



COLORADO

Parks and Wildlife

Department of Natural Resources

BSAR/EMERGENCY MANAGEMENT

BACKCOUNTRY SEARCH AND RESCUE COUNCIL MEETING MINUTES

Tuesday, September 3, 2024 from 1:00 –3:00 (Virtual)

Join Zoom Meeting

<https://cpw-state-co.zoom.us/j/6969149336?pwd=SjJ4cEY3cUV2cW5reU1MRkxDbWhvdz09>

Meeting ID: 696 914 9336

Passcode:m6pyC3

One tap mobile

+17209289299,,85971822869# US (Denver)

MEMBER ATTENDEES:

CPW: Perry Boydston, BSAR Program Manager, Chair; Brent Lounsbury, Emergency Management Coordinator

CSAR: Woody Woodward, President; Jeff Sparhawk, Executive Director

CSOC: Sheriff Jaime FitzSimons and Mark Watson, Summit County; Sheriff Justin Perry, Ouray County

Member-at-Large: Trish Zornio, Brad McQueen

Public Attendees: Keith Keesling – CSAR Vice President

Call to Order:

I. **Welcome and Introduction:** Perry Boydston

II. **Public Comment:** Keith Keesling

Keesling thought it would be helpful if we could show the public/state legislature how many millions of dollars it costs to operate SAR in Colorado's backcountry, as compared to what FEMA would charge. By breaking down the annual SAR costs per incident, this would make it easier for the public to understand the benefit of funding SAR Teams who employ volunteers.

III. **Organizational Updates:** CSAR/CPW

5:20

CSAR Council Presentation: Jeff Sparhawk-Presenting

This year, CSAR has been heavily involved in the governance of BSAR by amending Bylaws and changing the Articles of Incorporation. For the first time in 50 years, CSAR has a Mission/Vision and Value Statement, which will soon be posted on the website. Safety and collaboration are the primary areas of emphasis. CSAR offers first responder education, and in 2023, the program offered over 10K training hours. CSAR hosts the Annual SAR conference ("SARCON"), which is scheduled for September 27-29, 2024. This year, the primary focus is interagency collaboration, BSAR Team leadership, partnerships with DHSEM and the Air Force, Team trainings and incident coordination. CSAR is adopting real-time collaboration with new technology. Washington and New Mexico have expressed interest in copying CSAR's model. Sparhawk presented charts reflecting long/short term incident trends across the state, with a Team having six incidents in one day, and another



COLORADO

Parks and Wildlife

Department of Natural Resources

BSAR/EMERGENCY MANAGEMENT

Team with 68 incidents/day. Over the past two weeks, CSAR received 17 incident requests, 10 National Guard hoists and 8 fatalities. Two incidents required a 40-50 responder call-out.

Along with responder education, CSAR offers various assistance to the Teams themselves, including non-profit management, member retention and succession planning/training programs.

CSAR also offers public backcountry safety education, which is depicted on the CSAR website. CSAR has recently become a member of the International Outdoor Safety Forum, which discusses behavior modification in the backcountry. Currently, the United States only offers CAIC and CSAR, so this international forum might prove beneficial.

CSAR instructs at various conferences, and these dates/times will be posted on the website. The website is currently being revamped to include Colorado Backcountry Smart.

At some point, informational videos with safety messaging on rock climbing, rafting skiing and hiking will be available for the public to watch.

Newsletters will be going out and monthly screen side chats are being held.

CSAR is facing challenges with funding, including a proposed OSHA ruling that might affect SAR volunteers. CSAR has no paid staff, and the Executive Director not been paid since June. Boydston said OSHA hasn't made any rulings yet and are currently requesting feedback and comments, but for the rules to change, it does require legislation. Sparhawk said the OSHA rules vary from state-to-state, but OSHA typically does not have any say over volunteers in Colorado. However, in Colorado, the definition of an "employee" includes SAR volunteers, so from a statutory standpoint, these rulings might affect Colorado.

23.30

CPW:

Boydston mentioned that CPW changed its' website, and when it went to a new platform, all the links changed and are not yet fully updated. CORSAR cards can still be purchased.

