

**RESOLUTION OF THE CLAY COUNTY BOARD OF SUPERVISORS
DECLARING A AN EMERGENCY, AND FOR CONTROL CONTAGIOUS AND
INFECTIOUS DISEASES AND RELATED PURPOSES**

THERE CAME ON TO BE HEARD AND WAS HEARD the motion of Supervisor Davis, which motion was seconded by Supervisor Deavel to adopt the following resolution, to-wit:

RE: RESOLUTION DECLARING LOCAL DISASTER, ETC.

WHEREAS, Section 19-11-21, *Mississippi Code of 1972, Annotated*, provides that:

Upon the happening of any emergency caused by fire, flood, storm, epidemic, riot or insurrection, or caused by an inherent defect due to defective construction, or when the immediate preservation of order or of public health is necessary, or when the restoration of a condition of usefulness of any public building or other property which has been destroyed by accident or otherwise, is necessary, or when mandatory expenditures required by law must be met, the board of supervisors may, upon adoption, by unanimous vote of all members present at any meeting, of a resolution stating the facts constituting the emergency and entering the same on its minutes, make the expenditures, borrow money or incur the liabilities necessary ***, and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020; on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic, and on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Mississippi Code Annotated, Section 33-15-1 1(b)(17), Governor Tate Reeves issued a Proclamation declaring that a State of Emergency exists in the State of Mississippi as a result of the outbreak of COVID-19; and

WHEREAS, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and the State of Mississippi significantly impact the life and health of our people, as well as the economy of Clay County and the State of Mississippi; and

WHEREAS, the risk of spread of COVID-19 within Clay County, Mississippi constitutes a public emergency that may result in substantial injury or harm to life, health, and property within Clay County, Mississippi; and

WHEREAS, on March 11, 2020, the Mississippi State Department of Health confirmed the first presumptive case of COVID-19 in Mississippi and as of March 22, 2020, there are 249 presumptive and confirmed cases in Mississippi that have tested positive for COVID-19, which includes 1 case in Clay County; and

WHEREAS, the Centers for Disease Control (CDC) guidance for responding to COVID-19 suggests avoiding crowds as much as possible, especially for older adults and individuals with serious chronic medical conditions, and the Mississippi State Department of Health has recommended avoiding large gatherings of more than 10 people; and

WHEREAS, Mississippi state agencies and governmental entities as well as school districts that have temporarily closed or are operating on limited staffing in response to COVID-19 in order to minimize the interaction and risk of possible transmission of COVID-19 between employees within governmental offices and between governmental employees and members of the public will need flexibility to meet continuity of essential operations and to address the economic impact on employees who may be asked not to report to work if their duties are not deemed essential during any period of time during the State of Emergency; and

WHEREAS, the hereinabove stated facts constitute a local emergency within the meaning of Section 19-11-21 and 33-15-17(d), *Mississippi Code of 1972, Annotated*, caused by epidemic and the immediate preservation of public health is necessary.

WHEREAS, the Clay County Board of Supervisors, having met on March 22, 2020, adopted a resolution requiring certain policies, practices and procedures be observed and implemented by persons in Clay County, in addition to Clay County Department Heads, and that given the pandemic nature of this local emergency, hereby furthers finds and to the extent necessary amends it previously adopted resolution, as follows:

IT IS THEREFORE, ORDERED AND RESOLVED:

Section 1. No events, meetings or gatherings involving more than ten (10) persons (or such other number as may be recommended by the Centers for Disease Control and the Mississippi State Board of Health given in response to COVID-19 during the State of Emergency) shall take place within the boundaries of Clay County, including but not limited to restaurant dining areas, bars, dance halls, gymnasiums, fitness centers, outdoor recreational or sporting facilities, meetings of social, fraternal and civic organizations, barbershops, hair salons, beauty shops, nail salons, funerals or weddings, with the exception of those establishments providing necessary products and services

such as healthcare facilities or clinics, nursing homes, pharmacies, grocery stores, gas stations, banks, food marts, convenience stores, discount or dollar stores, child care facilities, laundry mats, and manufacturers located in commercial or industrial districts.

Section 2. Effective immediately, and continuing until further action by the Clay County Board of Supervisors, all restaurants, in addition to the ten (10) person limit as provided herein, are encouraged to serve food using drive-through, pick-up, to include curbside pick-up, or delivery methods.

Section 3. Effective immediately, and continuing until further action by the Clay County Board of Supervisors, all churches, temples and places of worship, assemblages and gatherings within the boundaries of Clay County shall adhere to the guidelines of the Centers for Disease Control and Prevention (CDC) and the Mississippi State Department of Health and limit crowds, assemblages or gatherings to no more than ten (10) people. Such entities and assemblages and gatherings are reminded and encouraged to use live-streaming services or other electronic means of broadcasting or recording.

Section 4. Effective immediately, and continuing until further action by the Clay County Board of Supervisors, all businesses, agencies, manufacturers and units of government located within Clay County employing ten (10) or more employees in any one business shall take all reasonable measures to ensure that such businesses comply with CDC recommendations and guidance and implement appropriate safeguards to prevent the spread of infectious disease, including but not limited to: mandating social distancing, sending home and actively encouraging sick employees to stay home and sending home employees who appear to have respiratory illness symptoms, emphasizing work-from-home where possible, mandating respiratory etiquette and proper hand hygiene, maintaining clean and sanitary workplaces, cautioning employees regarding travel and taking all such additional measures to prohibit and/or reduce the spread of infectious disease, especially COVID-19.

Section 5. Violation of any provisions herein shall be punished by a fine not exceeding One Thousand Dollars, (\$1,000.00) or imprisonment for a term not exceeding ninety (90) days, and cost of prosecution, or by both such fine and imprisonment, in the discretion of the justice court judge, except as provided otherwise by state law. Each violation is a separate offense.

Section 6. The County may issue such orders as are necessary for the production of life and liberty.

Section 7. This resolution shall take effective immediately and shall remain effective until further notice. The previously adopted resolution of the Clay County Board of Supervisors shall remain in full force and effect, except to the extent modified herein.

After due discussion, the motion was called to vote and each supervisor voted as

follows, to-wit:

Supervisor D. Lynn Horton, District One

AYE

Supervisor Luke Lummus, District Two

AYE

Supervisor R.B. Davis, District Three

AYE

Supervisor Shelton Deanes, District Four

AYE

Supervisor Joe Chandler, District Five

AYE

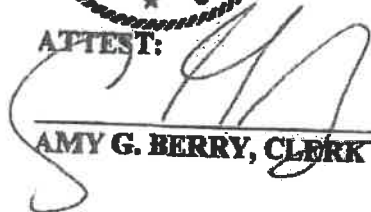
The motion passing by a majority of the supervisors, it was declared passed by the Board of Supervisors.

Section 8. This resolution shall be published in *The Daily Times Leader*, a newspaper having general circulation in Clay County, Mississippi, as provided by statute and posted on the website for the County.

SO RESOLVED, on this the 24th day of March, 2020.



ATTEST:


AMY G. BERRY, CLERK

CLAY COUNTY, MISSISSIPPI
BOARD OF SUPERVISOR

BY: 
LUKE LUMMUS, PRESIDENT

Publish: March 29, 2020 April 5, 2020