

CHEROKEE COUNTY BOARD OF COMMISSIONERS
SPECIAL CALLED MEETING
March 27, 2020
4:00 PM

The Cherokee County Board of Commissioners held an emergency meeting on March 27, 2020 for the purpose of holding a press conference to release a supplemental declaration to the Cherokee County State of Emergency Order related to the COVID-19 outbreak.

The following Commissioners were present for the meeting: Roy Dickey, Chairman; C.B. McKinnon, Vice-Chairman; Cal Stiles, member; and, Gary Westmoreland, member. Commissioner Dr. Dan Eichenbaum was unable to attending to his medical practice.

Staff present: Randy Wiggins, County Manager; Maria Hass, Assistant County Manager and Clerk to the Board; David Badger, Public Health Director; Robin Caldwell, Emergency Management Director; and Sheriff Derrick Palmer.

Local media present: Local TV 4; WKRK; WCVP; and the Cherokee Scout.

The Chairman read the following supplemental declaration:

WHEREAS, based on public health guidance from the World Health Organization, the Center for Disease Control and Prevention, the United States Department of Health and Human Services and the North Carolina Department of Health and Human Services, Cherokee County declared a Local State of Emergency on March 23, 2020 in an effort to promote social distancing to slow the spread of COVID-19.

WHEREAS, in just over the past week, the State of North Carolina, through the Governor, Roy Cooper, has issued Executive Order No. 116 titled “Declaration of a State of Emergency to Coordinate Response and Proactive Actions to Prevent the Spread of COVID-19; Executive Order No. 119 prohibiting mass gatherings and directing the statewide closure of K-12 public schools to limit the spread of COVID-19; Executive Order No. 118 “Limiting Operations of Restaurants and Bars and Broadening Unemployment Insurance Benefits in Response to COVID-19”; Executive Order No. 120 temporary closure of certain business in which members of the public may be in close contact with each other and extension of statewide closure of K-12 public schools in Response to COVID-19.

WHEREAS, the emergency response orders in place in the State of North Carolina currently prohibits mass gatherings that bring together more than fifty (50) persons in a single room or single space at a time, such as an auditorium, stadium, arena, large conference room, meeting hall, theater or any other confined indoor or outdoor space. The prohibition does not extend to other defined spaces and establishments.

WHEREAS, the latest Executive Order is a critical step in minimizing close contact between members of the community. Close contact for COVID-19 is currently defined as contact within six feet for a duration of at ten minutes. Social Distancing is a specific strategy, proven by data to severely lessen the impact of high consequence pathogens by minimizing the opportunity for close contact encounters.

WHEREAS, given its specific knowledge of Cherokee County and to further safeguard its residents and community via Social Distancing, Cherokee County Public Health has determined that an imminent hazard exists and has issued guidance recommending the temporary closure of businesses related to non-essential travel of non-resident individuals in Cherokee County to slow the spread of COVID-19.

NOW THEREFORE, pursuant to the authority vested in me as the Chairman of the Board of

Commissioners Cherokee County under Article 1A of Chapter 166A of the North Carolina General Statutes and the Emergency Management Ordinance for the County of Cherokee I hereby declare: Effective Friday, March 27th, 2020 at 4:30 PM., all Lodging Facilities for example, hotels, motels, resorts, inns, guest houses, bed and breakfasts, campgrounds, RV Parks, vacation cabins, home rentals and any and all rentals or leases by Air-BNB, Homeaway, VRBO and other rental programs or places where leases or use of any are for less than one month in duration, shall be closed in Cherokee County EXCEPT exemptions as hereinafter set forth.

- a. Work-Related Exemptions: This closure does not apply if a lease or extended overnight accommodation is due to work here in Cherokee County for business, medical, construction, emergency services or other related services. In this situation, the employee staying at the lodging facility should have their employer provide their work-related identification badge or a letter from the employer stating the purpose of the work to be performed in Cherokee County and the expected duration of the stay.
- b. Homeless Shelter: This closure does not apply to lodging facilities housing authorized individuals through the Hurlburt-Johnson Homeless Shelter in Cherokee County or as needed to house the homeless in an emergency related to the COVID-19 Response.
- c. Emergency Facility: This closure does not apply to a lodging facility if used as an emergency facility to assist with the COVID-19 Response.
- d. Persons already in place at such Lodging Facilities prior to the execution of this supplemental declaration may remain in place.

This Declaration is in addition to Executive Orders referenced above and should any provision hereof be declared invalid or unconstitutional by any court of any competent jurisdiction, such declaration shall not affect the validity of this Declaration that as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

We direct that copies of this Declaration be disseminated to the mass communications media for publication and broadcast and that a copy of this Declaration be posted at the Cherokee County Courthouse and other public buildings as appropriate.

Any person who violates any provision of the Declaration shall be guilty of a Class 2 misdemeanor in accordance with N.C.G.S. Sections 166A-19.3 and 14-288.20A

All of the terms and condition of that said Local State Emergency declared on March 23, 2020 remain in force and effect.

This Declaration of Local State of Emergency for Cherokee County shall begin upon its adoption and shall remain in effect until rescinded.

Adopted this the 27th day of March, 2020 at 4:00 PM.

Meeting adjourned at 4:15 PM.

THESE MINUTES WERE APPROVED AT A REGULAR MEETING OF THE CHEROKEE COUNTY BOARD OF COMMISSIONERS ON MAY 4, 2020.