

LAWRENCE COUNTY COMMISSIONERS MEETING – March 27, 2020 page-1

Vice-Chairman Brandon Flanagan called the special meeting of the Lawrence County Commissioners to order and the Pledge of Allegiance was conducted at 4:00 p.m. on March 27, 2020 in the Administrative Annex Building of the Lawrence County Courthouse located at 90 Sherman Street, Deadwood, SD with Commissioners Daryl Johnson and Richard Sleep. Commissioner Randy Deibert was available by video conferencing (GoToMeeting). Absent-Randall Rosenau.

Roll-call voting was used and all motions were passed by unanimous vote, by all members present, unless stated otherwise.

AGENDA: Moved-Seconded (Sleep-Flanagan) to approve the agenda as amended. Motion Carried.

COVID-19 STAFF UPDATE: Deb Tridle, Treasurer, stated that in the past week her office has been operating by appointment only. Tridle stated by having to handle the paperwork and meet with the public it is defeating the purpose as people are not respecting the 6-foot social distancing recommendation. Tridle stated her office is holding mail for 24 hours before opening. Tridle suggested that the County shift from “by appointment” to “mail only” services to protect employees. Tridle added that her staff has developed a protocol to make to ease the transition for the public.

Commissioner Flanagan expressed his concern with deadlines for title work.

Tridle stated that the state has requested that law enforcement waive writing tickets for overdue plates during this pandemic.

Commissioner Deibert questioned on how plats would be handled?

Tridle stated she has worked with Sheree Green, Register of Deeds, to come up with a plan. Tridle stated that plats can be mailed to the Treasurer’s Office and they would be moved on to the appropriate office. Tridle stated plats can be dropped off, but would not be handled for 24 hours. Tridle stated that title companies have been contacted as well.

Bruce Outka, Deputy State’s Attorney, stated a department head meeting was held and the discussion came up about building some type of temporary barrier in front of the south doors of the Annex Building. Outka stated the goal is to try to reduce the anxiety that some of the employees are experiencing with the person to person contact with the public.

Sheree Green, Register of Deeds, stated that shifting to mail only contact would reduce the foot traffic in her office considerably. Green stated that she is no longer doing marriage licenses.

Commissioner Sleep stated that both options should be available to the public and does not feel the County can shut one or the other down.

Tim Hodson, Director of Equalization, stated that he will need to meet with a few people in person concerning upcoming Board of Equalization.

Amber Vogt, Planning & Zoning Administrator, stated that there are few issues she is resolving, but they can be worked out.

Brenda McGruder, Auditor, stated almost everything in her office could be handled by mail.

Moved-Seconded (Deibert-Flanagan) Effective immediately, the County shall be closed to the public with staff directed to post instructions advising the public how business can be transacted by mail and online resources. Department phone numbers shall also be posted to facilitate communication with the public. Provision for an appointment is granted, only if no other resolution to a business matter can be found. In the rare instance of the need for an appointment, staff is directed to construct a temporary barrier at the south entrance to the building to accommodate in-person meetings. Motion Carried.

Commissioner Johnson stated that extra steps need to be done to get the word out to the public.

GOVERNOR NOEM STATEWIDE CONFERENCE CALL WITH COUNTY

COMMISSIONERS AND COUNTY OFFICIALS UPDATE: Commissioner Flanagan gave an update on the conference call with Governor Noem. Flanagan stated that some of the topics discussed were open meeting requirements, courthouse policies, COVID-19 pandemic length, primary election, Board of Equalization and County authority to close down private businesses. Flanagan stated the County should acknowledge and ratify the Presidential Emergency Order and the Governor's Emergency Order.

Bruce Outka, Deputy State's Attorney, stated that the County does not have the same statutory powers as municipalities, to include shutting down businesses to prevent the spread of disease.

RESOLUTION IN SUPPORT OF GOVERNOR NOEM'S EXECUTIVE ORDER

GUIDELINES UPDATE: Commissioner Flanagan stated he applauds the City of Spearfish and City of Deadwood for what they have done in reference to emergency measures, resolutions and ordinances. Flanagan stated he strongly urged the public to follow those guidelines and feels it is important to pass the following resolution.

