

BOARD OF COUNTY COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO
COUNTY, COLORADO, ADOPTING AN AMENDMENT TO THE NOXIOUS WEED
MANAGEMENT PLAN FOR ALL OF THE UNINCORPORATED LANDS WITHIN RIO
BLANCO COUNTY**

WHEREAS, Section 35-5.5-105(1) of the Colorado Revised Statutes authorizes and requires each county in the State of Colorado to adopt a noxious weed management plan for all of the unincorporated lands within each county; and

WHEREAS, Section 35-5.5-105(1) of the Colorado Revised Statutes provides that the Board of County Commissioners of Rio Blanco County, Colorado (Board) may adopt and provide for the enforcement of such rules and regulations as may be necessary and proper to enforce the noxious weed management plan and otherwise provide for the management of noxious weeds on all of the unincorporated lands within Rio Blanco County; and

WHEREAS, the Commissioner of the Colorado Department of Agriculture (Commissioner), as required by the Colorado Legislature, has classified noxious weeds into one of a minimum of three categories including List A which includes rare noxious weed species that are subject to eradication wherever detected statewide in order to protect neighboring lands and the State as a whole; List B which includes noxious weed species with discreet statewide distributions that are subject to eradication, containment, or suppression in portions of the State designated by the Commissioner in order to stop the continued spread of these species; and List C which includes widespread and well established noxious weed species for which control is recommended but not required by the State, although local governing bodies may require management; and

WHEREAS, the Commissioner has developed and implemented State noxious weed management plans for noxious weed species classified as List A or List B species; and

WHEREAS, the Commissioner has prescribed integrated management techniques to achieve specified management objectives for each listed species which are mandatory for List A species and populations of List B species designated for eradication; and

WHEREAS, pursuant to C.R.S. 35-5.5-108.5(3) it is the duty of local governing bodies to carry out sufficient measures, including project oversight and enforcement as may be necessary to ensure the eradication of List A species and populations of List B species designated for eradication by the Commissioner; and

WHEREAS, as required by C.R.S. 35-5.5-107 the Board has appointed a Local Advisory Board; and

WHEREAS, the Local Advisory Board has developed a management plan for the integrated management of designated noxious weeds and management criteria for noxious weeds within the unincorporated areas of Rio Blanco County and has submitted a Noxious Weed Management Plan to the Board which was adopted on June 13, 2011 by Resolution No. 2011-26; and

WHEREAS, the Board finds it is appropriate to Amend the County Noxious Weed Management Plan to reflect changes in the State of Colorado Weed Management Plan.

WHEREAS, upon notice duly given, the Board has conducted, a hearing on the proposed Amendment to the Rio Blanco County Noxious Weed Management Plan on April 14, 2014;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:

1. The public hearing before the Board was extensive and complete, pertinent facts, matters and issues were submitted, and any interested parties were given an opportunity to be heard at the hearing;
2. The proposed Amendment to the Rio Blanco County Noxious Weed Management Plan complies fully with the requirements of the Colorado Noxious Weed Act, part 5.5. of Title 35, Colorado Revised Statutes;
3. The proposed Amendment to the Noxious Weed Management Plan is in the best interests of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of Rio Blanco County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO

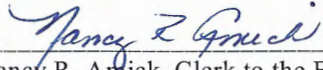
A. The Amendment to the Rio Blanco County Noxious Weed Management Plan attached to this Resolution as Exhibit A, is hereby approved and adopted.

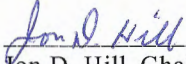
B. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado, declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion herein, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions would be declared invalid or unconstitutional.

DULY MOVED, SECONDED AND PASSED ON A VOTE OF 3 FOR AND 0 AGAINST, this 14th day of April, 2014.


BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO

ATTEST:


Nancy R. Amick, Clerk to the Board


Jon D. Hill, Chairman


Jeffrey D. Eskelson, Commissioner


Shawn J. Bolton, Commissioner