Since CPW and CSAR are both holding open forums, this might prove to be a valuable tool with stakeholder engagement as we consider changing the surcharge on licenses/permits, which is set to begin in November.

We are looking into a state-wide NASAR membership, which will enable all Colorado counties to benefit from the discounted training fees, as well as us potentially serving on their Board.

26.55

IV. Meeting Minutes – Mark Watson's name was spelled incorrectly in April—this will be corrected.



COLORADO

Parks and Wildlife

Department of Natural Resources

BSAR/EMERGENCY MANAGEMENT

Woodward asked if we should document names of all the public attendees? Boydston did not believe it relevant to this group to list all public participants, and Stork agreed. But listing the *number* of public participants, rather than names, might be advisable.

The April and June minutes were approved with consensus.

- V. **BSAR Council Member Updates:** Perry Boydston/Brad McQueen
We have a new member, Brad McQueen. Brad is a regional managing partner at the CPA firm Plante Moran-Colorado. He is a very strong SAR supporter, as his family survived a harrowing experience 20 years ago when a winter storm moved in and caught them off guard, and Alpine Rescue Team came to their rescue.

30.55

- VI. **BSAR Council's Council Presentation:** Christopher Stork, AG's office

Stork presented *HB 18-1198 CORA-Conflicts of Interest and Open Meetings Law*. Each board/council is required to have annual training to comply with the statutory directive.

Per §24-3.7-102(1)(a) CRS, the BSAR Council has a duty to discuss reimbursements and distribution of grant funds in accordance with §33-1-112.5 CRS.

Conflicts of Interest is addressed in the Bylaws and is posted on the AG's website, which states:

"Member of a board shall not perform an official act which may have a direct economic benefit on a business or other undertaking in which such Member has a direct or substantial financial interest." Keep this in mind when discussing/voting on a reimbursement if you may have some sort of financial interest. You should make any financial interests known at the beginning of the meeting, and best practice is to leave the meeting during relevant discussions/voting to quell any potential conflicts of interest/perceived influence.

The Colorado Open Records Act ("CORA") allows for the inspection of records by members of the public who submit a request with CPW. CPW is required to disclose the requested records within three (3) business days (may be extended with agreement). Records may include writings, books, papers, maps, photographs, cards and emails/text messages between council members. All council records are presumed open to CORA, with the following exceptions: attorney/client privilege; legal advice; and "deliberative process", which are discussions prior to a final decision, as these disclosures could "chill" a frank discussion between members.

Open Meetings Law ("OML") Section §24-6-402 CRS requires that meetings of public bodies to be open and transparent to promote public confidence and trust, as well as ensuring public business isn't being conducted in secret. Meetings, including virtual/hybrid, must be open to the public, with full and timely notice posted in a designated public place (reasonable advanced notification shall be no less than 24 hours). The meeting minutes must be recorded. Notices must include the date and time of the meeting, the location and agenda.



COLORADO

Parks and Wildlife

Department of Natural Resources

BSAR/EMERGENCY MANAGEMENT

The two main elements for the OML include:

- 1) Number of Council Members (2 or more); and
- 2) Discussing “public business” (all communications regarding public business are considered “meetings”, which includes phone call/texts/emails).

Chance meetings/social gatherings where public business is not the central purpose is not considered a “meeting”;

“Public Business” is a bit obscure, as there is no statutory definition. Courts have determined that there must be a “demonstrated link” between the meeting and the policy-making powers of the government entity holding or attending the meeting.

When two (2) or more members of a state body meet, at which any public business is discussed, the meeting is required to be open to the public.

Complying with OML includes avoiding discussing public business with other Councilors outside of official meetings, and not replying to emails with “reply all”, if other Councilors are listed.

An exception to OML is Executive Sessions, which are conferences with an attorney representing the state public body concerning disputes involving the public body that are the subject of pending or imminent court action. In Executive Sessions, no formal action is allowed, and they are held only for limited subject matters.

Failure to comply with the notice requirements can render an action invalid.

