

COLORADO REVISED STATUTE

§30-11-107(2) (A):

THE BOARD OF COUNTY COMMISSIONERS OF EACH COUNTY HAS EXCLUSIVE POWER TO ADOPT THE ANNUAL BUDGET FOR THE OPERATION OF THE COUNTY GOVERNMENT, INCLUDING ALL OFFICES, DEPARTMENTS, BOARDS, COMMISSIONS, OTHER SPENDING AGENCIES OF THE COUNTY GOVERNMENT, AND OTHER AGENCIES WHICH ARE FUNDED IN WHOLE OR IN PART BY COUNTY APPROPRIATIONS. ALL SUCH ENTITIES SHALL MAKE APPROPRIATE BUDGET RECOMMENDATIONS EACH YEAR TO THE BOARD OF COUNTY COMMISSIONERS FOR THE OPERATION OF THEIR RESPECTIVE OFFICES; BUT THE FINAL BUDGET DETERMINATION OF EACH BOARD OF COUNTY COMMISSIONERS SHALL BE BINDING UPON EACH OF THE RESPECTIVE OFFICES, DEPARTMENTS, BOARDS, COMMISSIONS, OTHER SPENDING AGENCIES OF THE COUNTY GOVERNMENT, AND OTHER AGENCIES WHICH ARE FUNDED IN WHOLE OR IN PART BY COUNTY APPROPRIATIONS.

SHORT VERSION
SUMMARY OF STATUTORY REQUIREMENTS OF THE BOARD OF COUNTY COMMISSIONERS

POWERS OF THE BOARD OF COUNTY COMMISSIONERS

30-11-107. Powers of the board

(1) The board of county commissioners of each county has power at any meeting:

(a) To make such orders concerning the property belonging to the county as it deems expedient;

(b) To examine and settle all accounts of the receipts and expenses of the county, to examine and settle and allow all accounts chargeable against the county, and, when so settled, to issue county orders therefor as provided by law;

(c) To build and keep in repair county buildings and cause the same to be insured in the name of the county treasurer for the benefit of the county and, in case there are no county buildings, to provide suitable rooms for county purposes;

(d) (I) To apportion and order the levying of taxes as provided by law; except that, for purposes of the application of any occupational privilege tax, oil and gas wells and their associated production facilities shall not be considered a business or occupation subject to such tax; and

(II) To contract loans in the name and for the benefit of the county for the purpose of erecting necessary public buildings and making or repairing public roads or bridges, when such loans have been authorized by a vote of the legal voters of the county;

(e) To represent the county and have the care of the county property and the management of the business and concerns of the county in all cases where no other provisions are made by law;

(f) To set off, organize, and change the boundaries of precincts in their respective counties and to designate and number such precincts in accordance with sections 1-5-101 and 1-5-101.5, C.R.S.;

(g) To establish one or more voting places in each election precinct, as the convenience of the inhabitants may require;

(h) To lay out, alter, or discontinue any road running into or through such county and also to perform such other duties respecting roads as may be required by law;

(i) To grant such licenses and perform such other duties as are or may be prescribed by law;

(j) To acquire land for, lay out, construct, maintain, and repair airports and landing strips for aircraft, to enter into leases, and to fix and collect charges or fees for the use of such airports and landing strips;

(k) To provide in the county budget for dumping grounds within the county to be used for such purposes as may be prescribed by the board;

(l) To enter into agreements with any municipality for the joint use and occupation of public buildings. The consideration to be paid for such use and occupation shall be paid each year out of current revenues which shall be appropriated annually, and any agreement to make such annual payment shall not be considered or held to be creation of an indebtedness of the county within any constitutional or statutory limitation.

(m) To negotiate with the board or boards of county commissioners of another county or counties, and with the board of governors of the Colorado state university system of Colorado state university, for agricultural extension service to be furnished such counties, and to be financed on a pro rata share by the counties receiving such service;

(n) To create, by resolution duly adopted, the office of county manager, or administrative assistant to the board of county commissioners, or county budget officer, or any other such office as may, in its judgment, be required for the efficient management of the business and concerns of the county. When so created, the board has power to make appointments to such offices, to prescribe the duties to be performed by such appointees, to fix the compensation to be paid to such

appointees, and to pay the same from the county general fund. Any persons appointed to such offices shall serve at the pleasure of the board of county commissioners.

(o) To cooperate with other counties and with the state forester in the organization and training of rural fire fighting groups, payment for the operation and maintenance of firefighting equipment and in sharing the cost of suppressing fires;

(o.5) Repealed.

(p) To purchase all necessary uniforms of the county sheriff, undersheriff, and deputies of the county; but no such uniforms shall be supplied to those persons deputized to perform particular acts, and all such uniforms shall be and remain the property of the county;

(q) To organize, own, operate, control, direct, manage, contract for, or furnish ambulance service;

(r) To provide in the county budget for services for the aged, including but not limited to social and recreational services, medical services, transportation, and homemaker services;

(s) To appropriate moneys from sources other than ad valorem taxes to multijurisdictional housing authorities or housing authorities established under part 5 of article 4 of title 29, C.R.S., from the county general fund;

(t) To set, by resolution duly adopted or by the method provided in the charter of a home rule county, mileage for all county officers, employees, and agents in an amount not less than twenty cents per mile nor more than a rate per mile equal to the standard mileage rate allowed pursuant to 26 U.S.C. sec. 162, as amended, and regulations promulgated thereunder, for each mile actually and necessarily traveled while on official county business;

(u) To expend moneys or make assessments pursuant to paragraph (z) of this subsection (1) for the maintenance of drainage structures and facilities and to accept dedicated or deeded drainage easements or drainageway tracts as county property once drainage structures and facilities on such easements or tracts have been completed and found to meet county specifications and standards;

(v) To provide a job diversion program directing persons making application for or receiving assistance under the Colorado works program, as described in part 7 of article 2 of title 26, C.R.S., into bona fide public or private sector employment;

(w) To expend moneys or make assessments pursuant to paragraph (z) of this subsection (1) for the construction, reconstruction, improvement, or extension of drainage facilities within the unincorporated or incorporated areas of the county and to acquire, by gift, purchase, lease, or the exercise of the right of eminent domain, all lands, easements, or rights in land which are necessary in connection with such construction, reconstruction, improvement, or extension. Drainage facilities shall not be provided in any area which is within an existing drainage district organized or created pursuant to law without the approval of such district.

(x) To enter into a contract with the state telecommunications director pursuant to the provisions of section 24-37.5-502 (3), C.R.S., for the providing of teleconferencing facilities and services between the county and any other county, city and county, or state agency to be used for teleconferencing of hearings relating to any person in the custody of the county;

(y) To expend moneys or make assessments pursuant to paragraph (z) of this subsection (1) for the construction, maintenance, repair, or installation of curbs, gutters, sidewalks, and related structures along residential and commercial streets or alleys and in residential or commercial subdivisions within the unincorporated areas of the county; except that, prior to making an assessment for any purpose authorized by this paragraph (y), the county shall consider cost-sharing alternatives so that a portion of the cost of any project authorized in this paragraph (y) is incurred and paid by the county;

(z) To prescribe, by ordinance adopted, administered, and enforced in accordance with part 4 of article 15 of this title, the mode in which the charges on the respective owners of lots or lands, and on the lots or lands, shall be assessed and determined for the purposes authorized in paragraphs (u), (w), and (y) of this subsection (1);

(aa) To establish policies and procedures regarding entering into contracts binding on the county, and to delegate its power to enter into such contracts pursuant to such policies and procedures, where amounts specified in such policies and procedures and where such contracts otherwise comply with limits and requirements set forth in such policies and

procedures;

(bb) To provide for the preservation of the cultural, historic, and architectural history within the county by ordinance or resolution; to delegate the power to designate historic landmarks and historic districts to an historic preservation advisory board; to accept dedicated or deeded easements or other historic property and to expend moneys for the maintenance of such deeded historic land, facilities, and structures; and to receive contributions, gifts, or other support from public and private entities to defray the maintenance costs of such historic land, facilities, and structures;

(cc) By resolution, memorial, plaque, or limited gift, to honor, commemorate, memorialize, or acknowledge outstanding service or other events, including death or retirement of individuals, or actions, accomplishments, or achievements deserving of recognition;

(dd) To enter into installment purchase contracts or shared-savings contracts or otherwise incur indebtedness under section 29-12.5-103, C.R.S., to finance energy conservation and energy saving measures and enter into contracts for an analysis and recommendations pertaining to such measures under section 29-12.5-102, C.R.S.;

(ee) Repealed.

