IN AND FOR THE COUNTY COURT OF THE STATE OF OREGON
FOR WHEELER COUNTY

A RESOLUTION AND ORDER DECLARING	)	
A STATE OF EMERGENCY IN	)	**RESOLUTION NO. 2020-** 05
WHEELER COUNTY	)	**ORDER NO. 2020-** 04

THIS MATTER came before the County Court for Wheeler County (the "Court") sitting as the governing body for the transaction of Wheeler County (the "County") business at a regularly held County Court meeting on March 18, 2020 at 10:00 A.M. in the Jeanne E. Burch Building Meeting Room, 401 Fourth Street in Fossil, Oregon, Judge N. Lynn. Morley, Commissioner Rick Shaffer and Commissioner Robert L. Ordway being present.

WHEREAS, ORS 401.305 provides authority for Wheeler County to act as an emergency management agency, including authority to establish policies and protocols for defining and directing responsibilities during a time of emergency; and

WHEREAS, ORS 401.309 and the Wheeler County Emergency Operations Plan authorize the County governing body to declare a state of emergency within the County or within a designated portion of the County and to establish procedures to prepare for and carry out activities which are necessary to prevent, minimize, respond to, or recover from an emergency; and

WHEREAS, Wheeler County recognizes the authority granted by ORS Chapter 401 providing for executive responsibility in times of emergency and specifically delegating authority to declare a state of emergency to the Court; and

WHEREAS, Coronaviruses are a group of viruses that can cause respiratory disease, with the potential to cause serious illness or loss of life; and

WHEREAS, the Novel Coronavirus causes an illness known as COVID-19. According to the U.S. Centers for Disease Control and Prevention, COVID-19 presents a "high" potential public health threat, both globally and in the United States; and

WHEREAS, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak as a global pandemic; and

WHEREAS, as of March 16, 2020, there were 39 presumptive or confirmed COVID-19 cases in Oregon, 1,629 cases in the United States, and 153,517 cases worldwide in a total of 146 countries; also as of March 16, 2020, 41 deaths in the United States had occurred due to COVID-19; and

WHEREAS, on March 8, 2020, the Governor declared a State of Emergency for the entire State of Oregon (Executive Order No. 20-03), finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under ORS 401.025(1); the Governor also issued guidance regarding group gatherings and social distancing to minimize potential opportunities for COVID-19 to spread (Executive Order No. 20-05); and

WHEREAS, on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency.

WHEREAS, damage to life and property can be expected to occur as the result of the conditions described herein; and

WHEREAS, COVID-19 is a pandemic and requires a great deal of resources at the local level for response in order to keep the public informed and provide for public safety; and

WHEREAS, resources related to contact tracing, disease investigation, community information and funding have been, or will likely be expended, and the County anticipates that there will be need of the following additional resources from the State and/or Federal government: (1) assistance in public information and communicable disease response; (2) assistance in additional public health staff to aid in the response; (3) assistance to facilitate and maintain normal public health operations; (4) economic assistance for impacted County businesses; and

WHEREAS, the entire County is in a state of emergency; and

WHEREAS, this Resolution is in support of the COVID-19 public health response; and

WHEREAS, ORS 401.309 and the Wheeler County Emergency Operations Plan authorizes certain actions to be taken during a state of emergency when necessary for public safety or for the efficient conduct of activities that minimize or mitigate the effects of the emergency.

THE COUNTY COURT OF WHEELER COUNTY, OREGON HEREBY ORDERS AS FOLLOWS:

Section 1. Pursuant to ORS 401.309, and the Wheeler County Emergency Operations Plan, the County Court for Wheeler County formally declares a state of emergency for Wheeler County, effective on this 18th day of March, 2020 and continuing for sixty (60) days from the date of this Resolution and Order, unless extended or terminated earlier by the Court.

Section 2. Upon this Resolution and Order Declaring a State of a state of emergency, the County Judge, or his successor, is empowered to assume centralized control of and have authority over all departments and offices of the County.

Section 3. The Department of Emergency Management is empowered to carry out the appropriate functions and duties during times of emergency and shall implement the Wheeler County Emergency Operations Plan.

Section 4. To the extent permitted by state law, the County Judge is authorized to relax statutory deadlines such as those required by the Planning Department and/or Building Codes, or any others that may apply.

Section 5. The County Judge and the Department of Emergency Management shall take all necessary steps authorized by law to coordinate response and recovery from this emergency, including, but not limited to, requesting assistance from the State of Oregon.

Section 6. Residents of Wheeler County are encouraged to follow standard hygiene protocols as prescribed the Center for Disease Control, implement social distancing measures as instructed by the Governor and stay home when ill.

Section 7. Regarding County employees, the County Court may authorize modification(s) to relevant personnel leave, payroll processes and workplace requirements/designations as deemed necessary by the Court to address impacts associated with COVID-19.

Section 8. To respond to the COVID-19 pandemic, the County may procure needed goods and services in accordance with ORS 279B.080 and without compliance with normal procurement procedures, redirect any County funds for emergency purposes, and take any other action(s) necessary for the protection of health and safety of County residents.

IT IS FURTHER ORDERED THAT Incident Command may determine that the following measures are necessary for public safety or for the efficient conduct of activities to minimize or mitigate the effects of the emergency:

1. Curfews. Establish a curfew for the area designated as an emergency area which fixes the hours during which all persons, other than officially authorized personnel, may be upon the public streets or other public places.

2. Gatherings. Prohibit or limit the number of persons who may gather or congregate upon any public street, public place, or any outdoor place within the area designated as an emergency area.

3. Roads and Traffic. Barricade streets and roads, as well as access points onto streets and roads and additionally, prohibit vehicular or pedestrian traffic and/or restrict or regulate the same in any reasonable manner in the area designated as an emergency area for such distance or degree of regulation as may be deemed necessary under the circumstances.

4. Evacuations. Evacuate persons form the area designated as an emergency area.

5. Closures. Close places where the public may gather throughout Wheeler County or a portion thereof at the direction of North Central Public Health District.

6. Mutual Aid. Commit to mutual aid agreements between municipalities and governmental agencies.

7. Allocation of Funds. Redirect funds for emergency use.

8. Rationing. Institute rationing of consumable goods as necessary.

9. Protection of Life and Property. Order such other measures as are found to be immediately necessary for the protection of life and/or property.

10. Cancellations/Delays. Require organizers of events, whether groups or individuals, to cancel or postpose in-person events throughout Wheeler County based on the Center for Disease and Control guidelines. At the time of the passage of this Resolution and Order, those guidelines restrict gatherings to twenty-five (25) people or less.

11. Emergency Services. Redirect Emergency Services, such as Ambulance and Fire Services, to other areas of Wheeler County as needed.

12. Law Enforcement. Redirect Law Enforcement Services to other parts of Wheeler County as needed under the direction of the Wheeler County Sheriff or the Sheriff's designee.

This Declaration of Emergency and Order shall expire on May 18, 2020, unless otherwise extended or terminated by the Court.

[SIGNATURE PAGE TO FOLLOW]

ADOPTED BY THE WHEELER COUNTY COURT:

Dated this 18th day of March, 2020.

MORLEY, N. LYNN – COUNTY JUDGE

ORDWAY, ROBERT L. - COMMISSIONER

ATTEST:

~~Clerk~~

SHAFFER, RICK - COMMISSIONER

APPROVED AS TO FORM:

Diana L. McDougle
Wheeler County Counsel