

RESOLUTION NO. 11-2014

**ADOPTION OF THE MONTEZUMA COUNTY EMERGENCY DECLARATION
RESOLUTION**

WHEREAS, Colorado Revised Statutes §30-11-101(2) authorizes Counties to exercise powers regarding health, safety, and welfare issues; and

WHEREAS, the Montezuma County Board of Commissioners discussed, devised, and reviewed the Emergency Operation Plan draft and suggestions with Montezuma County Emergency Manager, Paul Hollar:

NOW THEREFORE BE IT RESOLVED by the Montezuma County Board of Commissioners:

That the *Montezuma County Emergency Declaration Resolution*, attached hereto, is adopted and becomes effective immediately.

Adopted this 7th, day of July, 20 14.

BOARD OF COUNTY COMMISSIONERS,
MONTEZUMA COUNTY, COLORADO

Carol Sullivan
County Clerk and Recorder
Montezuma County, Colorado



Ken L. Erb

Gary J. Luder

Steve D. Chappell



Montezuma County Emergency Declaration Resolution

July 7, 2014

Emergency Declaration Resolution

Purpose:

From time to time as necessary Montezuma County may have to enter a State of Emergency to provide for the safety of the public, protect critical infrastructure, protect private property, and protect the environment. When such situations dictate the Montezuma County Board of Commissioners will formally complete an Emergency Disaster Declaration.

Normal day-to-day standard operating procedures, authorities, policies, procurement, and duties of Montezuma County staff may hinder response and/or recovery activities during a state of emergency within Montezuma County. When a Montezuma County Emergency Disaster Declaration is adopted by the Montezuma County Board of Commissioners or delegated authority the Montezuma County Local Emergency Operations Plan (EOP) will be implemented in part or whole based on the need of the County.

This Emergency Disaster Resolution has been adopted to provide further guidance, clarification, authority, and policy changes during the period of the Declared Emergency.

A. Definitions

1. "Disaster" means the occurrence of or the imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including, but not limited to, fire, weather, drought, plague, hazardous chemical spill, or act of violence.
2. "Emergency" means any occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or man-made cause that is less severe than a disaster, but of such severity that it cannot be handled by emergency response agencies in conduct of their normal duties.
3. "Emergency Management" means the gathering of all resources available to meet all potential disasters or emergencies under coordinated management. The phases of emergency management are mitigation, preparedness, response and recovery.
4. "Mitigation" means any activities that actually eliminate the probability of or reduce the consequences of a disaster.
5. "Preparedness" means the development of plans, identifying and inventory of critical resources, the organization and training of response personnel, and the exercise of plans.
6. "Recovery" means those actions, both short-term and long-term, that result in the planned redevelopment of Montezuma County after a disaster, consistent with disaster experience and with measures available for hazard reduction.

B. Authority

1. Authority granted to the Chair of the County Board of Commissioners

- a. The Chair of the BOCC may declare that a disaster or emergency exists within Montezuma County. Such declaration shall continue for a period not to exceed seven. Such declaration may be continued or renewed with the consent of a majority of the members of the Board of County Commissioners.
- b. Allocate emergency funds when costs of the disaster exceed authorized emergency response budgets.
- c. Suspend or modify the provisions of any county resolution, ordinance, policy, or procedure if strict compliance thereof would in any way prevent, hinder or delay necessary action in coping with any emergency or local disaster.

*Montezuma County Government Emergency Declaration Regulation
For Official Use Only*

d. Receive on behalf of Montezuma County from any duly constituted governmental agency or any private person or agency, any services, equipment, supplies, materials or funds, by way of gift, grant or loan, for emergency or disaster purposes.

e. Make application for local, state or federal assistance.

2. Authority granted to the County Administrator

a. The Board of Commissioners has delegated in the event a BOCC Chair and other Commissioners can't be reached within a four hour period the Montezuma County Administrator may sign an Emergency Disaster Declaration on their behalf. This Emergency Declaration must be approved by BOCC Chair or by majority within 24 hours.

b. In the event that a Montezuma County Commissioners are unavailable to make contractual or spending decision on behalf of Montezuma County, the County Administrator is authorized the contractual and spending decisions for up to 72 hours in the event of an emergency.

c. Receive on behalf of Montezuma County from any duly constituted governmental agency or any private person or agency, any services, equipment, supplies, materials or funds, by way of gift, grant or loan, for emergency or disaster purposes with direction obtained from the Board of County Commissioners.

d. The spending authority of the County Administrator is as follows:

1. \$100,000 may be spent in the first twenty-four hours of the emergency starting at the dispatch time of onset
2. \$50,000 may be spent every twelve hours starting at the end of the first twenty four hours
3. The spending limits are not to exceed \$500,000 without express consent of the Montezuma County Board of Commissioners.

