

BEDFORD COUNTY TENNESSEE

CHAD D. GRAHAM — COUNTY MAYOR

PROCLAMATION BY THE MAYOR DECLARING A STATE OF EMERGENCY
WITHIN BEDFORD COUNTY TENNESSEE,
CONCERNING THE NOVEL CORONAVIRUS DISEASE (COVID-19) OUTBREAK

Executive Order No. 2020-01
March 20, 2020

WHEREAS, in December, 2019, a novel (new) coronavirus known as SARS-CoV-2 (the “virus”) was first detected in Wuhan, Hubei Province, the People’s Republic of China, causing outbreaks of the Coronavirus Disease 2019 (“COVID-19”) that has now spread globally; and

WHEREAS, the COVID-19 disease is a respiratory disease that can result in mild or severe symptoms, including fever, cough, and shortness of breath, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

WHEREAS, the Centers for Disease Control and Prevention (the “CDC”) has recommended that all states and territories implement aggressive measures to slow and contain the transmission of the virus within the United States; and

WHEREAS, on January 16, 2020, the Tennessee Department of Health activated the State Health Operations Center (“SHOC”); and

WHEREAS, on January 21, 2020, the Tennessee Department of Health, following CDC guidance, designated COVID-19 disease as a reportable disease in Tennessee; and

WHEREAS, on January 31, 2020, the Secretary of the Department of Health and Human Services for the United States of America, Alex M. Azar, II, did declare that a public health emergency exists in the United States due to the spread of the virus; and

WHEREAS, on March 4, 2020, Tennessee Governor Bill Lee did announce the State’s first confirmed case of COVID-19 disease in a patient in Williamson County; and

WHEREAS, on March 4, 2020, Governor Lee did announce the formation of a Coronavirus Task Force to enhance Tennessee’s coordinated efforts to prevent, identify, and treat potential cases of COVID-19 disease; and

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WHEREAS, on March 10, 2020, the Bedford County Emergency Management Agency did organize and convene the Bedford County Coronavirus Task Force; and

WHEREAS, on March 11, 2020, the World Health Organization announced that the COVID-19 disease outbreak could be characterized as a pandemic; and

WHEREAS, on March 12, 2020, Governor Lee did issue Executive Order No. 14 “An Order Suspending Provisions of Certain Statutes and Rules in Order to Facilitate the Treatment and Containment of COVID-19” declaring a state of emergency within the State of Tennessee; and

WHEREAS, on March 13, 2020, the President of the United States of America, Donald J. Trump, did issue the “Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak” which found that a COVID-19 outbreak in the United States constituted a national emergency;

WHEREAS, on March 13, 2020, the Supreme Court of the State of Tennessee did issue “Order Suspending In-Person Court Proceedings,” Order No. ADM-2020-00428, In re: Covid-19 Pandemic, declaring a state of emergency for the Judicial Branch of Tennessee government and activating a Continuity of Operations Plan for the courts of Tennessee, including that of the County of Shelbyville Municipal Court; and

WHEREAS, on March 16, 2020, the Bedford County Department of Education did announce the closure of all schools and the cancellation of all school activities as of March 17, 2020, through March 31, 2020, upon the request of Tennessee Governor Bill Lee as a proactive measure to slow the spread of the COVID-19 disease; and

WHEREAS, on March 16, 2020, President Trump did issue a strict set of Coronavirus Guidelines to be followed for the next 15 days to help slow the spread of the COVID-19 disease; and

WHEREAS, as of March 19, 2020, according to the Tennessee Department of Health there are 155 confirmed or presumptively confirmed positive cases of COVID-19 disease in Tennessee; and

WHEREAS, while there are no confirmed cases of COVID-19 disease in Bedford County at this time, it is advisable and prudent to be proactive in adopting local measures to prevent the spread of the virus, and to aid in its containment should it spread to Bedford County; and

WHEREAS, safeguarding the life and property of its citizens is an innate responsibility of Bedford County, the Mayor, the Bedford County Board of Commissioners, its officers and employees; and

