

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
RESOLUTION 25-09**

A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH SUMMIT FIRE & EMS FIRE PROTECTION DISTRICT CONCERNING PRESCRIBED PILE BURNING SERVICES.

WHEREAS, pursuant to title 29, article 1, part 2, Colorado Revised Statutes, as amended, and Article XIV, Section 18 of the State Constitution, governments may contract with one another to provide any function, service or facility lawfully authorized to each of the contracting units and any such contract may provide for the joint exercise of the function, service or facility; and

WHEREAS, the Town of Frisco, Colorado (“Town”), in the performance of its governmental functions, owns, manages and maintains real property that is forested or otherwise in need of management in the form of tree and brush thinning; and

WHEREAS, the Town Council determines that, in accordance with C.R.S §24-33.5-1217.5(1)(e), there may be occasions when the Town determines that prescribed burning is an appropriate method for disposing of felled vegetation on Town-owned property; and

WHEREAS, the Summit Fire & EMS Fire Protection District (the “Fire District”) constitutes a “fire department,” as defined in C.R.S. § 24-33.5-1202(3.9), which has State certified personnel, and other experienced personnel, who are qualified to lawfully conduct prescribed burning as defined in C.R.S. § 24-33.5-1202(8.3) within the meaning of C.R.S. § 18-13-109(2)(b)(III); and

WHEREAS, the Town has requested that the Fire District conduct from time to time, and the Fire District has agreed to conduct from time to time, prescribed burning on the property owned by the Town upon the terms and conditions set forth in the form of Intergovernmental Agreement for Prescribed Pile Burning Services (Municipal Property Owner) that is attached hereto, as completed from time to time to address a particular “Property” to be defined therein; and

WHEREAS, the Town Council determines that, because the form of Intergovernmental Agreement that is attached hereto is to be entered into with respect to a particular “Property” under a particular “Prescribed Fire Plan,” the Town Manager should be authorized to enter into one or more versions of the agreement from time to time, as appropriately completed to address a particular “Property” under a particular “Prescribed Burn Plan.”

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO, COLORADO, THAT:

Section 1. The attached form of:

INTERGOVERNMENTAL AGREEMENT FOR PRESCRIBED PILE BURNING SERVICES
(Municipal Property Owner)

(the “Agreement”) is hereby approved, and the Town Manager is authorized to execute and deliver one or more versions of the agreement, appropriately completed to address a particular “Property” under a particular “Prescribed Fire Plan” (each as defined in the Agreement) and any other agreements or documents as may be necessary or desirable to effectuate the terms and conditions of the agreement.

Section 2. This Resolution shall take effect immediately.

INTRODUCED, READ AND ADOPTED this 11th day of February, 2025.

Frederick J. Ihnken, Mayor

ATTEST:

Stacey Nell, Town Clerk