

RESOLUTION NO. 172 -19-20

Resolution Amending Resolution 166-19-20
Establishing Emergency Operations of County Offices

WHEREAS, the World Health Organization designated the spread of the COVID-19 virus as a worldwide health “pandemic” on March 11, 2020; and President Donald J. Trump declared the COVID-19 virus to be a national health emergency under the Stafford Act on March 13, 2020, by reason of the spread of said virus across the United States;

WHEREAS, the Governor of Oklahoma has concluded that the existence and rapid spread of the virus constitutes a direct threat to the safety, health, and welfare of the people in all counties in the State of Oklahoma and presents an immediate emergency disaster situation within the meaning of Section 683.3 of the Oklahoma Emergency Management Act of 2003;

WHEREAS, Governor J. Kevin Stitt has issued the following Executive Orders, with amendments, which declared and deal with a state of emergency existing in all 77 counties of Oklahoma due to the impending public health threat to the people of the state posed by the COVID-19 virus, to-wit:

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Executive Order 2020-07 issued on March 15, 2020;

Executive Order 2020-08 issued on March 17, 2020;

Amended Executive Order 2020-07 issued on March 17, 2020;

Third Amended Executive Order 2020-07 issued on March 21, 2020;

Fourth Amended Executive Order 2020-07 issued on March 24, 2020; and

Fifth Amended Executive Order 2020-07 issued on March 27, 2020;

WHEREAS, the Fourth and Fifth Amended Executive Orders included provisions commonly referred to as the “Safer at Home” policy and directive implementing further restrictive and protective provisions directly impacting all persons and businesses within counties where the presence of COVID-19 has been confirmed;

WHEREAS, there are many uncertainties with respect to COVID-19 pandemic, but it has been determined that it is highly infectious and contagious and has been proven to place the elderly and persons with underlying health conditions at an elevated risk of death;

WHEREAS, on March 18, 2020, the Board of County Commissioners of Texas County issued Resolution 165-19-20 declaring a state of public health emergency to exist in Texas County; and issued Resolution 166-19-20 establishing emergency operations for county offices and employees;

WHEREAS, a resident of Texas County was confirmed as having COVID-19 on or about Friday, March 26, 2020;

WHEREAS, it is the responsibility and duty of the County Commissioners and other public officials of each county to take reasonable and proper measures in the operation of county government to protect the health and safety of the people, and more particularly, county employees; and

WHEREAS, the existence of this state of emergency and the confirmed presence of COVID-19 in Texas County compels the Board of County Commissioners and all other elected county officers to take appropriate action with respect to the operation of the Texas County courthouse, the courthouse annex, fair grounds, and other property of Texas County as may be reasonably necessary to protect the public and the employees of the county from contacting and becoming infected with the COVID-19 virus to the extent possible.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Board of County Commissioners of Texas County that effective immediately county Resolution 166-19-20 is hereby amended and expanded consistent with the following procedures and actions which shall be effective immediately:

1. The provisions of Section 3 of Resolution 166-19-20 are hereby repealed. Access to the courthouse, the courthouse annex, and fair grounds shall be limited to the elected officials of Texas County and the employees of the county offices of Texas County and the District Attorney's Office and its employees, except and subject to the following:

a. Public access to the courthouse for attendance or appearance in court is hereby prohibited except in cases where emergency access has been approved by the District Judge or Associate District Judge pursuant to local orders issued pursuant to SCAD NO. 2020-29 issued by the Supreme Court of Oklahoma and the Oklahoma Court of Criminal Appeals on March 16, 2020; and

b. Recognizing the existence of critical and necessary information and services being available only within the Texas County courthouse and all other county facilities, excepting properties leased to Memorial Hospital of Texas County Authority, for the operation of county and private business operations to continue, the County Commissioners and Elected Officers of the county may from time to time approve limited access to the courthouse for specific persons to enter the courthouse as they deem necessary to conduct essential and required business.