WHEREAS, empirical medical evidence and export reports strongly indicate and advise that the spread of the virus and the development of its resultant COVID-19 disease is effectively slowed by frequent handwashing, social distancing, self-isolation or quarantine, and the reduction of public interactions and gatherings of groups of people; and

WHEREAS, the spread of the virus is a condition of danger to the health, welfare, safety, and economic wellbeing of the citizens of Bedford County and may result in an interruption of county services to the public; and

WHEREAS, further extraordinary measures may be required to protect the property and the health, safety, and welfare of the citizens of Bedford County; and

WHEREAS, Bedford County desires and intends to continue to provide county services of the highest quality to its citizens, residents, and visitors while effectively managing the challenges presented by the COVID-19 pandemic through a reasoned, proactive, and flexible response to slow the spread of the virus and lessen its impact on the public health, safety, and welfare, and on local economic activity; and

WHEREAS, State law bestows police powers upon Bedford County and authorizes the County to act and to regulate in the interests of public health and welfare; and

WHEREAS, *Tennessee Code Annotated* ("TCA") § 58-2-101(7) defines "Emergency" to mean "an occurrence, or threat thereof, whether natural, technological, or manmade, in war or in peace, that results or may result in substantial injury or harm to the population, or substantial damage to or loss of property; provided, that natural threats may include disease outbreaks and epidemics"; and

WHEREAS, TCA § 58-8-102(5) defines "Emergency" to mean "an occurrence or threat of an occurrence, whether natural or man-made, that results in or may result in substantial injury or harm to the population or substantial damage to or loss of property and which results in a declaration of a state of emergency by a municipal mayor, a county mayor or executive, the governor, or the president"; and

WHEREAS, pursuant to TCA § 58-8-104, the State of Tennessee has provided for the declaration of a local state of emergency by the mayor of a county by executive order consistent with and governed by TCA § 58-2-110(3)(A)(v), which grants a county the authority to waive the procedures and formalities otherwise required of the political subdivision by law pertaining to certain requirements; and

WHEREAS, the undersigned Chad Graham is the duly elected Mayor of Bedford County, Tennessee; and

WHEREAS, the Mayor has made such observations and investigations necessary, including consultations with the Bedford County Emergency Management Agency, the Bedford County Health Department, and local municipalities, to determine in his judgment that a state of emergency exists as defined above pursuant to State law within the jurisdiction of Bedford County that has resulted or may result in substantial injury or harm to the population, or substantial damage to or loss of property; and

WHEREAS, it is necessary and appropriate for the Mayor to exercise his authority granted by State law to minimize the immediate and significant danger to the health, safety and welfare of the citizens, residents, visitors, and employees of Bedford County.

NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY THE MAYOR OF BEDFORD COUNTY, TENNESSEE, BY VIRTUE OF THE POWERS AND AUTHORITIES VESTED IN HIM, AS FOLLOWS:

Section 1. A State of Emergency is declared within Bedford County.

Section 2. This Proclamation shall be promptly communicated to all members of the Board of Commissioners of Bedford County, all County Constitutional Offices and Department Directors, the Mayor of the City of Shelbyville, the Mayor of the Town of Bell Buckle, the Mayor of the Town of Normandy, and the Mayor of the Town of Wartrace, and shall be distributed to local media outlets.

Section 3. This Proclamation shall be promptly filed with the Bedford County Clerk, Donna Thomas.

Section 4. In accordance with TCA § 58-2-110 the State of Emergency is valid and effective as of Friday, March 20, 2020, until rescinded, but shall be limited to a period of seven days from this date, and may be incrementally extended for additional seven-day periods as deemed necessary.

Section 5. All orders and directives included in this Proclamation shall continue through the duration of the State of Emergency, or any extension thereof, until rescinded or amended by executive order unless otherwise stated.

Section 6. The Bedford County Emergency Management Plan is placed into effect to coordinate and facilitate effective local responses.

