

PUBLIC NOTICE

The Murray County Commissioner will hold a called public meeting on Thursday April 2, 2020 at 12:30 pm in the Murray County Annex. The public is invited and encouraged to attend by-way-of Facebook Live on the Murray County Commissioner's Facebook page.

TENTATIVE AGENDA

1. Call to Order
2. Approval of Agenda
3. New Business

- A. Resolution: Declaring a State of Emergency arising because of COVID-19 to take immediate emergency measures

Adjourn

GEORGIA, Murray County

MINUTES

The Murray County Commissioner held a public meeting Thursday April 2, 2020 at 12:30 p.m. in the hearing room of the Murray County Annex.

Commissioner Hogan called the meeting to order and welcomed those in attendance.

The public was invited and encouraged to attend by-way-of Facebook Live on the Murray County Commissioner's Facebook page.

A. Resolution: Declaring a State of Emergency arising because of COVID-19 to take immediate emergency measures (documents are stored in the 2020 Auxiliary Files)

**A RESOLUTION OF A STATE OF EMERGENCY ARISING
BECAUSE OF COVID-19; A RESOLUTION TAKING
IMMEDIATE EMERGENCY MEASURES**

WHEREAS, the President of the United States declared a National Public Health Emergency on March 13, 2020; and

WHEREAS, the Governor of the State of Georgia declared a State Public Health Emergency on March 14, 2020 and urged “local officials to do what’s in the best interests of their communities to keep people safe and stop the spread of coronavirus” on March 19, 2020; and

WHEREAS, the World Health Organization has declared Coronavirus Disease 2019 (COVID-19) a world health emergency and a pandemic; and

WHEREAS, the number of confirmed cases and deaths from COVID-19 is escalating rapidly, internationally, nationally, and locally; and

WHEREAS, based upon the experience of other local governments in Georgia, a growing number of other cases are likely to occur; and

WHEREAS, on March 16, 2020, the Center for Disease Control (CDC) and the President of the United States stated that any gathering of over 10 people should be discontinued or prohibited; and

WHEREAS, on March 23, 2020, Governor Kemp announced that “certain individuals with an increased risk of complications from COVID-19 [were] to isolate, quarantine, or shelter in place,” covering those who “live in long-term care facilities, have chronic lung disease, are undergoing cancer treatment, have a positive COVID-19 test, are suspected to have COVID-19 because of their symptoms or exposure, or have been exposed to someone who has COVID-19”, and that the Department of Public Health would institute rules and regulations to implement such measures;

WHEREAS, on March 23, 2020, Governor Kemp additionally announced measures to “close all bars and nightclubs and ...ban all gatherings of ten or more people” unless they can assure spacing for at least six (6) feet apart between people at all times beginning at noon on March 24, 2020 and lasting until noon on April 6, 2020; and

WHEREAS, public health experts, including those at the CDC and the National Institutes of Health (NIH), have advised that individuals infected with COVID-19 are contagious even while experiencing minor or no symptoms and implored leaders to take immediate action to prevent further community spread of COVID-19; and

WHEREAS, preventing and slowing community spread of COVID-19 provides health systems additional time to obtain personal protective equipment necessary to protect health

care workers and medical equipment necessary to treat COVID-19, and is therefore vital to the health of the nation;

WHEREAS, in the judgment of the Sole Commissioner of Murray County, there exist emergency circumstances located within its jurisdiction requiring extraordinary and immediate response for the protection of the health, safety, and welfare of the citizens of the community, the state, and the nation; and

WHEREAS, it is essential for the governing authority of the County to act immediately in order to minimize the spread of COVID-19 and to prevent or minimize sickness, injury, or death, to people and damage to property resulting from this public health crisis; and

WHEREAS, O.C.G.A. § 38-3-28 provides the political subdivisions of this state with the authority to make, amend, and rescind such orders, rules, and regulations as may be necessary for emergency management purposes to supplement rules and regulations promulgated by the Governor during a State of Emergency; and

WHEREAS, the United States Supreme Court has previously held that “[u]pon the principle of self-defense, of paramount necessity, a community has the right to protect itself against an epidemic of disease which threatens the safety of its members”; and

NOW, THEREFORE, IT IS HEREBY RESOLVED that a local state of emergency exists within the County and shall continue until the conditions requiring this resolution are abated.

THEREFORE, IT IS RESOLVED BY THE AUTHORITY OF THE SOLE COMMISSIONER OF MURRAY COUNTY AS FOLLOWS:

Section 1. Findings of Fact

For purposes of describing the circumstances which warrant the adoption of an emergency resolution, the governing authority of the County hereby adopt and make the findings included in the “WHEREAS” clauses as findings of fact.

