

RESOLUTION NO. 2020-11

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROUND MOUNTAIN WATER AND SANITATION DISTRICT CONSENTING TO AND EXTENDING THE DISTRICT PRESIDENT ORDER DECLARING A LOCAL DISASTER EMERGENCY IN AND FOR THE ROUND MOUNTAIN WATER AND SANITATION DISTRICT

WHEREAS, the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.* (the "Act"), provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters and emergencies;

WHEREAS, pursuant to the Act, an "emergency" is an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures, and an "emergency epidemic" is cases of an illness or condition, communicable or noncommunicable, caused by bioterrorism, pandemic influenza, or novel and highly fatal infectious agents or biological toxins;

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster emergency may be declared "only by the principal executive officer of a political subdivision," here, a District Operations Manager, a District Business Manager, or Board Member;

WHEREAS, on April 2, 2020, the District Operations Manager did issue an order declaring a local disaster, which order is attached hereto as **Exhibit A**;

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), the declaration of a local emergency shall not be continued or renewed for a period in excess of seven days except by or with the consent of Board of Directors;

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the County Clerk and Recorder and with the state office of emergency management; and

WHEREAS, immediately after it was issued, the attached order was given prompt and general publicity, was filed with the Custer County Clerk and Recorder, and it was submitted to the Colorado Office of Emergency Management.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE ROUND MOUNTAIN WATER AND SANITATION DISTRICT

1. The Board of Directors hereby consents to and supports the Order Declaring a Local Disaster Emergency in and for the Round Mountain Water and Sanitation District.
2. The Board of Directors hereby extends the Order Declaring a Local Disaster Emergency in and for the Round Mountain Water and Sanitation District, Colorado, until further

notice unless sooner terminated or further extended by action of the Board of Directors.

3. This Resolution shall be given prompt and general publicity, filed with the Custer County Clerk and Recorder, and submitted to the Colorado Office of Emergency Management.

Done and Resolved this 2nd day of April, 2020.

SANITATION DISTRICT

ROUND MOUNTAIN WATER AND

By: Charles Bogle
Charles Bogle, Chairman of the Board

ATTEST:

By: Steve Lasswell
Steve Lasswell, Vice Chairman



**ORDER DECLARING A LOCAL DISASTER EMERGENCY FOR
THE ROUND MOUNTAIN WATER AND SANITATION DISTRICT, COLORADO**

WHEREAS, the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.* (the "Act"), provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters and emergencies;

WHEREAS, pursuant to the Act, an "emergency" is an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures, and an "emergency epidemic" is cases of an illness or condition, communicable or noncommunicable, caused by bioterrorism, pandemic influenza, or novel and highly fatal infectious agents or biological toxins;

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster emergency may be declared unilaterally by the principal executive officer of a political subdivision, here the District President;

WHEREAS, pursuant to C.R.S. § 24-33.5-709, such a declaration activates the response and recovery aspects of any applicable disaster emergency plans and authorizes the furnishing of aid and assistance under such plans;

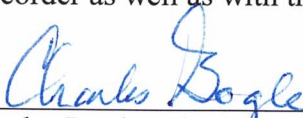
WHEREAS, pursuant to C.R.S. § 24-33.5-709(1) the declaration of a local emergency shall not be continued beyond a period of 7 days or removed except by action of the Board of Directors;

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster "shall be given prompt and general publicity and shall be filed promptly with the county clerk and recorder . . . or other authorized record-keeping agency and with the office of emergency management"; and

WHEREAS, because of the COVID-19 pandemic, which was recognized by the Governor of the State of Colorado on March 10, 2020, the Round Mountain Water and Sanitation District is suffering and has suffered a disaster emergency as defined in the Act.


NOW, THEREFORE, IT IS HEREBY ORDERED, this 2nd day of April, 2020, that a disaster emergency is declared for Round Mountain Water and Sanitation District, Colorado, beginning on this day and until further notice unless sooner terminated or further extended by action of the Board of Directors.

IT IS FURTHER ORDERED that this Order shall be given prompt and general publicity, filed immediately with the Custer County Clerk and Recorder as well as with the Colorado Office of Emergency Management.



Charles Bogle, District President

ATTEST:





**ROUND MOUNTAIN WATER AND SANITATION DISTRICT
REMOTE PARTICIPATION AND REMOTE MEETINGS POLICY**

I. Purpose.

The purpose of this Policy is to specify the circumstances under which a member of the Round Mountain Water and Sanitation District Board of Directors ("Member") may participate in regular and special meetings by telephone or other electronic means of participation, such as videoconferencing ("Remote Participation") and the situations under which the meeting itself may be held without the physical presence of Members at the designated meeting location (a "Remote Meeting").

II. Statement of General Policy.

A Member may participate in a meeting of the Board of Directors by remote, electronic means in accordance with this Policy.

A. *Non-Emergency Situations.*

Remote Participation in non-emergency situations shall be made available and shall be limited as follows:

1. A Member may listen by telephone or other electronic means to any Board of Directors meeting. Such Member listening via telephone shall be deemed present for purposes of determining a quorum and voting.

2. Listening telephonically or by remote means is intended to be an infrequent or occasional substitution for physical attendance, and there is a general preference for in-person meeting attendance except in emergency situations. The Board of Directors may, by majority vote of a quorum present, declare a Member's repeated use of Remote Participation excessive and deny a Member's privilege to use Remote Participation for a specific meeting or meetings.

3. At least one Member of the Board of Directors shall be present at the regular meeting location.

4. Remote Participation may also be made available to a Member during an executive session.

5. The Board of Directors may discontinue the use of Remote Participation by one or more Member during a meeting when the Remote Participation results in delays or interference in the meeting process; *e.g.*, where the telephone connection or connection by other remote means is repeatedly lost, the quality of the connection is unduly noisy or otherwise problematic to the conduct of the meeting, or the listening member is unable to hear speakers using a normal speaking voice amplified to a level suitable for the meeting audience in attendance.

B. *Emergency Situations.*

Remote Participation or Remote Meetings in an emergency situation shall be coordinated, to the extent possible, to ensure full and timely notice is given to the public. Notice shall set forth the time of the meeting, the fact that some Members may participate remotely, and the right of the public to monitor the meeting from a specified location. To the extent possible, if not inconsistent with the emergency situation, the meeting location shown in the meeting notice will be open to the public and audio will be available so that all actions being taken can be heard.

IV. *Applicability of Policy.*

This Policy applies to regular and special meetings of the Board of Directors of the Round Mountain Water and Sanitation District.

V. *Reasonable Accommodations.*

The District shall provide reasonable accommodation and shall waive or modify provisions of this Policy to provide disabled Members full and equal access to meetings.