



**TOWN OF AYDEN
GOVERNING BOARD
EMERGENCY MEETING
MINUTES**

March 25, 2020 1pm
Town Board Chambers – 2nd Floor Town Hall – 4144 West Avenue

I. CALL TO ORDER

A. Call to order

Mayor Tripp called the meeting to order at 1pm.

B. Roll Call

Present:

Mayor Stephen Tripp, Commissioner Raymond Langley, Commissioner Cynthia Goff, Commissioner Phyllis Ross, Commissioner Johnny Davis, Mayor Pro-tem Ivory Mewborn

Absent:

None

Also Present:

Steven Harrell - Town Manager
Sarah Radcliff – Town Clerk

II. PROCLAMATION OF EMERGENCY RESTRICTIONS

Manager Harrell stated the proclamation before them was for emergency restrictions for the Town of Ayden with an effective date of 5:00 on March 26th. Manager Harrell went over the specifics of the proclamation.

TOWN OF AYDEN, NC
INCORPORATED 1891



4144 WEST AVENUE
AYDEN, NC 28513

**PROCLAMATION OF EMERGENCY RESTRICTIONS
For
TOWN OF AYDEN, NORTH CAROLINA**

**As Directed by the Town of Ayden Board of Commissioners on March 25, 2020
Effective 5:00 P.M. March 26, 2020**

SUMMARY: The virus that causes COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of the public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect all members of the community, especially including our residents most vulnerable to the virus and also health care providers, this Proclamation requires all individuals in the jurisdiction of the Town of Ayden to comply with the Pitt County Public Health Director's statement to go home, stay home. The Proclamation contains exceptions for certain essential activities and work to provide essential business and government services. This Proclamation further prohibits gatherings of 10 or more, subject to certain exceptions. This Proclamation begins at 5:00 p.m. on March 26, 2020 and will continue for two weeks through April 9, 2020.

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under section 319 of the Public Health Services Act; and

WHEREAS, on March 10, 2020 the State of North Carolina, through the Office of the Governor, Roy Cooper, issued Executive Order No. 116 titled Declaration of a State of Emergency to Coordinate Response and Protective Actions to Prevent the Spread of COVID-19; and

WHEREAS, the World Health Organization ("WHO") declared COVID-19 as a Public Health Pandemic of International concern on March 11, 2020. The United States Centers for Disease Control ("CDC") has reported the high public health threat posed by COVID-19, both globally and to the United States and has determined it necessary to prohibit or restrict travel areas designated by the CDC; and

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WHEREAS, on March 13, 2020, President of the United States Donald Trump entered a Proclamation finding that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, the North Carolina Department of Health and Human Services ("NCDDHS") confirmed multiple cases of COVID-19 in this state; and

WHEREAS, the North Carolina Division of Emergency Management has activated the NC Emergency Operation Center to manage public health; and

WHEREAS, local and state health departments must use all preventative and mitigation measures, which will require access to available services, personnel, equipment, and facilities to respond to COVID-19; and

WHEREAS, declaring a State of Emergency and imposing restrictions and prohibitions ordered herein is necessary to maintain order and protect public health, safety, and welfare, to secure life, property, and government stability; and

WHEREAS, the spread of the disease poses a threat to life, property and the economy in Pitt County due to illness-related absenteeism, particularly among public safety personnel, healthcare personnel, and persons engaged in activities and businesses critical to the economy and infrastructure of Pitt County; and

WHEREAS, the Pitt County Public Health Director has confirmed a public health threat due to the confirmed spread of COVID-19; and

WHEREAS, Town of Ayden declared a State of Emergency on March 17, 2020; and

WHEREAS, pursuant to the public testimony of health care professionals, including the CEO of Vidant Health Dr. Michael Waldrum and Pitt County Health Director Dr. John Silvernail, and based upon guidance from the CDC and NCDHHS, further actions must be taken immediately that are deemed necessary and appropriate to ensure that COVID-19 remains mitigated and that residents in Town of Ayden remain safe and secure; and