Christopher Stork’s email is: christopher.stork@coag.gov

55.45

VII. CPW Emergency Management: Brent Lounsbury

Lounsbury is the new CPW Emergency Management Coordinator and has been working in this capacity for four months. The unit’s conception was rooted in CPW’s response to the Marshall fire, where we determined CPW needed a liaison between agencies and a SME. His primary responsibilities include: Emergency Management; working with Perry and the BSAR Program; supervise CPW’s State Fleet Coordinator; and being the contact for CPW’s statewide radio inventory. In the Alexander Mountain, Stone Canyon and Quarry fires, CPW deployed around 38 officers who logged around 684 hours, mostly assigned to traffic control and on standby to assist with evacuations. Lounsbury worked with incident command, the Department of Fire Prevention and Control, DHSEM, and various counties. He found many agencies are unaware of the depth of resources CPW possesses, and has been busy spreading the news.

Lounsbury participated in a full-scale emergency exercise with Sheriff FitzSimons in Summit County. He is currently enrolled in the FEMA National Emergency Management Basic Academy, which is a 120 hour course, and provides a strong network of resources. He is looking into how we can best utilize CPW’s assets, not only in Emergency Management, but also for BSAR. He wants to put together swiftwater/flatwater rescue teams, as CPW has a large number of officers who are proficient in these disciplines, as well as snowmobile/ATV teams.



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CPW is also the US Coast Guard’s designee for boating safety in Colorado. He is working on putting together boating teams with current CPW officers who have relatable skills/expertise, and how we can get those teams listed in the State emergency management database. His goal is to also provide training to BSAR Teams. In the coordination piece of his job, a majority of it is working toward connecting people together.

1.07.37

VIII. **CORSAR Cards and Reimbursement Process:** Perry Boydston

Boydston said as CPW becomes further established in Salamander and WebEOC, more resources will be available for reimbursement, including rate reimbursements submitted with the Colorado Resource Ordering form. DHSEM has integrated the FEMA rates with State rates, which are now part of the resource ordering system. We are going to be able to use the State rates for SAR reimbursements. The good news is the reimbursements can all be submitted thru the CRFF system, so the rates are going to be more aligned with FEMA. This will benefit our volunteers by allowing them to receive back some of their funds spent on incidents.

The CORSAR card rates changed on April 1st; the 1-year cards increased from \$3.00 to \$5.00, and the 5-year cards increased from \$12.00 to \$20.00. Last year, the card sales dropped, but we ended up making more money because of the rate increases. Most cards were sold by CPW, although DOLA was still selling cards during that time. Boydston could only share CPW’s data since he no longer has access to DOLA records. CPW is currently going thru a RFP process to improve the website. Right now, the sticker process does not work with CPW’s existing protocols, but CPW is accepting older stickers. People can take their stickers to a CPW office where the data can be entered into IPAWS.

1.14.50

IX. **Financial Report and County Allocation:** Perry Boydston

The 168 funds were part of the HB 21-1326 bridge funding with KCW. There are \$709,754.89 from the 168 funds, and with KCW’s interest, we’re sitting at \$2,579,341.95. Around \$80K of this money is interest. We have a carry-over in Bucket 2 (traditional) Funds of \$34,716.63, and generated revenue of \$612,321.39. Minus expenditures of \$166,992.04, we have a final distribution amount of \$480,045.98, which is right around where we’ve been over the past few years.

Financial		
168 Funds	\$ 709,754.89	Purchase of Services
KCW	\$ 2,579,341.95	Available
Bucket 2 Funds (July-June SFY24)		
Traditional BSAR Funds		
Balance Carried Over	\$ 34,716.63	
Revenue	\$ 612,321.39	CORSAR Card/Fees
Expenditures	\$ 166,992.04	Admin/Reimb. Req.
Final Distribution Amount	\$ 480,045.98	



COLORADO

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Department of Natural Resources

BSAR/EMERGENCY MANAGEMENT

Most recently, the CPW Tribal Liaison asked if tribes were eligible for KCW funds. We determined that, thru SB22-104, tribal governments were included in many of the state grants. Boydston reached out to the Liaison about what kind of reimbursements the tribe(s) would be requesting, and will report back to the Council when he receives a response.

