

**RESOLUTION NO. 02-2021
COVID 19 PUBLIC HEALTH ORDER**

WHEREAS, K.S.A. 19-101 *et. seq.*, and K.S.A. 19-212 authorize the Board of County Commissioners to transact all County business and perform all powers of local legislation deemed appropriate, and to make all contracts and do all other acts in relation to the property and concerns of the county, necessary to the exercise of its corporate or administrative powers.

WHEREAS, on the 18th day of November, 2020, Governor Laura Kelly issued Executive Order 20-68 requiring face masks to be worn in public, pursuant to authority granted by K.S.A. 2019 Supp. 48-925(b) as amended by HB 2016, Sec. 33, during the ongoing Covid-19 public health disaster emergency.

WHEREAS, the Board of County Commissioners may issue an order relating to public health that includes provisions that are less stringent than the provisions of an executive order, according to KSA 2019 Supp 48-925(h), as amended by HB 2016, Sec. 33.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS,

SECTION 1.

- (1) That the Board of County Commissioners of Cherokee County has consulted with Betha Elliott, the Cherokee County Health Department Director, regarding the Covid-19 situation in Cherokee County, Kansas.
- (2) Following such consultation, the majority of the Board of County Commissioners of Cherokee County have voted that implementation of the mask and facial covering mandate in the Governor's Executive Order 20-68 are not necessary to protect the public health and safety of Cherokee County, and the County hereby opts out of the mandate; and
- (3) The Board further finds that current case numbers, effectiveness of contact tracing processes involving residents who have contracted Covid-19 or been exposed, and area medical providers' successful management of current Covid related cases, do not warrant mandatory face masks or coverings at this time. The Board strongly encourages residents, especially those who may be in a vulnerable class, to wear face masks or coverings, and everyone to practice responsible safe social distancing, frequent hand washing, and to avoid indoor crowded situations whenever possible.

SECTION 2. That all resolutions, County policies or parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

SECTION 3. The County Clerk shall cause this resolution to be published in the official County newspaper.

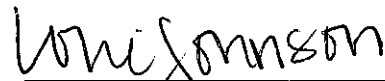
BE IT FURTHER RESOLVED that this Order shall be effective January 11, 2021.

RESOLVED AND ORDERED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS, THIS 25th DAY OF JANUARY, 2021.

APPROVED:



Myra Carlisle Frazier
Cherokee County Commissioner




Lorie Johnson
Cherokee County Commissioner



Cory Moates, Chair
Cherokee County Commissioner

ATTEST:



Kyle Rennie, Cherokee County Clerk

(Seal)

Executed January 25, 2021
By the Board of County
Commissioners