



R-21-27

**RESOLUTION EXTENDING THE COVID-19 LOCAL DISASTER EMERGENCY
DECLARATION**

WHEREAS, COVID-19 is a highly contagious virus that has spread to numerous countries around the world, including the United States; and

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

WHEREAS, on January 30, 2020, the World Health Organization declared the worldwide outbreak of COVID-19 a "public health emergency of international concern;" and on January 31, 2020, the United States Department of Health and Human Services declared the virus a public health emergency, and on March 11, 2020, the WHO declared COVID-19 to be a worldwide pandemic, which means the outbreak of the disease is no longer isolated to one or several communities but rather spreads throughout the world; and

WHEREAS, on March 11, 2020, the Governor of Colorado declared a "Disaster Emergency Due to the Presence of Coronavirus Disease 2019 in Colorado"; and

WHEREAS, on March 13, 2020, Donald Trump declared a national emergency with respect to COVID-19 virus; and

WHEREAS, by March 16, 2020, Clear Creek County Public and Environmental Health confirmed two cases of COVID-19 that were contracted elsewhere are in isolation within the county, and as of March 17, 2021, there were 378 confirmed cases of COVID-19 in the County and 2 deaths; 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 daily, Clear Creek County will see cases of the virus and its transmission within the community; and

WHEREAS, Clear Creek County anticipates that without appropriately responding to the illness, numbers of cases within the county will rise, may result in serious illness or death for certain members of the community, and also will 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 COVID-19 virus is far in excess of the county's available resources or its legal authorities; 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

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1) a local disaster may be declared by the principal executive officer of a political subdivision, but for periods in excess of seven days, requires the "consent of the governing board of the political subdivision"; and

WHEREAS, on the advice of the Clear Creek County Public and Environmental Health



Department and County Sheriff, the Chairman of the Board signed a Disaster Emergency Declaration for Clear Creek County on March 16, 2020; and this Board ratified that and extended it until April 16, 2020, by Resolution 20-26; and

WHEREAS, the emergency declaration has remained in place since that time by the Board's adoption of resolutions R-20-42, R-20-48, R-20-61, R-20-66, R-20-78, R-20-86, R-20-101 and, most recently, R-21-01, wherein the Board once again continued the local disaster emergency declaration for an additional 90 days; and

WHEREAS, the extension of the emergency period authorized in R-21-01 expired on March 11, 2021, and the Board desires to approve, nunc pro tunc to March 11, 2021, another 90-day extension that will continue through June 9, 2021, unless sooner amended, extended or rescinded by the Board; and

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

WHEREAS, declaring a local disaster emergency can qualify local citizens and businesses for federal and state programs that exist or may be developed to mitigate against losses incurred as a result of the COVID-19 epidemic; and

WHEREAS, defining clear roles for and direction to those responding to the local disaster emergency and operating under Clear Creek County's emergency operations plan will allow a more effective response.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Clear Creek County, Colorado:

THAT, the Clear Creek County Board of County Commissioners confirms, determines, and declares that the presence and likelihood of additional cases of the COVID-19 virus within Clear Creek County and the State or Colorado constitute a local disaster emergency that warrants continuing the emergency response and furnishing aid and assistance to affected portions of the community.

THAT, the Board recognizes Clear Creek County Public and Environmental Health ("CCCPEH"), by and through its deputy director, together with the Emergency Medical Services Chief Paramedic - and in coordination with the Colorado Department of Public Health and Environment, which is leading the statewide response to COVID-19 - are currently the Unified Command for the response to COVID-19 within Clear Creek County. CCCPEH has authority under state law to issue orders and guidance, and take other actions as necessary to protect the public health, safety, and welfare. The Board directs county staff to take such actions to effectuate the orders and guidance of CCCPEH and incident command as necessary, in consultation with the Board where appropriate.

THAT, the Board recognizes the Sheriff of Clear Creek County is a constitutional officer charged with maintaining public order within Clear Creek County and is authorized under state law to enforce the orders of CCCPEH as well other governmental directives related to disasters and



emergencies, all as reasonably necessary to protect the safety of the public. The Board requests the Sheriff to enforce the orders of CCCPEH and continue taking other actions as necessary to ensure the safety of the public during this local disaster emergency.

THAT, the Emergency Manager for Clear Creek County is coordinating the countywide response to the disaster, including with partners of Clear Creek County such as the towns within the county; first responders; human services, healthcare and emergency medical services providers; providers of critical infrastructure for the community; and other providers of important and necessary services to the public. The Board directs that the Emergency Manager continue to work closely with these partners to ensure a coordinated response throughout the county, and to continue to utilize Clear Creek County staff and other resources as necessary for an effective response, in consultation with the Board as appropriate.

THAT, the Clear Creek County Manager manages the general operations of the county and serves as a liaison to municipalities within the county and others. The Board directs the County Manager to continue coordinating with internal and external partners and to direct county staff as appropriate and necessary to address the local disaster emergency. The Board also directs the County Manager to work with directors and managers within the county to address staff illness, sick time, working remotely, and similar topics to ensure the continuity of operations within the county in consultation with the Board as appropriate.

THAT, the Board intends this Resolution to reflect its approval, nunc pro tunc to March 11, 2021, of another 90-day extension of the disaster emergency declaration, and that said extension shall continue through June 9, 2021, unless sooner amended, extended, or rescinded by the Board.

THAT, this Resolution and Declaration shall be promptly filed with the Clear Creek County Clerk and Recorder and with the Colorado Division of Homeland Security and Emergency Management.

THAT, this Resolution and Declaration is necessary for the public health, safety and welfare of the citizens of the County of Clear Creek, State of Colorado.

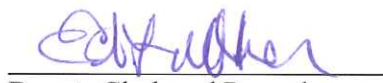
ADOPTED this 18th day of March, 2021, at a regularly scheduled meeting of the Clear Creek Board of County Commissioners.


George Marlin, Commission


Sean C. Wood, Commissioner


Randall Wheelock, Commissioner

ATTEST:


Deputy Clerk and Recorder
For Brenda L. Corbett
Clear Creek County Clerk and Record