

RESOLUTION NO. 2020-BC- 5
RESOLUTION OF THE MADISON COUNTY BOARD OF COMMISSIONERS
CONCERNING THE COVID-19 CORNOAVIRUS HEALTH EMERGENCY

WHEREAS, Madison County, Indiana (the "County") is a political subdivision of the State of Indiana (the "State") and is duly organized and existing under the Constitution and laws of the State; and

WHEREAS, pursuant to applicable law, the Board of Commissioners of Madison County, Indiana ("Commissioners") shall transact the business of the county; and

WHEREAS, among such business includes the review and allowance of claims, execution of contracts, declaration of emergencies, the decision to hire and fire employees, and various day-to-day operational decisions

WHEREAS, the spread of novel coronavirus disease ("COVID-19") is a serious public health threat that has resulted in the declaration of emergencies at the federal, state, and local level; and

WHEREAS, the Governor and Public Access Counselor for the State of Indiana have advised and directed local governments to cancel all non-essential meetings; and

WHEREAS, the Governor and Public Access Counselor for the State of Indiana have advised and directed that certain statutory requirements that would require the Commissioners to meet during the public health emergency presented by COVID-19 are temporarily waived; and

WHEREAS, the County provides certain essential services, operations, and functions that should, to the extent possible, continue during and through the public health emergency presented by COVID-19; and

WHEREAS, the Indiana State Board of Accounts has advised political subdivisions to adopt rules to be followed during the health emergency presented by COVID-19; and

WHEREAS, until May 1, 2020, unless extended by order of a majority of the Board of Commissioners, the Commissioners desire to vest certain emergency authority in the Commissioner President to ensure the continuity of operations of County Government; and

WHEREAS, the Commissioners further desire to provide certain emergency relief to employees to ensure employees are able to care for themselves and their families during the health emergency presented by COVID-19; and

WHEREAS, absent a County Administrator, the Commissioners need to appoint a member of the Commissioners to serve in the administrative capacity with certain decision-making authority which the Board of Commissioners can later ratify to the extent necessary.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Madison County, Indiana that:

SECTION 1. The President of the Commissioners and/or her designee is hereby authorized, without further approval of the Commissioners, to take such actions as she deems necessary or appropriate, with consultation of consultants, Health Department, and Emergency Management personnel as may be needed, to help alleviate the spread and impact of COVID-19 while maintaining the essential operations of the County. Such actions may include, but are not limited to, closing County offices, closing county buildings, restricting access to buildings as is necessary, requiring some or all County employees to refrain from coming to their work stations, determining Essential Governmental Functions and identifying employees and/or contractors necessary to the performance of those functions, approving regular and customary claims, executing necessary or customary contracts, making or approving purchases necessary for the operations of the County, requiring employees to respond to emergencies, and taking other actions necessary or appropriate in order to ensure the continued operation of the County under the circumstances.

SECTION 2. For 2020 (and only for 2020), the County Commissioners are hereby accelerating the accrual of Sick Leave Benefit to all eligible employees. All eligible employees (as such term is defined in the Madison County Personnel Policy) ordinarily accrue “one, eight hour, day of sick leave “for every full month of services credited at the end of each month.” Effective immediately, all eligible employees shall accrue their total potential sick leave allotment as if they had worked through December 31, 2020. Accordingly, all employees shall accrue nine (9), eight hour, days. The regular accrual under Section 4.4. of the Personnel Policy is hereby suspended such that eligible employees shall not accrue additional sick leave at the end of the month, but now all have an additional nine (9), eight hour, days of time.

SECTION 3. Work from home arrangements are hereby encouraged.

- a. If some or all of an employee’s job functions can be performed from home, the employee is expected to perform those job functions from home during the employees’ regularly-scheduled, non-overtime work hours. Employees who work from home shall not be required to use any benefit time, and their work from home shall be credited as if a regular work day. Department heads have been, and should continue to, work to identify employees who job functions can be performed at home.
- b. During the employees’ regularly-scheduled, non-overtime work hours during the emergency, the employee is considered “on-call” and, therefore, must be available by phone to respond to calls, emails, or other communication as directed by their supervisor or department head.
- c. Employees may not work or earn compensation from any other source during the employee’s regularly-scheduled, non-overtime work hours.

SECTION 4. Court staff shall report to their Judge or their Judge’s designee for all issues related to work schedule matters. The Commissioners will provide support (including IT and infrastructure support) as they are able to support the Court decisions related to work from home situations.

SECTION 5. The Auditor’s powers to approve claims in advance of the board allowance under Indiana Code § 36-2-6-4.5 and any County Ordinance approving such authority shall continue

with the following exception – “expenses that must be paid because of emergency circumstances” may only be paid during this pending emergency with prior approval of the President. Until subsequently amended by the Commissioners, the signature of the President on any individual claim during the health emergency shall be considered approval of the majority of Commissioners. The Auditor shall only pay claims that are approved by the President, but the approval of the President shall constitute approval of the Board of Commissioners until such authority is removed by the Board in a subsequent resolution. The President shall also have the authority to sign any necessary contracts on behalf of the Commissioners during the health emergency.

SECTION 6. The President of the Commissioners shall communicate with the other Commissioners prior to approval of any claim and/or contract, document all actions taken under the Resolution, and shall provide an update to the other members of the Commissioners and to the news media by written communication on a weekly basis.

SECTION 7. The Madison County Board of Commissioners shall use technology for remote public attendance at any of its public meetings and shall make the Commissioners Court/Council Chambers available to any Madison County department or office that needs a public meeting so that those meetings can use technology for remote public attendance. The Commissioners shall encourage all public comments to occur via writing ahead of meetings by delivering such comments to onlinecomments@madisoncounty.in.gov and will not hold live in person public comment during its meetings during the health emergency. The Commissioners may participate in any of their meetings by use of remote technology so long as one member is present, and all non-essential personnel shall not attend the meetings.

SECTION 8. This Resolution shall be effective as of the date of its adoption, and shall remain in full force and effect until May 1, 2020 or further resolution of the Commissioners.

Dated this 23 day of March, 2020.

MADISON COUNTY BOARD OF COMMISSIONERS:

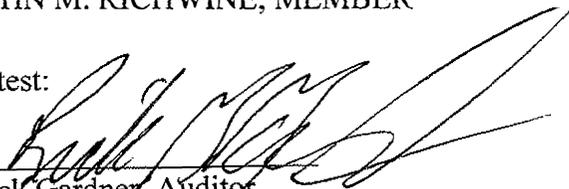


KELLY GASKILL, PRESIDENT



W. MICHAEL PHIPPS, MEMBER

JOHN M. RICHWINE, MEMBER

Attest:


Rick Gardner, Auditor
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