

**CLEAR CREEK COUNTY COMMISSIONERS MEETING
AGENDA ITEM REQUEST FORM**

(This form must be given to the Beth Luther, Executive Assistant to the Board of County Commissioners no later than 2 p.m. on Monday preceding the meeting week you wish to attend. Phone: 303-679-2312, Fax to 303-679-2440)

Title: Consideration of Approval of Resolution R-19-15, a Resolution Designating the Clear Creek Fire Authority as the Emergency Response Authority for Hazardous Substance Incidents Occurring within the Unincorporated Area of Clear Creek County

Executive Summary: C.R.S. §29-22-102(3)(b) authorizes the board of county commissioners of every county to designate by resolution the emergency response authority or authorities (DERA) for hazardous substance incidents occurring within the unincorporated area of the county. Unless so designated, the County Sheriff has this responsibility for the unincorporated areas of the county, and the County Sheriff recommends the designation of the Clear Creek Fire Authority as the emergency response authority for hazardous substance incidents occurring within the unincorporated area of Clear Creek County. This resolution will appoint the Clear Creek Fire Authority as the DERA for hazardous substance incidents occurring within the unincorporated area of Clear Creek County.

Length of time expected for presentation & discussion: _____ 5 minutes _____

Presenter(s) name(s) and title: _____ Jane Thomas, Office of Emergency Management _____

Financial considerations:

Contract amount

R-19-15

RESOLUTION DESIGNATING THE CLEAR CREEK FIRE AUTHORITY AS THE EMERGENCY RESPONSE AUTHORITY FOR HAZARDOUS SUBSTANCE INCIDENTS OCCURRING WITHIN THE UNINCORPORATED AREA OF CLEAR CREEK COUNTY

WHEREAS, §29-22-102(3)(b), C.R.S., authorizes the board of county commissioners of every county to designate by resolution the emergency response authority or authorities (DERA) for hazardous substance incidents occurring within the unincorporated area of the county; and

WHEREAS, §29-22-102(5)(a) designates the Colorado State Patrol as the DERA for hazardous substance incidents that occur on any federal, state or county highway located outside of municipal city limits; and

WHEREAS, every town and city is responsible for designating the DERA for hazardous substance incidents within their corporate limits; and

WHEREAS, §29-22-102(3)(b), C.R.S., also states that “Unless otherwise designated by ordinance or resolution, the county sheriff having responsibility for the unincorporated area of the county shall be the designated emergency response authority,” and the Clear Creek County Sheriff recommends designation of the Clear Creek Fire Authority; and

WHEREAS, the Board of County Commissioners of Clear Creek County desires to designate the Clear Creek Fire Authority as the emergency response authority for hazardous substance incidents occurring within the unincorporated area of Clear Creek County; and

WHEREAS, Clear Creek Fire Authority Fire Chief Kelly Babeon is authorized to and accepts designation of the Clear Creek Fire Authority for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Clear Creek County that effective this date, the Clear Creek Fire Authority is hereby designated as the emergency response authority for hazardous substance incidents occurring within the unincorporated area of Clear Creek County pursuant to §29-22-102(3)(b), C.R.S., (excluding those for which Colorado State Patrol is the DERA) until further action by this Board.

ADOPTED this 8th day of January, 2019, at a regularly scheduled meeting of the Clear Creek Board of County Commissioners.

Sean Wood, Commissioner

Randall Wheelock, Commissioner

ATTEST:

George Marlin, Commissioner

Deputy Clerk and Recorder