

**RESOLUTION TO RECOMMEND GUIDELINES FOR THE RESPONSIBLE
REOPENING OF MADISON COUNTY**

WHEREAS, we are a Constitutional Republic in the midst of a national public health crisis which has created a necessary tension between Constitutional rights and protecting the public; and,

WHEREAS, while we recognize there are certain aspects of this public health crisis that are appropriately managed at the Federal or State level, we also believe that local governments are best suited to promulgate rules and regulations that affect citizens locally; and,

WHEREAS, we recognize our duty under Illinois State Statutes to function as the Board of Health of Madison County, taking into consideration national and state rules in regard to this public health crisis, recognizing the unique local problems presented in Madison County, and believing in the innate common sense, responsibility and reasonableness of our Madison County citizens; and,

WHEREAS, the Madison County Board wishes to balance the goals of (a) public health, (b) constitutional rights, (c) improving the local economy by allowing local businesses, churches and places of worship to “reopen” in a safe and responsible way; and,

WHEREAS, the Madison County Board recognizes the economy of Madison County has suffered a sudden and severe decline, evidenced by:

- a. 15,000 citizens of Madison County filed new applications for unemployment during the months of March and April, and
- b. the county received a WARN notice from US Steel indicating that 737 union and management jobs may be lost in the next 90 days, and

WHEREAS, the Board of Health wishes to provide the attached recommendation for phased reopening to provide reasonable and responsible guidelines for businesses and places of worship to reopen consistent with the goals of public health, due process, and with equal protection for all involved.

THEREFORE, BE IT RESOLVED that the County Board of Health of Madison County, Illinois, hereby promulgates the following Resolutions, Recommendations and Guidelines for conduct during this public health crisis and the reopening of any business in Madison County, is hereby adopted:

1. Hearing the Governor’s call to Restore Illinois, and the President’s call to Reopen America, we understand that the Madison County Board believes that the time has come to responsibly reopen Madison County to the free activities of free citizens.
2. We understand that the freedoms and rights contained in our Constitution encompass free travel, free association, and free operation of lawful businesses unless by due process of law those rights are restricted.

3. In Madison County, we believe all businesses, churches and places of worship are essential. They are free to impose their own restrictions on entry or use of their stores or shops as they deem appropriate and the public is encouraged to observe and comply with these restrictions.
4. In order to encourage public trust and transparency during this dramatic time, if a business, places of worship or other entity desires to re-open, it should plan to do so in a safe and responsible way, with phasing as to not jeopardize health, if appropriate.
5. Upon a complaint of any business or public location not complying with reasonable CDC health standards, all available appropriate actions may be taken to ensure the public safety.
6. This resolution makes no comment on the powers or activities of the Governor or other government entities outside of the control of the Madison County Board of Health, but we strongly encourage such entities to respect the rights and self-government of Madison County citizens, allow Madison County citizens and businesses the freedom to responsibly reopen pursuant to local control and oversight, and to not punish (be it by threatened court action, removal of licenses, etc.) those businesses, places of worship, and other entities responsibly reopening in Madison County pursuant to the local oversight outlined in these guidelines.
7. The adoption of this resolution makes no comment or opinion or promise as to the insurability or licensure of any individual or business for operating in a manner inconsistent with any executive order or state statute.

BE IT FURTHER RESOLVED that the County Board of Health of Madison County, Illinois, will continue to monitor the cases of the coronavirus in Madison County going forward and may continue to issue locally devised guidelines as Madison County lives with the coronavirus pandemic, and encourages all citizens to conduct themselves in accordance with these Guidelines, CDC guidelines and common sense, in a socially responsible manner. As in the criminal law, we recognize that some will not act reasonably or within the spirit of these Guidelines. For anyone who does not adhere to these common-sense reasonable and responsible Guidelines and who acts recklessly, we may pursue all available remedies at law to ensure the public health and safety.

Adopted this 12th Day of May, 2020.

Kurt Prenzler
Chairman, Madison County Board of Health