WHEREAS, Pitt County currently has 6 confirmed cases of COVID-19 with 83 tests pending, and data suggests a dramatic increase in the number of cases in Pitt County if more drastic measures are not taken to control the spread and "flatten the curve"; and

WHEREAS, data suggests that healthcare facilities in Pitt County will be overwhelmed if measures are not taken to "flatten the curve" of anticipated positive cases of COVID-19, placing health care workers and patients at greater risk of harm, and depleting supplies of necessary equipment, including necessary PPE; and

WHEREAS, the President of the United States has recommended that no more than 10 people gather together in order to reduce the spread of COVID-19; and

WHEREAS, this Proclamation is issued based upon evidence of increasing occurrence of COVID-19 within Pitt County, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically. The best evidence and modeling show at this stage in the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of COVID-19, this Proclamation helps to preserve critical and limited healthcare capacity in Pitt County; and

WHEREAS, it is the intent of this Proclamation that the combination of restrictions and prohibitions set forth herein, taken together, result in a "Stay at Home" order where residents stay at home except for the purpose of Essential Activities or Essential Business as set forth herein.

NOW, THEREFORE, pursuant to the authority under Chapter 166A of the North Carolina General Statutes:

The Town of Ayden Board of Commissioners proclaim that the restrictions set forth herein are reasonable and necessary in order to maintain an acceptable level of public order, services, and protection of lives, safety and property during this emergency, and that the same shall be in effect within the jurisdiction of the Town of Ayden. The Town Board further proclaims that the restrictions contained herein are based upon credible facts and data provided by medical professionals as set forth above and are imposed in good faith. All town employees and all other emergency management personnel subject to Town control are ordered to cooperate in the enforcement and implementation of the emergency management ordinances set forth below.

1. STAY AT HOME OR PLACE OF RESIDENCE

All individuals currently within the jurisdiction of the Town of Ayden shall stay at home or at their place of residence except as allowed by this Proclamation. For the purposes of this Proclamation, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities. Individuals may leave home for certain Essential Activities, to work for Essential Businesses, or provide Essential Government Services.

Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. Individuals experiencing homelessness are exempt from this directive, but strongly urged to obtain shelter.

For purposes of this Proclamation, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others working for or to support Essential Businesses are categorically exempt from this Proclamation. Further, nothing in this Proclamation shall prohibit any individual from performing or accessing Essential Government Functions.

A. Leaving the Home for Essential Activities is Permitted. For purposes of this Proclamation, individuals may leave their residence only to perform any of the following Essential Activities:

1. **For Health and Safety.** To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional for medical services that cannot be provided virtually.
2. **For Necessary Supplies and Services.** To obtain necessary services or supplies for themselves and/or their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need to work from home, and products necessary to maintain the safety, sanitation, and/or essential operation of residences.
3. **For Outdoor Activity.** To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, as defined herein, such as, by way of example and without limitation, walking, hiking, golfing, running, cycling, or using the Town's greenways. Individuals may go to public parks and open outdoor recreation areas. However, playground equipment, basketball courts, tennis courts, ball fields and park restrooms may increase spread of COVID-19, and therefore, shall remain closed.
4. **For Certain Types of Work.** To perform work providing essential products and services at Essential Businesses or Operations (which, as defined below, includes Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure) or to otherwise carry out activities

specifically permitted in this Proclamation, including Minimum Basic Operations.

5. **To Take Care of Others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets.

B. Social Distancing Requirements

Any person within the jurisdiction of the Town of Ayden shall practice Social Distancing whenever outside their residence. For purposes of this Proclamation, Social Distancing includes maintaining at least six-foot distance between individuals.

2. RESTRICTION ON THE OPERATION OF CERTAIN BUSINESSES

All businesses and operations in the jurisdiction of the Town of Ayden, except Essential Businesses, are required to cease all activities within the Town except to perform Minimum Basic Operations. "Business" means any for-profit, non-profit, or private educational entity, regardless of the nature of the service or function they perform, or of the organization's corporate or entity structure.

