

**BOARD OF COUNTY COMMISSIONERS OF
HINSDALE COUNTY, COLORADO**

**SECOND AMENDED RESOLUTION CONFIRMING THE ESTABLISHMENT OF THE
HINSDALE COUNTY OFFICE OF EMERGENCY MANAGEMENT AS HINSDALE
COUNTY'S LOCAL DISASTER AGENCY**

RESOLUTION NO. 15 , Series 2019

WHEREAS, the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, requires counties to establish agencies responsible for local disaster preparedness and coordination of response; and

WHEREAS, the Board of County Commissioners of Hinsdale County, Colorado, by and through Resolution No. 1, Series 2018, dated February 21, 2018, and entitled “A Resolution Confirming the Establishment of the County Office of Emergency Management as Hinsdale County’s Local Disaster Agency” (“Resolution 1”), formally recognized the long time established Hinsdale County Office of Emergency Management, as Hinsdale County’s local disaster agency responsible for disaster preparedness and coordination of response; and

WHEREAS, Hinsdale County made a correction to Resolution 1 (the attachments to Resolution 1 were not correct) by and through its “Amended Resolution Confirming the Establishment of the County Office of Emergency Management as Hinsdale County’s Local Disaster Agency” (“Resolution 2”); and

WHEREAS, Hinsdale County desires to make updates to Resolution 2 since it has changed its Emergency Management Director and County Administrator since the adopted of Resolution 2; and

WHEREAS, this “Second Amended Resolution Confirming the Establishment of the County Office of Emergency Management as Hinsdale County’s Local Disaster Agency” (“Second Amended Resolution”) serves to amend and replace Resolutions 1 and 2 consistent with the Recitals stated above.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Hinsdale County, Colorado, that:

1. Resolution No. 2, Series 2018, dated February 21, 2018, and entitled “Amended Resolution Confirming the Establishment of the County Office of Emergency Management as Hinsdale County’s Local Disaster Agency” is hereby amended, repealed and

replaced by this "Second Amended Resolution Confirming the Establishment of the County Office of Emergency Management as Hinsdale County's Local Disaster Agency."

2. Hinsdale County's Office of Emergency Management is and has been Hinsdale County's local disaster agency responsible for disaster preparedness and coordination of response pursuant to C.R.S. § 24-33.5-707.

3. Hinsdale County's Office of Emergency Management shall have a director appointed by the Board of County Commissioners and said director shall be the individual responsible for the planning and coordination of Hinsdale County's local disaster services pursuant to C.R.S. § 24-33.5-707(4).

4. Those additional rules and regulations attached hereto as "EXHIBIT A" are incorporated herein by this reference and are hereby incorporated into Hinsdale County's Emergency Management program; and

5. A copy of this Resolution shall be forwarded by the Hinsdale County Office of Emergency Management to the Colorado Division of Homeland Security and Emergency Management.

Adopted this 7th day of August, 2019.



**BOARD OF COUNTY COMMISSIONERS OF
HINSDALE COUNTY, COLORADO**

By: _____

Stan Whinnery
Stan Whinnery, Board Chair

Attest:

Jean Roberts

Jean Roberts, Hinsdale County Clerk

Justin Casey

Justin Casey, Hinsdale County Sheriff

“EXHIBIT A”

1. PURPOSES

The purposes of the Emergency Management Resolution of Hinsdale County, Colorado (hereinafter referred to as "the Resolution") are to provide for the basic government functions of maintaining the public peace, health and safety during an emergency or disaster, including preparedness, mitigation, response and recovery. It is the purpose and intent of the Resolution to bring Hinsdale County, Colorado, into full compliance with the appropriate sections of the Colorado Disaster Emergency Act, part 7 of Article 33.5 of Title 24, C.R.S., as amended.

2. DEFINITIONS

The following definitions shall apply to terms used in the Resolution:

- A. *Disaster* means an occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including but not limited to, fire, plague, spill, avalanche, flood, or any water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, drought, infestation, explosion, civil disturbance or hostile military or paramilitary action.
- B. *Emergency* means any occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or human-cause that is less severe than a disaster, but of such severity that it cannot be handled by the regular employees of the County acting prudently within the scope of their employment.
- C. *Emergency management* means the marshaling 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.
- D. *Mitigation* means any activities that actually eliminate or reduce the probability of occurrence of disaster.
- E. *Preparedness* means the development of plans, the stockpiling and inventory of critical resources, the organization and training of response personnel, and the exercise of plans.
- F. *Response* means the activities that address the short-term, direct effects of an incident and includes immediate actions to save lives, protect property, and meet basic human needs. Response also includes the execution of emergency operations plans.

