

RESOLUTION 10-13-2020

WHEREAS, the COVID-19 pandemic continues to affect every aspect of life in the State of Kansas and every community therein, and

WHEREAS, the Local Health Officer and Medical Advisor/Consultant have implemented Geary County Public Health Orders since 8-19-2020, in conjunction with the Board of County Commissioners acting as the local board of health in order to curb further community spread of COVID-19, and

WHEREAS, K.S.A. 65-201 and 202 have been amended by the Kansas Legislature to confer the power upon the local governing body, the Board of County Commissioners of Geary County, which acts as the local board of health, to: “. . . issue orders less stringent than . . . an executive order effective statewide . . .”; and the power to amend or revoke any emergency declaration upon review; and to amend or revoke any local health order upon review; and

WHEREAS, proposed Geary County Public Health Orders have been reviewed and discussed internally, the Board has considered the recommendations of the Local Health Officer and Medical Advisor, but this Board acting as the Board of Health and under the authority of legislation passed on June 4, 2020 as HB 2016, does **HEREBY RESOLVE and ORDER** that the following Geary County Public Health Order be enacted taking into account those factors necessary to protect the public health and safety of the County:

Section One: Definitions

1. For the purposes of the Order, "*Mask or other face-covering*" means a covering of the nose and mouth down to the chin that is secured to the head with ties, straps, or loops over the ears or secured to the head by other means or devices or wrapped around the lower face. A mask or other face-covering can be made of various synthetic and natural fabrics, including cotton, silk, or linen. Ideally, a mask or other face-covering has two or more layers. A mask or other face-covering may be factory-made, sewn by hand, or improvised from the household items such as scarfs, bandanas, t-shirts, sweatshirts, or towels.
2. For purposes of this Order, "*Social Distancing*" is defined as follows: maintaining at least six-foot social distancing from every other person present at a location.
3. For the purposes of this Order, the phrase "*Public or Mass Gathering*" is defined as any planned or spontaneous, public or private event or convening in which one hundred (100) or more individuals are in one location and are unable to maintain a 6-foot distance between individuals (not including individuals who reside together or are family) with only infrequent or incidental moments of closer proximity.
4. For the purpose of this Order, the phrase "*Special Event*" is defined as any event that intends to draw a crowd greater than one hundred (100) people and occurs less than 12 times a year.
5. For the purpose of this Order, the phrase "*Close Contact*" means:
 - a. Being within 6 feet of a person who has tested positive for COVID 19, for a period of 10 or more minutes;
 - b. Having physical contact with an individual who tested positive for COVID-19.

Section Two: Mitigation Activities

For purposes of this Order, individuals are ordered to restrict activities based upon my authority as the Local Health Officer. People at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence except as necessary to seek medical care.

A. MASKS

1. All businesses must prominently post signs in their establishments identifying the requirement to wear a mask.
2. Each and every person over two (2) years old, when in Geary County, must:
 - a. Wear a face covering over their nose and mouth when they are in but not limited to any of the following situations:
 - i. Inside any indoor or outdoor public space where 6-foot distancing at all times is not possible (not including people who reside together.)
 - ii. In line and waiting to enter an indoor public space or waiting in line to check out at any place of business;
 - iii. Obtaining services from the healthcare sector in settings, including but not limited to, a hospital, pharmacy, medical clinic, laboratory, physician or dental office, veterinary clinic, or blood bank, unless directed otherwise by an employee or healthcare provider; or;
 - iv. Waiting for or riding on public transportation or in a taxi, private car service, or ride-sharing vehicle.
 - v. Any situation where there is prolonged contact or exposure for 10 minutes or more.
 - b. All businesses, organizations, and non-profit associations must require all employees, customers, visitors, members, or members of the public to wear a mask or other face coverings when:
 - i. Employees are working in any space where food or beverages are prepared or packaged for sale or distribution to others, including but not limited to kitchens, bars, deli counters, etc.;
 - ii. When entering an eating or drinking facility, customers and those mentioned in A.2.b.ii must wear masks until seated, whenever they get up to move about an establishment where they do not maintain 6-foot distancing, and when not actively engaged in eating or drinking.
 - iii. Employees are in any room or an enclosed area where other people (except individuals who reside together) are present and unable to maintain a 6-foot distance except for infrequent or incidental moments of closer proximity.
- c. The following individuals are exempt from wearing masks other face coverings in situations described in Paragraphs 2:
 - i. Children age two years and under should not wear a face-covering because of the risk of suffocation;

NOTE: Documentation from a health care provider must be provided for anyone claiming a medical exemption from wearing a mask.

- ii. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering-this includes persons with a medical condition for whom wearing a face-covering could obstruct breathing or who is unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;
 - iii. Persons who are deaf and hard of hearing, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication;
 - iv. Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines;
 - v. Persons who are obtaining a service involving the nose or face for which temporary removal of the face-covering is necessary to perform the service;
 - vi. Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are actively engaged in eating or drinking, provided they maintain a 6-foot distance between individuals (not including individuals who reside together or are seated together) with only infrequent or incidental moments of closer proximity;
 - vii. Athletes who are engaged in an organized sports activity that allows athletes to maintain a 6-foot distance from others with only infrequent or incidental moments of closer proximity, and individuals who are participating in strenuous exercise that allows such individuals to maintain a 6-foot distance from others with only infrequent or incidental moments of closer proximity;
 - viii. Persons who are engaged in an activity that a professional or recreational association, regulatory entity, medical association, or other public health-oriented entity has determined cannot be safely conducted while wearing a mask or other face-covering;
 - ix. Persons engaged in a court-related proceeding held or managed by the Kansas Judiciary;
 - x. Persons engaged in any lawful activity during which wearing a mask or other face-covering is prohibited by law; and
 - xi. Persons who have one or more physical barrier(s) between them and any other persons.
- d. Face coverings are not a replacement for adhering to social distancing and other public health protocols with respect to COVID-19. All individuals must continue to maintain 6 feet or more of distance from other people, wash hands regularly with soap and water for at least 20 seconds and stay home when sick.

