

RESOLUTION NO. 2020-06
BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF LAKE
STATE OF COLORADO

**AN EMERGENCY RESOLUTION DECLARING A LOCAL DISASTER EMERGENCY
FOR LAKE COUNTY, COLORADO.**

WHEREAS, Novel Coronavirus (resulting in the disease COVID-19) is a highly contagious virus that originated in Wuhan, China and has since 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 even 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; and

WHEREAS, 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, Public health experts anticipate that, due to the contagiousness of the illness and the fact that numerous travelers from around the world visit the county and surrounding areas, Lake County will begin to see cases of the virus and its transmission within the community; 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, the Director of Emergency management and the Board of County Commissioners of Lake County, Colorado, are further authorized to declare a local disaster emergency for incident occurring within the boundaries and response areas on behalf of municipal corporations, special districts, and other eligible non-governmental organizations; and

WHEREAS, pursuant to C.R.S. 24-33-5-709(1) "A local disaster may be declared only by the principal executive officer of a political subdivision. It 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. Any order or proclamation declaring, continuing, or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the county clerk and recorder, city clerk, or other authorized record-keeping agency and with the office of emergency management."

WHEREAS, Pursuant to C.R.S. § 25-1-506(b)(VI)(VII), Colorado Department of Public Health and Environment has authority (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" and has authority (VII) "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 Lake County Public Health Director has the powers to (b) "To exercise all powers and duties conferred and imposed upon agencies not expressly delegated by the provisions of this part 5 to a county or district board"; and

WHEREAS, the Board of County Commissioners finds the necessity to immediately activate the response and recovery aspects of all applicable local and inter-jurisdictional disaster emergency plans and to authorize the furnishing of and assistance under such plans; and

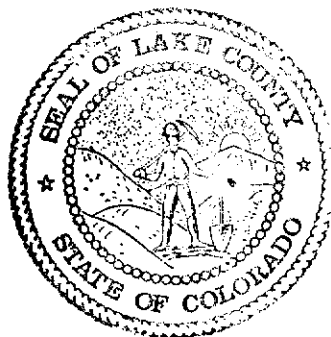
WHEREAS, the Board of County Commissioners finds and determines that it is in the best interests of efficiency, effectiveness and public health and safety that the Director of the Office of Emergency Management has full authority to assign county personnel, expend financial resources, use emergency procurement procedures, suspend and re-assign any county operations or policy to provide full support to the emergency response; 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.

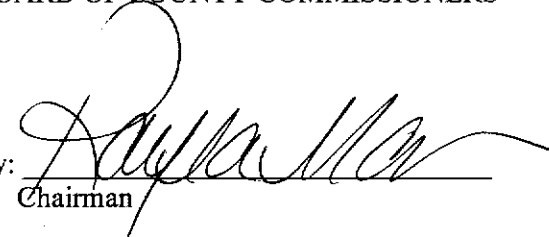
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF LAKE, STATE OF COLORADO, THAT:

1. Lake County, Colorado has declared a disaster emergency due to the presence of COVID-19 in the surrounding region. 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 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.”
4. Based on the Public Health Director’s recommendations, public events scheduled to take place in County-owned facilities are suspended until further notice. The community is strongly admonished to engage in social distancing and cancel any gatherings or events exceeding 50 people. Publicly scheduled meetings shall take place, including the County Commissioner meeting scheduled for March 16, 2020 and City Council meeting scheduled for March, 17, 2020. However, County offices and staff shall plan for the public to virtually-participate in such meetings online or via teleconference. 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.
5. The Director of the Office of Emergency Management and the County Human Resource Director have 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 as set forth in Resolution 2011-31.
6. The County Human Resources Director has full authority to suspend and modify all County Personnel Rules as necessary.
7. The County building shall remain open to county employees as normally scheduled but decisions about county staff will be made on a case-by-case basis taking into consideration the ongoing operational needs of the County and also considering public health advise. Supervisors should consult with the BOCC and Human Resources Director but have discretion to designate employees as critical to maintaining County operations. It is recognized that not all work will be able to be performed at home and may require physical presence all or some of the time.

ADOPTED on this 16 day of March, 2020



COUNTY OF LAKE
STATE OF COLORADO
By and Through its
BOARD OF COUNTY COMMISSIONERS

By: 
Chairman

ATTEST:


Patty Berger, Clerk & Recorder