

DONIPHAN COUNTY COURTHOUSE, TROY, KANSAS, JULY 1, 2020

The Board of County Commissioners met in special session at 9:00 A.M. with Second District County Commissioner Thad G. Geiger, Chairman, calling the meeting to order for the purpose of adopting Doniphan County Resolution 2020-09, a Resolution regarding the use of face masks for public health and safety resulting from the Coronavirus Pandemic (COVID-19). Second District County Commissioner Timothy D. Collins, County Clerk Peggy Franken, County Attorney Charles D. Baskins, Health Department/Home Health Administrator Sheryl Pierce and Emergency Management Coordinator Julie Meng were present. Third District County Commissioner Jerry P. McKernan appeared via teleconference.

On behalf of the Public Health Department Administrator Sheryl Pierce stated face masks are helpful to prevent the spread of the Coronavirus, however enforcement of a mandatory order is an issue. Therefore the Public Health Department encourages usage of face masks in public places when social distancing cannot be obtained.

Commissioner Collins expressed his opposition to the Kansas Governor's executive order to mandate face masks be worn in public places where social distancing cannot be obtained, stating he felt it was the responsibility of individuals to protect their health and the health of others.

Commissioners McKernan strongly advised wearing of face masks but was against a mandatory order.

Commissioner Geiger stated the people of Doniphan County are responsible enough to make their own decisions based on their health not to compromise the health of others, to practice social distancing and use safety precautions. He strongly supports and suggested practicing public safety but is not in favor of an order mandating the wearing of face masks in public.

Commissioner Geiger made a motion to adopt Doniphan County Resolution 2020-09. A Resolution of the Board of County Commissioners determining the use of face masks in public is not required but is strongly recommended to protect the public health and safety of the most vulnerable in our County. Commissioner Collins seconded. Motion carried 3-0. Said Resolution was recorded and is on file in the office of the County Clerk in Resolution Book 3 Page 249.

RESOLUTION 2020-09

A Resolution regarding the use of face masks for public health and safety resulting from the Coronavirus Pandemic (COVID-19)

WHEREAS, The Board of County Commissioners of Doniphan County, Kansas, anticipates the Governor of Kansas to issue an executive order mandating the use of face masks in all public areas; and,

WHEREAS, Such mandate will likely include criminal and/or civil penalties for persons who do not wear face masks in public; and,

WHEREAS, Kansas law authorizes the Board of County Commissioners to issue orders relating to public health that include provisions that are less stringent than the provisions of an executive order effective statewide issued by the Governor of Kansas; and,

WHEREAS, The Board of County Commissioners has consulted with the Doniphan County Local Health Officer and following such consultation concerning the implementation of the use of face masks, as is anticipated in the Governor's executive

order, the Board of County Commissioners has determined that the use of face masks in public is not required but is strongly recommended to protect the public health and safety of the most vulnerable in our County;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Doniphan County, Kansas, sitting both as the Board of County Commissioners and as the Board of Health of Doniphan County, Kansas, determines the use of face masks in public is recommended but not required in Doniphan County, Kansas.

Adopted the 1st day of July, 2020

BOARD OF COUNTY COMMISSIONERS ACTING AS THE DONIPHAN COUNTY
BOARD OF HEALTH

Thad G. Geiger, Chairman
Timothy D. Collins, Member
Jerry P. McKernan, Member

Attest: Peggy Franken, County Clerk

There being no further business before the Board, Chairman Geiger adjourned at 9:26 A.M.

DATED THIS 1ST DAY OF JULY 2020.

Attest: _____
Peggy Franken, County Clerk

Chairman: _____
Thad G. Geiger, Chairman