano County; and

WHEREAS, the disposal by burning of slash material aids in the reduction of hazardous fuels in forested areas and reduces the threat of unwanted wildfire; and

WHEREAS, the Board finds that those days on which the National Weather Service declares in Huerfano County a high wind watch day, a high wind warning day, a fire weather watch day or a red flag warning day, such declaration constitutes competent evidence of the existence of a high danger of forest or grass fires; and

WHEREAS, the Board finds it to be prudent and necessary to require notification to first responders before open burning and to provide penalties for failure to follow the requirements of the open burn permitting and notification process, as well as penalties for violating fire restrictions; and

WHEREAS, the Emergency Manager and staff within the Emergency Services Department have worked in collaboration with the fire protection districts and the Sheriff to develop this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Huerfano County, Colorado, as follows:

Section 1. Title.

This ordinance shall be known and referred to as the “Huerfano County Burn Ordinance”

Section 2. Purpose, Intent, and Applicability.

1. The purpose of this Ordinance is to preserve and protect the public health, safety, and welfare of the residents of Huerfano County, Colorado, by restricting open fires and open burning in the unincorporated areas of Huerfano County to prevent forest and grass fires given the high danger of such fires because of atmospheric conditions, including lack of moisture, and other local conditions in the County.

2. It is hereby declared to be the policy of Huerfano County and the intent of this ordinance to establish a permitting system that will:
 - a. Allow and regulate open and safe burning of slash;
 - b. Inform residents, visitors, and property owners of considerations for the appropriate, safe, and effective use of fire as a tool; and
 - c. Reinforce knowledge of local requirements of fire protection districts and county ordinances to increase public awareness and protect the public health, safety, and welfare.
3. This ordinance shall apply in the unincorporated areas of Huerfano County. Excluding Municipalities, unless they adopt this Ordinance, as well as State and Federal lands.

Section 3. Definitions.

For the purposes of this ordinance, the below words and phrases will have the following meanings ascribed to them:

1. **Agricultural Burning:** Burning of cover vegetation for the purpose of preparing the soil for crop production, weed control, or maintenance of water conveyance structures related to agricultural operations.
2. **Broadcast Burn:** The controlled application of fire to wildland fuels in their natural or modified state over a predetermined area. Broadcast Burns do not include the burning of wildland fuels that have been concentrated in piles by manual or mechanical methods.
3. **Burn Plan:** Burn plans are an important component of any open broadcast burn. A burn plan is a written document that, at a minimum, provides a description of the burn area, target weather conditions, hazards that may be encountered, personnel and safety needs, contacts to make prior to burning, goals and objectives, burn site description, fire prescription, fire operation, and control and cleanup.
4. **Extinguished:** No visible flame, smoke, or emissions exist.
5. **Fire Weather Watch:** Conditions are favorable for red flag conditions in and close to the watch area in the next 12 to 48 hours, as defined by the National Weather Service.
6. **Fire Weather Zone:** Two fire zones within Huerfano County have been determined by the National Weather Service based upon elevation and weather patterns associated with the fuels and terrain located within these elevation ranges. These include: Fire Weather Zone 225 and Fire Weather Zone 229.
7. **High Wind Warning:** One-minute average surface winds of 35 kt (40 mph or 64 km/hr) or greater lasting for 1 hour or longer, or winds gusting to 50 kt (58 mph or 93 km/hr) or greater regardless of duration that are either expected or observed over land.
8. **High Wind Watch:** Conditions that are favorable for high winds in and close to the watch area in the next 12 to 48 hours.
9. **Open Burning:** A fire started and intentionally used for grassland or forest management, including vegetative, habitat, or fuel management. Open burning includes both broadcast and pile burning and does not include agricultural burning.
10. **Open Burning Permit:** A permit developed jointly with the fire protection districts having jurisdiction within Huerfano County and issued by the County with the consent of the fire protection districts.
11. **Person:** Any individual, association, organization, partnership, firm, corporation, business, or other entity recognized by law.
12. **Prescribed Burning:** The controlled application of fire in accordance with a written prescription for wildland fuels under specified environmental conditions while following

appropriate precautionary measures that ensure that the fire is confined to a predetermined area to accomplish the planned fire or land-management objectives.

