

RESOLUTION NO. 2021-01

**A RESOLUTION IN SUPPORT OF THE LOCAL ECONOMY AND BUSINESSES OF EUREKA COUNTY
IMPACTED BY COVID-19 RESTRICTIONS INCLUDING REQUESTS FOR RELIEF OF SAID RESTRICTIONS**

WHEREAS, our Founding Fathers recognized the abuses inherent with a totalitarian government and drafted two of the most sacred documents in history – the Declaration of Independence and the United States Constitution – to limit the government’s power and to clearly define and protect the God given rights we enjoy as Americans; and

WHEREAS, we as Eureka County Commissioners have sworn to, “support, protect, and defend” that Constitution; and

WHEREAS, Nevada Governor Steve Sisolak (Governor) has sworn the same oath; and

WHEREAS, on March 12, 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 over 35 Emergency Directives (Directives); and

WHEREAS, the Governor has extended the current “statewide pause” despite record cases of Covid-19 being recorded and no obvious data to support the notion that continued restrictions are having the desired impact on controlling the disease; 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, the Governor unilaterally bypassed the Nevada Legislature by creating de facto law with his directives and claiming the right to do so under the authority of “emergency powers” extended for over 10 months; and

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

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

WHEREAS, the Governor has singled out bars and restaurants even though only a limited number of Covid-19 infections have been traced to those sources; and

WHEREAS, the Directives and their enforcement by the Nevada Health and Safety Administration have caused harm to the residents and businesses of Eureka County; and

WHEREAS, to date, Eureka County health officials, aided by the continued trust and diligence of Eureka County residents, have managed outbreaks of Covid-19 without seeing large scale community spread as witnessed in some counties; and

WHEREAS, current shutdown policies will cause intellectual, emotional, and economic devastation that will last for generations.

NOW THEREFORE BE IT RESOLVED that the Eureka County Board of Commissioners calls on the Governor to uphold his solemn pledge to “support, protect, and defend” the U.S. Constitution and insists he correct course by removing orders restricting our local businesses and limiting the size of peaceful gatherings; and

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

BE IT FURTHER RESOLVED that the Eureka County Board of Commissioners calls on the Governor to direct his OSHA inspectors to discontinue abusive inspections and fines on our county businesses; and

BE IT FURTHER RESOLVED that the Eureka County Board of Commissioners calls on the Governor to rescind the ineffective Directives before more businesses and county constituents are harmed; and

BE IT FURTHER RESOLVED that the Eureka County Board of Commissioners supports the concept of creating a fund supported by individual donations, to be administered by a non-county entity, to support businesses that may have been fined by State enforcement agencies; and

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

BE IT FURTHER RESOLVED that Eureka County staff shall research County ordinances for possible amendments supporting local businesses and/or limiting access by State enforcement agencies; and

BE IT FURTHER RESOLVED that Eureka County shall research litigation opportunities that the county, or multiple counties collaboratively, could pursue to provide relief to our local businesses; and

BE IT FURTHER RESOLVED that Eureka County recognizes its right, as stated in our Declaration of Independence, to confront the government when it has subjected its citizens to a “long train of abuses and usurpations” and our solemn duty to “throw off such Government” if those abuses are not corrected.

Adopted this 20th day of January, 2021.

J.J. Goicoechea, Chairman
Board of Eureka County Commissioners

Attest: _____
County Clerk