(ff) To set, by written resolution duly adopted by a majority vote of the board and entered in its minutes prior to the county treasurer being sworn into office, the amount of a surety bond to be executed by the treasurer and to authorize the purchase of such a bond by the board;

(gg) To authorize the use of electronic records or signatures and adopt rules, standards, policies, and procedures for use of electronic records or signatures pursuant to article 71.3 of title 24, C.R.S.;

(hh) To establish an affordable housing dwelling unit advisory board for the county in accordance with the requirements of article 26 of title 29, C.R.S.;

(ii) To provide in the county budget for programs that support education and outreach on environmental sustainability and for financing capital improvements for energy efficiency retrofits and the installation of renewable energy fixtures, as defined in section 30-11-107.3, for private residences and commercial property within the county but that do not exempt the county from the requirements of any other statute;

(jj) To encourage homeowners to participate in utility demand-side management programs where applicable;

(kk) (I) To adopt a resolution to authorize, in consultation with the local board of health, local public health agencies, and any water and wastewater service providers serving the county, the use of graywater, as defined in section 25-8-103 (8.3), C.R.S., in compliance with any regulation adopted pursuant to section 25-8-205 (1) (g), C.R.S., and to enforce compliance with the board's resolution.

(II) Before adopting a resolution to authorize the use of graywater pursuant to subparagraph (I) of this paragraph (kk), a board of county commissioners is encouraged to enter into a memorandum of understanding with the local board of health, local public health agencies, and any water and wastewater service providers serving the county concerning graywater usage and the proper installation and operation of graywater treatment works, as defined in section 25-8-103 (8.4), C.R.S.

(2) (a) Subject to the provisions of part 1 of article 1 of title 29, C.R.S., the board of county commissioners of each county has exclusive power to adopt the annual budget for the operation of the county government, including all offices, departments, boards, commissions, other spending agencies of the county government, and other agencies which are funded in whole or in part by county appropriations. All such entities shall make appropriate budget recommendations each year to the board of county commissioners for the operation of their respective offices; but the final budget determination of each board of county commissioners shall be binding upon each of the respective offices, departments, boards, commissions, other spending agencies of the county government, and other agencies which are funded in whole or in part by county appropriations.

(b) Every decision made by the board of county commissioners in exercising its budget-making power shall be presumed to be a valid exercise of the power granted by paragraph (a) of this subsection (2).

(3) The board of county commissioners of any county eligible to receive impact assistance grants pursuant to part 3 of article 25 of this title may certify a dollar amount to the parks and wildlife commission pursuant to part 3 of article 25 of this title.

**SUMMARY OF STATUTORY REQUIREMENTS OF THE
BOARD OF COUNTY COMMISSIONERS**

| | |
|--|---|
| <u>Elections:</u> C.R.S. §1-5-101 | Establish polling precincts and polling places as established by the county clerk and recorder. |
| <u>Liquor Licenses:</u> C.R.S. §12-47-103(17) | Serve as the county local liquor licensing authority. |
| <u>Courts and facilities:</u> <i>Provide/Maintain:</i> C.R.S. §13-3-108(1) | Provide and maintain courtroom(s) and other court facilities. |
| <u>Jail:</u> <i>Examine Annually.</i> C.R.S. §17-26-126 | Examine the county jail and its operation at a minimum once <u>annually.</u> |
| <u>District Attorney:</u> <i>Expenses/Fund</i> C.R.S. §20-1-302 | Approve expenses and fund a majority of the office of the district attorney. |
| <u>Post Notices & Agenda of Public Meetings & Hearings:</u> C.R.S. §24-6-402 (2) (c) | Designate <u>annually,</u> at the first meeting, the public place(s) where the posted notice(s) and agenda of public meetings or hearings will be located. |
| <u>Post Meeting Open to Public:</u> <i>Timely Noticed.</i> C.R.S. §24-6-402 (2)(c) | Post any meeting which action is taking place or proposed to take place or a quorum of the board is present, a minimum of 24 hours in advance of the meeting. |
| <u>Official Newspaper:</u> <i>Designated</i> C.R.S. §24-70-108 (2) | Designate the official newspaper of the county. |
| <u>County Public Health Agency:</u> <i>Establish and Maintain County Or District Public Health Agency.</i> C.R.S. §25-1-506(1) | Establish and maintain a county or district public health agency. |
| <u>Department of Social Services:</u> <i>Establish to provide public assistance & welfare activity.</i> C.R.S. §26-1-115(1) | Establish a county department of social services to provide public assistance and welfare activity. |
| <u>BOCC is Board of Social Services.</u> C.R.S. §26-1-116(1)(a) | BOCC set as the board of social services. |
| <u>Board Appoint Direct of Social/Human Services.</u> C.R.S. §26-1-117(1) | Appoint a county department of social/human services director or acting director. |
| <u>Veteran's Service Officer:</u> <i>Establish and provide VSO.</i> C.R.S. §28-5-801(1) | Establish the office of veterans services and provide a veterans service officer. |

| | |
|--|--|
| <p>Budget: <i>Designate/Appoint by resolution, person to prepare budget.</i> C.R.S. §29-1-104</p> | <p>Designate or appoint by resolution, a person to prepare the budget for the upcoming year.</p> |
| <p>Budget: <i>Preliminary Budget published.</i> C.R.S. §29-1-106</p> | <p>Publish date/time of meeting to consider adoption of budget and supply information where public may view preliminary budget.</p> |
| <p>Appropriations: C.R.S. §29-1-108(2)</p> | <p>By resolution, adopt budget and make appropriations for upcoming budget year to certify county mill levy.</p> |
| <p>Annual Inventory: <i>County Property, Real/Personal Property</i> C.R.S. §29-1-506</p> | <p>Annual inventory of county real and personal property.</p> |
| <p>Audit: <i>Annual Audit of County Fiscal Year.</i> C.R.S. §29-1-603</p> | <p>Annual audit of financial statement of county each fiscal year.</p> |
| <p>Emergency Telephone Service: <i>(911) Annually establish rate.</i> C.R.S. §29-11-103(3)(a)</p> | <p>Annually establish ETS rate.</p> |
| <p>Emergency Telephone Service Agmts. C.R.S. 29-11-104 (2016)</p> | <p>Agreements or contracts for emergency telephone service – use of funds collected.</p> |
| <p>Appointment/Compensation Assistants of Elected Officers: C.R.S. §30-2-104(1)(a)</p> | <p>Approve appointment/compensation of deputies, assistance and employees of county clerk and recorder, county treasurer, county assessor, county coroner, and surveyor.</p> |
| <p>Approve Compensation of Undersheriff and Deputies: C.R.S. §30-2-106(1)</p> | <p>Approve compensation of undersheriff and deputies.</p> |
| <p>County's Hours of Operation: <i>Set hours/days of operation</i> §30-10-109</p> | <p>Designate by resolution the county's office hours.</p> |
| <p>Meetings: <i>Conduct meetings/frequency</i> C.R.S. §30-10-303(1) & C.R.S. §30-10-304</p> | <p>Conduct meetings at county seat at least two business days each month.</p> |
| <p>Commissioner Districts: <i>Three Compact Districts</i> C.R.S. §30-10-306(1)</p> | <p>Divide County in 3 compact commissioner districts.</p> |
| <p>Board of BOCC: <i>One Chairman Chosen/When</i> C.R.S. §30-10-307</p> | <p>One of members is chosen as chairman at first meeting after the election.</p> |
| <p>Depositories of Funds: <i>Approve & designate by Resolution</i> C.R.S. §30-10-708(1)</p> | <p>Approve and designate, by resolution, financial institution county to use as depository.</p> |
| <p>Assessment Rolls/Books/Stationary/Office and Equipment to County Officers:</p> | <p>Annually furnish assessor with suitable blank assessment rolls, stationary, and office equipment to each of the county officers.</p> |

C.R.S. §30-11-113

General Accounting Records:
BOCC is responsible for maintenance
C.R.S. §30-11-121

Responsible for maintenance of all general accounting records of the county.

Campfire Restriction Signage.
Erect/maintain minimum of 20 signs
C.R.S. §30-15-201

Responsible to erect and maintain 20 signs with campfire restriction notices.

Fire Hazards:
*Determination of Existence/Prepare
Community Wildfire Protection Plan*
C.R.S. §30-15-401.7(3)(b)

Determine whether there are fire hazards within county, prepare community wildfire protection plan.

Indigent Burial:
Burial for persons without sufficient funds
C.R.S. §30-17-104

Provide burial of any person who dies and does not leave sufficient funds for burial.

**Temporary General
Assistance Program**
C.R.S. §30-17-105

If determines to undertake TGAP, establish TGAP account for that purpose.

General Fund:
Establishment of General Fund
C.R.S. §30-25-105

Establish fund known as County General Fund.

County Orders:
Examine Orders returned by Treasurer
C.R.S. §30-25-108

Carefully examine county orders returned by treasurer with the record of orders in January and July of each year.

