

ORDER OF THE
GREENE COUNTY COMMISSION
SPRINGFIELD, MISSOURI

DATE ISSUED: May 7, 2020

SUBJECT: **Amendment of Stay at Home Order POL-20.4.30**

WHEREAS, on March 13, 2020 the President of the United States declared the COVID-19 outbreak a national emergency; and

WHEREAS, on March 16, 2020 the County Commission passed an Order POL-20.3.16, prohibiting public gatherings of 50 or more persons with certain exceptions, and the County Commission subsequently entered an order on March 17, 2020 declaring a public health emergency to address the 2019 novel coronavirus (COVID-19) limiting public events to no more than 10 people; and,

WHEREAS, COVID-19 is highly contagious, and is spread through close contact between persons and respiratory transmission and poses a serious health risk for Greene County residents and visitors; and

WHEREAS, after consultation with City, County and State officials it was the Judgment of the Greene County Commission on March 24, 2020 that there reasonably appeared to exist a state of civil emergency which required a response by the Greene County Commission to protect human life from the continued spread of COVID-19, including a directive that the citizens of the County stay-at-home to limit social contact and the spread of COVID-19; and

WHEREAS, pursuant to Section 192.300, RSMo. and CSR 20-20-050(3), the Greene County Commission is authorized to promulgate orders intended to enhance the public health and prevent the entrance of infectious, contagious, communicable, or dangerous diseases, such as COVID-19, into the County, including, among other things, a declaration that a state of emergency exists in Greene County, Missouri, and the exercise of all emergency powers now otherwise in conflict with any rules or regulations authorized by the Department of Health or the Department of Social Services under Chapter 198, RSMo.

WHEREAS, on April 3, 2020 the Director of the Missouri Department of Health and Senior Services ("DHSS") issued a statewide Stay at Home Order; and

WHEREAS, on April 6, 2020, the County Commission amended the prior Stay at Home Order to include provisions in the DHSS Order; and

WHEREAS, on April 21, 2020, it was the Judgment of the Greene County Commission to amend the prior State at Home Order to extend it to May 3, 2020 to be consistent with the DHSS Order; and

WHEREAS, on April 27, 2020, Governor Parson announced the first phase of the "Show-Me Strong Recovery" Plan, which will be effective May 4, 2020, and extend through May 31, 2020; and

WHEREAS, the first phase of the "Show-Me Strong Recovery" Plan allows citizens to begin to return economic and social activities if certain pre-cautions are taken; and

WHEREAS, the public health system now has the hospital resources, testing resources, and public health containment resources to begin the process of safely re-opening the local economy; and

WHEREAS, on April 30, 2020, after consultation with City, County, and State officials, it was the Judgment of the Greene County Commission that there continued to reasonably appear to exist a State of civil emergency but that it would be prudent to permit additional limited activities and the County Commission entered an Amendment to Stay at Home Order POL-20.4.21, which allowed citizens to begin to return to economic and social activities if certain precautions were taken, and which became effective on May 4, 2020 and extended for a period of twenty-one (21) days; and

WHEREAS, the most recent public health data supports amending Commission Order No. POL-20.4.30 to allow the return of additional economic and social activities provided certain precautions are taken.

NOW, THEREFORE, on motion duly made and seconded, the question was called and Commissioner Bengsch voted "YES", Commissioner Russell voted "YES", and Presiding Commissioner Dixon voted "YES", to amend its prior Order No.: POL-20.4.30 declaring a state of emergency in the unincorporated areas of Greene County to modify the Stay-at Home Order by repealing Exhibit "A" and adopting a new Exhibit "A", which is attached hereto and incorporated herein by this reference to permit additional limited activities while simultaneously maintaining policies to control the spread of COVID-19, to protect the safety and welfare of citizens of Greene County, Missouri. All other provisions of Order No. POL-20.4.30 remain in effect.

IT IS FURTHER ORDERED that this Order is hereby enacted effective 12:01 a.m, May 8, 2020 and shall continue for a period of twenty-one (21) days unless renewed or withdraw.


