

July 2, 2020 McPherson County Commission Special Meeting

Regarding the action taken by the McPherson County Board of Commissioners to exempt McPherson County from the Kansas Governor's Executive Order #20-52 (Mandating face coverings/masks in public)

Discussion points for opting out of the mandate:

- The enforcement of the Executive Order is a civil, not criminal issue, meaning reports of those in violation would be referred to the County Attorney's office. This office does not have the staffing or resources necessary to handle the influx of reports, as the processing of the reports would inhibit valuable time and resources necessary for the Court System and the County Attorney to prosecute actual criminal reports. Law Enforcement would also not have sufficient staffing to be involved in the enforcement of, or response to the influx of reporting calls.
- 911 personnel could be flooded with calls which would possibly tie up phone lines and officers needed for other emergencies. Each mask related report/call would require the dispatch of an officer, even though the officer could not issue a citation. This would put a burden on law enforcement and they may not have the staffing to respond to other emergency calls.
- Individual businesses could require masks to be worn in order to enter, just as they may already require shirts and shoes.
- There is no funding provided from the state to fund counties for additional needs and resources required to enforce the executive order.
- Following discussion and input by several local residents, Shalei Shea, County Health Department Director, and Greg Benefiel, County Attorney, the Commissioners acknowledged that the data shows that mask wearing, along with other protective measures does help prevent the spread of COVID-19, though due to the lack of ability to enforce the mandate as is written, they would choose to opt out by signing County Resolution #2020-06.
- The Commissioners strongly recommended that citizens continue to follow the guidelines set forth by the McPherson County Health Department including the wearing of masks when in public, social distancing, and other effective measures in order to help stop the spread of the virus.