Claims/Demands Against the County:
Audit, allow, or disallow all claims/demands
C.R.S. §30-25-110(1)

Audit and allow or disallow all claims or demands against the county.

Publish Report of Claims:
C.R.S. §30-25-111(1) and
C.R.S. §30-25-111(2)

Publish report of each claim not less than monthly and within 30 days following the end of the period for which claim is made. Publish semiannual financial statement furnished by treasurer within 60 days following June 30th and December 31st.

**Publish Report Employee/Officials
Salary Information:**
Twice Yearly
C.R.S. §30-25-111(1.5)

Publish report in August and February showing salary information of all county employees and officials.

Planning Commission:
Creation
C.R.S. §30-28-103 & C.R.S. §30-28-113(1)

Create county planning commission.

Subdivision Regulations:
Adopt and enforce regulations
C.R.S. §30-28-133(1)

Adopt and enforce subdivision regulations.

Weed Management Plan:
Adopt and maintain
C.R.S. §35-5.5-105

Adopt and maintain a noxious weed management plan.

Levies of Taxable Property:

Certify the levy of all taxable property within and including the county, no

| | |
|---|---|
| <i>Certify Levy of all Taxable Property</i> C.R.S. §39-1-111(1) | later than December 22nd of each year. |
| Board of Equalization C.R.S. §39-8-101 | Comprised of the BOCC. |
| Primary System of Roads: <i>Selection</i> C.R.S. §43-2-109 | Select a county primary system of roads. |
| Map of Roads: <i>Primary & Secondary Roads</i> C.R.S. §43-2-110(1)(a) | Map to be prepared showing each road in the county's primary and secondary road system. |
| Road Supervisor: <i>Appoint Road Supervisor</i> C.R.S. §43-2-111(1) | Appoint a road supervisor(s) for all roads constituting the county road system. |
| Road & Bridge Work Recommendations: <i>Approve or Disapprove Work</i> C.R.S. §43-2-111(5) | Approve/disapprove recommendations for road and bridge work. |
| Road & Bridge Budget: <i>Annually prepare tentative road budget</i> C.R.S. §43-2-119 | Annually prepare a tentative road budget. |
| Report of Expenditures of Highway Operations & Maintenance: <i>Make and file annual report</i> C.R.S. §43-2-120(1) | File highway operations & maintenance division report for expenditures applied to county road system. |
| Submission of Priorities to Highway Commission: <i>Submit Annually Priorities</i> C.R.S. §43-2-137 | Submit to highway commission priorities for construction of state highways in county (annually). |
| Road & Bridge Budget: <i>Adopt annually.</i> C.R.S. § 43-2-203(1) | Adopt county road & bridge budget (annually). |
| COUNTY FAIR: Authorization to Lease or Purchase Land Suitable for County Fair Purposes C.R.S. 35-65-111 | Authorization to lease or purchase tract of land suitable for county fair purposes. |

NOTES:

General Powers and Authority: 30-15-401(s)(a)(II);

Agriculture: 30-124-102;

Extension: 30-11-107(1)(m);

Right to Farm Ordinances: 35-3.5-102(5);

Blowing Soils, Weed and Brush Removal (Corrective Action): 35-72-101);

Irrigation Districts: 37-41-101;

Predator Control Prg.: 35-40-201;

Pest Control (many) 35-4-101;

Weed Control: 35-5.5-101;

Airports: 30-11-107(1)(j) and 41-4-101;

Ambulance Service: 30-11-107;

Cemeteries: 30-20-801;

Condemnation (Eminent Domain):

1) Construction & Maintenance of Roads/bridges: 43-2-112;

2) Establishment of Parks/recreational facilities 29-7-104;

3) Relocation of Cemeteries 25-1-659;

4) Drainage structures 30-11-107(1)(w);

5) Sewer & Water Systems: 30-20-402;

6) Establishment of airports: 41-4-104;

7) Public improvements by district: 30-20-512(1)(i);

8) Land, buildings or both in order to provide county court facilities, jails or other judicial or jail facilities: 30-11-104;

CLERK AND RECORDER

STATUTORILY MANDATORY

C.R.S. 30-10-406
COLORADO REVISED STATUTES

County clerk and recorder - duties
30-10-406

- (1) shall be ex officio recorder of deeds
- (2) shall have custody of and safely keep and preserve all the documents received for recording or filing in his or her office.
- (3) shall also record or cause to be recorded in print, or in a plain and distinct handwriting, or electronically, in suitable books or electronic records to be provided and kept in the clerk and recorder's office, all documents authorized by law to be recorded in his or her office and shall perform all other duties required by law.
- (4) forward a clear, complete, and accurate copy of such document to the office of the county assessor. The clerk and recorder may forward the copy electronically to said office.
- (5) shall perform the duties prescribed in article 22 of title 15, C.R.S., with respect to the recording and processing of designated beneficiary agreements and revocations of such agreements.

TREASURER’S OFFICE

STATUTORILY MANDATORY

C.R.S. 30-10-704
COLORADO REVISED STATUTES

Deputy treasurer – duties
30-10-704

The county treasurer may appoint a deputy, who in the absence of the treasurer from his office, or in case of vacancy in said office, for any disability of the treasurer to perform the duties of his office, may perform all the duties of the office of treasurer, until such vacancy is filled or such disability removed.

- 30-10-707 Receive and Pay Monies
- 30-10-708 Deposit Funds in Banks and Savings
- 30-10-709 Keep Accounts – Settlement accts., Resolution of Findings, Report to Board of Commissioners
- 30-10-710 Apportion and separation of funds
- 30-10-711 Payment of warrants
- 30-10-712 Funds payable in order of presentment
- 30-10-714 Collector of taxes
- 30-10-715 Issue receipt for money collected
- 30-10-716 Assess property

PUBLIC TRUSTEE

STATUTORILY MANDATORY

C.R.S. 38-37-102
COLORADO REVISED STATUTES

38-37-102. Appointment - bond - office

(1) The governor shall appoint a public trustee in and for each of the counties of the second class. All appointments of public trustees in and for counties of the second class shall be for terms of four years, with the first such term beginning on February 1, 1991. If the office of public trustee in and for any county of the second class should become vacant on or after February 1, 1991, the governor shall appoint a successor to complete the four-year term. The governor shall appoint as public trustees only those persons who have at least a four-year college degree and five years' administrative or business experience or, in the alternative, ten years' administrative or business experience. Any person so appointed public trustee shall serve at the pleasure of the governor. Every person so appointed public trustee in counties of the second class shall, before entering upon the duties of such office, execute a surety bond issued by a company authorized to issue such bonds in the state of Colorado, in the sum of twenty-five thousand dollars, conditioned that the person so appointed as public trustee will well and faithfully execute the duties of such office; and such public trustee shall promptly account for and pay over to such persons as are entitled thereto all moneys and other valuables that come into such person's hands as public trustee.

(2) The county treasurer shall be the public trustee in each of the counties other than those of the first and second classes, and each such county treasurer as public trustee shall execute a surety bond issued by a company authorized to issue such bonds in the state of Colorado in the sum of ten thousand dollars, to be approved by the county commissioners of the county, conditioned that such person will well and faithfully perform the duties of public trustee and properly account for and pay over to such persons as are entitled thereto all moneys and other valuables that come into such person's hands as public trustee. In counties wherein the county treasurer is the public trustee, as provided in this subsection (2), such person shall conduct the duties of public trustee at the office of the county treasurer; and, in counties of the first and second classes, the public trustee shall maintain an office and regular place of business for the performance of the public trustee's official duties; and, in all cases, the office of the public trustee shall be kept open for the transaction of business during ordinary business hours each day, except Saturdays, Sundays, and legal holidays.

(3) The board of county commissioners shall furnish, at the expense of the county, all office supplies, including books, forms, and stationery necessary for the use of the public trustee in carrying out the provisions of this section and [sections 38-37-101](#) and [38-37-104](#), subject to the provisions of [section 38-37-104 \(3\)](#).

(4) In lieu of the bond required by subsections (1) and (2) of this section, a county may purchase crime insurance coverage on behalf of the public trustee to protect the people of the county from any malfeasance on the part of the public trustee and his or her employees.

ASSESSOR

STATUTORILY MANDATORY

C.R.S. 39-5-101
COLORADO REVISED STATUTES

39-5-101. Duties of assessor

The assessor shall list all taxable real and personal property located within his county on the assessment date, other than that comprising the property and plant of public utilities.

SURVEYOR

STATUTORILY MANDATORY

C.R.S. 30-10-903
COLORADO REVISED STATUTES

Duties and powers of the county surveyor 30-10-903.