3. ORGANIZATION

The Emergency Management Program for Hinsdale County shall be organized as follows:

- A. The Board of County Commissioners, by this Resolution, hereby formally recognized the previous creation and existence of the County's organization for emergency management known as the Hinsdale County Office of Emergency Management (hereinafter referred to as "OEM"). OEM has such professional, technical, secretarial and clerical employees as are deemed necessary by the Board of County Commissioners for the proper functioning of the organization.
- B. The Board of County Commissioners shall maintain a Director of Emergency Management as an appointed position who shall be the executive head of the OEM. The Director is responsible for the administration, organization and operations of the County OEM.
- C. The Director of Emergency Management may designate and appoint deputy directors to assume the emergency duties of the Director in the event of his or her absence or inability to act.

4. DUTIES AND POWERS OF THE DIRECTOR

The Director is hereby empowered to:

- A. Prepare and keep current a plan to be known as the Hinsdale County Emergency Operations Plan (EOP). The EOP will conform to the standards and requirements for such plans as promulgated by the Division of Homeland Security and Emergency Management of the State of Colorado.
- B. Prepare and present to the Board of County Commissioners for approval the EOP, and prepare and present to the Board of County Commissioners for approval updates to such plan.
- C. Represent OEM in all dealings with public or private agencies pertaining to emergency management and disasters.
- D. Direct coordination and cooperation between the divisions, services and staff of the County in matters that pertain to emergency management and disasters, and resolve questions of authority and responsibility that may arise between such divisions, services and staff in such matters.
- E. Prepare an annual budget for the County OEM and submit such budget to the Board of County Commissioners for consideration.
- F. Receive, on behalf of Hinsdale County, from any duly constituted governmental agency or any approved private person or agency, any services, equipment, supplies, materials or funds, by way of gift, grant or loan, for emergency management or disaster purposes.

- G. Negotiate on behalf of Hinsdale County with other duly constituted governmental agencies for the establishment of such mutual aid agreements as may be deemed necessary by the Board of County Commissioners and such other governmental agencies. The scope of such mutual aid agreements may encompass all facets of emergency management and the EOP, and may pledge the assistance and cooperation of the County to all emergency and disaster situations in return for similar pledges from such other governmental agencies.
- H. In the event of a declared disaster or emergency, act under the direction of the Board of County Commissioners and the Sheriff (for search and rescue operations), or its designated representative(s), in the interests of mitigation, response and recovery from such disaster or emergency.

5. DUTIES AND POWERS OF THE BOARD OF COUNTY COMMISSIONERS

The duties and powers of the Board of County Commissioners shall be as follows:

- A. It shall be the duty of the Hinsdale County Administrator to declare that a disaster or emergency exists within the County pursuant to § 24-33.5-709, C.R.S. Such declaration shall continue for a period not to exceed seven (7) days. Such declaration may be continued or renewed for a period in excess of seven (7) days with the consent of a majority of the members of the Board of County Commissioners.
- B. Any order or proclamation declaring, continuing or terminating a disaster or emergency shall be filed promptly with the Division of Homeland Security and Emergency Management within the Department of Public Safety of the State of Colorado, and with the Clerk and Recorder of Hinsdale County. Such order or proclamation shall be promptly distributed to the appropriate representatives of the news media.
- C. The Board of County Commissioners may delegate the emergency management duties and powers as they deem appropriate to any member of the Board of County Commissioners, the County Manager, or to the OEM Director.

6. DUTIES AND POWERS OF THE SHERIFF

Pursuant to C.R.S. § 24-33.5-707(10), the duties and powers of the Hinsdale County Sheriff shall be:

- A. Be the official responsible for coordination of all search and rescue operations within the Sheriff's jurisdiction; and
- B. Make use of the search and rescue capability and resources available within the County and request assistance from the office of emergency management only when and if the Sheriff determines such additional assistance is required.

7. DECLARATION OF DISASTER OR EMERGENCY

The effect of a declaration of an emergency or a disaster shall be to activate the response and recovery aspects of all applicable disaster or emergency plans of the County, including but not limited to, the EOP. Such a declaration shall also authorize the furnishing of all aid and assistance provided for under such plans.

END OF RESOLUTION