

RESOLUTION NO. 07-2020

**A RESOLUTION REGARDING THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF BACA, STATE OF COLORADO LOCAL DISASTER EMERGENCY
DECLARATION COVID-19 VIRUS**

WHEREAS, the Colorado Disaster Emergency Act, Colorado Revised Statutes (C.R.S.) § 24-33.5-701, *et seq.*, provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters; and,

WHEREAS, pursuant to C.R.S. § 24-33.5-703 (3), a “disaster” is defined to mean “the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to fire, flood, earthquake, wind, storm, wave action, hazardous substance incident, oil spill or other water contamination requiring emergency action to avert danger or damage, volcanic activity, epidemic, air pollution, blight, drought, infestation, explosion, civil disturbance, or hostile military or paramilitary action, or a condition of riot, insurrection, or invasion”, and,

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster may be declared “only by the principal executive officer of a political subdivision;” and,

WHEREAS, pursuant to §§ 30-10-307 and 308, C.R.S., as amended, the chairman of the Board of County Commissioners (BOCC) is the principal executive officer of Baca County and, in the absence of the chairman, the vice-chairman is statutorily authorized to act as the principal executive officer; and,

WHEREAS, pursuant to C.R.S. § 24-33.5-709 (1), the declaration of a local disaster “shall not be continued or renewed for a period in excess of seven days except by or with the consent of the governing board of the political subdivision;” and,

WHEREAS, pursuant to C.R.S. § 24-33.5-709 (1), any order declaring, continuing, or terminating a local disaster “shall be given prompt and general publicity and shall be filed promptly with the county clerk and recorder;” and,

WHEREAS, pursuant to C.R.S. § 24-33.5-709 (2), the effect of declaring a local disaster “is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans;” and,

WHEREAS, because of COVID-19 Pandemic, which occurred or began to occur on March, 5, 2020 Baca County and/or jurisdictions within its boundaries, is suffering or has suffered a disaster as defined under C.R.S. § 24-33.5-703 (3); and,

WHEREAS, COVID-19 is a highly contagious virus that originated in China and has since spread to numerous countries throughout the world, including the United States of America; and,

WHEREAS, COVID-19 may cause serious illness or death in certain cases, particularly where the elderly or persons with underlying health conditions contract it; and

WHEREAS, on January 30, 2020, the World Health Organization declared the worldwide outbreak of COVID-19 as a “public health emergency of international concern”; and

WHEREAS, on January 31, 2020 the United States Department of Health and Human Services declared COVID-19 as a public health emergency; and

WHEREAS, on March 10, 2020 the Governor of the State of Colorado, Jared Polis, announced a state of emergency due to the COVID-19 outbreak; and

WHEREAS, on March 13, 2020, the President of the United States, Donald Trump, declared a national state of emergency due to the COVID-19 outbreak; and

WHEREAS, officials with the Baca County Public Health Agency anticipate that, due to the highly contagious nature of COVID-19, Baca County is likely to see cases of COVID-19 within the community; and

WHEREAS, Baca County anticipates that cases of the COVID-19 virus will occur in Baca County and may result in serious illness or death for certain at-risk members of the community and also may have the effect of interrupting the normal daily functioning of the community in terms of closures for workplaces, schools, and the like; and,

WHEREAS, the expense and magnitude of responding to and recovering from the impact of a significant COVID-19 outbreak in Baca County is in excess of the County’s available resources; and,

WHEREAS, Colorado law provides for local governments to declare a local disaster emergency to assist the local governments in responding to and recovering from emergency events, including pandemics like COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Baca County, Colorado that:

1. It is hereby determined and declared that the likely presence of COVID-19 virus within Baca County constitutes a local disaster emergency that warrants the mobilizing of emergency response and the furnishing of aid and assistance.
2. The Baca County Disaster Emergency Declaration shall promptly be filed with the Baca County Clerk and Recorder, the Baca County Office of Emergency Management, and the Colorado Office of Emergency Management.

3. Inasmuch as this declaration was made and Resolved by the Board County Board of Commissioners of Baca County, Colorado in a regular meeting, this declaration shall remain in effect until repealed by action of the Board of County Commissioners of Baca County.
4. This Declaration is necessary for the public health, safety and welfare of the citizens and visitors of Baca County, Colorado.

ADOPTED AND DECLARED this 19th of March 2020, at a regularly scheduled meeting of the Baca County Board of County Commissioners.

Glen R. Ausmus
Glen R. Ausmus, Chairman

Rick Butler
Rick Butler, Commissioner

Shiloh Freed
Shiloh Freed, Commissioner

ATTEST:

Jessie Gowin
Clerk to the Board