The duties of the county surveyor are:

1. To represent the county in boundary disputes pursuant to [sections 30-6-110](#) and [30-10-906](#);
2. To notify the county attorney of any unsettled boundary disputes or boundary discrepancies within the county which may come to his attention;
3. To file in the office of the county surveyor, or in the office of the county clerk and recorder if there is no office for the county surveyor in the county, all surveys, field notes, calculations, maps, and any other records pertaining to work authorized and financed by the board of county commissioners. All surveys made by the county surveyor or his deputies shall be numbered consecutively by the county surveyor, and all field notes and calculations pertaining to such surveys shall be endorsed by the county surveyor with the number of the survey to which they pertain.

The county surveyor may, when authorized by the board of county commissioners:

1. Conduct surveys to establish the boundaries of county property, including road rights-of-way, or any other surveys necessary to the county;
2. Accept for filing maps of surveys that establish monuments and keep a current record of all survey monuments within the county;
3. Examine all survey maps and plats before they are recorded by the county clerk and recorder to insure proper content and form;
4. Conduct geodetic control surveys, vertical control surveys, or any surveys for the purpose of geographic information systems;
5. Conduct or supervise construction surveys necessary to the county; and
6. Provide reference monuments for or the remonumentation or monument upgrades of public land survey system monuments that are destroyed by county construction or other functions.

CORONER

STATUTORILY MANDATORY

C.R.S. 30-10-602
COLORADO REVISED STATUTES

Deputy coroner - duties - oath

30-10-602

(1) The coroner of each county is authorized to appoint a deputy. Any such appointment shall be in writing and shall be filed in the office of the coroner. The coroner of each county may delegate any of the coroner's powers to one or more deputies who shall then have the same duties with respect thereto as the coroner has. Any act of a deputy shall be done in the name of the coroner and signed by the deputy performing such act. A deputy coroner shall hold office during and subject to the pleasure of the coroner. Except as provided in subsection (2) of this section, each deputy coroner, before entering the duties of office, shall file with the county clerk and recorder of the county the bond and oath of office required by law to be filed by the coroner.

(2) In lieu of the bond required by subsection (1) of this section, a county may purchase crime insurance coverage on behalf of the deputy coroner to protect the people of the county from any malfeasance on the part of the deputy coroner while in office.

SHERIFF**STATUTORILY MANDATORY**

| | |
|----------------------------|--|
| Colo. Const. Art. XIV §8.5 | Sheriff qualifications established by General Assembly |
| 12-46-101 | Enforce Liquor Laws |
| 13-1-114 | Provide security for the County and District Court |
| 13-8-118 | Serve juvenile process |
| 13-45-104 | Summons prisoners for attendance to court |
| 13-56-102 | Writs from Other Counties: duty of the sheriff making such levy to file a certificate of such fact with the recorder of his county |
| 13-56-201 | Conduct Sheriff sales |
| 16-2.5-103 | Enforce the laws of the state of Colorado—Sheriff, Undersheriff and Deputies must be POST certified |
| 16-19-123 | Extradite fugitives from other jurisdictions |
| 16-22-108(2) | Maintain register of sex offenders required to register |
| 17-26-109(2) | Maintain and administer inmate earned time (commonly referred to as “Good Time”) deductions |
| 17-26-127 | In case of escape of any person lawfully committed to any jail of any county in this state, it is the duty of the sheriff of the county where such jail is situated to pursue and recapture at the expense of the office of the sheriff. |
| 18-1.3-106 | Run alternative sentencing programs including work release, in home detention, and other programs; seek employment of prisoners |
| 18-3-412.5 | Register sex offenders |
| 18-12-201, et. seq. | Issue concealed weapons permits; issue temporary emergency permit to someone in immediate danger |
| 24-33.5-226 | Close or restrict highways for special events |
| 24-33.5-707 | Coordinate search and rescue operations for the county in an emergency or disaster; make use of the search and rescue capability and resources within the county |
| 24-33.5-1219 | Wildland fires - duty of sheriff to report. It is the duty of the sheriffs of the various counties of the state to report as soon as practicable the occurrence of any fire in any forest in the state, either on private or public lands, to the division or its authorized agent, and, upon receiving notice from any source of a fire in any forest, it is the duty of the agent of the |

division to aid and assist in controlling or extinguishing the same, if necessary.

- 24-33.5-1221 Enter into intergovernmental agreements with the Division of Fire Prevention and Control concerning wildland fire
- 24-60-201, et. seq. As part of an interstate compact with Wyoming, Kansas, New Mexico—provide cooperative effort and mutual assistance in prevention of crime and enter into those states while in pursuit of a felonious criminal
- 29-5-103 Assign deputies to perform temporary duties to a requesting chief in another jurisdiction
- 30-1-104 Fees of sheriff—establishes fees structure for certain duties of the Sheriff's Office
- 30-1-112 Pay over to the county treasurer all fees collected by office monthly and file monthly itemized statement of all fees so collected
- 30-10-109 Be available at all hours, night and day
- 30-10-324 Provide ID cards to retired peace officers
- 30-10-501 Sheriff election, bond/insurance
- 30-10-501.5 Sheriff qualifications for nomination, election, appointment
- 30-10-501.6 Sheriff training requirements
- 30-10-501.7 Sheriff compliance requirements
- 30-10-506 Appoint deputies
- 30-10-511 Maintain the jail and responsibility for the care and custody of its prisoners
- 30-10-513 Assume responsibility for coordinating fire suppression efforts for forest, prairie, or wildland fires- expenses
- 30-10-501.6 Attend new sheriff and ongoing in-service training
- 30-10-511 Act as custodian of jail and have charge and custody of inmates
- 30-10-512 Act as Fire Warden for the county with respect to wildland fire
- 30-10-514 Transport prisoners
- 30-10-515 Execute Writs
- 30-10-516 Preserve the peace, quiet and suppress all riots, affrays, unlawful assemblies and insurrections

| | |
|----------------------------------|--|
| 30-10-523 | Issue written permits to carry concealed weapons. |
| 30-15-101 | Animal Control |
| 30-15-401(n.5)(I) | Ban open fires (through county ordinance) |
| 30-15-410 | Enforcement of county ordinances |
| 31-16-110 | Serve any process (warrants, writs, summons) or make arrests in the county |
| 33-13-111 | Authority to close water when constitutes a hazard to human life or safety |
| 33-13-113 | Stop and board any vessel with reasonable suspicion to enforce laws |
| Colorado Boating Regulation #217 | Entering Use Restrictions Orders against tubing when it is a hazard to human life and safety |

VETERAN'S SERVICE OFFICER

STATUTORILY MANDATORY

C.R.S. 28-5-801 COLORADO REVISED STATUTES

28-5-801. Establishment of veterans service offices

(1) The board of county commissioners of each county in this state shall establish a county veterans service office and shall appoint a county veterans service officer for such county, and such board of county commissioners may also appoint any assistant and such clerical help as may be deemed necessary, each at such compensation as shall be fixed by such board, together with the necessary and actual traveling and other expenses incurred in their work as shall be approved by such board of county commissioners and such other expenses as such board may deem necessary for the proper operation of such office, payable monthly out of the county general fund in the manner provided by law. The board of county commissioners, in its discretion, may appoint any county officer, official, or employee as such county veterans service officer or as such assistant, if qualified to serve as such under the provisions of [section 28-5-802](#), or as clerical help to such county veterans officer, at such additional compensation for such additional duties as shall be fixed by the board of county commissioners.

YOUTH SERVICES

STATUTORILY MANDATORY

State Funded through: Senate Bill 1991-94; 1993-134; 1996-1363 and SB2003-286

19-2-303. Juvenile diversion program – authorized/established

(1) In order to more fully implement the stated objectives of this title, the general assembly declares its intent to establish a juvenile diversion program that, when possible, integrates restorative justice practices to provide community-based alternatives to the formal court system that will reduce juvenile crime and recidivism, change juvenile offenders' behavior and attitudes, promote juvenile offenders' accountability, recognize and support the rights of victims, heal the harm to relationships and the community caused by juvenile crime, and reduce the costs within the juvenile justice system.

(2) The division of criminal justice of the department of public safety is authorized to establish and administer a juvenile diversion program that, when possible, integrates restorative justice practices. In order to effectuate the program, the division may contract with governmental units and nongovernmental agencies to provide services for eligible youth through community-based projects providing an alternative to a petition filed pursuant to section 19-2-512, an adjudicatory hearing pursuant to section 19-3-505, or dispositions of a juvenile delinquent pursuant to section 19-2-907.

(3) For purposes of this section:

(a) "Director" is defined in section 19-1-103 (42); (b) "Diversion" is defined in section 19-1-103 (44); (c) "Governmental unit" is defined in section 19-1-103 (55); (d) "Nongovernmental agency" is defined in section 19-1-103 (79); (e) "Services" is defined in section 19-1-103 (96).