13. **Red Flag Warning:** A forecast warning issued by the National Weather Service to inform area firefighting and land use management agencies that conditions are ideal for wildland fire ignition and propagation.
14. **Slash:** Woody material less than six inches in diameter consisting of limbs, branches, and stems that are free of dirt. "Slash" does not include tree stumps, roots, or any other material.
15. **Stage 1 Fire Restrictions:** Prohibits the following activities:
 - a. Building, maintaining, attending or using a fire or campfire except within permanently constructed burn barrels, fire grates in developed/improved campgrounds and picnic grounds or private residences in areas cleared at least 6' of all flammable materials. Rock campfire rings and fire pans are considered temporary and are not acceptable. Devices using gas, jellied petroleum, or pressurized liquid fuel are permitted.
 - b. Smoking, except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.
 - c. Possessing, discharging or using any type of fireworks or other pyrotechnic device to include sparklers. This does not differentiate between lawful use or careless/negligent use of fireworks but prohibits all fireworks activity and use on public and private lands.
 - d. Operating a chainsaw without a USDA or SAE approved spark arrester properly installed and working, a chemical fire extinguisher of not less than 8 ounces capacity by weight, and one round point shovel with an overall length of at least 36 inches.
 - e. Using an explosive or exploding targets.
 - f. Using a welder, either arc or gas, or operating acetylene or other torch with open flame, except in cleared areas of at least 10 feet in diameter with a chemical pressurized fire extinguisher of not less than 8 ounces capacity.
16. **Stage 2 Fire Restrictions:** Prohibits all activities prohibited by Stage 1 Fire Restrictions as well as the following activities:
 - a. Building, maintaining, attending, or using a fire or campfire.
 - b. Smoking, except within an enclosed vehicle or building.
 - c. Operating a chainsaw or other equipment powered by an internal combustion engine between 1:00 p.m. to 1:00 a.m.
 - d. Welding, or operating an acetylene or other torch with open flame.

Section 4. Unlawful Acts.

1. No person shall conduct open burning within the unincorporated areas of Huerfano County, including private and County property, without first having obtained an Open Burning Permit from Huerfano County.
2. No person shall conduct open burning or agricultural burning without prior notification to the Huerfano County Emergency Dispatch.
3. Engaging in any activity prohibited when Stage 1 or Stage 2 Restrictions are in effect, other than as excepted or exempted, in the unincorporated areas of Huerfano County.

Section 5. Exceptions and Exemptions.

The following are permitted and are not in violation of Section 4:

1. During Stage 1 Restrictions
 - a. Open Burning conducted with an approved Open Burning Permit
 - b. Smokeless flares or safety flares for the combustion of waste gasses.
 - c. Flares used to indicate danger.
 - d. All prescribed burns will be reviewed and approved by a qualified representative from the respective jurisdiction.
2. During Stage 2 Restrictions
 - a. Fires in developed campgrounds and picnic grounds, or private residences contained within stoves, fire pits or appliances that are fueled by liquid propane or natural gas and cleared at least 3 feet of all flammable materials, with flames lengths not exceeding 2 feet. The flame must be completely and immediately extinguished by activation of a switch, valve, and/or tip over safety switch.
3. If fire is a requirement to do business or if a chainsaw work is necessary (for example, a barbecue restaurant or welding shop/mitigation work), then said business must mitigate their property to meet guidelines set by, or have the written approval of, the fire protection district having jurisdiction commensurate with the size and location of fire and the level of fire restriction enacted.
4. Any federal, state, or local officer, or member of an organized rescue or firefighting force, in the performance of an official duty.

Section 6. Implementation of Fire Restriction Stages.

1. Stage 2 Fire Restrictions will be automatically implemented while a fire weather watch, red flag warning, high wind watch, or high wind warning is in effect.
2. The Emergency Manager shall monitor fire danger conditions and coordinate with Federal, State, and local fire agencies to determine the appropriate stage of restrictions. When conditions merit that Stage I Restrictions should be enacted, or that restrictions should be upgraded to Stage II Restrictions, the Emergency Manager will advise the Board of County Commissioners to implement such restrictions. The Emergency Manager will similarly advise the Commissioners to suspend such restrictions as the conditions merit.
3. Should conditions merit action with immediate effect, the Sheriff is authorized to implement or suspend Fire Restrictions on the advice of the Emergency Manager for later ratification by the BOCC.
4. When Fire Restrictions are enacted the Emergency Manager will coordinate notification of the public through a general press release to local television, radio and print media, as well as posting on the Huerfano County website and through social media outlets. Likewise, when there is a reduction in restrictions from Stage II to Stage I, or the suspension of restrictions, the same notification to the public shall occur.

Section 7. Permitting Process.

The Emergency Manager is authorized and directed to establish a joint permitting process with the Fire Protection Districts and the advice and consent of the County Administrator. Any such process must meet the following conditions:

1. No fee may be charged for the permits
2. The fire protection district having jurisdiction must agree to issuance of the permit.
3. The person issued a permit must inform Huerfano County Emergency Dispatch before the burn is started and upon completion.
4. The Emergency Manager and Fire Chiefs maintain the discretion to suspend or revoke any

permit upon a violation of this Ordinance or upon finding it is in the interests of public safety to revoke said permit.