2. The provisions of Section 4 of Resolution 166-19-20 are hereby modified and amended as follows:

a. Unless access is approved by the County Commissioners or the District Judge for specific persons of the public to enter the Courthouse, courthouse annex, and fair grounds for purposes deemed essential to the public, only those persons designated in Section 1, above, shall be authorized to enter the Courthouse, courthouse annex, and fair grounds until further order of the County Commissioners.

b. All persons authorized to enter the courthouse as provided in this Resolution shall enter through the south door and shall be subject to screening as provided in Resolution 166-19-20. All other doors shall remain locked and only used for exiting the courthouse or for emergency purposes. All doors of the courthouse annex and fair grounds shall be locked and remain locked for public access, except for the admission of members of the public as may be approved from time to time by the County Commissioners for necessary and essential access thereto.

c. All other provisions of Section 4 of Resolution 166-19-20 shall remain in full force and effect except to the extent hereby modified.

3. The provisions of Section 7 of Resolution 166-19-20 are hereby modified and amended in order to comply with the Governor's "Safer at Home" order to the extent that all elected officials should review and when possible direct all employees age 65 or older and

individuals who are immunocompromised or have pre-existing conditions making them at high risk for COVID-19 complications to shelter in their homes with forced leave pay at their normal rate of compensation. Such employees should be requested to leave their homes only for essential needs. Any such employees may or may not be assigned designed work to be performed while sheltering at home. A list of these individuals shall be submitted to the County Clerk. With the approval of listed employees, elected officials may approve and authorize such employees to have limited access to the courthouse to pick up or drop off work to be performed or performed at home, or for purposes of completing essential and required work at the office that cannot efficiently and effectively performed by other persons.

4. County Officials should consider and grant self-quarantine of employees of Texas County who shall be entitled to leave from work due to COVID-19 if the employee is unable to work, including unable to telework from home, because the employee:

- a. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- b. Has been advised by a health care provider to self-quarantine related to COVID-19;
- c. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- d. Is caring for an individual subject to an order described in “a” or self-quarantine as described in “b”;
- e. Is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services or the Oklahoma Department of Health; or
- f. Is caring for his or her child whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19 related reasons.
- g. Any person covered by subsections “a” through “e” of this Section shall be placed in self-quarantine for a minimum of 14 days, and shall not enter the courthouse in the event they exhibit any of the recognized symptoms of COVID-19 or have been exposed to any person known to have COVID-19. Such persons shall obtain an appropriate examination and/or testing for COVID-19 and will be required to provide a written verification to the County Clerk from an appropriate health care provider that he or she has does not have COVID-19 or has recovered and is non-contagious before being permitted to return to work.
- h. Any person authorized to shelter at home pursuant to subsection “f” of this Section shall be permitted 14 days of forced pay to allow adequate time to make satisfactory arrangements for the care of his or her child(ren). Unless approved and extended by the employing elected official, any such employee will be required to use available leave to be compensated during any extended periods of sheltering at home to care for his or her child(ren).

5. The provisions of Section 8 of Resolution 166-19-20 are hereby modified and amended to limit attendance at any gatherings where more than 10 people are present.


6. All elected officials should seek to reduce the number of employees present in the courthouse during this emergency period to the extent reasonable and possible in order to continue to perform vital services to the public. When possible, remote work policies that balance the safety and welfare of county employees with the critical services provided should be implemented.

7. All county officers and employees and District Attorney employees are hereby encouraged to listen and follow the directions of federal, state, and local authorities, and immediately notify their employing county elected official if they or any member of their household is exhibiting known symptoms of COVID-19 or if they or any member of their family has been directly exposed to someone who has tested positive or exhibits the known symptoms of COVID-19. Older persons and those with underlying health conditions which could put them at increased risk should discuss sheltering at home with their employing elected official and should try to stay away from other people as much as possible, including the avoidance of being at social gatherings in groups of more than 10 people.

9. The Commissioners may adopt further rules and procedures as may be needed to further implement and carry out the purposes and intentions of this Resolution from time to time.

ADOPTED AND IMPLEMENTED, this 30th day of March, 2020.

Board of County Commissioners of Texas County



Ted Keeling, Chairman



Richard Bryan, Commissioner



Jack Strain, Commissioner



ATTEST:



Wendy Johnson, County Clerk