

## TOWN OF OPHIR



Box 683 • Ophir, CO 81426

### RESOLUTION 2020-2

#### **TOWN OF OPHIR, COLORADO DECLARATION OF STATE OF DISASTER EMERGENCY DUE TO CORONA VIRUS AND PROVIDING FOR ELECTRONIC SIGNATURES BY TOWN OFFICIALS AND AUTHORIZING THE TOWN MANAGER TO ENTER INTO NO-BID CONTRACTS INCLUDING CONTRACTS OVER \$5,000.00**

**WHEREAS**, the Town of Ophir, Colorado is duly organized and existing under its Home Rule Charter; and

**WHEREAS**, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and

**WHEREAS**, on March 10, 2020, Governor Jared Polis declared a State of Disaster Emergency as the number of identified COVID-19 cases in Colorado and in the United States increased and announced numerous emergency measures to protect public health and safety; and

**WHEREAS**, on March 16, 2020 San Miguel County Board of County Commissioners (BOCC) declared a state of emergency, specifically “local disaster emergency” because of the impact COVID--19 (coronavirus) is having on the county; and

**WHEREAS**, the San Miguel County Public Health Director has issued Public Health Agency Orders 2020-1, 2020-2, and 2020-3

**WHEREAS**, the cost and magnitude of responding to and recovery from the impact of the COVID-19 Pandemic may be far in excess of the Town’s available resources; and

**WHEREAS**, declaration of a local disaster emergency will assist and permit access to local emergency funds, Federal and State assistance, adjustments to policies, procedures, and ordinances to ensure the public’s health and welfare; and

**WHEREAS**, it is appropriate and in the interests of the public health and safety of the Town and its residents to rapidly address community spread of COVID-19 and subsequent cascading impacts, such as economic distress, and to further protect the health and safety of the public by declaring an emergency in the Town of Ophir; and

**WHEREAS**, on March 20, 2020 the Mayor of Ophir declared a State of Disaster Emergency relating to COVID-19; and

**WHEREAS**, the Town of Ophir General Assembly is authorized to declare a local disaster emergency pursuant to the Colorado Disaster Emergency Act C.R.S. § 24 Part 7 and to activate resolutions, the emergency management and operations plans and of the Town and to make certain findings with respect to the operation of Town business during such emergency.

**BE IT NOW THEREFORE, THAT THE GENERAL ASSEMBLY OF THE TOWN OF OPHIR DECLARES AS FOLLOWS:**

- 1) There hereby exists a State of Disaster Emergency within the Town of Ophir with respect to the outbreak of COVID-19 and during such time, the Mayor and Town Manager are hereby authorized to take such actions as necessary to protect and prevent destruction of health, safety, life, residents and property..
- 2) The effect of this Declaration shall be to activate the response and recovery aspects of the Town of Ophir's Emergency Operations Plan, and to authorize the furnishing of aid and assistance under such plans, and for the Mayor, Town Manager, and other appropriate Town staff to exercise those functions and authority.
- 3) All San Miguel County Public Health Agency Orders issued to date or during the further term of the disaster emergency are hereby adopted, ratified and confirmed as Orders of the Town of Ophir.
- 4) Until modified by amendment or repeal of this Resolution, all ordinances, resolutions, contracts, warrants, proclamations and other instruments of any kind or nature, providing for or otherwise requiring physical signatures by Town officials and employees shall be permitted to be electronically approved by email consent of the required signers thereof, with a physical signature affixed at a later time, but such later physical signature shall not be a prerequisite to the immediate effectiveness of the instrument upon the signers' email approval or consent. It is the intention of the General Assembly that all parties dealing with the Town in connection with any such instrument be entitled to rely upon the same, once electronically approved as provided herein, in the same manner as if a physical signature had been affixed.
- 5) In connection with this declaration of emergency, there are hereby issued the following directives:
  - a. The Mayor and Town Manager are hereby authorized to postpone or cancel any and all Town-sponsored events and meetings.
  - b. The Mayor and Town Manager are hereby authorized to close or limit public access to Town-owned facilities and properties, including parking areas and rights-of-way.
  - c. The Mayor and Town Manager are hereby authorized to cause any or all public meetings of the General assembly and other Town boards and committees to be conducted by telephone or other electronic means.



- d. The Mayor and Town Manager may take such other actions they deem necessary for the immediate preservation of health and safety during the COVID-19 outbreak.
- 6) Pursuant to the Town of Ophir Finance Policy, goods and services and hiring of employees necessary for the immediate preservation of health and safety during the event of a local disaster shall not require compliance with bidding or advertising requirements set forth in the Finance Policy and may be awarded on a sole source basis. Contracts for such goods and services and such hiring may be entered into by the Town Manager upon approval of the Mayor regardless of whether the contracts exceed \$5,000.00.

**DATED THIS 29TH DAY OF MARCH 2020.**

**TOWN OF OPHIR, COLORADO**

By: **Corinne Platt**  
\_\_\_\_\_  
Corinne Platt, Mayor

By: **Sydney Roop**  
\_\_\_\_\_  
Sydney Roop, Town Clerk

Approved as to form:

**Stephen B. Johnson**  
\_\_\_\_\_  
Town Attorney

**Signature:**   
Sydney Kopp (Mar 29, 2020)  
**Email:** clerk@ophir.us

**Signature:**   
Corinne Platt (Mar 29, 2020)  
**Email:** mayor@ophir.us

**Signature:**   
**Email:** steve@8750law.com












# Resolution 2020-1&2 for Signatures

Final Audit Report

2020-03-30

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-  Document created by Town of Ophir (manager@ophir.us)  
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