



Commissioners of Mifflin County

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May 11, 2020

Governor Tom Wolf
Commonwealth of Pennsylvania
225 Main Capital Building
Harrisburg, PA 17120

Dear Governor Wolf:

As Commissioners elected to represent the people of Mifflin County, we are duty-bound to write this letter on behalf of our constituency to express our frustration and disagreement with the decision to not move Mifflin County into the “Yellow Phase” of your COVID-19 Phased Reopening Plan. The people of Mifflin County have made the sacrifices you have required for over a month since you implemented the statewide Stay-At-Home-Order on April 1, 2020. Because of these sacrifices and hardships, Mifflin County is prepared to take the next step in the reopening process. For the reasons set forth below, we call on you to immediately begin reopening plans for Mifflin County effective May 15, 2020.

We understand that the “Yellow-Phase” guidance issued by your Department of Health is not a full-fledged reopening, but instead an “easing” of restrictions to “begin to power back up the economy” while allowing for close monitoring of health data to quickly address and counter any sudden increase in COVID-19 cases or deaths. Restaurants and bars will still be limited to carry-out and delivery only. Health and wellness facilities and personal care services, such as gyms, hair and nail salons, and tattoo parlors will remain closed. And large gatherings will still be limited to twenty-five (25) or fewer people. The high-risk drivers of potential community spread of COVID-19 will still be addressed through those restrictions.

By easing restrictions, small retail and service businesses who compete with big, national chains such as Lowes and Wal-Mart, can be put on a level playing field and begin the process of restarting the engine that drives our local community. If large shopping crowds can congregate at Lowes, why should a small, local retailer or greenhouse/landscaper not be permitted to service a handful of patrons, all the while following appropriate business and building safety and health guidance? Local professionals, such as lawyers, real estate agents, and investment advisors can surely conduct one-on-one business under the appropriate health and safety guidance with much

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less risk than dozens of people walking in-and-out of Wal-Mart, continually touching carts, food, and other goods. The people of Mifflin County can safely take the small, incremental step allowed by the “Yellow-Phase” guidelines and desperately need to do so.

From a public health standpoint, Mifflin County has a low overall number of positive COVID-19 cases, and today barely exceeds the published guidelines for transfers to the “Yellow-Phase”. And, our emergency management advisors inform us that local health facilities have appropriate capacity to handle both current caseloads and potential surges that could arise. However, other counties within our South Central Region with comparable numbers have been moved to the “Yellow-Phase” given their proximity to other regions, such as Bedford and Fulton Counties. In fact, Mifflin County borders Union, Snyder, and Centre Counties, each of which has been moved into the “Yellow-Phase.” We see no rational basis for our disparate treatment.

Unlike perhaps some other counties, we are not attempting to defy your order. Among other issues, we do not want to jeopardize state and federal funding opportunities for any emergency relief, resulting in the already burdened local taxpayer bearing an additional economic cost. Instead, we appeal to you to understand our reasoned and rational basis for moving Mifflin County into the “Yellow-Phase”.

As county commissioners, we realize that we do not have the legal authority to unilaterally counter your Order; the State’s authority to promulgate Stay-At-Home policies and regulations has been upheld by the highest courts that have considered this matter. We also acknowledge as commissioners, we do not have any role in enforcement of the regulations promulgated by you and your offices. To that end, we have encouraged local businesses to keep in mind the enforcement powers of the State with regard to their individual licenses and practices, along with the terms of their own insurance policies.

However, Governor Wolf, we feel it is imperative that you be mindful of the position you are putting local, mostly small businesses in: remain closed and perhaps never be able to reopen, or reopen in defiance of your order and risk citations and fines. We call on you to move Mifflin County into the “Yellow-Phase” so that our people are not forced to make that choice.

MIFFLIN COUNTY COMMISSIONERS


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