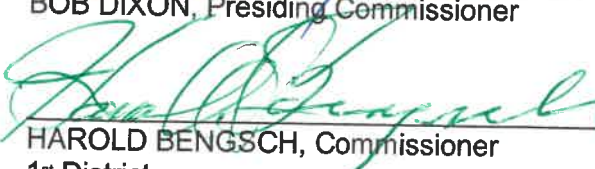

This Order shall not apply within the city limits of any city or municipality within Greene County, Missouri whose Mayor has issued a similar proclamation, resolution, or ordinance addressing the same emergency situation.

IT IS FURTHER ORDERED, a copy of this Order shall be filed in the office of the Greene County Clerk before 5:00 p.m. this date and copies of said order shall be printed and available for distribution to the public in the Office of the County Clerk.

ADOPTED BY THE GREENE COUNTY COMMISSION this 7th day of May 2020 at 4:05 o'clock 9.M.

{Signatures on the following page}

GREENE COUNTY, MISSOURI

 BOB DIXON, Presiding Commissioner	<u>yes</u>	<u>05/07/2020</u> Dated
 HAROLD BENGSCH, Commissioner 1 st District	<u>yes</u>	<u>4-17-2020</u> Dated
 JOHN C. RUSSELL, Commissioner 2 nd District	<u>YES</u>	<u>5/7/2020</u> Dated

ATTEST:

County Clerk Certification

I certify that I am the County Clerk of Greene County, Missouri; that the foregoing document is a true, complete, and correct Order adopted by the Greene County Commission, Missouri on May 7, 2020, as the same appears in the official records of the County, and the Order has not been modified, amended, or repealed, and is in full force and effect on the date hereof.

IN WITNESS WHEREOF, I have executed the Certificate and affixed the seal of the County of Greene, Missouri this ___ day of May 2020.

GREENE COUNTY CLERK:

SHANE SCHOELLER
Greene County Clerk

EXHIBIT A

CIVIL EMERGENCY ORDER

- I. Section One: Businesses and Other Operations May Continue or Resume Operations Subject to the Provisions of this Order
 - A. Subject to federal, state, and local laws, businesses and other operations in the County may continue or resume operations provided they comply with the provisions of this Order.
 - B. Centers for Disease Control (“CDC”) social distancing requirements.
 1. All businesses, government agencies, and places of worship shall carry out to the greatest degree possible CDC recommended social distancing and cleaning guidelines in all situations, including, but not limited to, when customers are standing in line or when individuals, including employees, are using shared indoor or outdoor spaces, except as otherwise provided in this Order.
 - C. Greene County recognizes that all men and women have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences; that any person shall have the right to pray individually or corporately, and that the County believes the restrictions in the Order are those essential to ensure the good order, peace or safety of the state and the rights of others. Mo. Const. Art 1, §5.
 1. Places of worship and other similar religious facilities of any faith may conduct religious or faith based services, gatherings and activities so long as they require their employees, parishioners and attendees to follow to the greatest degree possible the CDC recommended social distancing and cleaning guidelines during any indoor or outdoor services or gatherings.
 - a. Social distancing and cleaning guidelines include but not limited to:
 - Screen all staff before coming into the church for symptoms.
 - Require staff to stay home if they are sick or if they report with a symptom.
 - Leave time between the end of one in-person service, and the beginning of the next in-person service to allow for cleaning between services, in accordance with CDC cleaning and disinfection guidance.
 - Ensure physical distancing requirements of 6 feet are met at all times.

- Keep at least two empty seats between parties in any row except for members of the same household.
- Alternate rows between attendees.

For more information regarding community and faith based organizations:

<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/index.html>

2. Places of worship and other similar religious facilities of any faith ("religious facilities") may conduct, in accordance with CDC guidelines, "drive-in" services, at which participants gather in their vehicles and participate in the service together by remote means.

Due to the highly contagious nature of this disease, it is strongly urged to utilize drive-in services or virtual services.

D. Personal care services.

1. In addition to the social distancing requirements set out in Section I.B.1., all businesses providing personal care services shall require employees to wear a mask while providing services for which physical distancing is not possible and shall require customers, to the extent possible while receiving the service, to wear a mask or other facial cover.
2. Businesses providing personal care services shall limit the number of all persons, including but not limited to employees, vendors, and customers, in any particular business location at any one time to a maximum of:

The result of the total square feet of that part of the building devoted to the subject business divided by 30

- a. Times twenty-five (25) percent for a business location with square footage of less than ten thousand square feet (10,000 ft²);
- b. Times ten (10) percent for a business location with square footage of ten thousand square feet (10,000 ft²) or more.