Businesses may continue any operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

A. Essential Businesses

The following businesses are encouraged to operate and remain open to the public provided they enforce, to the greatest extent possible, Social Distancing of six feet between individuals and meet any other requirements within this Proclamation.

1. **CISA List.** All workers identified in the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response issued on March 19, 2020. Said list is attached incorporated into this Proclamation as if fully set forth herein.
2. **Stores that sell groceries or medicine.** Grocery stores, farmers markets, farm and produce stands, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products. This includes stores that sell groceries and also sell other non-grocery

products, and products necessary to maintaining the safety, sanitation, and essential operation of residences.

3. **Manufacturing.** Food processing, manufacturing agents, including all food and beverages, chemicals, medical equipment/instruments, pharmaceuticals, sanitary products, telecommunications, and electronics and other manufacturing businesses who can safely perform functions while maintaining Social Distancing.
4. **Organizations that provide charitable and social services.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
5. **Healthcare and public health operations.** Medical clinics, dental and eye care clinics, etc. to avoid any impacts to delivery of healthcare, broadly defined. Does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities which have been prohibited.
6. **Media.** Newspapers, television, radio, and other media services.
7. **Gas stations and businesses needed for transportation.** Retail and wholesale fuel (gas, diesel, fuel oil, LP) sales, vehicle supply and repair facilities, and vehicle sales.
8. **Financial and insurance institutions.**
9. **Hardware and supply stores.**
10. **Critical trades.** Plumbers, electricians, exterminators, and other service providers only while providing services that are necessary to maintain safety and sanitation.
11. **Mail.** Post, shipping, logistics, delivery, and pick-up services.
12. **Laundry services.** Laundromats and laundry service providers.
13. **Restaurants for consumption off-premises.** Restaurants

and other facilities that prepare and serve food, but only for delivery or carry out.

14. **Services and supplies for Essential Businesses, Essential Government Services, or Minimal Basic Operations.** Businesses that sell, manufacture, or supply support or materials needed to enable Essential Businesses, Essential Government Services, or Minimal Basic Operations.
15. **Direct Delivery.** Businesses that ship or deliver groceries, food, goods or services directly to residences.
16. **Transportation.** Taxis, transportation network providers (such as Uber or Lyft), and other private, public, and commercial transportation and logistics providers necessary for Essential Activities described above. This includes bicycle and bicycle repair shops necessary for transportation, as well as scooters and other modes of transportation.
17. **Home-based care and services.** For adults, seniors, children, and/or people with disabilities, substance abuse, and/or mental illness, including caregivers such as nannies who may travel to the child's home and other in-home services such as meal delivery.
18. **Residential facilities or shelters.** For adults, seniors, children, pets, and/or people with disabilities, substance abuse, and/or mental illness.
19. **Professional services.** Legal, accounting, and real estate services, but only when necessary to assist in compliance with time sensitive or legally mandated activities.
20. **Childcare facilities.**
21. **Funeral services.** Funeral, mortuary, cremation, burial, cemetery, and related services.
22. **Solid Waste.** Waste removal and recycling services.

B. Outdoor Services

Those businesses that operate primarily outdoors or in structures under construction

(e.g., construction related contractors, lawn maintenance, boat repair or maintenance, etc.), golf courses, outdoor parks (excluding playgrounds) and consistently practice Social Distancing are permitted to operate as if they were an Essential Business.

C. Minimum Basic Operations

Provided compliance with Social Distancing, any business may have staff present to perform the following Minimum Basic Operations.

1. Minimum activity needed to maintain value of business inventory, ensure security, process payroll and benefits, or for related functions.
2. Minimum activity needed to facilitate employees working from home.

3. ESSENTIAL GOVERNMENT SERVICES

Federal, State and Local governments (including authorities, public school systems and ABC Commission) shall continue services classified as essential by the respective unit of government.