(4) Projects soliciting service contracts pursuant to this section must demonstrate that they:

- (a) Meet a demonstrated community need as shown by a survey of the type of community, its special circumstances, and the type and number of youth who will be served by the project;
- (b) Provide services that do not duplicate services already provided in the community; and
- (c) Are supported by the community, as demonstrated through receipt of nonstate funds or in-kind supplies or services to meet at least twenty-five percent of the total cost of the project.

(5) When applying for a contract with the division of criminal justice to provide services to youths under the juvenile diversion program, a community project shall submit for review by the division a list of the project's objectives, a list of the restorative justice practices, if applicable, included in the project, a report of the progress made during the previous year if applicable toward implementing the stated objectives, an annual budget, and such other documentation as may be required by the director.

(6) (a) Each project providing services under this section shall develop objectives and report progress toward such objectives as required by rules and regulations promulgated by the director.

(b) The director shall regularly monitor these diversion projects to ensure that progress is being made to accomplish the objectives of this section.

(7) The executive director of the department of public safety is authorized to accept and expend on behalf of the state any funds, grants, gifts, or donations from any private or public source for the purpose of providing restorative justice programs; except that no gift, grant, or donation shall be accepted if the conditions attached to it require the expenditure thereof in a manner contrary to law.

(8) (a) The director may implement a mental illness screening program to screen juveniles who participate in the juvenile diversion program. If the director chooses to implement a mental illness screening program, the director shall use the standardized mental illness screening developed pursuant to section 16-11.9-102, C.R.S., and conduct the screening in accordance with procedures established pursuant to said section.

(b) Prior to implementation of a mental illness screening program pursuant to this subsection (8), if implementation of the program would require an increase in appropriations, the director shall submit to the joint budget committee a request for funding in the amount necessary to implement the mental illness screening program. If implementation of the mental illness screening program would require an increase in appropriations, implementation of the program shall be conditional upon approval of the funding request.

FINANCE

STATUTORILY MANDATORY

- 29-1-104 Local Government Budget Law
- 29-1-501 Local Government Uniform Accounting Law
- 29-1-601 Local Government Audit Law

C.R.S. 29-1-104 By whom budget prepared: The governing body of each local government shall designate or appoint a person to prepare the budget and submit the same to the governing body.

C.R.S. 29-1-501 "Colorado Local Government Uniform Accounting Law".

C.R.S. 29-1-601 "Colorado Local Government Audit Law".

30-11-107(2) BOCC power to prepare, adopt, and appropriate budget for all departments and offices. Commissioners of each county has exclusive power to adopt the annual budget for the operation of the county government, including all offices, departments, boards, commissions, other spending agencies of the county government, and other agencies which are funded in whole or in part by county appropriations. All such entities shall make appropriate budget recommendations each year to the board of county commissioners for the operation of their respective offices; but the final budget determination of each board of county commissioners shall be binding upon each of the respective offices, departments, boards, commissions, other spending agencies of the county government, and other agencies which are funded in whole or in part by county appropriations.

ELECTIONS

STATUTORILY MANDATORY

Establishing precincts & polling places for partisan elections

1-5-101

- (1) Subject to approval by the board of county commissioners, the county clerk and recorder of each county shall divide the county into as many election precincts for all general, primary, and congressional vacancy elections as is convenient for the eligible electors of the county and shall designate the place for each precinct at which elections are to be held.
- (2) Precincts shall be numbered in accordance with section 1-5-101.5. Changes in the precinct boundaries of a county shall be made only within the district boundaries of each representative and senatorial district.
- (3) Paper ballots used: clerk and recorder, subject to approval by the BOCC, shall establish at least one precinct for every six hundred active eligible electors, with boundaries that take into consideration municipal and school district boundary lines whenever possible. However, the county clerk and recorder, subject to approval by the board of county commissioners, may establish one precinct for every seven hundred fifty active eligible electors.
- (4) Electronic or electromechanical voting system, county clerk and recorder, subject to approval by the BOCC, shall establish at least one precinct for every one thousand five hundred active eligible electors. However, the county clerk and recorder, subject to approval by the board, may establish one precinct for every two thousand active eligible electors.

DISTRICT ATTORNEY

STATUTORILY MANDATORY

30-11-107(2)(a) and (b) Powers of the board

BOCC of county has exclusive power to adopt the annual budget for the operation of the county government, including all offices, departments, boards, commissions, other spending agencies of the county government, and other agencies which are funded in whole or in part by county appropriations. All such entities shall make appropriate budget recommendations each year to the board of county commissioners for the operation of their respective offices; but the final budget determination of each board of county commissioners shall be binding upon each of the respective offices, departments, boards, commissions, other spending agencies of the county government, and other agencies which are funded in whole or in part by county appropriations.

(b) Every decision made by the board of county commissioners in exercising its budget-making power shall be presumed to be a valid exercise of the power granted by paragraph (a) of this subsection (2).

20-1-302. Expenses

District attorneys of each judicial district shall be entitled to collect and receive at the end of each month, of and from the respective counties in the district attorney's judicial district, the necessary expenses of maintaining an office for the transaction of official business.

GROUND AND FACILITIES/BUILDING

STATUTORILY MANDATORY

30-11-104. County buildings - acquisition of land or buildings by eminent domain authorized

(1) (a) Each county, at its own expense, shall provide a suitable courthouse, a sufficient jail, and other necessary county buildings and keep them in repair.

(2) Each county has the power to acquire, by eminent domain, land or buildings, or both, for the provision of court and district attorney facilities, jails, and other necessary facilities specifically related thereto.

30-11-107. Powers of the board

(1) The board of county commissioners of each county has power at any meeting:

(c) To build and keep in repair county buildings and cause the same to be insured in the name of the county treasurer for the benefit of the county and, in case there are no county buildings, to provide suitable rooms for county purposes.

(3) The board of county commissioners of any county eligible to receive impact assistance grants pursuant to part 3 of article 25 of this title may certify a dollar amount to the parks and wildlife commission pursuant to part 3 of article 25 of this title.

FIRE CONTROL

STATUTORILY MANDATORY

30-15-401.5. Fire safety standards

(1) Board of county commissioners of each county has the power to adopt ordinances to provide for minimum fire safety standards which shall be modeled upon those contained in the uniform fire code.

(2) Board of county commissioners may adopt such ordinances only after it has approved the formation of and received the recommendations of a permanent commission, to be known as the fire code adoption and revision commission.

30-15-401. General regulations

(1) In addition to those powers granted by sections 30-11-101 and 30-11-107 and by parts 1, 2, and 3 of this article, the BOCC has the power to adopt ordinances for control or licensing of those matters of purely local concern that are described in the following enumerated powers:

(n.5) (I) To ban open fires to a degree and in a manner that the BOCC 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.

30-15-401.7. Determination of fire hazard area - community wildfire protection plans - adoption - legislative declaration – definitions

(3)(a) Not later than January 1, 2011, the BOCC, with the assistance of the state forester, shall determine whether there are fire hazard areas within the unincorporated portion of the county.

(b) Not later than one hundred eighty days after determining there are fire hazard areas within the unincorporated portion of a county, BOCC, in collaboration with the representatives of the organizations or entities, that established the guidelines and criteria, shall prepare a CWPP for the purpose of addressing wildfires in fire hazard areas within the unincorporated portion of the county. In preparing the CWPP, the board shall consider the guidelines and criteria established by the state forester and such representatives pursuant to section 23-31-312 (3), C.R.S.

(c) A county that has already prepared a CWPP or an equivalent plan as of August 5, 2009, and, in connection with such preparation, considered the guidelines and criteria established by the state forester and designated representatives pursuant to section 23-31-312 (3), C.R.S., shall not be required to prepare a new CWPP to satisfy the requirements of this section.

PEST MANAGEMENT

STATUTORILY MANDATED

Duty to control weeds

35-5-102

It is the duty of all persons owning land or any interest therein in the district, the department of transportation, the BOCC, school boards, the governing authorities of incorporated towns and cities and of railroads and ditch companies, and those persons supervising state-owned lands to use reasonable means to control the noxious weeds if the same are likely to be materially damaging to the land of neighboring landowners.

Methods of control

35-5-103

The State commissioner is empowered to designate the methods to be used for the control or eradication of the various noxious weeds, insect pests, and plant diseases and to publish such methods and make and publish such reasonable rules and regulations as are proper and necessary to carry into effect the provisions of this article. The state commissioner is authorized to enter into agreements with any landowner, lessee, district, city, or town, or with federal, state, or county agencies for cooperation and for cost-sharing in the control and eradication of noxious weeds, insect pests, or plant diseases located upon land that they control or administer within the district in keeping with the provisions of this article. The State commissioner, with the approval of the governor, is authorized to advance funds, which may be appropriated for this purpose subject to reimbursement, to carry into effect the provisions of this article.