E. All non-essential businesses as defined in this Order, except personal care services which shall comply with Section I.D.2. and except Enhanced Risk Activities which shall comply with Section I.F. and any business engaged in retail sales to the public, including an Essential Business, shall limit the number of customers in any particular business or retail location at any one time to a maximum of:

1. The result of the total square feet of that part of the building devoted to the subject business divided by 30

- a. Times twenty-five (25) percent for a business or retail location with square footage of less than ten thousand square feet (10,000 ft²);

Times ten (10) percent for a business or retail location with square footage of ten thousand square feet (10,000 ft²) or more.

F. Enhanced Risk Activities

1. An Enhanced Risk Activity is any business or non-business activity that enhances the risk of the spread of a communicable disease by bringing groups of people together to share the same space, indoors or outdoors, in close physical proximity for a period of time. Examples of said activities include but are not limited to:

- a. Swimming Pools prior to 12:01 am on May 23, 2020;
- b. Bars, nightclubs, and brewery taprooms;
- c. Entertainment, movies, concerts and other live performances, dancing, arcades, gaming, bowling, billiards and pool, exhibitions, museums, fitness centers, and non-contact practices for contact sports, provided that contact sports are prohibited;
- d. Conferences and seminars.

G. Notwithstanding any other provision in this Order, an Essential Business or Non-essential Business may provide an Enhanced Risk Activity, at any one time for a particular facility, to the lesser of

- A maximum of twenty-five (25) total customers and/or patrons, or
- The number of total customers and/or patrons for whom social distancing may be strictly observed given the available space for the activity at the facility.

No counter seating shall be used, and no physical contact shall be allowed during the enhanced Risk Activity. Customers and/or patrons may be divided among different spaces at the facility, including indoor and outdoor spaces, provided that, despite such division, the maximum number of customers and/or patrons provided an Enhanced Risk Activity at any one time at the facility may not exceed a total of twenty-five (25) or the number for whom social distancing may be strictly observed, whichever is less.. Examples include but are not limited to:

Mass gatherings. A mass gathering is any private or public gathering for secular or non-secular purposes of 25 or more individuals in a location where physical interaction is possible, whether spontaneous or scheduled.

All restricted gatherings continue to include non-faith based activities and gatherings, including all school graduations, weddings, wakes, funerals, and related receptions and are otherwise not exempted from this Order. Religions and faith based services and gatherings are excluded pursuant to Section 1.302 RSMo. and 1.C.1 hereof.

II. Section Two: Definitions and Exemptions

A. Definitions. For purposes of this Order, the following terms will have the meaning ascribed to them:

1. "Personal care services" include, but are not limited to, barbers, hairdressers, manicurists, estheticians, piercing technicians, tattoo artists, and massage therapists.
2. "Non-essential Business" means any for-profit, non-profit, or educational entity, regardless of its corporate or entity structure, that does not qualify as an "Essential Business" as defined in this Order.
3. "Essential Business" means any for-profit, non-profit, or educational entity, regardless of its corporate or entity structure, to the extent that a substantial element of its daily operations is included in the following activities:
 - a. Construction, including critical home and building repairs;
 - b. Healthcare and public health services and supply manufacturing and distribution, including mental health and home health services, blood and plasma donation and related activities, and pharmacies but not including gyms and fitness centers. This should be construed broadly to avoid any impacts to the delivery of healthcare;
 - c. Veterinary care and other healthcare services for animals, including boarding;
 - d. Food, shelter, and social services and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing at shelters;
 - e. Mortuary services, including funeral homes, crematoriums, and cemetery workers, provided that 25 or fewer persons at a time shall be allowed into a funeral, visitation, or wake;
 - f. Home-based care for seniors, adults, or children;
 - g. Law enforcement, emergency management, public safety, first

responder, emergency dispatch, and security;

