

STATE OF WEST VIRGINIA,
COUNTY OF TYLER, TO-WIT:

At a Regular Meeting of the County Commission of Tyler County, West Virginia, held at the Courthouse thereof on the 24th day of November, 2020, the following Order was made and entered:

**SECOND REVISED ORDER ON PUBLIC ACCESS, ATTENDANCE, AND
RESPONSE TO COVID-19 STATE OF EMERGENCY**

WHEREAS, on the 19th day of March, 2020, this Commission issued its "Order on Public Access, Attendance, and Response to COVID-19 State of Emergency," (hereinafter, "Order,") and

WHEREAS, on the 24th day of March, 2020, this Commission resolved that a State of Emergency exists throughout the County of Tyler, State of West Virginia, as a result of the epidemic disaster caused by the spread of the virus which causes COVID-19, as of the 16th day of March, 2020; and

WHEREAS, the State of Emergency existing throughout the State of West Virginia as a result thereof, as declared by the Governor on the 16th day of March, 2020, is still in effect, and

WHEREAS, by *Executive Order 5-20*, issued by the Governor of this State on the 19th day of March, 2020, the Governor did affirm and declare that counties have the "authority under state law to issue orders and guidance and to take other actions as necessary to protect the public health, safety and welfare[.]" and

WHEREAS, this Commission has continuously monitored the spread of COVID-19 and the impact it has had on this County in particular, and on the 24th day of June,

2020, revised the Order this Commission originally issued on the 19th day of March, 2020;
and

WHEREAS, this Commission exercises its authority to protect the public health and welfare pursuant to Article IX of the Constitution of West Virginia; Chapter 15, Article 1, Section 1 et seq.; and Chapter 7, Article 1 Section 1 et seq. of the West Virginia Code of 1931, as amended; and

WHEREAS, this Order and the policies outlined therein shall be applicable to the employees and offices of this Commission, the Circuit Clerk, the County Clerk, Assessor, Sheriff and Prosecuting Attorney. To the extent permitted by law, this Order and policy is applicable to the Circuit Court, Family Court and Magistrate Court of Tyler County, which are under the direction of the Supreme Court of Appeals of West Virginia, which has also entered Administrative Orders pertaining to COVID-19.

WHEREAS, based on the increasing rates of community transmission in this County of the virus which causes COVID-19, does now hereby deem it in the best interests of the public to revise the said *Order* of the 24th day of June, 2020, balancing the need for public use of county facilities with the continuing nature of the pandemic.

ACCORDINGLY, IT IS HEREBY ORDERED:

A. ACCESS TO COUNTY PROPERTY

1. All county offices will remain open for the conduct of business. Physical access to the Courthouse and other county facilities shall be restricted to elected officials, judicial officers and their respective employees. Access by the public shall be on an advance appointment basis, other than those appearing as parties, attorneys, jurors, case participants, and witnesses summoned to attend Court proceedings. Access to meetings

of this Commission shall be limited to the media, persons or delegations that are on the meeting agenda, as called into the meeting room, and participating elected officials and county employees. No more than ten persons shall be in the meeting room at a time.

2. Pursuant to Executive Order 77-20, issued by the Governor of this State on the 13th day of November, 2020, all employees and other persons inside the Courthouse or other county facilities age nine (9) and older shall wear an adequate face covering, covering the nose and mouth, when other persons may be present, unless the employee or other person is able to physically isolate in a private office when no other person is present, or actively engaged in food/drink consumption, or the employee or other person has a breathing problem or is unable to remove the face covering without assistance.

3. During the operation of this Order, elected officials and their respective employees will remain on duty and ready to assist citizens with their needs, primarily via telephone, e-mail and regular mail. This Commission is confident we can continue to serve the community through the use of these tools.

4. A drop box shall be made available for the use of the public to make filings with the Circuit Clerk, County Clerk, and to transact business with the Sheriff's Office, Assessor's Office, and Prosecuting Attorney's Office, which shall be located in the front vestibule of the Courthouse.

B. GENERAL ATTENDANCE

1. Any employee who is currently sick and suffering from fever, cough, shortness of breath, or flu-like symptoms shall not report to work. Employees who are at work must self-monitor, and if an employee begins experiencing the above symptoms, they should leave work immediately and inform his or her supervisor.

2. Employees should make plans now to avoid missing work if he or she becomes sick or if he or she is needed to care for a loved one or family member. Please make every effort to have a plan in place.

3. Otherwise, employees should plan to work as scheduled unless otherwise directed by a supervisor.

4. All other employment-related matters are and remain in the discretion of the elected official department head, and he or she may supplement this Order as he or she deems fit in his or her discretion.

C. EFFECTIVENESS AND AMENDMENT

1. This Order is effective immediately upon its adoption.

2. This Order shall remain effective until further Order of this Commission.

3. This Order and all of its provisions will be subject to amendment, supplementation, and reassessment by this Commission as the pandemic situation evolves.

4. The Clerk is directed to publish this Order to the County Website; to transmit a copy of this Order to the local media; to the Judges of the Circuit Court; the Magistrates; all County Departments; to post this Order at the doors of the County Courthouse and all county facilities; and otherwise make copies available through any reasonable means.

IT IS SO ORDERED THIS 24TH DAY OF NOVEMBER, 2020:



JOHN F. STENDER, PRESIDENT



ERIC H. VINCENT, COMMISSIONER



MICHAEL V. SMITH, COMMISSIONER

ATTEST: 

NEIL A. ARCHER, II, CLERK


Amy Sp Glaver, Chief Deputy Clerk