

RESOLUTION NO. 21, SERIES OF 2020

DISASTER DECLARATION COVID-19 (Corona Virus)

RESOLUTION DECLARING LOCAL DISASTER EMERGENCY

WHEREAS, Novel Coronavirus (resulting in the disease COVID-19) is a highly contagious virus that originated in China and has spread to numerous countries around the world, including the United States; and

WHEREAS, COVID-19 can be a serious illness leading to severe complications and the risk of death in the elderly or those with underlying health issues or compromised immune systems; and

WHEREAS, on January 30, 2020, the World Health Organization (“WHO”) declared the worldwide outbreak of COVID-19 a “public health emergency of international concern.” On January 31, 2020, the United States Department of Health and Human Services declared the virus a public health emergency. On March 11, 2020, WHO declared COVID-19 a pandemic, pointing to the sustained risk of further global spread. On March 11, 2020, the Governor of Colorado memorialized a verbal order from the previous day declaring the presence of COVID-19 in Colorado constitutes a disaster emergency; and

WHEREAS, Fremont County Public Health and Environment (“FCPHE”) anticipates that, due to the contagiousness of the illness and the fact that numerous travelers from around the world visit the county, Fremont County will see cases of the virus and its transmission within the community. Developing social distancing policies prior to an extensive outbreak has been a proven means of helping to contain COVID-19 outbreaks and

WHEREAS, FCCPHE anticipates that without appropriately responding to the illness, including cancelling and postponing large public events, numbers of cases within Fremont County will rise, may result in serious illness or death for certain members of the community, and also may have the effect of interrupting the functioning of the community in terms of work attendance, school attendance, and the like; and

WHEREAS, The cost and magnitude of responding to and recovering from the impact of the ensuing event is far in excess of the county’s available resources; and

WHEREAS, Colorado law provides for declaring a local disaster emergency to assist local governments in responding to and recovering from emergency events, including epidemics and emergency epidemics and pandemics. See C.R.S. 24-33.5-703(3); and

WHEREAS, the potential for an outbreak of COVID-19 in Fremont County constitutes a local disaster for purposes of C.R.S. § 24-33.5-709, particularly when the high number of elderly residents and incarcerated persons is taken into consideration, together with the confirmed

presence in a number of Colorado Counties, including those adjacent to and in close proximity with Fremont County; and

WHEREAS, Pursuant to C.R.S. § 24-33.5-709(1) the Chair of the Board of County Commissioners of Fremont County has authority to declare a local disaster and such declaration may be effective for up to seven days; and

WHEREAS, Pursuant to C.R.S. § 25-1-506(b), FCPHE has authority 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” and has authority to “close schools and public places and to prohibit gatherings of people when necessary to protect public health;” and

WHEREAS, Pursuant to C.R.S. § 25-1-509(2)(b), the Public Health Director has the powers to “exercise all powers and duties conferred and imposed upon agencies not expressly delegated” to the County Board of Health; and

WHEREAS, In light of the ongoing risk to public health and safety, at this time it is necessary to declare a local disaster emergency.

NOW THEREFORE, THE FREMONT COUNTY BOARD OF COUNTY COMMISSIONERS HEREBY MAKES THE FOLLOWING DECLARATIONS:

1. The high potential for the presence of COVID-19 in Fremont County constitutes a local disaster emergency for a period not to exceed seven days. The Board of County Commissioners shall consider extending this declaration at a duly-noticed meeting within seven days of the date of this declaration.

2. The effect of this declaration of local disaster shall be 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.

3. The Director of the Office of Emergency Management has full authority to assign county personnel duties not in their job descriptions, expend financial resources, use emergency procurement procedures, suspend and re-assign any county operations or policy to provide full support to the emergency response.

4. The Public Health Director shall continue to have the powers and duties conferred on her by C.R.S. § 25-1-506 and C.R.S. § 25-1-509. Pursuant to C.R.S. § 25-1-516, it is unlawful to willfully “violate, disobey, or disregard the provisions of the public health laws or the terms of any lawful notice, order, standards or rule.”

5. Based on the Public Health Director’s recommendations, public events (other than meetings of County boards) scheduled to take place in County-owned facilities are suspended until further notice. From March 16, 2020 through March 20, 2020, Fremont County public buildings

shall be closed to the public however employees shall continue to perform duties as necessary and assigned. Members of the public may conduct business by telephone, e-mail, other electronic means, or by physically dropping off documents necessary for the conduct of business. Fremont County Buildings shall have notices posted at the entrances to such buildings providing contact information to members of the public with instructions regarding how to conduct business remotely. Such closure shall not apply to the Fremont County Sheriff's Office, except such closure that the Sheriff deems appropriate for the protection of housed prisoners and county staff.

6. The Fremont County community is strongly directed to engage in social distancing and to postpone or cancel any gatherings or events where people will congregate in large number and/or in close contact with one another.

7. Publicly-scheduled meetings shall take place, as necessary. County staff shall make arrangements for the public to virtually-participate in such meetings online or via teleconference, as necessary. These directives will be revisited and monitored daily. Additional restrictions may need to be imposed by the Public Health Director as the situation progresses, including without limitation mandatory closures.

8. Decisions about county staff working from home will be made on a case-by-case basis taking into County consideration the ongoing operational needs of the County and public health advice. Supervisors should consult with Human Resources, but have discretion to designate employees as critical to maintaining County Operations. Certain County operational duties require physical presence all or some of the time. health, finances, and other factors on an ongoing basis.

BE IT FURTHER RESOLVED that this resolution shall be effective as of the date and time of adoption, and shall remain in effect for seven days, unless extended by the consent of a majority of the members of the Board. **True copies will be filed promptly with the Colorado Division of Emergency Management, Colorado Department of Public Health and Environment, and the Fremont County Clerk and Recorder, and shall be promptly distributed to the appropriate representatives of the news media.**

SIGNED this 16th day of March, 2020, at _____ a.m.

FREMONT COUNTY BOARD OF COUNTY COMMISSIONERS

By: 
Debbie Bell, Chair

Attest: 
Clerk to the Board