Section 8. Enforcement, Violations, and Penalties.

1. Violation of this Ordinance shall constitute a Civil Infraction. Violations of this Ordinance may be enforced through the penalty assessment procedure set forth in Section 16-2-201, C.R.S.
2. The following are authorized to issue citations, summons, and complaints for violation of this Ordinance.
 - a. Any Law Enforcement Officer or Code Enforcement Official of Huerfano County.
 - b. Any Official of a Fire Protection District in Huerfano County.
 - c. Any Code Enforcement Official of a municipality that adopts this Ordinance.
3. It is the duty of the Huerfano County Sherriff, Undersheriff, and deputies to enforce this ordinance as provided for in 30-15-410, C.R.S.
4. The graduated fine schedule for the penalty assessment procedure is as follows:
 - a. \$50.00 for the first violation.
 - b. \$250.00 for the second violation.
 - c. \$1000.00 for each successive violation.
5. Persons convicted of violating this ordinance are subject to the surcharges identified in § 30-15-402, C.R.S.
6. In addition to any other penalty, persons convicted of a violation of this Ordinance shall pay the customary courts costs when applicable.
7. All fines and penalties shall be deposited into the General Fund of Huerfano County and distributed annually to the Fire Protection Districts on the basis of number of permits issued in the proceeding calendar year.
8. It is the responsibility of the County Attorney to enforce the provisions of this Article, according to the County Court Rules of Criminal Procedure.
9. The Board of County Commissioners may seek civil relief, including but not limited to injunctive relief and mandamus, to enforce the provisions of this Ordinance.
10. Any person who violates the terms and conditions of a permit issued under this Ordinance or who violates this ordinance and causes a fire that requires response from the local fire protection district must provide restitution to any and all responding agencies. Such restitution shall consist of all costs and expenses incurred by the local fire protection district responders incurred as a result of the fire.

Section 9. Liability.

1. The adoption of the Ordinance codified in this document shall not create any duty to any person, firm, corporation, or any other entity with regard to enforcement or nonenforcement of this Ordinance. No person, firm, corporation, or other entity shall have any civil liability remedy against the Huerfano County Board of County Commissioners or Huerfano County Sheriff, their officers or agents for any damage(s) arising out of, or in any way connected with the adoption, enforcement or non-enforcement of this Ordinance.
2. Nothing in this Ordinance shall be construed to create any liability or to waive any of the immunities, defenses, limitations or liability, or other provisions of the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S. or to wave any immunities, or defenses or limitations on any liability otherwise available to each entity, agency, governmental body, it's officers, employees and agents.

Section 10. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Huerfano County Board of County Commissioners hereby declares that it would have passed this Ordinance irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 11. Recording.

INTRODUCED, READ, and ORDERED PUBLISHED in full on first reading the 5th day of April, 2022.

READ, ADOPTED, and ORDERED PUBLISHED in full on this 12th day of July, 2022. This Ordinance will become effective 30 days after publication.

BOARD OF COUNTY COMMISSIONERS
OF HUERFANO COUNTY, COLORADO

DocuSigned by:
BY Gerald Cisneros
Gerald A. Cisneros, Chairman

DocuSigned by:
John Galusha
John Galusha, Commissioner

DocuSigned by:
Arica Andreatta
Arica Andreatta, Commissioner

ATTEST:

DocuSigned by:
Nancy Cruz
Nancy Cruz
County Clerk and Recorder and
Ex-Officio Clerk to said Board

John Galusha, Chairman
Arica Andreatta, Commissioner
Karl Sporleder, Commissioner

Item 3h.



Board of County Commissioners

Randy Welch
Executive Director
National Wilderness Stewardship Alliance
P.O. Box 5293
Reno, NV 89513

April 4, 2023

RE: La Veta Trails Application for National Forest System Trail Stewardship Partner Funding

Dear Mr. Welch,

La Veta Trails within the Spanish Peaks Wilderness Area has been a great addition to the resources in Huerfano County. The application they are submitting will utilize their skills and their ability to get things done to better the trail experience for all users of the trails. They have been exceptional in researching property ownership and negotiating right-of-ways for new trails in the County. They have also been exceptional at developing those trails after getting those rights-of-way.

Tourism is a primary economic driver in our county. The hard work of La Veta Trails, the Spanish Peaks Wilderness Stewards and the wilderness trails within the county help enhance the tourism experience. Improvements to those trails are paramount to that goal.

La Veta trails has been a great addition to the resources and the Spanish Peaks Wilderness Area is an outstanding asset in Huerfano County. It is with confidence and pleasure that the Huerfano County Commissioners provide this letter of support for this application.

