

Resolution 2020-14

AN EMERGENCY RESOLUTION TO ADDRESS THE PUBLIC HEALTH CRISIS CAUSED BY THE CORONAVIRUS (COVID-19) BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF COVID-19

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19; and

WHEREAS, cases of COVID-19 have been confirmed in several counties in South Dakota; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, in response to the need to implement social distancing all schools in the state have been closed for at least two weeks; and

WHEREAS, on March 16, 2020, the White House issued guidance recommending that social gatherings of more than ten people be avoided and that people avoid eating or drinking at bars, restaurants, and food courts; and

WHEREAS, the guidance issued by the White House further recommended that in states with evidence of community transmission that bars, restaurants, food courts, gyms, and other indoor and outdoor venues where people congregate should be closed; and

WHEREAS, many states and communities across the country have already implemented the White House recommendations by ordering all bars, restaurants, food courts, gyms and other indoor and outdoor venues where people congregate be closed until the public health emergency is over; and

WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the County's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the County's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19; and

WHEREAS, on March 23, 2020, Governor Kristi Noem, issued an executive order recommending the suspension or modification of business practices as recommended by CDC guidance that involve ten or more people to be in an enclosed space where physical separation of at least six feet is not possible; and

WHEREAS, on March 25, 2020, the City Deadwood approved an emergency resolution to address a public health crisis by implementing certain measures which have been deemed necessary to slow the community spread of Coronavirus (COVID-19) and held a first reading of an emergency ordinance to address the public health crisis by implementing certain measures which have been deemed necessary to slow the community spread of Coronavirus (COVID-19); and

WHEREAS, on March 26, 2020, the City of Spearfish approved the first reading of an emergency ordinance implementing measures deemed necessary to slow the community spread of COVID-19; and

WHEREAS, as of March 27, 2020, two cases of COVID-19 have been confirmed in Lawrence County; and

WHEREAS, emergency legislation is pending before the South Dakota Legislature amending SDCL 7-8-20 to provide counties with temporary authority to enact emergency ordinances and resolutions to promote the health of the citizens of the county and to suppress disease outside the corporate limits of any municipality, provided that no ordinance may be in effect or enforces after July 1, 2021; and

WHEREAS, the Board of Lawrence County Commissioners recognizes and wholly supports the efforts of federal, state and local officials in their efforts to combat the spread of COVID-19.

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

1. In support of federal, state and local officials in their efforts to combat the spread of COVID-19, the Commission urges, in the strongest terms, the public and businesses to follow the most recent guidance issued by public health officials and directives therefrom; and
2. Likewise, the Commission urges, in the strongest terms, the public and businesses to comply with all emergency measures, resolutions and ordinances passed by federal, state and local officials.

IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 27th day of March, 2020.



Brenda McGruder
Brenda McGruder, Auditor

Brandon Flanagan
BY: Brandon Flanagan
ITS: Acting Chairman

Adopted: March 27, 2020

LAWRENCE COUNTY RESOLUTION 2020-13

A RESOLUTION DESIGNATING DECISION MAKING AUTHORITY TO THE ACTING CHAIRMAN
REGARDING EMERGENCY POLICY DECISIONS RELATED TO COVID-19 ISSUES

WHEREAS, COVID-19 infections are present in South Dakota; and

WHEREAS, new developments related to the pandemic are occurring at a rapid and unpredictable pace; and

WHEREAS, County functions include facilities that operate 24 hours a day; and

WHEREAS, decisions related to issues, e.g. operations and employee benefits, may require timely decision making;

WHEREAS, pursuant to SDCL 7-8-20(7), the Board of County Commissioners has the power to superintend the fiscal concerns of the County and to secure management of same consistent with the best interests of Lawrence County;

WHEREAS, pursuant, to SDCL 7-8-20(10), the Board of County Commissioners has the power to perform such duties and acts as it is or may hereafter be required to do and perform; and

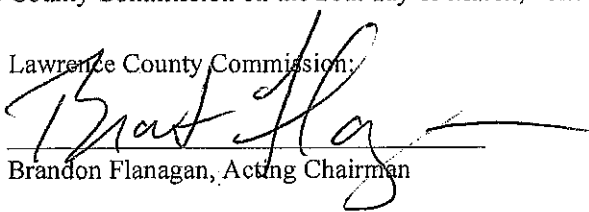
WHEREAS, based on the foregoing, the Board of County Commissioners finds that it is in the best interests of Lawrence County to delegate its collective authority to the acting Chairman to perform such duties and acts as set forth in this Resolution to facilitate effective decision making in response to the present public health emergency;

NOW THEREFORE BE IT RESOLVED, considering the existing emergency circumstances, the acting Chairman is hereby authorized to make responsive policy decisions regarding COVID-19 related issues as is deemed to be reasonable and appropriate in his sole discretion considering the public health, safety and welfare and consistent with the best interests of the County;

NOW THEREFORE BE IT FURTHER RESOLVED, that this Resolution and the emergency authority conveyed herein may be rescinded at any time by a majority vote of the Board of County Commissioners.

Duly passed and adopted at a regular meeting of the Lawrence County Commission on the 20th day of March, 2020.

Lawrence County Commission:


Brandon Flanagan, Acting Chairman



ATTEST:



Brenda McGruder, Auditor