

**PHILLIPS COUNTY**  
**RESOLUTION NO. 05-31-2019-02**

**A RESOLUTION DESIGNATING AN EMERGENCY RESPONSE AUTHORITY**

WHEREAS, Section 29-22-102, C.R.S., requires there to be a designated emergency response authority ("DERA") responsible for establishing the capacity to respond to a Hazardous Materials Incident within the jurisdiction of every town, city or county through designation by the town, city or county;

WHEREAS, Section 29-22-102, C.R.S., provides a default designation should a town, city or county fail to make a designation; however, such designee is not under the political or policy control of the town, city or county and cannot act on behalf of the town, city or county;

WHEREAS, Section 29-22-103(3), C.R.S., encourages mutual aid agreements between governing bodies, acting through their DERAs, and private entities, for the purpose of enhancing the response to a Hazardous Materials Incident (defined below), including procedures for utilizing equipment, personnel and technical assistance;

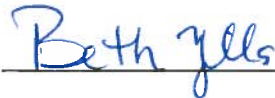
WHEREAS, it is recognized that a Hazardous Materials Incident may arise within the jurisdiction of Phillips County and that such an Incident likely exceeds our capabilities in terms of personnel, equipment, training and/or expertise, so that mutual aid will be required for the protection of the lives and property of our citizens;

WHEREAS, the Phillips Board of County Commissioners wishes to control the establishment and approval of the mutual aid arrangements necessary for the effective response to a Hazardous Materials Incident by designating its DERA.

NOW THEREFORE, the Phillips Board of County Commissioners hereby designates the Phillips County Sheriff as its DERA and instructs its DERA to negotiate and bring forward for approval such mutual aid agreements as are necessary and appropriate to establish the capacity to respond to a Hazardous Materials Incident within our jurisdiction.

APPROVED and ADOPTED this 31st day of May 2019 at a regular meeting of the Phillips Board of County Commissioners.

Attest:



Beth Zilla – Phillips County Clerk



Harlan Stern - Chairman