

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF LOWNDES COUNTY,
MISSISSIPPI, DECLARING A CIVIL EMERGENCY, AND FOR THE CONTROL OF
CONTAGIOUS AND INFECTIOUS DISEASES,
AND RELATED PURPOSES**

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. §33-15-11(b)(17), Governor Tate Reeves declared a State of Emergency existed in the State of Mississippi as a result of the outbreak of COVID-19; 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 23, 2020, the county of Lowndes, through its BOARD OF SUPERVISORS, adopted a Resolution of Existence of Local Emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, the emergence and risk of spread of COVID-19 within Mississippi constitutes a public emergency that has resulted in substantial injury or harm to life, health, and property within Mississippi, and in the County of Lowndes, and COVID-19 has already been detected in numerous individuals in multiple counties throughout the State; 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 20, 2020, there were at least 80 cases in Mississippi that have tested positive for COVID-19, resulting in at least one death; and

WHEREAS, the State of Mississippi and the County of Lowndes is being adversely affected by the outbreak of the novel coronavirus, COVID-19, and there exists a continued threat to the public's safety, private property and the social and economic welfare of this County and State; and

WHEREAS, the Centers for Disease Control (CDC) guidelines for responding to COVID-19 recommends avoiding crowds or gatherings of more than 10 people, with special risks to older adults and individuals with serious chronic medical conditions or co-morbidities; and

WHEREAS, the governmental authority of the County of Lowndes has reviewed and accepts the findings and recommendations of the CDC; and

WHEREAS, the population of Lowndes County is comprised of college students, active duty members of and retirees of the United States Air Force, nurses, aides and support staff for physicians, employees and staff of a regional hospital and several long term care facilities, and contains significant populations of both older, at-risk individuals and individuals who travel broadly and frequently; and

WHEREAS, Section 19-3-40 of the Mississippi Code allows the Board of Supervisors to adopt ordinances, resolutions or orders in respect to county affairs.

WHEREAS, the Board of Supervisors finds that COVID-19 is a natural disaster which has caused and will continue to cause injury, illness and/or death to persons to such an extent that extraordinary measures must be taken to protect the public health, safety, and welfare of citizens and visitors to Lowndes County; and

WHEREAS, Section 19-3-40 of the Mississippi Code allows the Board of Supervisors, after declaration of civil emergency and in the interest of the public safety and welfare, to issue such orders as are necessary for the protection of life of citizens and visitors to the Lowndes County, Mississippi; and

NOW, THEREFORE, BE IT RESOLVED BY BOARD OF SUPERVISORS, the county hereby adopts the following emergency measures that shall take effect immediately and remain in effect until rescinded by the Lowndes County Board of Supervisors (unless a different effective date is stated in such measure(s)), to protect the public health, safety, and welfare of the community from the spread of a contagious or infectious disease and to eliminate or limit injuries or deaths that may occur in the absence of such measures:

Section 1: Effective at 5:00pm on March 24, 2020, and continuing until further action by the Lowndes County Board of Supervisors, all restaurants shall only serve food using drive-through, curbside (only) pick-up, or delivery methods, and shall not allow the use by the public of interior or exterior common dining or bar facilities.

Section 2: Because of the likelihood of close person-to-person contact, which increases dramatically the likelihood of the spread of infectious disease, effective at 5:00 PM on March 24, 2020, and continuing until further action by the Lowndes County Board of Supervisors, all bars, nightclubs, meetings of fraternal and civic organizations, child care facilities, bowling alleys, recreational buildings, skating rinks, tattoo parlors, gyms, barbershops, hair/beauty and nail and tanning salons, spas, convention centers, community centers, and parks shall be closed for business. This Section also applies to government owned convention spaces, community centers and parks and persons who have rented municipally owned facilities shall be entitled to a full refund of any rental sums and deposits paid.

Section 3: Effective at 5:00 PM on March 24, 2020 and continuing until further action by the Lowndes County Board of Supervisors, all churches, temples and places of worship, assemblages and gatherings within Lowndes County shall adhere to the guidelines of the Centers for Disease Control (CDC) and the Mississippi Department of Health and limit crowds, assemblages or gatherings to no more than 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 at 5:00 PM on March 24, 2020, and continuing until further action by the Lowndes County Board of Supervisors, all businesses, agencies and units of government located within Lowndes County and employing 10 or more employees in any one business location 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, separating 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, and especially Covid-19. To the extent the enforcement of this Section 4 might impair or impede the practical and safe operation of essential service businesses, including, hospitals, nursing homes, health clinics, drug stores, pharmacies, banks, grocery stores, convenience stores, and gas stations, military installations, security and emergency response operations, such operations and services shall be exempted from this Section 4. However, nothing in this Section 4 shall otherwise limit the enforceability of Sections 1, 2 and 3 above.

Section 5: Effective at 5:00 PM on March 24, 2020, and continuing until further action by the Lowndes County Board of Supervisors, there is in effect a general curfew from 10:00 p.m. until 6:00 a.m. except for essential travel by those over the age of 18 years.

Section 6: The County, through future action of the Lowndes County Board of Supervisors, may order a shelter-in-place applicable to such geographical areas of the county, or to the county as a whole, as advisable, and applicable during such hours of the day or night as necessary in the interest of the public safety and welfare, with such curfew only to remain in effect for a period not to exceed five days, or an earlier date of rescission as may be ordered by the Lowndes County Board of Supervisors.

Section 7: The County may issue such other orders as are necessary for the protection of life and liberty.

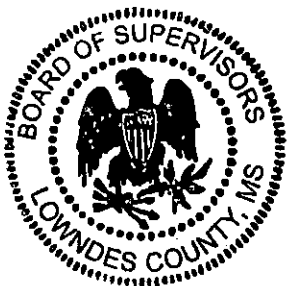
Section 8: PENALTIES – The violation of any such rule, order, or regulation shall be punished by a fine not exceeding \$1,000.00 or imprisonment, in the discretion of the Court,

except as provided otherwise by state law. Each day any violation of any resolution, rule, order, or regulation shall continue shall constitute a separate offense.

Supervisor SANDERS moved for adoption of the Resolution, which motion was seconded by Supervisor HAIRSTON, said Resolution having been introduced in writing at a specially called meeting by the President of the Lowndes County Board of Supervisors, Mississippi, held on March 23, 2020, which was read, considered, debated and ultimately adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the recorded votes follows:

| <u>Supervisor</u> | <u>Voted</u> | <u>Yes</u> | <u>No</u> |
|-------------------|--------------|-------------------------------------|--------------------------|
| Harry Sanders | voted | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Trip Hairston | voted | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| John Holliman | voted | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Jeff Smith | voted | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Leroy Brooks | voted | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

APPROVED, this the 23 day of March, 2020.



Harry Sanders
HARRY SANDERS, PRESIDENT
LOWNDES COUNTY BOARD OF
SUPERVISORS

ATTEST:

Chief E. G. Good
BOARD SECRETARY