3. Authority granted to the County Sheriff:

a. Request appropriate resources as needed to respond to disasters.

b. Receive on behalf of Montezuma County from any duly constituted governmental agency or any private person or agency, any services, equipment, supplies, materials or funds, by way of gift, grant or loan, for emergency or disaster purposes.

c. The spending authority of the County Sheriff is as follows:

1. \$50,000 may be spent in the first twenty four hours of the emergency starting at the dispatch time of onset.
2. \$25,000 may be spent every twelve hours starting at the end of the first twenty four hours.
3. The spending limits are not to exceed \$250,000 without express consent of the Montezuma County Board of Commissioners.

4. Authority granted to the County Emergency Manager:

a. Seek, obtain, or assist in obtaining supplies, equipment and services needed for the protection of the life and property of the people of Montezuma County.

b. Represent Montezuma County in all dealings with public or private agencies pertaining to emergency management and disasters, except to the extent it involves the duties of another County elected official, and then only in coordination with that elected official.

- c. Receive on behalf of Montezuma County from any duly constituted governmental agency or any private person or agency, any services, equipment, supplies, materials or funds, by way of gift, grant or loan, for emergency or disaster purposes in accordance with direction obtained from the Board of County Commissioners and/or the Montezuma County Sheriff.
- d. Establish, staff, and coordinate the Emergency Operations Center in accordance with the Montezuma County Emergency Operations Plan (EOP).
- e. The spending authority of the Emergency manager is as follows:
 1. \$25,000 may be spent in the first twenty-four hours of the emergency starting at the dispatch time of onset.
 2. \$10,000 may be spent every twelve hours starting at the end of the first twenty four hours.
 3. The spending limits are not to exceed \$75,000 without express consent of the Montezuma County Administrator.

C. Procurement

During emergencies and disasters standard operating procurement procedures, policies, and practices can hinder the ability to identify, order, procure, and obtain time sensitive resources to protect life and property. When an authorized Montezuma County Emergency Disaster Declaration is made and for the duration of, all resources needed to respond to or stabilize the situation will be exempt from normal procurement procedures. Resources will be procured based on need, availability, and response/delivery time.

D. Exempt Employees

During a Declared Disaster Montezuma County employees may be required either directly or indirectly to work extensive hours for extended periods to respond, coordinate, manage, or supervise response and recovery activities far above that of normal day to day job descriptions. When an authorized Montezuma County Disaster Declaration is made, any "exempt" employee, who as a result of the declaration, is required to work for more than fifty hours in any given work week will be considered a non-exempt employee and will be considered hourly and eligible for overtime until such time as the emergency response/recovery is concluded.

E. Suspension of Non-Essential Services

During times of emergencies and disasters Montezuma County employees may assigned to response/recovery activities other than their normal duties. During a declared emergency the Montezuma County BOCC, the County Administrator, and the County Sheriff may suspend non-essential government activities until such time as resources become available to resume normal day to day activities.

F. Continuity of Government

- a. During an emergency or disaster critical infrastructure may be hazardous, damaged or otherwise inaccessible. Whenever an emergency or local disaster makes it imprudent or impossible to conduct the affairs of the county at its regular locations, the governing body may meet at any place, inside or outside the county limits or may meet via the telephone or other communication device. Any temporary emergency or local disaster meeting location for the governing body shall continue until a new location is established or until the emergency or local disaster is terminated and the governing body is able to return to its normal location.
- b. Whenever an emergency or local disaster makes it imprudent or impossible to conduct the affairs of any department of the county at its regular location, such department may conduct its business at any place, inside or outside the county limits and may remain at the temporary location until the emergency or local disaster is declared ended or until the department is able to return to its normal location.

G. Succession of Authority

If the Chair of the BOCC is unavailable, the line of succession of authority shall be delegated by seniority of office of the remaining two Commissioners. If none of the three BOCC members are available the County Sheriff will be delegated this authority. If the County Sheriff is unavailable the County Administrator will be delegated this authority.