Keith Keesling agreed that, based on the report, tribes can be eligible for reimbursement if they meet the criteria.

We received authorization from the CPW Director to move forward with the county allocations as proposed by the Council in June, so notification letters will go out this week.

Woodward asked if it's possible, in the future, for there to be a fixed date as to when Team members can start registering/paying for educational classes or training rather than waiting for the receipt of the official notification letter. As things are now, members are missing out on training opportunities, because by the time the official notification has been received, the training classes are full. Since the applications are completed in June, the awards/reimbursement amounts are a known factor. Boydston stated he does not believe a fixed date could be given, but has taken steps to hasten distributions by changing the spending dates from a state fiscal year to September 1 thru August 30th, which off-sets the granting year. This gives grantees/counties a full year in which to spend the funds. And since the county allocations are on a two-year spending cycle, this will help in their financial planning.

1.30.00

X. BSAR Year-End Distribution

Year-end distributions have been calculated using the same percentages as last year, with \$480K to be distributed across 33 counties.

The first driver is a base divided by 20% of the total amount of funding, and we evenly distribute the funds to all applicants. The next driver, Population, gives the smaller counties an average bump of \$1,800.00. The large counties did not receive an increase. The third driver, Incident Load, is a proportion of the total reported incidents, and each county received a small funding percentage. The formula ensures each county will not exceed its' cap.

Zornio likes the "per incident rate" being represented. But moving forward, she hopes each county will provide an incident rate estimate per *their* incident, which would help in calculating future distributions/allocations.

Smaller counties with higher incident loads get the most money, and large counties with a small incident load get less. The total ask from 33 counties is \$1.6 M, which we are not even close to meeting, but hopefully the KCW funds will help. Equipment costs, especially radios, continue to increase each year.



COLORADO

Parks and Wildlife

Department of Natural Resources

BSAR/EMERGENCY MANAGEMENT

Based off what we did over the last two years, are these Drivers/percentages still agreeable?

1. Floor/Base=20%
 2. County by Population=10%
 3. Eligible Incident by County: CY2023=70%
- Total Volunteers=0%
Total Volunteer Hours=0%
Prior SFY22 State Grant Funding=blank

Zornio asked about a scenario where a county has only a few incidents, but requests a high amount of funds. Is there a way to know what exactly they are asking for and why? Perry said the bulk of the high dollar requests are due to radios, which are very expensive. Counties are looking at providing each responder with their own radio. It's difficult to find a static baseline due to the major differences between the types of calls (i.e.-dive rescue vs. hiking incidents). Each county requires something different. Zornio would like to have a better understanding of each county's base costs, regardless of the number of incidents, what equipment they need and when they need to replace it. We should reconsider how we calculate the base funding when the determined base is higher than what we are currently allocating. Woodward pointed out that, for a high cost item such as a vehicle, counties now receive two years of KCW funding, together with the license plate fees, which is \$7M pot, and EMT matches 50/50. We need to inform Teams of their funding options, as well as ensure they have a 3-4 year plan for large purchases.

Boydston suggested that there be a ceiling. Between both the end-of-year distributions and the KCW grants, some counties are receiving a large amount of funds, far exceeding the requests/needs of other counties. Zornio suggested that most requests are probably substantially lower than their overall, actual operating budget. What we don't know is what percentage of their total operating budget are we giving out? That's the information she would like to have, and would allow us to modify future allocations based on total operating budgets on a "per incident" cost.

The above formula (20%/10%/70%) was approved by the members for the end-of-year distributions/advanced payments.

XI. CORSAR Card/Marketing Update: No additional

Adjourn: 3:07 PM

Next Meeting: In person, December 19, 2024-1:00pm -3:30pm
Nancy's Place, Frisco, CO 80424

If you are unable to attend in person, please plan to attend virtually.

Join Zoom Meeting

<https://cpw-state-co.zoom.us/j/89652511692?pwd=3bwN06E7fSwAm7rgJ3gY2fJW0p6m3Z.1>

Meeting ID: 896 5251 1692

Passcode: 926203

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