4. PROHIBIT THE NONESSENTIAL GATHERINGS OF 10 OR MORE PERSONS.

A nonessential gathering is defined as any event or convening that brings together 10 or more people in a single room or single space at the same time. A single space may include facilities such as an auditorium, stadium, arena, conference room, meeting hall, theater or any other confined indoor or outdoor space.

A nonessential gathering does not include businesses and operations associated with maintaining federally identified critical infrastructure or operations and conducting essential activities. Federally identified critical infrastructure components consist of manufacturing, assembly, maintenance or operation of communications systems, defense industrial base operations, operation of dams, operation and maintenance of energy industries and distribution, food and agriculture, financial institutions, government facilities, water supply, wastewater treatment, nuclear reactors and material waste, information technology, transportation systems, healthcare and public health; critical manufacturing, chemical manufacturing, emergency services; social services and retail providers of essential goods such as grocery stores, pet stores, hardware stores, pharmacies, retailers and not for profit providing commodities or services essential for basic living. More specifically, for the purposes of this Order, other businesses excluded from this prohibition of gatherings of 10 or more people include Essential Businesses and Essential Government Services set forth above.

5. RESTRICTIONS ON THE USE OF PLAYGROUNDS

The use of publicly and privately-owned playground equipment is prohibited. No prohibition exists for the areas surrounding playground equipment including greenways, walking trails, or other public or private amenities or open spaces or parks, provided compliance with Social Distancing.

The Town Board directs that copies of the Proclamation be disseminated to the mass communications media for publication and broadcast, and that a copy of the Proclamation be posted at the Ayden Town Hall and other public buildings as appropriate.

This Proclamation dated March 25, 2020 supplements and to the extent not in conflict, incorporates the State of Emergency Declaration issued March 17, 2020, and shall become effective upon endorsement. Restrictions pertaining are effective as of Thursday, March 26, 2020 at 5:00 p.m. This Proclamation shall continue until April 9, 2020 unless terminated, amended or rescinded earlier pursuant to N.C. Gen Stat. 166A-19.31(e).

PROCLAIMED this the 25th day of March 2020.


Stephen W. Tripp, Mayor

ATTEST:


Sarah W. Radcliff, Town Clerk



Mayor Tripp felt it was important for the Town to do this to slow the spread of the virus. He said the best way to handle this is to shelter in place.

Motion to adopt the Proclamation of Emergency Restrictions.

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Goff

Discussion: None

Vote: 5-0

Motion passes unanimously.

Commissioner Langley asked about utility disconnects and late fees for utilities. Mayor Pro-tem Mewborn said he had received a lot of phone calls regarding this as well. Manager Harrell stated we are not doing any disconnects or charging late fees through March 31st as of right now, but that date will change as needed.

Manager Harrell stated we will be canceling the April meeting because we do not have any items that need immediate attention. Mayor Tripp stated he would also like to cancel the budget workshops and just do everything through email and phone calls.

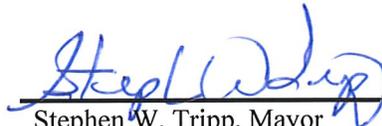
IV. ADJOURNMENT

Having completed the business before them, Mayor Tripp announced that without objection the Governing Board would stand adjourned at 1:34pm.

CERTIFICATION

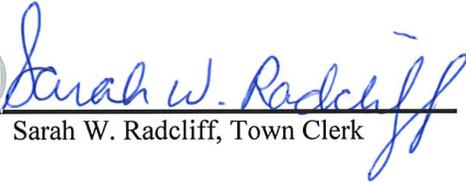
Minutes from the March 25, 2020 meeting were adopted and certified this 11th day of May, 2020 in Ayden, North Carolina.

AYDEN, NORTH CAROLINA



Stephen W. Tripp, Mayor





Sarah W. Radcliff, Town Clerk