## MONTGOMERY COUNTY COMMISSIONERS

## RESOLUTION NO. 2020-13

# A RESOLUTION EXTENDING THE COVID-19 PUBLIC HEALTH EMERGENCY AND AUTHORIZATION OF EMERGENCY POWERS

WHEREAS, on March 16, 2020, the Board of Commissioners declared a public health emergency because of the outbreak and spread of the novel Coronavirus Disease 2019 (COVID-19), activated all local disaster emergency plans, authorized mutual aid, suspended certain procedures and formalities otherwise required by law, authorized the President of the Board to approve claims, authorized certain types of contracts with the State of Indiana, authorized emergency orders, and cancelled all meetings of the Montgomery County Government until further notice; and

WHEREAS, on March 23, 2020, the Board extended the declaration of the public health emergency, pursuant to Indiana Code §10-14-3-29, to and until 11:59 p.m. on April 7, 2020 and extended the authorizations for mutual aid, the suspension of certain procedures and formalities, authorizations for approval of claims by the President of the Board, for approval of certain types of contracts with the State of Indiana, and for emergency orders, and the cancellation of all meetings of the Montgomery County Government; and

WHEREAS, on April 7, 2020, the Board extended the declaration of the public health emergency to and until 11:59 p.m. on April 27, 2020 and extended all emergency authorizations, suspensions and policies; and

WHEREAS, since the extension of the public health emergency on April 7, 2020, the COVID-19 disease continues to spread, and the Board finds that the public health emergency and all emergency authorizations contained in the previous resolutions relating thereto should be extended to and until May 15, 2020; and

WHEREAS, on March 23, 2020, the Board approved the designation of essential employees which resulted in some departments being staff by less than all available employees; and

WHEREAS, the departments which have been staffed with less than all available employees are experiencing difficulty providing essential governmental services to the public during the 35 days since the approval of emergency staffing, and the Board finds that beginning on April 28, 2020 all County employees are deemed essential and will return to work on that day unless they are eligible for emergency paid leave because they are experiencing a COVID-19 qualifying event.

WHEREAS, all emergency action taken by the President since April 7, 2020, including but not limited to the approval of claims and the issuance of executive orders, should approved and ratified; and

NOW, THEREFORE, BE IT RESOLVED BY THE MONTGOMERY COUNTY BOARD OF COMMISSIONERS, as follows:

1. The Commissioners hereby extend the declaration of the COVID-19 public health emergency and local disaster emergency, pursuant to Indiana Code §10-14-3-29, to and until 11:59 p.m. on May 15, 2020;
2. All action contained in the original declaration and extension of the declaration are also extended to and until 11:59 p.m. on May 15, 2020;
3. The procedures and formalities otherwise required by law pertaining to the performance of work, the entering into of contracts, the incurring of obligations, the employment of permanent and temporary workers, the use of volunteer workers, the rental of equipment, the purchase and distribution of supplies, materials and facilities and the appropriation and expenditure of public funds are hereby waived;
4. For purposes of claims, the President of the Board may approve claims and submit the claims to the Auditor for payment, and all claims approved by the President in the exercise of this authority since April 7, 2020 are hereby approved and ratified;
5. The President of the Board of Commissioners and the President of the County Council may, in accordance with the emergency management program and emergency operations plan of the County, enter into a contract or lease with the State of Indiana, accept any loan or employ personnel, and the County may equip, maintain, use, and operate any property and employ necessary personnel in accordance with the purposes for which the contract is executed and do all things and perform acts that the Governor of Indiana considers necessary to effectuate the purpose of the contract; and
6. The Commissioners delegate to the President of the Board the authority to may make, amend and rescind orders, rules and regulations necessary for emergency management purposes and to supplement the carrying out the emergency management law that are not inconsistent with orders, rules or regulations adopted by the governor or by a state agency exercising a power delegated to it by the governor, the emergency management program and emergency operations plan of the County, and any such orders, rules and regulations have the full force and effect of law when filed in the office of the clerk of Montgomery County;
7. All emergency action taken by the President since April 7, including but not limited to the executive orders issued by the President, are hereby approved and ratified; and
8. All County employees are hereby deemed essential and will report to work beginning April 28, 2020 unless they are eligible for emergency paid leave because they are experiencing a COVI-19 qualifying event as defined by the County's emergency paid leave policy.

Adopted the 27th day of April, 2020.

BOARD OF COMMISSIONERS,
MONTGOMERY COUNTY, INDIANA:

James D. Fulwider, President

John Frey, Vice President

Dan Guard, Member

ATTEST:

Jennifer Andel, Auditor