



Board of County Commissioners

Thursday, July 02, 2020

6:00 PM

205 W. Central Ave. 4th Floor

El Dorado, KS 67042

Agenda

A. CALL to ORDER

B. INVOCATION and PLEDGE

C. ITEMS of BUSINESS

C.1. Repeal of Governor's Executive Order on Mandatory Masking

D. ADJOURNMENT - *Butler County offices will be closed Friday, July 3rd, in observance of Independence Day. The offices will reopen Monday, July 6th.*

Have a good and safe Independence Day!

Board of County Commissioners Agenda Item Report

Agenda Item No. 1

Submitted by: Anna Wealand

Submitting Department: Administration

Meeting Date: July 2, 2020

SUBJECT

Repeal of Governor's Executive Order on Mandatory Masking

RECOMMENDATION

Consider approval of an order repealing the Governor's Executive Order mandating the wearing of masks by all individuals statewide.

ATTACHMENTS

BACKGROUND

The Kansas Governor announced Monday, June 29th, that she would be implementing an Executive Order requiring all individuals to wear a face mask in public when maintaining a six foot "social distance" is not possible between individuals. The Governor stated information about the order, including the text of the order itself, would not be available until 4 PM on Thursday, July 2nd.

The State Legislature passed HB 2016 during the special session of the Legislature in 2020. This bill allows for County Commissioners of and County to issue an order of the County relating to public health that are less stringent the the provisions of a statewide executive order.

At the Board of County Commission meeting on June 30th the County Commission directed staff to develop an order to repeal the executive order of the Governor to be presented at special meeting of the Board on July 2, 2020 at 6:00 PM.

ANALYSIS

HB 2016 allows for the Board of County Commissions to adopt orders that are less stringent than any executive orders of the Governor related to Public Health. The Board is required to make the following findings and include them in the order:

1. The board has consulted with the local health officer or other local health officials regarding the governor's executive order.
2. Following such consultation, implementation of the full scope of the provisions in the governor's executive order are not necessary to protect the public's health and safety of the county; and
3. all other relevant findings to support the Board's decision.

Due to the unknown contents of the Order and the delay in issuing the order until late Thursday, County staff is currently drafting the order which won't be available for review until the meeting time on Thursday.

FINANCIAL CONSIDERATION

None

LEGAL CONSIDERATION

HB 2016 allows for the repeal of mandatory public health orders of the Governor by County Commissions.

COMMISSIONER SIGNATURE REQUIRED

Yes

INFORMATION TECHNOLOGY PURCHASE OR SERVICES REVIEW REQUIRED

No

RECOMMENDED ACTION

I Commissioner _____ move to approve/disapprove Resolution #20-__ an Order relating to public health that includes provisions less stringent than the provision set forth in Executive Order _____ effective statewide and issued by the Governor of Kansas.