

JOHN C. YATES
County Manager

COUNTY OF WILKES

EDDIE D. SETTLE
Chairman

ANTHONY R. TRIPLETT
County Attorney

WILKES COUNTY OFFICE BUILDING
WILKESBORO,
NORTH CAROLINA 28697-2427
(336) 651-7346
FAX (336) 651-7546

DAVID. D GAMBILL, JR.
Vice Chairman

SARAH D. CALL
County Clerk

G. KEITH ELMORE
GARY D. BLEVINS
BRIAN S. MINTON

DECLARATION OF A STATE OF EMERGENCY

COVID-19

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is a new strain of coronavirus previously unidentified in humans which can spread from person to person; and

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") has warned of the high public health threat posed by COVID-19 globally and in the United States and has deemed it necessary to prohibit or restrict travel to areas designated by the CDC; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 319 of the Public Health Service Act; and

WHEREAS, on March 13, 2020, the President of the United States, due to the spread of COVID-19, declared a national emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and corresponding regulations of the Federal Emergency Management Agency ("FEMA"); and

WHEREAS, on March 10, 2020, the Governor of the State of North Carolina by Executive Order No. 116 declared a state of emergency to coordinate response to and take protective actions with regard to preventing the spread of COVID-19 within the State of North Carolina; and

WHEREAS, the North Carolina Department of Health and Human Services ("NCDHHS") confirmed multiple cases of COVID-19 in North Carolina as of March 10, 2020; and

WHEREAS, on March 12, 2020, NCDHHS issued mitigation measures for the prevention, control, and further spread of COVID-19 which, among other things, recommended that sporting events and other large gatherings drawing more than 100 people should be cancelled; and

WHEREAS, numerous large sporting events and/or seasons across the United States have been suspended, cancelled, or restricted due to COVID-19 concerns and efforts to prevent its spread through large gatherings of people, including the remainder of the Atlantic Coast Conference men's basketball tournament, the NCAA men's and women's basketball tournaments, play in the NBA, play in the NHL, play in Major League Soccer, play in Major League Baseball, PGA tour events, and NASCAR races; and

WHEREAS, during the same period of time the University of North Carolina has adopted system-wide measures to prevent the spread of COVID-19 by cancelling large events and restricting all of its component universities to on-line classes for the remainder of the 2020 spring semester; and

WHEREAS, during the same period of time numerous musical events and concerts across the United States have been postponed or cancelled due to COVID-19 concerns and efforts to prevent its spread through large gatherings of people, as documented on websites such as Billboard.com; and

WHEREAS, many smaller sporting events, concerts, and gatherings have been postponed or cancelled across North Carolina and the United States due to COVID-19 concerns and efforts to prevent its spread through large gatherings of people; and

WHEREAS, all of the foregoing factors and the same concerns for protection of the health and wellbeing of the citizens of Wilkes County, North Carolina, have prompted the consideration and issuance of this Declaration; and

WHEREAS, Article 1A of Chapter 166A of the North Carolina General Statutes, and more specifically N.C. Gen. Stat. §166A-22, authorizes counties and municipalities to declare a state of emergency and exercise the powers and duties set forth therein to direct and aid in the response to and mitigation against emergencies; and

WHEREAS, N.C. Gen. Stat. §166A-22 further authorizes the chairman of the board of county commissioners to issue such a declaration which is applicable within the jurisdiction not only of the county but also of those municipalities located therein upon the consent or request of the governing boards or mayors of said municipalities; and

WHEREAS, the Mayors of Wilkesboro, North Wilkesboro, and Ronda have expressed their support for and consent to the issuance of this Declaration and have requested that the Chairman of the Wilkes County Board of Commissioners issue the same, to be applicable within the jurisdiction of said municipalities as well as Wilkes County; and

WHEREAS, the Wilkes County State of Emergency Ordinance adopted effective January 1, 1988, pursuant to the predecessor statutes for Article 1A of Chapter 166A of the North Carolina General Statutes, authorizes a declaration issued thereunder to prohibit or restrict the movement of people in public places and the operation of places to which they may travel or at which they may congregate; and

WHEREAS, the undersigned, in accordance with and on the basis of the foregoing, finds that an emergency exists within Wilkes County, North Carolina, and its municipalities, due to the rapid spread of COVID-19, and further finds that it is necessary and appropriate to exercise the authority cited hereinabove by issuing this Declaration in order to address said emergency and to protect the health and wellbeing of the citizens of Wilkes County;

NOW, THEREFORE, pursuant to the authority vested in me as Chairman of the Wilkes County Board of Commissioners under the Wilkes County State of Emergency Ordinance adopted effective January 1, 1988, and Article 1A of Chapter 166A of the North Carolina General Statutes, and further pursuant to the consent and request of the Mayors of Wilkesboro, North Wilkesboro, and Ronda:

Section 1. A State of Emergency is hereby declared within the jurisdiction of Wilkes County, North Carolina, and within the jurisdictions of the Towns of Wilkesboro, North Wilkesboro, and Ronda, pursuant to N.C.G.S. §166A-19.22.