Sincerely,

John Galusha, Chairman

Arica Andreatta, Commissioner

Karl Sporleder, Commissioner

HUERFANO COUNTY

GREEN SHEET/STATUS CHANGE

EFFECTIVE DATE

4/10/2023

NAME:

Hallie Coulter

PAYROLL :

4/14/2023

CHANGE
OF
ADDRESS/
PHONE

STREET

5242 CR 230

CITY, STATE, ZIP

Walsenburg CO 81089

TELEPHONE

CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE	SCW IV Adult Services	Adult Services Manager
DEPARTMENT	Dept of Human Services	Dept of Human Services
HOURS		
ANNUAL SALARY	\$51,500.00	\$56,000.00
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY		

REASON FOR CHANGE

NEWHIRE

REHIRED

PROMOTION

DEMOTION

TRANSFER

RESIGNATION

RETIREMENT

LAYOFF

ADMINISTRATIVE LEAVE PAID

ADMINISTRATIVE LEAVE UN-PAID

LENGTH OF SERVICE INCREASE

REEVALUATION OF CURRENT JOB

INTRODUCTORY PERIOD COMPLETED

OTHER

COMMENTS, IF NECESSARY

Motion to promote Hallie Coulter to an Adult Services Manager I effective April 10, 2023

I, Sheila Hudson-Macchietto, Director certify that the above presented information has been requested by the Department Head and or Elected Official directly responsible for the employee named within. I certify that I have received all proper documentaion and that I have entered the information on the Green Sheet to reflect the change as requested.

Sheila Hudson-Macchietto 03/29/2023

Signature of preparer

Date Signed

John Galusha-Board Chairman

Arica Andreatta, Vice Chairman

Karl Sporleder, Commissioner

Date

Date to Finance Office:

HUERFANO COUNTY

GREEN SHEET/STATUS CHANGE		EFFECTIVE DATE
		3/26/2023
NAME: Krissie Aldretti	PAYROLL :	4/14/2023

CHANGE OF ADDRESS/ PHONE	STREET	
	CITY, STATE, ZIP	
	TELEPHONE	
CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE	HR Liason	HR Liason
DEPARTMENT		Sheriff
HOURS		
ANNUAL SALARY	\$40,574.56	\$45,574.40
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY		Non-Exempt
REASON FOR CHANGE		
<div> NEW HIRE REHIRED PROMOTION DEMOTION TRANSFER </div> <div> RESIGNATION RETIREMENT LAYOFF ADMINISTRATIVE LEAVE PAID ADMINISTRATIVE LEAVE UN-PAID </div> <div> LENGTH OF SERVICE INCREASE REEVALUATION OF CURRENT JOB INTRODUCTORY PERIOD COMPLETED OTHER </div>		
COMMENTS, IF NECESSARY		
Motion to Approve a Pay Increase for Krissie Aldretti for Additional Duites Within the Sheriff's Department.		

Elected Official / Department Head

Date

Angela Wakeman

3/31/2023

Human Resources Officer

Date

John Galusha, Chairman

Date

Budget Officer

Date

Date Inputed Into System

HUERFANO COUNTY

GREEN SHEET/STATUS CHANGE		EFFECTIVE DATE
		3/21/2023
NAME: Lea Vigil	PAYROLL :	4/14/2023

CHANGE OF ADDRESS/ PHONE	STREET	
	CITY, STATE, ZIP	
	TELEPHONE	
CHANGE	FROM (DOES NOT APPLY TO NEW EMPLOYEE)	TO
JOB TITLE	Detention Officer / Captain	Jail Administrator
DEPARTMENT	Sheriff	Sheriff
HOURS		
ANNUAL SALARY	\$40,574.56	\$47,500.00
SEMI-MONTHLY SALARY		
HOURLY SALARY		
OTHER SALARY		Non-Exempt
REASON FOR CHANGE		
<div> NEW HIRE REHIRED PROMOTION DEMOTION TRANSFER </div> <div> RESIGNATION RETIREMENT LAYOFF ADMINISTRATIVE LEAVE PAID ADMINISTRATIVE LEAVE UN-PAID </div> <div> LENGTH OF SERVICE INCREASE REEVALUATION OF CURRENT JOB INTRODUCTORY PERIOD COMPLETED OTHER </div>		
COMMENTS, IF NECESSARY		
Motion to Approve a Pay Increase for Lea Vigil for promotion to Jail Administrator Within the Sheriff's Department.		

Elected Official / Department Head

Date

Angela Wakeman

4/3/2023

Human Resources Officer

Date

John Galusha, Chairman

Date

Budget Officer

Date

Date Inputed Into System