Section 2. Declaration of Public Health State of Emergency

The Sole Commissioner of Murray hereby declares a public health state of emergency within the city because of the proliferation of COVID-19 in the United States and the State of Georgia, which will remain in force and effect for thirty (30) days from the date hereof.

Section 3. Public Gatherings on County Property (excluding property within the City Limits of Chatsworth or the City of Eton—of whom have simultaneously enacted similar measures)

For the duration of the declared emergency, there shall be no public gatherings on any property owned or controlled by the County. To avoid confusion, the following definitions shall apply under this Section: a “public gathering” shall mean the organized gathering or assembly of ten (10) or more persons at a specific location; “property owned or controlled by the County” shall include any park, public square, public space, playground, recreational area, or similar place of public gathering, but nothing herein shall prohibit individuals or families from using sidewalks or designated pedestrian areas of parks for walking or other exercise if they are not participating in an organized gathering.

Section 4. Classification of City/County Services

For the duration of the declared emergency, the Sole Commissioner shall be vested with the following discretion and authority, to wit:

- (a) To categorize County services as either “required” or “discretionary,” and to periodically review and modify such categories.
- (b) To assign specific employees to required or discretionary services, and to periodically review and modify such assignments.
- (c) To use his or her discretion to permit employees to telework.
- (c) To temporarily suspend the provision of discretionary services and to direct employees who provide discretionary services not to report to work until such time as the service suspension is lifted or until such time as the Sole Commissioner redirects the employee to other services.
- (d) To contract for and expend non-budgeted sums and services, as may in his or her discretion be required to meet the demands upon government and services of the County for the duration of the declared emergency, including therein authority to spend such sums from the reserves of the County. Any such non-budgeted expenditures shall be reported to the governing authority of the County.
- (e) To maintain, to the best of the ability of the resources of the County, the provision of essential services, which shall include, but not be limited to, public safety, public works, healthcare, and building permits.

Section 5. Eating Establishments

Restaurants and other eating and dining establishments where food is served must cease offering dine-in services but may continue preparing and offering food to customers via

delivery, drive-through or take-out services. Patrons, employees and contractors of the establishments must maintain at least six (6) feet of personal distance between themselves and others. If a restaurant is licensed to sell beer and wine for on-premises consumption, such restaurant, during the effective dates of this resolution only, shall be authorized to sell unopened bottles or cans of beer or wine for take-out consumption off-premises;

Section 6. Personal Distance

All other establishments not covered in Sections 7 of this Resolution such as grocery stores, pharmacies, and other businesses which remain open during the emergency must post signage on entrance doors informing consumers to maintain at least six (6) feet of personal distance between themselves and others and shall not allow more than ten (10) people into such establishment at any one time if such social distancing cannot be maintained.

Section 7. Gatherings

All public and private gatherings of more than ten (10) people occurring outside of a household or living unit are prohibited. Nothing in this resolution, however, prohibits the gathering of individuals for the purposes of carrying on business certified as “essential” by the Georgia Emergency Management Agency pursuant to O.C.G.A. § 38-3-58, the provision of medical or health services, or critical infrastructure businesses and employees as designated by the Governor or identified by U.S. Department of Homeland Security Cybersecurity and Infrastructure Security Agency (as may be found in the Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response, or subsequent document).

Section 8. Emergency Interim Successor to Sole Commissioner

The governing authority desires to make certain that the chain of authority within county management is clear. If the Sole Commissioner is unable to perform his duties, then the individual designated by the Sole Commissioner as the emergency interim successor pursuant to O.C.G.A. § 38-3-50 shall assume the duties of the Sole Commissioner. Should the emergency interim successor be unable to perform those duties the County Manager shall assume those duties.

Section 9. Procurement

The governing authority hereby suspends the bid and competitive portions of the County's Procurement Policy or resolutions and authorize the Sole Commissioner to utilize the single-source policy and to require departments to provide a written justification for the procurement during the effective dates of this Resolution and/or utilize any emergency

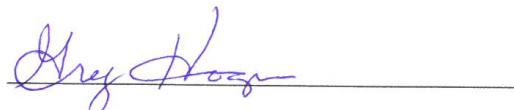
procurement provisions contained. County officials shall continue to seek the best prices during the state of emergency.

Section 10.

All resolutions/ordinances or parts of resolutions/ordinances in conflict with the provisions of this Resolution are hereby suspended during the effective dates of this Resolution (or any extension thereof) and the terms and provisions of this Resolution shall prevail.

This Resolution after adoption by the Sole Commissioner shall become effective immediately.

RESOLVED, this 2nd day of April, 2020.



Greg Hogan

Sole Commissioner

Attest:



County Clerk

ADJOURNMENT:
Executed this 2nd day of April 2020

ATTEST:

Tommy Parker, County Clerk

Greg Hogan, Commissioner

In Attendance: Greg Hogan, Tommy Parker