Moved-Seconded (Johnson-Flanagan) to approve and adopt the following Resolution #2020-14
An emergency resolution to address the public health crisis caused by the coronavirus (covid-19) by implementing certain measures which have been deemed necessary to slow the community spread of covid-19. Motion Carried. Resolution 2020-14 AN EMERGENCY RESOLUTION TO ADDRESS THE PUBLIC HEALTH CRISIS CAUSED BY THE CORONAVIRUS (COVID-19) BY IMPLEMENTING CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF COVID-19 WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the global pandemic of COVID-19; and WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19; and WHEREAS, cases of COVID-19 have been confirmed in several counties in South Dakota; and WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19; and WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and WHEREAS, in response to the need to implement social distancing all schools in the state have been closed for at least two weeks; and WHEREAS, on March 16, 2020, the White House issued guidance recommending that social gatherings of more than ten people be avoided and that people avoid eating or drinking at bars, restaurants, and food courts; and WHEREAS, the guidance issued by the White House further recommended that in states with evidence of community transmission that bars, restaurants, food courts, gyms, and other indoor and outdoor venues where people congregate should be closed; and WHEREAS, many states and communities across the country have already implemented the White House recommendations by ordering all bars, restaurants, food courts, gyms and other indoor and outdoor venues where people congregate be closed until the public health emergency is over; and WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the County's health care providers; and WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the County's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19; and WHEREAS, on March 23, 2020, Governor Kristi Noem, issued an executive order recommending the suspension or modification of business practices as recommended by CDC guidance that involve ten or more people to be in an enclosed space where physical separation of at least six feet is not possible; and WHEREAS, on March 25, 2020, the City Deadwood approved an emergency resolution to address a public health crisis by implementing certain measures which have been deemed necessary to slow the community spread of Coronavirus (COVID-19) and held a first reading of an emergency ordinance to address the public health crisis by implementing certain measures which have been deemed necessary to slow the

community spread of Coronavirus (COVID-19); and WHEREAS, on March 26, 2020, the City of Spearfish approved the first reading of an emergency ordinance implementing measures deemed necessary to slow the community spread of COVID-19; and WHEREAS, as of March 27, 2020, two cases of COVID-19 have been confirmed in Lawrence County; and WHEREAS, emergency legislation is pending before the South Dakota Legislature amending SDCL 7-8-20 to provide counties with temporary authority to enact emergency ordinances and resolutions to promote the health of the citizens of the county and to suppress disease outside the corporate limits of any municipality, provided that no ordinance may be in effect or enforces after July 1, 2021; and WHEREAS, the Board of Lawrence County Commissioners recognizes and wholly supports the efforts of federal, state and local officials in their efforts to combat the spread of COVID-19. NOW THEREFORE, BE IT RESOLVED, by the Board of Lawrence County Commissioners that: 1. In support of federal, state and local officials in their efforts to combat the spread of COVID-19, the Commission urges, in the strongest terms, the public and businesses to follow the most recent guidance issued by public health officials and directives therefrom; and 2. Likewise, the Commission urges, in the strongest terms, the public and businesses to comply with all emergency measures, resolutions and ordinances passed by federal, state and local officials. IN WITNESS WHEREOF, we have hereunto set our hands and official seal of Lawrence County, this 27th day of March, 2020. BY: Brandon Flanagan ITS: Acting Chairman ATTEST: Brenda McGruder, Auditor. Adopted: March 27, 2020.

EMERGENCY MANAGEMENT: Paul Thomson, Emergency Manager, stated he has been in contact with several agencies and how they are preparing for the pandemic. Thomson added that Wade Huntington, Department of Health, stated we are doing the right thing by holding paperwork for 24 hours.

SHERIFF: Brian Dean, Sheriff, presented the following statement to the Commission: Professional contact with our office last occurred on Wednesday, March 18th at 0700 AM approximately nine (9) days ago. On Saturday, March 21st they were tested. On that day they took it upon themselves to shelter in-place. Later that evening the first symptom appeared. On Thursday, March 26th I was notified that a test had been administered and that the results from the test was positive for COVID-19.

Today, no member of our staff nor inmate is displaying symptoms that would cause alarm. The results of this test, while awful for the individual is unfortunately something that my office has spent considerable effort preparing for. Therefore, sadly the fact that we find ourselves in Lawrence County today with a person whom we care about who has tested positive for the COVID-19 virus should come as no surprise.

What we do moving forward is what we have done in the preceding weeks, we continue to plan ahead for what is likely to be coming; we adjust as is appropriate as new information and understandings arise and most importantly, we remain calm in the face of this national tragedy and lead our coworkers and serve our populace through informed, planned, intelligent action.

HOLIDAY CLOSURE: Brenda McGruder, Auditor, asked if the Commission would reconsider giving the employees the whole day off on April 10, 2020 to observe Good Friday for the wellbeing of the employees.

Commissioner Deibert stated that the Commission has given department heads a lot of discretion, as they know their staff better than the Commission. This discretion includes allowing department heads to rotate those with time off in order to maintain the physical and mental well-being of employees.

Moved-Seconded (Deibert-Johnson) to close the Lawrence County Office's on April 10, 2020 in observance of Good Friday. Motion Carried.

FAMILIES FIRST CORONAVIRUS RESPONSE ACT: Brenda McGruder, Auditor, gave an overview of Families First Coronavirus Response Act that was signed by President Trump on March 18, 2020. McGruder stated that this would take effect on April 1, 2020.

SPECIAL MEETING DATE: A special meeting will be held on April 3, 2020 at 3:00 p.m.

ADJOURN: 5:21 p.m. There being no further business, it was Moved-Seconded (Sleep-Johnson) to adjourn the meeting. Motion Carried.

Date Approved

Brandon Flanagan, Vice-Chairperson

ATTEST:

Brenda McGruder, Auditor