

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of a Resolution in Support of the)
Local Economy and Businesses of Yamhill County) RESOLUTION 21-02-25-1
Impacted by COVID-19)

WHEREAS, on March 8, 2020 the Governor issued a Declaration of Emergency to facilitate the State’s response to the COVID-19 pandemic, and since that date has issued 23 Emergency Directives; and

WHEREAS, the Fourteenth Amendment to the U.S. Constitution declares, “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States”; and

WHEREAS, Article 1, Section 18, Oregon Constitution declares, “Private property shall not be taken for public use, nor the particular services of any man be demanded, without just compensation; nor except in the case of the state, without such compensation first assessed and tendered”; and

WHEREAS, the Governor deemed within her power and discretion to classify many businesses as non-essential despite many of these businesses being substantially the same as others classified as essential; and

WHEREAS, we assert the Governor’s orders that businesses be closed or restricted to 25% capacity violate the Fifth Amendment right that declares no citizen shall be deprived of his property, “without the due process of law”; and

WHEREAS, the Governor has placed significant restrictions on bars, restaurants, athletic clubs, and related businesses; and

WHEREAS, to date, Yamhill County health officials, aided by the continued trust and diligence of Yamhill County residents, have managed outbreaks of Covid-19 without overwhelming hospital capacity; and

WHEREAS, current shutdown policies have caused societal, emotional, and economic harm.

NOW THEREFORE BE IT RESOLVED that the Yamhill County Board of Commissioners calls on the Governor to uphold her solemn pledge to “support, protect, and defend” the U.S. & Oregon Constitutions and requests that she lift orders restricting our local businesses and limiting the size of peaceful gatherings; and

BE IT FURTHER RESOLVED that the Yamhill County Board of Commissioners considers all independently owned businesses essential and asks the Governor to treat them as such; and

BE IT FURTHER RESOLVED that the Yamhill County Board of Commissioners calls on the Governor to direct State agencies (including, Oregon Health Authority, Oregon Occupational Safety and Health and Oregon Liquor Control Commission) to limit their citations to those infractions in place prior to COVID-19 Directives; and

BE IT FURTHER RESOLVED that the Yamhill County Board of Commissioners urges residents and citizens to follow COVID-19 mitigation best practices and measures under the auspices of being self-governing and committed to protecting our well-being and that of our neighbors without coercion; and

BE IT FURTHER RESOLVED that the Yamhill County Board of Commissioners encourages our legislative representatives to aggressively support amendments to the Oregon Revised Statutes that would limit any Governor’s authority to restrict our freedoms under the auspices of a declared and prolonged declaration of emergency.

Done this 25th day of February, 2021



YAMHILL COUNTY BOARD OF COMMISSIONERS

Mary Starrett

Commissioner, Chair MARY STARRETT

Lindsay Berschauer

Commissioner, Vice-Chair LINDSAY BERSCHAUER

Voted "No"

Commissioner CASEY KULLA

2/25/21
B.O. 21-79