- h. Hazardous materials handling and cleanup;
- i. Agriculture and food cultivation, including farming, livestock, and fishing;
- j. Grocery stores, food banks, convenience stores and other establishments engaged in the retail sale of household consumer products (such as cleaning and personal care products), provided that farmers' markets and produce stands may provide drive-thru or carry out services only. This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintain the safety, sanitation, and essential operation of residences and persons;
- k. Food and beverage carry-out, drive-thru, and delivery services; and pick-up or take-away food services provided by a school. Dine-in services except self-service buffets and counter seating provided that the maximum number of dine-in customers allowed in any particular location shall be limited to the result of the total square feet of that part of the building devoted to the subject business divided by 30 times twenty-five (25) percent and the limit shall apply only to customers dining in; and lawfully approved patio seating provided that the maximum number of customers allowed in any particular outdoor location shall be limited to the result of the total square feet of the outdoor dining area divided by 30 times twenty-five (25) percent.
- l. Energy, electricity, petroleum, natural and propane gas acquisition, production, generation, processing, storage, distribution, and retail distribution;
- m. Waste and wastewater maintenance and operation of infrastructure, including processing, treatment, conveyance, and distribution;
- n. Logistics and transportation of goods and people related to Essential Business activities or Essential Activities, including taxis and private transportation providers and businesses that ship or deliver foods, goods, or services directly to residences;
- o. Vehicle repair and maintenance facilities, including vehicle parts manufacturers and suppliers; and automobile and boat dealers;
- p. Public works support, inspection, and maintenance, including

workers such as plumbers, electricians, and other service providers whose services are necessary to maintain safety, sanitation, and essential operation of residences and buildings, Essential Activities, and Essential Businesses;

- q. Public infrastructure support and maintenance;
- r. Communications infrastructure support and maintenance, including storefronts that sell or repair communication devices and media services, including radio, television, and print;
- s. Information technology development, management, support, and security, including client service centers;
- t. Inspection services for construction functions of new facilities and/or maintenance of existing buildings;
- u. Hotels, motels, and bed and breakfasts, provided that the maximum number of customers allowed in any dine-in service area shall be limited to the result of the total square feet of the dining area divided by 30 times twenty-five (25) percent and no counter seating or self-service buffet shall be allowed;
- v. Critical manufacturing of materials, packaging, and products needed for medical supply chains, transportation, energy, communications, food and agriculture, chemical manufacturing, water and wastewater treatment, emergency services, and the defense industrial base;
- w. Legal and critical financial services, including banks, insurance, and property services, including supportive activities such as appraisals, title searches, and inspections;
- x. Lawn and landscaping services and grass, weed, and vegetation removal;
- y. Building supply stores;
- z. Laundromats, dry cleaners and laundry service providers;
- aa. Residential care facilities, including nursing homes and group homes;
- bb. Mailing and shipping services, including post office boxes;
- cc. Educational activities to support distance learning activities;

- dd. Childcare programs, including day camps which are primarily a childcare program provided they comply with the requirements in this subsection. Childcare programs must follow the social distancing provisions set out in Section I.B.1; must be carried out in stable groups, preferably with 25 or fewer (“stable” means that the same 25 or fewer children are in the same group each day); children must not change from one group to another; and if more than one group of children is cared for at one facility, each group must be in a separate room. Groups must not mix with each other; and childcare providers must remain solely with one group of children;
- ee. Direct support services necessary to ensure an essential business activity will not have to cease operation; and
- ff. Firearm repair. Further, pursuant to RSMo Section 44.101, this Order shall not be construed to prohibit or restrict the lawful possession, transfer, sale, transportation, storage, display, or use of firearms or ammunition during the declared state of emergency, subject to the provisions set forth herein.
- gg. Playgrounds

III. Section Three: Public gatherings prohibited.

- A. The public gatherings prohibited by Commission Court Order POL-20.3.16 are hereby amended to any planned or spontaneous event that could facilitate the spread of a communicable disease except (1) religious and faith based activities and services or (2) essential and non-essential business events with 25 or fewer persons in attendance. Daily operations of a business shall not be considered a public gathering for purposes of this Order unless the business’s activities include those activities described in Section I.F; however, notwithstanding this provision, a business providing personal care services shall have a maximum occupancy as provided in Section I.D.2 and any other Non-essential Business or any business, including an Essential Business, offering retail sales to the public shall have a maximum occupancy as provided in Section I.E.