PEST AND WEED CONTROL

C.R.S. 35-5.5-105 (2016)

**Noxious weed management
- powers of county commissioners**

35-5.5-105

BOCC of each county in the state shall adopt a noxious weed management plan for all of the unincorporated lands within the county. Such plan shall include all of the requirements and duties imposed by this article. Guidelines may be included that address no pesticide noxious weed management plans. BOCC may adopt and provide for the enforcement of such ordinances, resolutions, rules, and other regulations as may be necessary and proper to enforce said plan and otherwise provide for the management of noxious weeds within the county, subject to the following limitation: No county ordinance, rule, resolution, other regulation, or exercise of power pursuant to this article shall apply within the corporate limits of any incorporated municipality, nor to any municipal service, function, facility, or property, whether owned by or leased to the incorporated municipality outside the municipal boundaries unless the county and municipality agree.

**Administration of Noxious Weed
Management Plan**

BOCC shall provide for the administration of the noxious weed management plan authorized through agents/staff/employees

35-5.5-105(2) (a)

or provide for the performance of all or part of the management plan through outside contract.

PRIVATE LANDS:

Right to Enter: 35-5.5-109(1)

(a) The landowner or occupant has requested an inspection;
(b) A neighboring landowner or occupant has reported a suspected noxious weed infestation and requested an inspection; or
(c) An authorized agent of the local government has made a visual observation from a public right-of-way or area and has reason to believe that a noxious weed infestation exists.

No Entry: 35-5.5-109(2) (a)

No entry upon any premises, lands, or places shall be permitted until the landowner or occupant has been notified by certified mail that such inspection is pending. Where possible, inspections shall be scheduled and conducted with the concurrence of the landowner or occupant.

Denial of Access: 35-5.5-109(b)

May seek an inspection warrant issued by a municipal, county, or district court having jurisdiction over the land.

Noxious Weeds Found:
35-5.5-109(3)

Shall have the authority, acting directly or indirectly to notify the landowner of the presence of noxious weeds. Advise the landowner to manage the noxious weeds, and specify the best available control methods of integrated management.

Compliance with Notification:
35-5.5-109(4) (a)

Not to exceed ten days, the landowner or occupant shall either:
(I) Comply with the terms of the notification;
(II) Acknowledge the terms of the notification and submit an acceptable plan and schedule for the completion of the plan for compliance; or
(III) Request an arbitration panel to determine the final management plan.

Arbitration Panel Request:
35-5.5-109(b)

Arbitration panel comprised of a weed management specialist or weed scientist, a landowner of similar land in the same county, and a third panel member chosen by agreement of the first two panel members. The decision of the arbitration panel shall be final.

Non-Compliance with Arbitration Decision: 35-5.5-109(5) (a)

Landowner or occupant fails to comply with the notice to manage the identified noxious weeds or implement the plan developed by the arbitration panel, the local governing body has the authority to:

(I) Provide for and compel the management of such noxious weeds at such time, upon such notice, and in such manner as the local governing body shall prescribe by ordinance or resolution; and
(II) Assess the whole cost thereof, including up to **twenty percent for inspection and other incidental costs in**

connection therewith, upon the lot or tract of land where the noxious weeds are located; except that no local governing body shall **levy a tax lien** against land it administers as part of a public right-of-way. Such assessment shall be a lien against each lot or tract of land until paid and shall have priority over all other liens except general taxes and prior special assessments.

Right to Enter Public/Private:
35-5.5-109(6)

Shall have the right to enter upon any premises, lands, or lands, or places, whether public or private, during reasonable business hours for the purpose of ensuring compliance with the requirements of this article concerning noxious weed management and any other local requirements.

Personal Injury Action: 35-5.5-109(7)

No person shall have a civil cause of action against a landowner for personal injury or property damage incurred while on public or private land for purposes consistent with this article except when such damages were willfully or deliberately caused by the landowner.

Control & eradication of rodents:
35-7-201(1)

BOCC authorized to purchase materials and to employ one or more persons to destroy jackrabbits, prairie dogs, ground squirrels, or other injurious rodents.

Levy taxes – pay for rodent control:
35-7-201(2)

BOCC is authorized to levy such taxes as are necessary to pay the obligations for rodent control work as authorized under this section and to put into operation any plan of procedure for the eradication of such rodent pests as in their discretion is deemed advisable.

Control & eradication: predatory animals
35-7-202(1)

BOCC is authorized to purchase materials and equipment and to employ one or more suitable persons to control coyotes or other injurious predatory animals within the limits of their respective counties.

Levy taxes- pay for predatory animal control.
35-7-202(2)

BOCC is authorized to levy such taxes as are necessary to pay the obligations for such predatory animal control work as authorized by this section and to put into operation any plan of procedure for the eradication of such predatory animals within their jurisdictions as in their discretion is deemed advisable.

Operations approved by Federal Agency.
35-7-202(3)

Control operations under shall be approved procedures of the federal agency. BOCC may solicit cooperation from the state board of stock inspection commissioners and the federal agency for the conduct of such predatory animal control work and may enter into cooperative agreements with the state board of stock inspection commissioners and the federal agency for the

furtherance of the predatory animal control work authorized under this section.

County to appropriate funds.
35-7-111

Duty of the BOCC where any such infestation exists or is imminent to appropriate from the general fund such money as may be necessary to carry out the provisions within their respective counties.

EXTENSION

30-11-107. Powers of the board

(1) The board of county commissioners of each county has power at any meeting:

(m) To negotiate with the board or boards of county commissioners of another county or counties, and with the board of governors of the Colorado state university system of Colorado state university, for agricultural extension service to be furnished such counties, and to be financed on a pro rata share by the counties receiving such service.

Authority of County Commissioners:

30-24-102 (1) (g)

Enter into cooperative agreements with the board of governors of the Colorado State university system for the assistance of Colorado state including all of its agencies, in the developing and financing of the projects to be included in the operations of the county agricultural research work each year;

30-24-102(1)(h)

Enter into cooperative agreements through Colorado state university with the proper federal research agencies.

Weed/Brush Removal, Blowing Soils:

General regulations.

30-15-401

BOCC has power to adopt ordinances for control and licensing. To provide for and compel the removal of rubbish, including trash, junk, and garbage, from lots and tracts of land within the county, except industrial tracts of ten or more acres and agricultural land currently in agricultural use as the term agricultural land is defined in section 39-1-102 (1.6), C.R.S., and from the alleys behind and from the sidewalk areas in front of such property at such time, upon such notice, and in such manner as the BOCC may prescribe by ordinance, including removal performed by the county upon notice to and failure of the property owner to remove such rubbish, and to assess the reasonable cost thereof, including **five** percent for inspection and other incidental costs in connection therewith, upon the lots and tracts from which such rubbish has been removed.

**PREDATOR CONTROL PROGRAMS: (protection of sheep and cattle)
PROTECTION OF SHEEP AND CATTLE - CONTROL PROGRAMS**

Cattle program

35-40-203

For the protection of cattle against predatory animals, the BOCC upon the recommendation of an association of cattle growers in the county, has power, either alone or in conjunction with other counties, to conduct a predatory animal control program for the protection of cattle in such county.

ROAD & BRIDGE

STATUTORILY MANDATED

**Road supervisors –
districts - duties – powers**
43-2-111

BOCC shall appoint road supervisors for all roads constituting the county system. Said supervisors shall be competent to handle the road and highway work of the county and shall be approved by the board of county commissioners. BOCC shall determine the general policies of the county as to county highway matters, and the same shall be carried out and administered by the county road supervisors.

Establishment of districts
43-2-111(3)

BOCC may divide their counties into such suitable road districts as, in their judgment, will best subserve the interest of the people of the whole county.

Supervisors Duties.
43-2-111(5)

Road supervisor's duties shall:

1. be to take charge of and be responsible for all road personnel, road machinery, and tools owned by the county and to inspect all roads and bridges within the county and locate proper road material
2. Make such recommendations for road repair and for construction of roads as in their judgment may be required.
3. He shall, on the first day of each month, make written recommendations for road and bridge work together with an estimate of the cost, which shall be subject to the approval of the BOCC.
4. He shall, on or before the first Monday of each month, render a full and complete account of all expenditures and contracts for the month preceding. The type of report shall be prepared in conformity with rules established by the BOCC.
5. At least once each year the department of transportation shall hold a meeting for the express purpose of exchanging information with representatives of the counties relating to highway construction and maintenance.

Power of Road Supervisor.
43-2-111(6)

He has the power now lodged with the board of county commissioners by general enactment for the prevention of damages to public highways from ditch overflows, insufficient or unsafe conduits, flumes, or ditches crossing the public highways, the removal or disposition of any material injurious to the public highway, unsafe railroad or tramway crossings, or any other cause which may arise and which comes under the jurisdiction of the board of county commissioners.

