

BOARD OF COUNTY COMMISSIONERS
Grant County, Washington

**RESOLUTION IN THE MATTER OF
RESPONSE TO THE COVID-19
PANDEMIC AND REQUESTING
STATUTORY LANGUAGE SETTING
LIMITS ON STATE OF EMERGENCY
DURATION WITHOUT LEGISLATIVE
APPROVAL**

RESOLUTION No. 21- 009 -CC

WHEREAS, on February 29, 2020 the Governor declared a State of Emergency in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the state; and

WHEREAS, on March 23, 2020, the Governor issued Proclamation 20-25; “Stay Home, Stay Healthy,” requiring Washingtonians to stay home unless they were engaged in an approved essential activity or business; and

WHEREAS, on May 31, 2020, Governor Inslee issued Proclamation 20-25.04: “Transition from ‘Stay Home, Stay Healthy’ County-by-County Phased Reopening,” allowing phased reopening of counties based on Washington State Department of Health metrics; and

WHEREAS, on May 23, 2020, Grant County’s application to move to Phase 2 of the Phased Approach to Reopening Washington Plan was approved; and

WHEREAS, on November 15, 2020, Governor Inslee issued Proclamation 20-25.08; “Stay Safe – Stay Healthy,” which abruptly closed businesses previously operating under all necessary protocols and precautions as well as prohibited social gatherings; and

WHEREAS, on January 11, 2021, Governor Inslee issued Proclamation 20-25.12: “Healthy Washington – Roadmap to Recovery,” which uses a regional approach that does not account for local conditions, arbitrarily and capriciously impacts Grant County residents and businesses, and circumvents duly elected local officials’ responsibilities and duties to represent their constituents; and

WHEREAS, Grant County businesses and establishments had been open and practicing necessary COVID-19 prevention protocols as prescribed by the Washington State Department of Health to serve the local community and employ its residents; and

WHEREAS, Governor Inslee has issued no less than 350 COVID-19-related proclamations, with multiple amendments directed at all 39 counties, which all have varying transmission rates, demographics, community values, cultural norms, and populations ranging from just over 2,000 to 2.6 million; and

WHEREAS, the continuation of implemented limitations creates inequity and inconsistency among the business community and negatively impacts independent, locally-owned, small businesses which have invested significant time and resources to ensure their employees and their customers maintain a safe environment and follow common-sense COVID-19 prevention protocols and guidelines to limit transmission while continuing to allow their business to be open; and

WHEREAS, small businesses are critical to our economy and provide employment, essential services for the community, a vital role in the overall health and welfare for residents, and revenue for local public agencies to continue to provide essential services for public health, welfare, and benefit; and

WHEREAS, the Grant County health services community has provided a wide range of opportunities for our citizenry to receive COVID-19 testing and is currently vaccinating by prescribed phases; and

WHEREAS, the Grant County Board of County Commissioners recognizes one of its essential functions is to work to ensure both the health and overall welfare of our county residents; and

WHEREAS, the State of Washington and its agencies are not bound by this Resolution, so each resident of Grant County must be aware that this Resolution does not protect them from action by the State or its agencies and are encouraged to use their own judgment concerning future choices and actions; and

WHEREAS, the Grant County Board of County Commissioners is committed to protecting the rights of its residents and will continue to actively challenge regulations that it believes are arbitrary, capricious or illegal.

NOW, THEREFORE BE IT RESOLVED that the Grant County Board of County Commissioners in the interests of ensuring both the health and overall welfare of the residents of Grant County, concludes that the Governor’s Proclamation 20-25.12; “Healthy Washington – Roadmap to Recovery” arbitrarily and capriciously impacts Grant County residents and businesses without recognition of or consultation with locally elected officials whose duty it is to represent the interests of their constituents; and

BE IT FURTHER RESOLVED that the Grant County Board of County Commissioners recognizes its limited authority under the Washington State Constitution, and that it cannot usurp or supersede the authority of the State Legislature and/or the Governor to reopen local businesses; and

BE IT FURTHER RESOLVED that the Grant County Board of County Commissioners believes the Grant County Health District Board in conjunction with its Grant County Health District and its Health Officer constitute the appropriate agency to initiate necessary policies and protocols, while focusing on the education of our residents on the best options to prevent and reduce the spread of COVID-19, and

BE IT FURTHER RESOLVED that the Grant County Board of County Commissioners, in consideration of the indefinite nature of this State of Emergency, calls on the Governor and the Washington State Legislature to immediately begin examination, drafting and passage of those measures necessary to amend statutory language under Title 43, Chapter 6 of the Revised Code of Washington for the purposes of requiring legislative approval for any State of Emergency lasting longer than 30 days, and

BE IT FURTHER RESOLVED that the Grant County Board of County Commissioners acknowledges and expresses gratitude to the Board of County Commissioners of Benton County for sharing their resolution on this topic which was used extensively, though revised and adjusted to fit the unique situation Grant County faces regarding this issue, in the drafting of this resolution.

This resolution shall become effective upon adoption and shall continue until further formal action of the Grant County Board of County Commissioners.

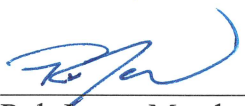
DATED this 2 day of FEB, 2021.

**BOARD OF COUNTY COMMISSIONERS
GRANT COUNTY, WASHINGTON**

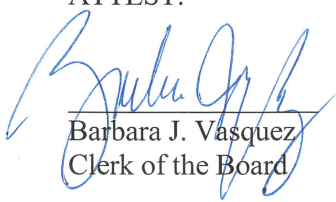
Yea Nay Abstain


Cindy Carter, Chair


Danny E. Stone, Vice-Chair


Rob Jones, Member

ATTEST:


Barbara J. Vasquez
Clerk of the Board