Section 2. As of the effective time and date hereof and continuing until terminated as set forth in Section 6 below, the following prohibitions and recommendations are hereby adopted and imposed within the jurisdictions specified in Section 1 above:

A. Prohibition of Mass Gatherings: No athletic event, concert, performance, rally, conference, meeting, gathering, or other event of any kind, or series of the same, whether indoors or outdoors and whether public or private, which draws one hundred (100) or more people together at the same time and location, may be held or conducted. Specifically exempted from the foregoing are the following:

- (1) All gatherings of employees at the place of and in connection with the normal and usual business operations of their employer, including both public and private employers;
- (2) All gatherings of students, teachers, staff, and related personnel in the Wilkes County Schools, at private schools, and at Wilkes Community College, for the normal daily classes and operations of the same;
- (3) Normal and usual operations of all medical facilities and of all skilled care, assisted living, retirement, and other similar facilities;
- (4) Normal and usual operations of all residential housing complexes and group homes;
- (5) All church-related and/or faith-based services and events; and
- (6) Any gatherings of medical, emergency, and other similar personnel and public officials in connection with the response to COVID-19.

B. General Recommendations: All persons residing or present within the jurisdictions specified in Section 1 above are highly encouraged to comply with all recommendations of the CDC, the Surgeon General's Office of the United States, FEMA, NCDHHS, the Wilkes County Health Department, and other public health, emergency, and disaster relief agencies for the testing, reporting, prevention, and control of COVID-19. These recommendations include but are not limited to the following mitigation measures issued by NCDHHS on March 12, 2020:

- (1) SYMPTOMATIC PERSONS. NCDHHS recommends that, if a person needs medical care and has been diagnosed with COVID-19 or suspects he or she might have COVID-19, that person should call ahead and tell his or her health care provider he or she has or may have COVID-19. This will allow that person to take steps to keep other people from getting exposed. NCDHHS recommends that persons experiencing fever and cough should stay at home and not go out until their symptoms have completely resolved.
- (2) HIGH RISK PERSONS WITHOUT SYMPTOMS. NCDHHS recommends that people at high risk of severe illness from COVID-19 should stay at home to the extent possible to decrease the chance of infection.

People at high risk include people:

- Over 65 years of age, or
- with underlying health conditions including heart disease, lung disease, or diabetes, or
- with weakened immune systems.

- (3) CONGREGATE LIVING FACILITIES. NCDHHS recommends that all facilities that serve as residential establishments for high risk persons described above should restrict visitors. Exceptions should include end of life care or other emergent situations determined by the facility to necessitate a visit. If visitation is allowed, the visitor should be screened and restricted if they have a respiratory illness or potential exposure to COVID-19. Facilities are encouraged to implement social distancing measures and perform temperature and respiratory symptom screening of residents and staff. These establishments include settings such as nursing homes, independent and assisted living facilities, correction facilities, and facilities that care for medically vulnerable children.
- (4) WORKPLACE. NCDHHS recommends that employers and employees use teleworking technologies to the greatest extent possible, stagger work schedules, and consider canceling non-essential travel. Workplaces should hold larger meetings virtually, to the extent possible. Additionally, employers should arrange the workspace to optimize distance between employees, ideally at least six feet apart. Employers should urge high risk employees to stay home and urge employees to stay home when they are sick and maximize flexibility in sick leave benefits.

(5) MASS TRANSIT. Mass transit operators should maximize opportunities for cleaning and disinfection of frequently touched surfaces. People should avoid using use mass transit (e.g. buses, trains) while sick.

Section 3. All law enforcement officers and employees and all other departments, officers, agents, employees, and personnel employed by or subject to the control of those jurisdictions specified in Section 1 above are directed to cooperate in the enforcement and implementation of the provisions of this Declaration and of all applicable provisions of local ordinances, state and federal laws and emergency declarations, and the Wilkes County Emergency Operations Plan.

Section 4. The County of Wilkes and the Towns of Wilkesboro, North Wilkesboro, and Ronda recognize and acknowledge that they are likely to incur substantial economic damage from the issuance of this Declaration and do hereby request that they receive any and all available federal and state financial aid and other assistance for which they may be eligible in connection with the same.

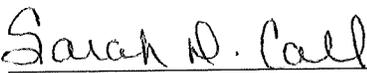
Section 5. Copies of this Declaration shall be: (a) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) filed with Clerks to the Wilkes County Board of Commissioners and the Towns of Wilkesboro, North Wilkesboro, and Ronda; and (c) distributed to others as necessary to ensure proper implementation of this Declaration.

Section 6. This Declaration shall take effect at 4:00 p.m. on the 13th day of March, 2020, and shall remain in effect through 12:00 midnight on the 30th day of April, 2020, unless sooner modified or terminated. The jurisdictions specified in Section 1 above will continue to monitor all developments with respect to COVID-19, will consult and work with each other and all related agencies in connection with the same, and will issue such modifications to this Declaration as may be deemed appropriate in order to protect the health and wellbeing of the citizens of Wilkes County.

DECLARED this the 13th day of March, 2020.

By: 
Eddie D. Settle, Chairman
Wilkes County Board of Commissioners

ATTEST:


Sarah D. Call, Clerk