Condemnation for county roads
43-2-112

BOCC shall tender to each landowner the amount of damages estimated and approved by the BOCC, and make such tender. In estimating the amount of damages to be tendered, due account shall be taken of any benefits which will accrue to the landowner by the proposed action; but the amount of benefit shall not in any case exceed the amount of damages awarded. Any person owning land or having interest in land over which any proposed county road extends, who is of the opinion that such tender is inadequate, may on or before ten days from the date of such tender, file a written request addressed to the board of county commissioners of said county for a jury to ascertain the compensation which he may be entitled to by reason of damages sustained therefrom. Thereupon, the board of county commissioners shall proceed in the

acquisition of such premises under articles 1 to 7 of title 38, C.R.S. The board of county commissioners also has the power and is authorized to proceed in the acquisition of lands of private persons for county roads, under and according to articles 1 to 7 of title 38, C.R.S., in the first instance without tender or other proceedings under this part 1.

Commissioners authorized to acquire property for highways
43-2-204

BOCC authorized to acquire by donation, purchase or eminent domain proceedings any private or public property necessary for the improvement or construction of state highways. Said boards have authority to contract with the department of transportation to pay for all or any part of such property so acquired.

Rights-of-way - public land
43-2-205

BOCC authorized to lease a right-of-way over any lands held for public purposes which are not in actual use for the purpose to which they are dedicated, for such period of time and under such terms and conditions as it deems advisable, and to construct and maintain public roads and highways thereon.

Appraisal – county may retain, lease, or sell
39-11-143

BOCC has the power to retain for public projects, rent, lease, or sell such real property. If BOCC for a present or future public project, it shall pass resolution describing project for which property is retained. BOCC may lease such real property to an affiliated entity, but no lease shall be for a period exceeding five years. Real property that is not retained or leased shall be sold at public sale by the board of county commissioners within one year after the property is conveyed to the county; except that the board of county commissioners may reject any bid that is less than the value of the property as determined by the assessor. Prior to offering such property for sale, the BOCC shall obtain from the assessor a certificate as to the current actual value and the valuation for assessment of the same. A notice of such sale shall be posted in a public place in the county courthouse at least thirty days before the date of sale, and such notice of sale shall also be advertised in two issues of a newspaper of general circulation in the county in which the property is situated, said newspaper notices to appear one week apart and within the thirty days as above provided. Such notice shall reserve the right upon the part of the BOCC to reject any bid that is less than the value determined by the assessor.

Real property shall be sold at public sale for the highest and best bid for any lots or parcels, as determined in the discretion of the BOCC; except that the BOCC may reject any bid that is less than the value of the property as determined by the assessor. Such real property may be sold in such lots or parcels and upon such terms of payment as the BOCC deems acceptable, but no deed shall be issued until the purchaser has made payment in full. Upon written application of any person, the BOCC shall offer for sale the property requested by such person to be sold; except that no parcel shall be divided for the purpose of such requested sale unless the BOCC specifically permits such division. The BOCC may, prior to the sale of any lot or parcel, reserve or grant streets, alleys, or roads or utilities or other easements, public or private, under such terms and conditions as it may deem advisable.

Deeds shall be issued by a commissioner to convey, duly appointed by the BOCC, which commissioner shall act upon the direction of the BOCC, but such deed shall be issued without covenants of warranty.

**Annual county reports
Expenditures**
43-2-120

Due 13th of June, BOCC file with highway maintenance division complete report of the expenditures of all moneys applied to county road systems during the calendar year ending on the thirty-first day of December next preceding.

Maps of Roads

On or before March 1 of each year, BOCC shall submit to the DOT a map which indicates any changes in the mileage or location of any road within the county system of roads, together with any changes in the surface classification of any roads within the county system which have been made during the calendar year ending on December 31.

Methods of Vacation of Road
43-2-303

BOCC may vacate any roadway or any part thereof located entirely within said county if such roadway is not within the limits of any city or town.

**County commissioners
authorized to construct
highways & let contracts**
43-2-208

Whenever any county highway or bridge is to be constructed or any grading or repairing is to be done upon any county highway, BOCC is authorized to undertake such construction, grading, or repairing on its its own behalf or to let contracts for the same.

JAIL/DETENTION

STATUTORILY MANDATED

Jail in each county
17-26-101

There shall be maintained a county jail for the detention, safekeeping, and confinement of persons and prisoners lawfully committed.

Commissioners to examine jail
17-26-126

BOCC annually examine jail its sufficiency, management and correct all irregularities and improprieties therein found.

Prisoners to work
17-26-107

Able-bodied prisoner is confined in the county jail, having been convicted, the sheriff of such county shall compel such prisoner to work eight hours of every working day. It is the duty of the sheriff of such county or the sheriff, when no other work is available, to compel the prisoners to work upon the public roads, highways, or streets of such county or city and county. Employment as a jail trusty shall be sufficient to meet the requirements of this section.

BOCC when informed by the sheriff that there are prisoners confined in the jail who may be put to work upon the roads, highways, or streets, if there is such work upon the roads, highways, or streets, shall provide for the payment of additional expenses of guarding such prisoners while performing such work. Such prisoners shall not be used for the purpose of building any bridge or structure of like character that requires the employment of skilled labor.

County to support spouse - when
17-26-108

When any able-bodied person is confined in the county jail, having been convicted of the nonsupport of his or her spouse or minor children, the county shall pay toward the support of such spouse or minor children not less than fifty cents nor more than one dollar per day for each day such person so works if such spouse or minor children would otherwise be a public charge.

Sheriff custodian of jail
30-10-511

Sheriff shall have charge and custody of the jails of the county, and of the prisoners in the jails, and shall supervise them himself or herself or through a deputy or jailer.

SOCIAL SERVICES

STATUTORILY MANDATED

**County departments
Established**
26-1-115

Established a county department of social services which shall consist of a county board of social services, a county director of social services, the efficient performance of public assistance and welfare activities, including but not limited to assistance payments, food stamps, and social services.

County social services fund
26-1-123

Created and established and such fund shall consist of such accounts as may from time to time be established pursuant to rules of the state board and shall consist of all moneys appropriated by the board of county commissioners for public assistance and welfare and related purposes; all moneys allotted, allocated, or apportioned to the county by the state department; such funds as are granted to the state of Colorado by the federal government for public assistance and welfare and related purposes and allocated to the county by the state department; and such other moneys as may be provided from time to time from other sources. The fund shall be available for the program and administrative costs of the county department.

Custodian of Fund
26-1-123(3) (a)

Treasurer shall be the treasurer and custodian of the fund and shall disburse money from the fund only upon special county social services warrants drawn by the person duly appointed by the county board.

County social services budget
26-1-124

County social services budget shall be prepared by the county director and reviewed by the county board.

COUNTY HEALTH BOARD

STATUTORILY MANDATORY

C.R.S. 25-1-501 COLORADO REVISED STATUTES

25-1-501. Legislative declaration

(1) The general assembly hereby finds and declares that:

(a) The public health system reduces health care costs by preventing disease and injury, promoting healthy behavior, and reducing the incidents of chronic diseases and conditions. Thus, the public health system is a critical part of any health care reform.

(b) Each community in Colorado should provide high-quality public health services regardless of its location. Thus, the state of Colorado and each local public health agency should have a comprehensive public health plan outlining how quality public health services will be provided.

(c) Each county should establish or be part of a local public health agency organized under a local board of health with a public health director and other staff necessary to provide public health services;

(d) A strong public health infrastructure is needed to provide essential public health services and is a shared responsibility among state and local public health agencies and their partners within the public health system; and

(e) Developing a strong public health infrastructure requires the coordinated efforts of state and local public health agencies and their public and private sector partners within the public health system to:

(I) Identify and provide leadership for the provision of essential public health services;

(II) Develop and support an information infrastructure that supports essential public health services and functions;

(III) Develop and provide effective education and training for members of the public health workforce;

(IV) Develop performance-management standards for the public health system that are tied to improvements in public health outcomes or other measures; and

(V) Develop a comprehensive plan and set priorities for providing essential public health services.

C.R.S. 25-1-506 COLORADO REVISED STATUTES

25-1-506. County or district public health agency

(1) Each county, by resolution of its board of county commissioners, shall establish and maintain a county public health agency or shall participate in a district public health agency. Any two or more contiguous counties, by resolutions of the boards of county commissioners of the respective counties, may establish and maintain a district public health agency. An agency shall consist of a county or district board of health, a public health director, and all other personnel employed or retained under the provisions of this subpart 3.

(2) (a) (I) The jurisdiction of any agency shall extend over all unincorporated areas and over all municipal corporations within the territorial limits of the county or the counties comprising the district, but not over the territory of any municipal corporation that maintains its own public health agency. If the county has a county public health agency or a district board of health and if the county is within a district public health agency, any municipal corporation not otherwise within the jurisdiction of an agency, by agreement of its city council, board of trustees or other governing body, and the board of county commissioners of the county wherein the municipal corporation is situated may merge its department with the county or district public health agency.

