

RESOLUTION 2020-134

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF
ARCHULETA COUNTY, DECLARING THAT ARCHULETA COUNTY WILL
FOLLOW THE "SAFER AT HOME" EXECUTIVE ORDER AND THE RELATED
PUBLIC HEALTH ORDERS AND GUIDANCE ISSUED BY THE STATE
DEPARTMENT OF PUBLIC HEALTH**

WHEREAS, on April 26, 2020, Governor Jared Polis issued Executive Order D 2020 044 regarding moving the State of Colorado into a new phase of combating the spread of COVID-19. This new phase is known as "Safer at Home" and allows for and facilitates steps towards reopening the economy while protecting public health; and,

WHEREAS, Section II.O. of Executive Order D 2020 044, states that nothing in the Executive Order prevents a county or municipality from adopting more protective standards than those contained in this Executive Order as necessary; and,

WHEREAS, on April 27, 2020, the Executive Director of the Colorado Department of Public Health and Environment ("CDPHE") issued Public Health Order 20-28 Safer At Home, which provides further details of the "Safer at Home" phase of combating the spread of COVID-19, and sets forth requirements to allow certain businesses to begin to reopen so long as they meet the requirements set forth in the order; and,

WHEREAS, to date, Archuleta County has a total of eight (8) confirmed cases of COVID-19, and only one (1) confirmed case in the last two weeks thanks to the diligence and efforts of Archuleta County citizens in complying with the Governor's "Stay at Home" Executive Order;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO THAT:

Section 1. Section II.O. of the Governor's Executive Order D 2020 044 regarding the "Safer at Home" phase of combating the spread of COVID-19 makes it absolutely irrefutable that every county and/or municipality may decide for itself if it wishes to implement more protective standards than set forth in Executive Order D 2020 044 and in Public Health Order 20-28.

Section 2. Thanks to the diligence of Archuleta County citizens in complying with the Governor's "Stay at Home" order, Archuleta County has successfully "flattened the curve" as evidenced by the fact that there has been only one (1) new confirmed case of COVID-19 in the County during the past two weeks.

Section 3. Accordingly, the Archuleta Board of County Commissioners (the "Board") hereby declares that there is no need to adopt more protective standards in Archuleta County than those set forth in Executive Order D 2020 044 and in Public Health Order 20-28, as may be amended from time to time by further orders from the Governor and/or CDPHE.

Section 4. Any orders issued by any public health agency other than CDPHE that seeks to implement more protective standards than those set forth in Executive Order D 2020 044 and in Public Health Order 20-28, as may be amended from time to time, seeks to extend the Governor's

“Stay at Home” executive order(s) and/or related CDPHE public health order(s), or seeks to delay the implementation of the Governor’s “Safer at Home” executive order(s) and/or related CDPHE public health order(s), is hereby declared null and void and without any effect in Archuleta County. This Resolution only applies to the unincorporated areas of Archuleta County. For those businesses within the limits of the Town of Pagosa Springs, they will need to seek guidance from the Town.

Section 5. The Board hereby requests that the Archuleta County Sheriff’s Office not expend any county resources on enforcing any measures more stringent than those set forth in Executive Order D 2020 044 and in Public Health Order 20-28, as may be amended from time to time, unless such measures are implemented by the Board. The Archuleta County Sheriff supports and is in favor of this Resolution.

Section 6. Nothing in this Resolution shall preclude the Board from applying for and seeking a local variance from all or part of Executive Order D 2020 044 as allowed for in Section II.M. of said Executive Order, or from implementing stricter requirements, as allowed for in Section II.O. of said Executive Order, in the future should the need arise, in the discretion of the Board.

APPROVED AND ADOPTED this 28th day of April, 2020.

Attest:

Kristy Archuleta, County Clerk & Recorder
Mary Helminski, Deputy

Kristy Archuleta,
County Clerk & Recorder



BOARD OF COUNTY COMMISSIONERS
OF ARCHULETA COUNTY, COLORADO

By:

Ronnie Maez

Ronnie Maez, Chairman