

**RESOLUTION NO. 03D-2020**

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF RAWLINS, CARBON COUNTY, WYOMING, ADOPTING AND SUPPORTING THE STATEWIDE PUBLIC HEALTH ORDER CLOSING BARS, RESTAURANTS, FOOD COURTS, THEATERS, GYMNASIUMS, CHILD CARE FACILITIES, K-12 SCHOOLS, COLLEGES, UNIVERSITIES, AND TRADE SCHOOLS STATEWIDE AND ADOPTING EMERGENCY CHANGES TO THE CITY OF RAWLINS' PERSONNEL POLICY TO APPROPRIATELY RESPOND TO THE NEEDS OF OUR EMPLOYEES AS A RESULT OF COVID-19 CLOSURES AND CONTINUING THE PUBLIC CLOSURE OF ALL CITY OF RAWLINS' BUILDINGS AND STRUCTURES WHILE CONTINUING TO MEET THE CURRENT DEMANDS FOR ESSENTIAL SERVICES WITHIN THE CITY OF RAWLINS INCLUDING ADOPTION OF THE RAWLINS POLICE DEPARTMENT RESPONSE PROTOCOLS.**

**WHEREAS**, in an effort to stop the spread of the Coronavirus (COVID-19), the Wyoming Department of Health finds it necessary to protect the health of the public by implementing emergency measures to close all restaurants, bars, theaters, gymnasiums, child care facilities, K-12 schools, colleges, universities, and trade schools, in the State of Wyoming, with certain exceptions. The order was effective immediately on March 19, 2020, and shall remain in effect until April 3, 2020; and

**WHEREAS**, Wyoming State Statute §35-1-240 (a) the department of health, through the state health officer, or under their direction and supervision, through the other employees of the department, shall have, and exercise the following powers and duties: (i) to exercise in Wyoming, all the rights and powers and perform all duties hereunder; (ii) to investigate and control the causes of epidemic, endemic, communicable occupational and other diseases and afflictions, and physical disabilities resulting therefrom, affecting the public health; (iii) to establish, maintain and enforce isolation and quarantine, and in pursuance thereof, and for such purpose only, to exercise such physical control over property and over the persons of the people within the state as the state health officer may find necessary for the protection of the public health; (iv) to close theaters, schools and other public places, and to forbid gatherings of people when necessary to protect the public health; (v) to abate nuisances when necessary for the protection of the public health; (vi) to enforce such sanitary standards for the protection of the public health; (x) to make, approve and require standard diagnostic test and to prepare, distribute and require the completion of forms of certificates with respect thereto; (xvii) to disseminate public health information; (xxi) during a health emergency defined by Wyoming State Statute §35-4-115(a)(i), the state health officer may prescribe pharmaceutical or therapeutic interventions en masse as necessary to protect the public health; and

**WHEREAS**, the Wyoming Department of Health has made the following findings:

1. COVID-19 was first detected in Wuhan, China in 2019, and since then has spread to over 30 countries including the United States. There are currently nineteen (19) confirmed cases of COVID-19 in Wyoming as of March 20, 2020, as well as the presence of community spread, it is expected that more cases will be diagnosed.

2. COVID-19 is a respiratory illness, transmitted through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic two to fourteen days after exposure. The symptoms of COVID-19 can result in severe disease including

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hospitalization, admission to an intensive care unit, and death, especially among older adults and persons with serious underlying health conditions.

3. The World Health Organization declared COVID-19 a worldwide pandemic as of March 11, 2020.

4. On March 13, 2020, the President of the United States declared a national emergency concerning the Coronavirus, specifically stating that, in "December 2019 a novel (new) Coronavirus known as SARS-Co V-2 ("the virus") was first detected in Wuhan, Hubei Province, People's Republic of China, causing outbreaks of the Coronavirus disease (COVID-19) that has now spread globally [. . .] The spread of COVID-19 within our nation's communities threatens to strain our nation's healthcare systems. [. . .] Additional measures [. . .] are needed to successfully contain and combat the virus in the United States."

5. On March 13, 2020, Wyoming Governor Mark Gordon declared a State of Emergency and Public Health Emergency in the State of Wyoming, stating that on March 11, 2020, an individual within the State of Wyoming tested presumptive positive for COVID-19 and the State of Wyoming is experiencing a public health emergency in response to the evolving COVID-19 outbreak.