B. MASS GATHERINGS

1. All large public gatherings of people in the County are prohibited. Large public gatherings are those with more than one hundred (100) people in attendance or anticipated to attend, both indoor and outdoor, except for governmental functions, judicial functions, all deemed essential industries as defined by US Homeland Security, and other approved activities, including those of USD 475 and other districts, including athletics and other school-sponsored events.
EXCEPTION: More than fifty (50) people are authorized to occupy a building if the proper social distance between all non-cohabitating individuals is followed, and groups do not intermingle.
2. Large venues of more than 2000-person capacity shall remain closed.

C. SANITATION

All businesses and locations are required to comply with the Centers for Disease Control and Prevention (CDC) "Interim Guidance for Businesses and Employers Responding to Coronavirus Disease 2019 (COVID-19), May 2020" (<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>) and industry-specific guidance from trade groups. They must meet, at a minimum, the following requirements.

1. Soap and water must be readily available as well as alcohol-based hand sanitizers for employees and customers.
2. Routine cleaning with a bleach solution or some other sanitizing product of frequently touched surfaces such as workstations, keyboards, telephones, handrails, doorknobs, cash registers, credit card keypads, etc.
3. Sanitizing all surfaces such as countertops, tables/chairs, and any items handled by customers before being used by another customer.

D. BUSINESS RESTRICTIONS

Businesses and other locations that are open shall comply with the following additional restrictions. Nothing in this Order shall be interpreted to require that any business or location open if they choose not to.

1. All restaurants and bars shall screen each employee before each shift. This shall include asking about symptoms, travel, contact, and checking temperatures.
2. Drive-through, delivery, and curbside service at bars and restaurants may continue as allowed.
3. All restaurants and bars are limited to seated areas only, this includes patios; dance floors (including but not limited to temporary spaces obtained by removing tables or other objects to allow people to dance) shall be closed.
4. All seated parties must be placed at least 6 feet apart from other seated parties (between tables and/or booths), or when that is not feasible, barriers such as plexiglass or other partition shall divide booths or tables closer than 6 feet.

E. SPECIAL EVENTS

Special Events shall comply with the following additional restrictions:

1. The event organizer shall submit a Special Event Notification Form to the Geary County Public Health Department (GCPHD) no later than **seven** days prior to the event. To receive a copy of this form, contact charles.martinez@gearycounty.org.
2. The event organizer shall develop an infection control plan with assistance from GCPHD to be approved by the Local Health Officer.
3. Any event found in non-compliance with this Order, or a source of significant disease outbreak, or as determined and notified by the Local Public Health Officer shall close.

Section Three

Pursuant to K.S.A. 65-129b, any sheriff, deputy sheriff, or other law enforcement officer of the state or any political subdivision within Geary County, Kansas is hereby ordered to assist in the execution or enforcement of this Order.

If an individual, business, or other entity is found in violation of this Health Order, then law enforcement shall notify the Local Health Officer and the County Attorney in addition to taking any other proper action authorized by this Order and statute. A business or other similar entity shall develop, draft, and present a mitigation plan to the Local Health Officer for their approval. The Local Health Officer shall share said mitigation plan with local law enforcement and the County Attorney.

Section Four

This Order is effective at 12:00 a.m. on October 18, 2020, and shall remain in effect until amended, superseded, or rescinded by the Geary County Local Health Officer, and the Board of Geary County Commissioners, sitting as the Board of Health.

SO ORDERED, 13th day of October, 2020.

**BOARD OF COUNTY COMMISSIONERS OF
GEARY COUNTY, KANSAS**

By *Keith Ascher*
KEITH ASCHER, Chairperson

By *Charles Stimatze*
CHARLES STIMATZE, Commissioner

By *Brad Scholz*
BRAD SCHOLZ, Commissioner



ATTEST:

Therese Hoff
CLERK
Deputy

EMPLOYEE HEALTH SCREENING

Ask the employee this question before they begin work each day.

Screening Question

Do you have any of these symptoms?

- Fever
- Cough
- Shortness of Breath
- Chills
- Runny Nose
- Head / Body Aches
- Sore Throat
- Nausea / Vomiting
- Sudden Loss of Taste or Smell
- Diarrhea

If the answer is yes for two or more of these symptoms, notify the employee's supervisor and have the employee leave work immediately.

Temperature Screening

If possible, conduct the temperature screening in conjunction with the screening question before the employees before work.

If the employee's temperature is 99.2 or higher, but less than 100.4: begin monitoring the employee's temperature twice a day for a minimum of 7 days to determine if the temperature is going up or down. Notify the supervisor.

If the employee's temperature is greater than 100.4, the employee must leave work immediately.