(II) In the event of a merger between a health department of a municipal corporation with a county or district public health agency, the agreement of merger, among other things, shall provide that a member or members of the county or district board of health, as is specified in the agreement, shall be appointed by the city council or board of trustees of the municipal corporation rather than as provided in this section. The city council or board of trustees shall appoint the number of members specified in the agreement of merger, and the remaining members shall be appointed as provided in this section.

(III) The board of county commissioners, in order to give the municipal corporation representation on a county board of health previously established, may declare vacancies in the county board of health and permit the vacancies to be filled by the city council or board of trustees of the municipal corporation.

(b) All county or district boards of health existing within the county or district shall be dissolved upon the organization of a county or district public health agency under the provisions of this part 5 or upon the acceptance of a county into a district already established.

(c) In the event of the dissolution of any county or district public health agency, the withdrawal of a county from an established district, or the withdrawal of a municipal corporation that has voluntarily merged its health department or agency with a county or district public health agency, local boards of health shall be reestablished under the provisions of this part 5 and assume the powers and duties conferred upon such local boards.

(3) (a) Subject to available appropriations, an agency shall provide or arrange for the provisions of services necessary to carry out the public health laws and rules of the state board, the water quality control commission, the air quality control commission, and the solid and hazardous waste commission according to the specific needs and resources available within the community as determined by the county or district board of health or the board of county commissioners and as set out in both the comprehensive, statewide public health improvement plan developed pursuant to [section 25-1-504](#) and the county or district public health plan developed pursuant to [section 25-1-505](#).

(b) In addition to other powers and duties, an agency shall have the following duties:

(I) To complete a community health assessment and to create the county or district public health plan at least every five years under the direction of the county or district board and to submit the plan to the county or district board and state board for review;

(II) To advise the county or district board on public policy issues necessary to protect public health and the environment;

(III) To provide or arrange for the provision of quality, core public health services deemed essential by the state board and the comprehensive, statewide public health improvement plan; except that the agency shall be deemed to have met this requirement if the agency can demonstrate to the county or district board that other providers offer core public health services that are sufficient to meet the local needs as determined by the plan;

(IV) To the extent authorized by the provisions of this title or article 20 of title 30, C.R.S., to administer and enforce the laws pertaining to:

(A) Public health, air pollution, solid and hazardous waste, and water quality;

(B) Vital statistics; and

(C) The orders, rules, and standards of the state board and any other type 1 agency created pursuant to the provisions of this title;

(V) To investigate and control the causes of epidemic or communicable diseases and conditions affecting public health;

(VI) To establish, maintain, and enforce isolation and quarantine, and in pursuance thereof, and for this purpose only, to exercise physical control over property and over the persons of the people within the jurisdiction of the agency as the agency may find necessary for the protection of the public health;

(VII) To close schools and public places and to prohibit gatherings of people when necessary to protect public health;

(VIII) To investigate and abate nuisances when necessary in order to eliminate sources of epidemic or communicable diseases and conditions affecting public health;

(IX) To establish, maintain, or make available chemical, bacteriological, and biological laboratories, and to conduct such laboratory investigations and examinations as it may deem necessary or proper for the protection of the public health;

(X) To purchase and distribute to licensed physicians and veterinarians, with or without charge, as the county or district board may determine upon considerations of emergency or need, approved biological or therapeutic products necessary for the protection of public health;

(XI) To initiate and carry out health programs consistent with state law that are necessary or desirable by the county or district board to protect public health and the environment;

(XII) To collect, compile, and tabulate reports of marriages, dissolutions of marriage, and declarations of invalidity of marriage, births, deaths, and morbidity, and to require any person having information with regard to the same to make such reports and submit such information as is required by law or the rules of the state board;

(XIII) To make necessary sanitation and health investigations and inspections, on its own initiative or in cooperation with the state department, for matters affecting public health that are within the jurisdiction and control of the agency;

(XIV) To collaborate with the state department and the state board in all matters pertaining to public health, the water quality control commission in all matters pertaining to water quality, the air quality control commission and the division of administration of the state department in all matters pertaining to air pollution, and the solid and hazardous waste commission in all matters pertaining to solid and hazardous waste; and

(XV) To establish or arrange for the establishment of, by January 1, 2015, and subject to available appropriations, a local or regional child fatality prevention review team pursuant to [section 25-20.5-404](#).

(c) If a county or district board of health does not receive sufficient appropriations to fulfill all the duties described in paragraph (b) of this subsection (3), the county or district board shall set priorities for fulfilling the duties and shall include the list of priorities in its county or district public health plan submitted pursuant to [section 25-1-505](#).

(4) Repealed.

TYPES OF FUNDS FOR THE COUNTY:

General Funds: 30-25-106

Purposes

(1) The board of county commissioners is authorized to appropriate money from the county general fund for all ordinary county expenses, including the administrative expenditures of elective and appointive offices, library, agricultural extension service, fire protection, fairs, advertising, airports, health, rodent control, water conservation, weed control, pest control, predatory animal control, and all other general county purposes authorized by law, except expenditures for public welfare, roads and bridges, debt service, public hospitals, public works, contingencies, and purposes voted by the electors.

(2) The board of county commissioners is authorized to appropriate money from the general fund derived from federal payment in lieu of taxes to public school districts containing lands from which the payment is derived.

(3) Notwithstanding the provisions of subsection (1) of this section, the board of county commissioners is authorized to transfer moneys from the county general fund to the county road and bridge fund created in [section 43-2-202, C.R.S.](#), if the governor declares, by executive order or proclamation, a disaster emergency in the applicable county pursuant to [section 24-33.5-704 \(4\), C.R.S.](#) The board of county commissioners is authorized to make the transfers until four years after the date of the governor's declaration of an emergency in the county. Any county general fund moneys transferred into the county road and bridge fund shall be used for the purposes of disaster response and recovery in a manner consistent with the permissible uses of moneys in the county road and bridge fund.

County Road and Bridge Fund: 43-2-202

(1) (a) A fund to be known as the county road and bridge fund is created and established in each county of this state. Such fund shall consist of the revenue derived from the tax authorized to be levied under [section 43-2-203](#) for road and bridge construction, maintenance, and administration, all moneys received by the county from the state or federal governments for expenditure on roads and bridges, and any other moneys that may become available to the county for such purpose. Any moneys that have become available to the county for expenditure on roads and bridges by virtue of a condition placed on any type of land use approval shall be accounted for separately and said expenditures shall be limited to roads and bridges in connection with such land use project.

(b) In addition to the moneys specified in paragraph (a) of this subsection (1), the county road and bridge fund consists of any general fund moneys that the board of county commissioners of the applicable county transfers to the fund pursuant to [section 30-25-106 \(3\), C.R.S.](#), after the governor declares a disaster emergency in the county. The board of county commissioners may transfer back to the county general fund any moneys that it transferred to the county road and bridge fund pursuant to [section 30-25-106 \(3\), C.R.S.](#)

(2) Each municipality located in any county of this state is entitled to receive from the county road and bridge fund of the county wherein it is located an amount equal to fifty percent of the revenue accruing to said fund from extension only of the levy authorized to be made under [section 43-2-203](#) against the valuation for assessment of all taxable property located within its corporate boundaries; except that, by mutual agreement between such municipality and the board of county commissioners, such municipality may elect to receive, in part or in full, the equivalent of such amount in the value of materials furnished or work performed on roads and streets located within its corporate boundaries by the county either during the calendar year in which such revenue is actually collected or by mutual agreement during any succeeding calendar year. A board of county commissioners may, at its option, provide additional money, furnish additional materials, or perform additional work for a municipality located in the county in excess of the money or equivalent materials or work entitled to be received by such municipality under this section. If so determined by the division of local government as provided in [section 29-1-301 \(1.2\) \(b\), C.R.S.](#), this subsection (2) shall not apply to any one-time, nonrecurring expenditure as a result of an increased levy under [section 29-1-301 \(1.2\), C.R.S.](#), if the expenditure is for a county road or bridge capital project or county road or bridge capital asset.

(3) In all cases where a municipality has not elected to receive its share of the county road and bridge fund in equivalent value of materials furnished or work performed by the county, under mutual agreement, it is the duty of the county treasurer, on the fifteenth day of each July, October, January, and April, to pay over to the treasurer of such municipality, out of the county road and bridge fund, the amount to which such municipality has become entitled during the preceding three calendar months.

(4) All moneys received by a municipality from the county road and bridge fund shall be credited to an appropriate fund and shall be used by such municipality only for construction and maintenance of roads and streets located within its corporate boundaries.