6. Governor Gordon's Declaration of a State of Emergency and Public Health Emergency directs the Wyoming Department of Health to take all appropriate and necessary actions, and that in the judgment of the Director of the Wyoming Department of Health, any actions necessary should be taken to provide aid to those locations where there is a threat or danger to public health, safety and welfare.

7. The guidelines issued from the White House on March 16, 2020, specify that with evidence of community transmission within a state, bars, restaurants, food courts, gymnasiums, and other indoor and outdoor venues where groups of people congregate should be closed.

8. A significant number of Wyoming citizens are at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, people with mild symptoms, and *even asymptomatic persons with COVID-19, place other venerable members of the public at significant risk.*

9. Counties in Wyoming have requested orders of this kind following the White House guidelines, and the best manner of protecting the health of the citizens of Wyoming is through a consistent order spanning the entire state.

10. A large number of persons with serious infections has the ability to compromise the ability of healthcare systems in Wyoming to deliver the necessary healthcare to the public.

11. Wyoming State Statute §35-1-240(a)(i) and (iv) provides all the rights and powers for the Wyoming Department of Health, through the state Health Officer, Dr. Alexia Harrist, M.D., PhD, or under her directive through other employees of the Wyoming Department of Health, to close bars, restaurants,

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food courts, theaters, gymnasiums, child care facilities, K-12 schools, colleges, universities and other public places and forbid public gatherings when necessary to protect the public health.

12. In addition to the above findings, stopping the spread of COVID-19 includes washing hands often, practicing social distancing by avoiding close contact with others, staying at least six (6) feet away from someone who is ill or showing signs of illness, avoiding touching your face, eyes, nose and mouth, and covering your cough or sneeze into your elbow or by using a tissue; and

**WHEREAS**, the Wyoming Department of Health has issued the following Orders:

1. The following places of public accommodation are ordered closed to ingress, egress, use and occupancy by members of the public:
  - a. Restaurants, food courts, cafes, coffeehouses, and other similar places of public accommodation offering food or beverage of on-premises consumption;
  - b. Bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption;
  - c. Cigar bars;
  - d. Gymnasiums; and
  - e. Movie and performance theaters, opera houses, concert halls, and music halls.
2. The following conditions apply to places of public accommodation subject to this order:
  - a. Places of public accommodation are encouraged to offer food and beverage using delivery service, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. Online and telephonic credit card transactions are strongly encouraged (e.g. Venmo, square cash, Google pay, Apple Pay and similar payment apps).
  - b. Staff who handle cash or credit cards may not be involved in the preparation, handling, or delivery of food.
  - c. In offering food or beverage, a place of public accommodation may permit up to five (5) members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as those individuals are at least six (6) feet apart from one another while on premises.
  - d. For hotel restaurants, food items may only be delivered as room service or as described above.
  - e. Management shall ensure, on a daily basis that no employee who presents symptoms of illness will be permitted to work.
3. For clarity, this Order does not apply to any of the following:

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- a. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, retail stores that offer food, convenience stores, pharmacies, drug stores, and food pantries;
  - b. Room service in hotels;
  - c. Health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities;
  - d. Crisis shelters or similar institutions;
  - e. Airport concessionaires; and
  - f. Any emergency facilities necessary for the response to the events surrounding the public health emergency and state of emergency caused by COVID-19.
4. All child care centers and home daycares are ordered closed, subject to the following:
- a. Child care centers or home daycares that provide care of children of essential personnel may continue to operate to provide child care for children of essential personnel. A list of essential personnel who may be served by childcare facilities includes:
    - i. Staff and providers of childcare and education services, including custodial and kitchen staff and other support staff, who do not do their work remotely;
    - ii. Providers of healthcare including but not limited to, employees of clinics, hospitals, nursing homes, long-term care and post-acute care facilities, respite houses, designated agencies, emergency medical services, as well as necessary custodial, kitchen, administrative and other support staff;
    - iii. Criminal justice personnel including those in law enforcement, courts, and correctional services;
    - iv. Public health employees;
    - v. Firefighters, Wyoming National Guard personnel called to duty for responding to COVID-19, and other first responders;
    - vi. State employees determined to be essential for response to COVID-19 crisis;
    - vii. Active duty military staff;
    - viii. Pharmacy staff;
    - ix. Foster families with children through grade 8;
    - x. 2-1-1 and 9-1-1 call center staff; critical infrastructure and utility workers, including electrical, plumbing, telecommunications, water and wastewater operators, workers and staff;
    - xi. State, municipal and commercial public works and sanitation crews;
    - xii. Grocery and food supply workers;
    - xiii. Supply chain, postal, and delivery drivers and warehouse workers;
    - xiv. Manufacturers of medical devices, equipment, testing equipment, and supplies; and
    - xv. Fuel distribution workers.

