

RESOLUTION 9-1-2020

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 Order 20200819 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 Order 20200902 has been reviewed and discussed internally and in consultation with the health department’s medical advisor, and 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 Geary County Public Health Order 20200902 is amended as follows, taking into account those factors necessary to protect the public health and safety of the County:

A. MASKS

- 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:
 - a. Employees who are working in any space where food is prepared or packaged for sale or distribution to others;
 - b. 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. BUSINESS RESTRICTIONS

Businesses and other locations that are open shall comply with the following additional restrictions. For purposes of this Order, 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” and industry-specific guidance from trade groups. 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 the following:
 - a. Consumption of food and beverages shall only take place at a table via seated or standing service.
 - b. Dance floors (including but not limited to temporary spaces obtained by removing tables or other objects for the purpose to allow people to dance) shall be closed.
4. All seated or non-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.

BE IT FURTHER RESOLVED that Public Health Order 20200902, which is to become effective at 12:01 a.m. on Friday, September 4, 2020, is amended to order that its duration shall be for 14 days or until September 18, 2020, and the Local Health Officer is instructed to bring this matter before the Board of County Commissioners as the local board of health on the 14th day of September, 2020, for further review and consultation.

These amendments to the proposed Health Order dated 20200902, become effective on Friday, September 4, 2020 at 12:02 a.m.; in all other respects the Health Order is approved, and attached hereto, but subject to the amendments made and approved by this Order of the Board of County Commissioners.

Signed this 1st day of September, 2020.

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



By *Keith Ascher*, Chairman
Keith Ascher

By *Charles Stimatze*, Member
Charles Stimatze

By *Brad Scholz*, Member
Brad Scholz

ATTEST:

Rebecca Bossemeyer Nordyke
Rebecca Bossemeyer Nordyke, County Clerk



Geary County Health Department

1212 West Ash Street
Junction City, Kansas 66441

Geary County Public Health Order 20200902

"COVID-19 ACCORDS"

To mitigate the spread of the Coronavirus (COVID-19) in Geary County, Kansas, and pursuant to the authority provided in K.S.A. 65-119, K.S.A. 65-129b, K.S.A. 65-202 and other applicable laws and regulations, this Order is issued. In my capacity as the Local Health Officer, I am authorized and required to immediately exercise and maintain supervision over known or suspected cases of any infectious or contagious disease and to issue orders seeing that all such cases are properly handled and that the provisions of the Kansas public health laws regarding isolation, quarantine, and disinfection are duly enforced.

As the Local Health Officer appointed by the Board of Health, I am duly authorized to prohibit public gatherings and take other measures necessary for the control of any and all infectious or contagious diseases.

In my capacity as the Geary County Local Health Officer, I have determined this Order is necessary to control the potential spread of coronavirus (COVID-19) within Geary County, Kansas, and to supplement all valid orders of the Governor regarding.

IT IS THEREFORE ORDERED the following actions shall be taken immediately, and Order 20200902 supersedes my Orders previously issued, with the exception of any continued prohibitions or restrictions ordered herein, and this Order supplements all valid orders of the Governor.

With full community cooperation, this proactive public health Order may minimize the impact of COVID-19 on our Geary County community.

Section One: Definitions

1. For the purposes of the Order, "*Mask or other face-covering*" means a covering of the nose and mouth 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 a variety of 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 can be 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 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 100 people and occurs less than 12 times a year.

5. For the purpose of this Order, the phrase "*Close Contact*" is defined as a person who is within six (6) feet for greater than ten (10) minutes of an individual who tested positive for COVID-19; or
 - a. A person who has had 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. Each 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 any of the following situations:
 - a. Inside any indoor or outdoor public space where 6-foot distancing at all times is not possible (not including people who reside together.)
 - b. In line and waiting to enter an indoor public space
 - c. 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;
 - d. Waiting for or riding on public transportation or while in a taxi, private car service, or ride-sharing vehicle.
 - 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:
 - a. Employees who are working in any space where food is prepared or packaged for sale or distribution to others;
 - b. Customers, members, visitors, or member of the public are in a facility managed by the business or organization; or
 - c. 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 1 and 2:
 - a. Children age two years and under in particular should not wear a face-covering because of the risk of suffocation;

- b. 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;
 - c. 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;
 - d. 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;
 - e. 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;
 - f. Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are 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;
 - g. 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;
 - h. 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;
 - i. Persons engaged in a court-related proceeding held or managed by the Kansas Judiciary;
 - j. Persons engaged in any lawful activity during which wearing a mask or other face-covering is prohibited by law; and
 - k. 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.
 - a. More than one hundred (100) 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. BUSINESS RESTRICTIONS

Businesses and other locations that are open shall comply with the following additional restrictions. For purposes of this Order, 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" and industry-specific guidance from trade groups. 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. All bars and all dine-in service shall end at 12:00 a.m., and customers shall clear the premises in such bars and restaurants by 12:30 a.m.
3. Drive-through, delivery, and curbside service at bars and restaurants may continue as allowed.
4. All restaurants and bars are limited to seated areas only. This includes patios.
 - a. Service or consumption of food or drinks at a counter/bar or in standing-only areas is prohibited.
 - b. Consumption of food and beverages shall only take place at a table via seated service.
 - c. Dance floors (including but not limited to temporary spaces obtained by removing tables or other objects for the purpose to allow people to dance) shall be closed.
5. 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.

D. 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 start of the event.
 - a. 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

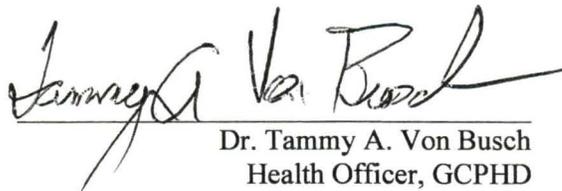
SUBJECT: Geary County Public Health Order 20200902

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.

Section Four

This Order is effective at 12:01 a.m. on Wednesday, September 2, 2020, and shall remain in effect for 14 days, or until amended, superseded, or rescinded by the Geary County Local Health Officer or the Board of Geary County Commissioners, sitting as the Board of Health

SO ORDERED, 1st day of September 2020.



Dr. Tammy A. Von Busch
Health Officer, GCPHD