

LEE COUNTY COMMISSION

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Johnny Lawrence, District 2
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CORONAVIRUS STATE OF EMERGENCY RESOLUTION

30 March 2020

WHEREAS, Secretary of Health and Human Services Alex Azar declared a **public health emergency**¹ under the Public Health Service Act on **January 31**, 2020 related to the Coronavirus known as COVID-19; and

WHEREAS, the World Health Organization declared the Coronavirus as a global **pandemic**² on **March 11**, 2020, with 114 countries (*at that time, currently over 740,000 cases in 177 countries and over 35,300 deaths*) impacted; and

WHEREAS, President Donald Trump declared a **National Emergency**³ for the United States on **March 13**, 2020, due to the impact of the Coronavirus pandemic on 47 states (*at that time, currently over 143,000 cases in all 50 states and over 2,200 deaths nationally*); and

WHEREAS, Governor Kay Ivey also declared a **State of Emergency**⁴ for the State of Alabama on **March 13**, 2020 due to the impact of the Coronavirus pandemic on several Alabama counties (*currently 935 cases in 59 counties and 7 deaths statewide*); and

WHEREAS, the Lee County Commission took emergency action concerning the health and safety of our employees at a specially called Commission meeting on **March 17**, 2020; and

WHEREAS, Governor Ivey issued a **First Supplemental State of Emergency**⁵ on **March 18**, 2020 rescheduling the March 31, 2020 primary run-off election to July 14, lifting certain requirements of the Alabama Open Meetings Act, and relaxing certain provisions of the Alabama competitive bid law; and

WHEREAS, Governor Ivey and the State Health Officer Dr. Scott Harris issued a statewide **Public Health Order**⁶ on **March 19**, 2020 to restrict public gatherings and close certain facilities to further protect the public health; and

WHEREAS, Governor Ivey and the State Health Officer Dr. Harris amended the statewide **Public Health Order**⁷ on March 20, 2020 to further require “social distancing”, delay elective medical procedures, and close schools, day cares, and restaurants, to further protect the public health; and

WHEREAS, Governor Ivey issued a **Second Supplemental State of Emergency**⁸ on **March 20**, 2020 waiving certain restrictions on transportation of emergency supplies; and

WHEREAS, Governor Ivey issued a **Third Supplemental State of Emergency**⁹ on **March 23**, 2020 postponing certain tax obligations; and

WHEREAS, Governor Ivey issued a **Fourth Supplemental State of Emergency**¹⁰ on **March 26**, 2020 related to the end of the school year, extending EMS licenses, relaxing notary public rules, authorizing summons in lieu of arrest, ; and

WHEREAS, Governor Ivey and the State Health Officer Dr. Scott Harris amended the statewide **Public Health Order**¹¹ on **March 27**, 2020 to close all non-essential businesses effective at 5:00pm Saturday March 28; and

WHEREAS, the Coronavirus has been confirmed in Lee County, with **72** documented cases as of **March 30**, 2020; and

WHEREAS, President Donald Trump declared a **Major Disaster Declaration**¹² for Alabama on Sunday, **March 29**, 2020, which will enable Federal assistance from January 20, 2020 forward; and

WHEREAS, the Lee County Commission affirmatively states that the Coronavirus pandemic, globally, nationally, and in Lee County, shows no signs of slowing down and in fact seems poised to expand significantly; and

WHEREAS, the Lee County Commission affirmatively states the protecting the health, safety, and welfare of the citizens of Lee County and the general public is our top priority; and

WHEREAS, the Lee County Commission, pursuant to Code of Alabama §31-9-10 (c)¹³, by execution of this resolution, has the authority to declare that an emergency of unprecedented size has occurred, and to ensure that local preparations will be adequate to deal with such emergency; and

WHEREAS, the Lee County Commission, in such an emergency pursuant to Code of Alabama §31-9-10 (b) (5)¹³ has the authority to:

a) waive procedure and formalities otherwise required by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the utilization of volunteer workers, the rental of equipment, the purchase and distribution with or without

compensation of supplies, materials, and facilities, and the appropriation and expenditure of public funds.

b) To impose a public safety curfew for its inhabitants. If a public safety curfew is imposed as authorized herein, it shall be enforced by the appropriate law enforcement agency within the political subdivision. A public safety curfew imposed under this subsection shall not apply to employees of utilities, cable, and telecommunications companies and their contractors engaged in activities necessary to maintain or restore utility, cable, and telecommunications services or to official emergency management personnel engaged in emergency management activities.

WHEREAS, the Lee County Commission, pursuant to Code of Alabama §31-9-10 (b) (4)¹³, has the authority to “assign and make available for duty the employees, property or equipment of the subdivision relating to ...health, medical and related service... and similar items or services for emergency management purposes, within or outside the physical limits of the subdivision”; and

WHEREAS, the Lee County Commission, on the advice of the Director of the Lee County Emergency Management Agency, determines the need to declare a local state of emergency in Lee County, Alabama, to further enhance the abilities of this county to use county funds and its resources to protect the public health without delay.

NOW THEREFORE, BE IT RESOLVED, BY THE LEE COUNTY COMMISSION, that, in the interests of public health, the Lee County Commission declares a local State of Emergency for Lee County, Alabama due to the Coronavirus pandemic and that it has existed since at least March 13, 2020, countywide; and

BE IT FURTHER RESOLVED, BY THE LEE COUNTY COMMISSION, that the Lee County local State of Emergency shall continue until such time as the Alabama and National States of Emergency are terminated, or is otherwise terminated by the Lee County Commission; and

BE IT FURTHER RESOLVED, BY THE LEE COUNTY COMMISSION, that Lee County employees, while currently serving the public on a limited basis due to safety precautions and short staffing, are to be commended for their dedication and devotion to continuing to serve our citizens in the face of this very real risk to their personal health and welfare; and

BE IT FURTHER RESOLVED, BY THE LEE COUNTY COMMISSION, that Lee County buildings, facilities and services, WILL NO LONGER BE OPEN TO THE PUBLIC, effective at the close of business on Tuesday, March 31, 2020. Remaining staff shall continue to report to work under the existing policies to maintain what functions can be conducted through the mail, by telephone, or online, however that situation may be subject to further closure upon the determination of the Chairman or the County Administrator, should the need arise; and

BE IT FURTHER RESOLVED, BY THE LEE COUNTY COMMISSION, that the Lee County Lee County Revenue Commissioner is hereby authorized to waive the current mail fee on her postal service transactions; and

BE IT FURTHER RESOLVED, BY THE LEE COUNTY COMMISSION, that the Lee County Emergency Operations Plan (EOP) is hereby activated; and

BE IT FURTHER RESOLVED, BY THE LEE COUNTY COMMISSION, that, during the existence of this national, state and local emergency, all persons or entities tasked by the Lee County Emergency Management Agency by or through its Emergency Information Tracking System (“WebEOC”) shall be deemed “emergency management workers” for purposes of the protections offered by Code of Alabama §31-9-16¹⁴.

/s/ Bill English

Bill English, Chairman

Lee County Commission