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- b. In circumstances where a child care center or home daycare remains open, the center or home is required to have fewer than ten (10) people in a room or together at any time, including meals or recreation.
  - c. Further, a child care center or home daycare that remains open is required to follow all health guidelines from the CDC and Wyoming Department of Health for limiting the risk of transmission of COVID-19, to the extent possible when caring for children.
  - d. As childcare is critical part of the infrastructure of Wyoming, allowing essential systems to function, in the event a county health officer wants to close a childcare facility under the direction and supervision of the State Health Officer, the County Health Officer shall work with local childcare providers to make available limited childcare services for essential personnel as described above.
5. All K-12 schools shall dismiss students until no sooner than April 3, 2020, to the extent any school in Wyoming has not already done so. Administrative staff and teachers may continue to work in school buildings to facilitate distance learning or to complete administrative tasks. Food may still be prepared to be made available to those in need, as directed by school superintendents. Classes may still be offered online at the discretion of the school
6. All colleges, universities, and trade schools shall not hold in person classes no sooner than April 3, 2020. Administrative staff and teachers may continue to work in facility buildings to facilitate distance learning or to complete administrative tasks. Food may still be prepared to be made available to those in need. Classes may still be offered online at the discretion of the college, university or trade school.
7. This Order supersedes all previous individual county orders authorized by the Wyoming State Health Officer under Wyoming State Statute §35-1-240(a)(iv). To the extent the county order is more restrictive, the more restrictive provisions still apply.
8. Exceptions to the public accommodation sections above (paragraphs 1-3) may be granted, at the discretion of the County Health Officer, under the direction and supervision of the State Health Officer, if the business can demonstrate, in writing to the County Health Officer that they will limit customers within the business to no more than ten (10) at any given time, that at least six (6) feet of space will be maintained between customers at all times, and that effective cleaning will be performed between customers.
9. The State Health Officer, has deemed this order necessary to protect the public health and will reassess the necessity of this order as appropriate to do so and according to accepted epidemiological and medical standards. Any person or legal entity that violates this Order shall be subject to criminal prosecution; and

**WHEREAS**, during this unprecedented time, the City of Rawlins Governing Body and Interim City Manager desire to be leaders in this historic response to help reduce the exposure of its' citizens to COVID-19 by practicing the orders hereinabove announced through limiting in person contact through the

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proper utilization of the authority for remote access meetings pursuant to Rawlins Municipal Code Section 2.04.020 and hereby eliminating the physical quorum requirements for each meeting of the Rawlins City Council; and

**WHEREAS**, during this unprecedented time, the City of Rawlins Governing Body and Interim City Manager will continue in their proactive efforts to limit public exposure, shall continue the order closing all City of Rawlins' buildings and structures to the public with the caveat that the public may at any time call the requested city department for assistance and seek an appointment for all matters which cannot be addressed by phone, all public appointments shall be strictly limited to ten (10) or less individuals including staff and the public in the same room, with all individuals suffering from any type of symptom and/or recently traveled outside Carbon County/Wyoming being asked to remain home and subject to screening procedures by the Rawlins Fire Department's Emergency Technicians; **MOREOVER, if you are experiencing an emergency, please do not hesitate to call 9-1-1;** and

**WHEREAS**, during this unprecedented time, the City of Rawlins Governing Body and Interim City Manager intend to honor the Wyoming Public Meetings Act as codified in Wyoming State Statutes §§16-4-401 through 16-4-408 balancing the intent to conduct public business while attempting to reduce the potential of exposure community wide by continuing its efforts to broadcast its' meetings on Facebook Live while pursuant to Wyoming State Statute §16-4-403 (d) will ensure that the public has the ability to hear, read or otherwise discern the meeting discussion contemporaneously and may pose questions of public concern to the Governing Body via the City of Rawlins Facebook live feed, however, these actions are intended only during this unprecedented time and all time restrictions shall remain in full force and effect; and

