



Resolution #~~35~~2014

**Resolution**

**of**

**The Board of Montrose County Commissioners**

**Concerning: Montrose County Disaster Policies**

**Whereas**, "Disaster Declaration" is a resolution declaring a disaster approved by the Board of County Commissioners pursuant to Section 24-32-2109, C.R.S.; and

**Whereas**, the intent and purpose of the resolution is to facilitate the continuity of government and the timely and effective utilization of all available County resources to prepare for, respond to and recover from emergencies or disasters, whether natural or man-made, that are likely to affect the health, security, safety, or property of the citizens of the County; and

**Whereas**, the intent and purpose of the resolution is to provide for the coordination of emergency and disaster response functions of this County with all other public agencies, businesses, non-profit organization and affected persons as provided by the Colorado Disaster Emergency Act of 1992, Section 24-32-2101, C.R.S., et seq. and

**Whereas**, "disaster" meaning 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, hostile military or paramilitary action, or a condition of riot, insurrection, or invasion existing in the state or in any county, city, town, or district in the state that may have imminent consequences on the County; and

**Whereas**, the County is authorized to declare a disaster if the County finds that the County or any of its' cities, municipalities, townships, special districts, or other parts thereof is suffering from, or is in imminent danger of suffering, a natural or man-made emergency or disaster; and

**Whereas**, when a quorum of the Board of County Commissioners is not available, the approval of any one Commissioner shall be sufficient to issue the disaster declaration

1. Approval may be given through fax, email or verbally, if necessary.

2. The adoption shall be ratified by the Board as a whole at the next regular board meeting.

**Whereas**, upon declaring an emergency or disaster, and unless the circumstances of the emergency or disaster prevent or impede, such declaration shall be promptly filed with the Colorado Division of Emergency Management and the County Clerk and Recorder; and

**Whereas**, a declaration of disaster shall activate the County Emergency Operation Plan and shall be the authority for the deployment, use, and/or distribution of any supplies, equipment, and materials assembled, stockpiled, or arranged to be made available pursuant to this article or any other provision of law or intergovernmental agreement relating to disaster emergencies; and

**Whereas**, the public shall be notified of such a declaration through general dissemination to the news media, posting on the County website or other means of publicity as intended to advise the general public. All members of the public shall be deemed to have been given notice of the information contained within a declaration upon its dissemination to the news media or publication on the County website or other means of publicity; and

**Whereas**, the County Manager may continue or renew the declared disaster for a period in excess of seven days upon submission of the request and the approval of the County Commissioners. (Section 24-32-2109, C.R.S.). In the event the County Commissioners cannot assemble to approve a continuance of the declaration, such declaration shall remain in effect until such time as a quorum can be assembled; and

**Whereas**, upon issuance of a disaster declaration, the Board of County Commissioners may exercise the following powers, including but not limited to:

1. An order closing or canceling the use of any County-owned building, facility, public park, or other public place.
2. To suspend County business operations as necessary and in conjunction with elected officials, suspend and/or close other County offices.
3. Suspend or change department policies regarding timelines for service to citizens and customers.
4. Suspend or change times and locations of public meetings as necessary.
5. Utilize all available resources of the County as may be reasonably necessary to cope with the disaster whether in preparation for, response to, or recovery from disaster.
6. Compensate employees for overtime worked in relationship to the disaster in accordance with County policies and state and federal law.
7. Make application for state or federal assistance.
8. Delegate authority to County employees as the County Manager determines is reasonably necessary or expedient.

9. Enter into such reciprocal aid, mutual aid, joint powers agreements, intergovernmental assistance agreements or other compacts or plans with other governmental entities for the protection of life and property. Such agreements may include the temporary furnishing or exchange of supplies, equipment, facilities, personnel and/or services.
10. When a required competency or skill for a disaster function is not available within the County government, the County may seek assistance from persons or incident management-teams through the State Division of Emergency Management and delegate such authority for such period of time and to the extent necessary to successfully manage the disaster.
11. Any expenditure made in connection with the resolution, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the County.
12. In the event of a declared disaster, the County's Procurement Policy Section 3.5 will be in effect. This policy includes, but is not limited to: Department Heads and Elected Officials are authorized to sole source the purchase of goods and services where the well-being of the citizens, employees or County property may be endangered if the purchase is delayed; Procurement card purchasing limits shall be increased for elected officials, directors, managers, and other designated employees; Elected officials, directors and their designees shall be responsible for maintaining detailed records of all items/services procured during the disaster and must present records, invoices, and any other information related to those procurements to the Finance Department and the Office of Emergency Management no later than thirty (30) days after the disaster to be over. The Board of County Commissioners may extend this reporting period as needed; Elected officials, directors and their designees shall be responsible for maintaining and reporting accurate records of hours worked by employees during the disaster and the assigned task of those employees if related to the disaster.
13. Issue any and all other orders or undertake such other functions and activities as the County reasonably believes is necessary to protect the health, safety, and welfare of persons or property within the County or to otherwise preserve the public peace or abate, clean up, or mitigate the effects of any disaster.
14. This Resolution will not relieve or alter any County departments of the responsibilities or authority otherwise given to them by the Board of County Commissioners.

**Whereas**, if the Board of County Commissioners is made unavailable due to disaster, the County Manager may act on their behalf as prescribed herein; and

**Whereas**, in the event the County Manager is unavailable, the line of succession of authority shall be in the following order: The County Attorney, Finance Director, and Emergency Manager. In the event none of the above are available, the designee of each

department listed in the line of succession, as specified in the department's Continuity of Operations Plan, shall serve in such capacity; and

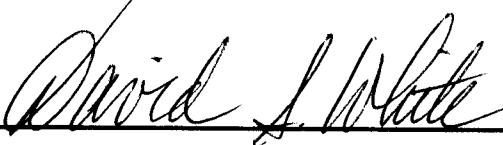
**Whereas**, the County Manager, or designee shall reasonably pursue any legal reimbursement possible pursuant to state laws and federal reimbursement provisions for disasters occurring within its jurisdiction and on behalf of any jurisdictions assisting in the local disaster response or recovery. Upon receipt of reimbursements and after subtracting the reasonable costs of pursuing and collecting the reimbursement, the County Manager will distribute received funds in a fair and equitable manner to assist jurisdictions based upon a pro-rate share of their documented expenses for the involved incident; and

**Whereas**, the Board of County Commissioners shall prioritize recovery and mitigation policies to be implemented in conjunction with departments and elected officials; and

**Whereas**, the County will make every effort to include local businesses, citizen groups and other interested parties in planning for recovery, mitigation and the rebuilding of those areas affected by such disaster; and

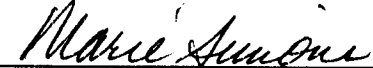
**Whereas**, at such time as local disaster is declared to have ended, the Director of Emergency Management or his/her designee shall prepare a written report that details the official actions taken by the County during the declaration, including a timeline, significant actions, recovery measures and a detailed summary of all expenses incurred during such declaration. The Director of Emergency management shall also hold a meeting with appropriate County Commissioners and staff to discuss lessons learned and suggest improvements for future disasters.

**BOARD OF COUNTY COMMISSIONERS:**

  
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**David White, Chairman**

**ATTEST:**

  
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**Clerk/Deputy Clerk of the Board**

9/15/2014  
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**Date**