Section 7. All members of the public are strongly encouraged to follow the guidance of and comply with the directives issued by the Federal government, the CDC, and the departments of health for the State of Tennessee and Bedford County.

Section 8. All members of the public are strongly encouraged to remain calm, to resist panic purchasing, to consider their neighbors who have need, and to look after and help those most at risk to this pandemic, including the elderly and those with underlying chronic health conditions and suppressed immune systems.

Section 9. All members of the public are strongly encouraged to monitor the County's website and social media accounts for information related to on-going pandemic responses and municipal service updates.

Section 10. All County Constitutional Officers and Department Directors are directed to be proactive and are authorized to take any lawful action pertaining to their departments as they may deem necessary to effectuate the provisions of this Proclamation in furtherance of the purpose of preventing the spread of the COVID-19 disease, or aiding in its suppression, or in the treatment of County residents, visitors, and employees, while continuing to provide and maintain county governmental services.

Section 11. The public's physical access to the properties and facilities of Bedford County may be limited. All County Offices and Departments, to the maximum extent possible, shall limit person-to-person public access, and instead shall use drive-through window service and electronic, telephonic,

and mail methods of communication whenever possible. Department Directors are authorized to develop and implement policies and procedures to carry out any necessary measures to protect the public and County employees during this pandemic while allowing person-to-person public access as may be absolutely necessary for the conduct of County business and as may be required by law. Members of the public are strongly encouraged to call ahead to the respective department if they are not certain how to access services or assistance.

Section 12. County employees whose job functions and duties can be adequately performed from home as determined and authorized by their Department Directors and the Mayor, may work from home. Department Directors shall take steps to ensure this requirement is not abused and that healthy workers perform their job functions and duties while working from home.

Section 13. Pursuant to TCA § 58-2-110(3)(A), Bedford County will:

- (a) As necessary, appropriate and expend funds; make contracts; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victims of any emergency; and direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the Federal, State, and County emergency management agencies;
- (b) As necessary, appoint, employ, remove, or provide, with or without compensation, coordinators, rescue teams, fire and police personnel, and other emergency management workers;
- (c) As necessary, establish a primary and one (1) or more secondary emergency operating centers to provide continuity of government and direction and control of emergency operations;
- (d) As necessary, assign and make available for duty the offices and agencies of Bedford County, including the employees, property, or equipment relating to health, medical and related services, police, transportation, and similar items or services for emergency operation purposes, as the primary emergency management forces of Bedford County for employment within or outside the area of Bedford County;
- (e) Request State assistance or, as needed, invoke emergency-related mutual-aid assistance in the event of an emergency affecting another political subdivision.

Section 14. Bedford County, to the extent necessary to protect the health of its citizens, invokes its authority under TCA § 58-2-11-(3) to waive the procedures and formalities otherwise required of the County by law pertaining to:

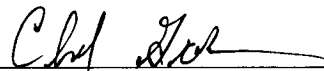
- (a) Performance of public services and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the County and its citizens;
- (b) Entering into contracts;
- (c) Incurring of obligations;
- (d) Employment of temporary workers;
- (e) Utilization of volunteer workers;

- (f) Rental of equipment;
- (g) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities;
- (h) Appropriation and expenditure of public funds; and
- (i) Consider certain commercial vehicles engaged in the distribution of electric power, the supply of fuel, or telecommunications services to residences and businesses to be participating in an emergency relief effort for the purpose of the federal hours-of-service regulations promulgated by the federal motor carrier safety administration.


Section 15. Bedford County Finance Director is directed to monitor the expenditures of funds by Bedford County related to the State of Emergency, prepare requests as appropriate for financial assistance and reimbursement of such expenditures by Federal and State governments, and conduct a review of such expenditures following the conclusion of the State of Emergency.

Issued this the 20 day of March, 2020.

BEDFORD COUNTY MAYOR


Chad Graham

Date filed in the Office of the Bedford County Clerk: 3/20/2020


Donna Thomas
Bedford County Clerk