**WHEREAS**, during this unprecedented time the City of Rawlins Governing Body and Interim City Manager are supportive of amending the Rawlins Employee Personnel Policy to ensure our employees are afforded the ability to remain home as effected as stated: for employees who may be unable to attend work in order to stay home for school-age children due to the COVID-19 due to school closures, employees are permitted to utilize compensation and vacation time; use of accrued sick leave shall be taken pursuant to the Rawlins Employee Personnel Policy Section 4.2(B) (1) (2) and (3) with medical verification required from a medical care provider that the employee has been released to return to duty; all probationary

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employees on a probationary status are hereby granted leave to use their accrued sick and/or vacation time if the absence is related to COVID-19; during the national emergency of COVID-19 employees may be allowed to request an extension of vacation and/or sick leave hours with all accrued compensation time, sick and vacation leave shall be exhausted before the extension will be granted, however, once the emergency has been lifted and your leave hours are in the negative, you shall be required to bring those hours back to a positive balance prior to the use of additional hours; if there is a formal separation between the city and the employee those negative hours shall be reduced from their final check; and

**WHEREAS**, the Rawlins Police Department in their efforts to answer the call for law enforcement services in our community while trying to limit and/or reduce the potential exposure of COVID-19 to our officers are instituting the following dispatch and officer response protocols: The Rawlins Police Department has taken steps to insure the health and safety of our employees as well as the citizens of Rawlins during the pandemic coronavirus crisis. The following are the steps the Rawlins Police Department will take to insure our safety to the public and personnel. All patrol officers will be medically cleared for duty at the beginning of their shifts through an evaluation by medical personnel at Memorial Hospital of Carbon County. Once they are medically cleared, they are given a wrist band which notifies other emergency personnel they have been medically cleared for duty. This medical clearance is effective for up to twenty-four (24) hours, unless they begin to experience symptoms. If an officers is sick, they are to stay home until they are medically released by a medical doctor to return to duty. The following information are the protocols the police department will take when they receive a call for service through their dispatch center: When a dispatcher receives a call that is non-emergent in nature the dispatcher will ask if the reporting party can be assisted via a telephone response rather than an in-person response. If they indicate a favorable response, an officer will initiate a return call to them and determine if they need to follow-up in person. On all non-emergent calls that they request officer in-person contact, please ask them if they would be willing to meet the officer outside of the building or structure. When an emergent call is received please ask the questions if you can safely and without causing a delay in response or getting information to the officers. If the answer is no, dispatch will ask the caller the following questions.

1. Do you have a fever, cough or shortness of breath?
2. Have you traveled outside of Wyoming/Carbon County in the last fourteen (14) days?
3. Have you had any contact with someone who has traveled recently or has been diagnosed with the flu?

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If the answer to any of these questions is "yes" dispatch will notify all responding officers to ensure they are taking proper cautions for each given call for service to ensure they will use their PPE upon entry. If the answer is no dispatch the call using the normal call procedure.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF RAWLINS, CARBON COUNTY, WYOMING** by this resolution adopts and supports the statewide public health order closing bars, restaurants, food courts, theaters, gymnasiums, child care facilities, k-12 schools, colleges, universities, and trade schools statewide and adopting emergency changes to the City of Rawlins' personnel policy to appropriately respond to the needs of our employees as a result of COVID-19 closures and continuing the public closure of all city of Rawlins buildings and structures while continuing to meet the current demands for essential services within the City of Rawlins including adoption of the Rawlins Police Department Response Protocols through April 3, 2020, unless additional Orders are issued which extend the need for these or alternative exposure reduction measures, in which case this resolution shall continue with no additional action required by the Governing Body of the City of Rawlins, Carbon County, Wyoming so long as they are in conformance with a properly issued order of the State of Wyoming, with requisite authority and jurisdiction vested therewith.

**PASSED, APPROVED AND ADOPTED** this 20<sup>th</sup> day of March, 2020.

CITY OF RAWLINS, a Wyoming  
Municipal Corporation.

  
Steve Nicholson, Mayor

ATTEST:

  
Marla K. Brown, City Clerk