

WARRICK COUNTY BOARD OF COMMISSIONERS MEETING

EMERGENCY SESSION
COMMISSIONERS MEETING ROOM
107 W. Locust Street, Suite 303
Boonville, Indiana
April 6, 2020
11:12 A.M.

The Warrick County Commissioners met in emergency session with Dan Saylor, President; Robert Johnson, Vice President; and Terry Phillippe, Member. Attorney Todd Glass and Administrator Roger Emmons were in attendance.

Chief Deputy Auditor BJ Farrell and Secretary Kristine Georges attended and recorded the minutes.

President Dan Saylor called the meeting to order at 11:12 A.M.

PLEDGE OF ALLEGIANCE WAS SUSPENDED.

**RESOLUTION 2020-05
RESOLUTION ESTABLISHING CERTAIN EMPLOYMENT
POLICIES DURING EMERGENCY**

Commissioner Saylor: We will call the emergency meeting to order for April, Monday, April 6, 2020. So, the item on the agenda, we will skip the pledge. The item on our agenda will be our Resolution of the Board of Commissioners establishing certain employment policies during the emergency. So, Counselor, do you want me to read this? Or...?

Todd Glass: Well, if we could, Mr. President, why don't we mention why we're doing that and then we can also, if you want, then back up and, and also talk about the Emergency Proclamation Extension also. But on the Restated Resolution 2020-03, that Resolution still remains in full force and effect through the extension of the declared State of Emergency through May 2nd. That, Mr. President, you'll remember, adopted expedited government processes pursuant to statute and the modified claims procedure. So, that's still in effect, that extended at the same time Governor Holcomb extended the Emergency Proclamation through May 5th. What we do have to address, however, today is Resolution 2020-04 which specifically expires at midnight tonight, I think.

Heather Soberg: Correct.

Todd Glass: And that Resolution, Mr. President, updated our emergency leave policies for Warrick County employees through midnight tonight mirroring the provisions of the Cares Act that Congress passed. That remains in full force and effect through May 5th. What does not, however, is in that Resolution 2020-04, you had specific workforce reduction plan/policy established for all Departments of the County to implement and were implemented last week. That language extended just to today. So, that is the part of Resolution 2020-04 that needs to be extended. I believe Heather passed out the proposed Resolution 2020-0...?

Kristine Georges: '05.

Todd Glass: '05. And pursuant to the COVID emergency declared by the Governor and extending through May 5th that specifically reiterates the workforce reduction plan that you implemented last week. But extends it to May 5th and also adds some clarification. So, we probably should enter into the record the language of the Resolution paragraph.

Commissioner Saylor: Okay, so where it says, 'Now therefore?'

Todd Glass: Correct.

Commissioner Saylor: Okay, do you want me to read it, or do you want to read it? I can read it. "Now, therefore, be it resolved by the Board of Commissioners of Warrick County, Indiana, a workforce reduction plan for all County employees shall be implemented effective April 1, 2020, pursuant to work plans developed by each Department Head. For those employees scheduled off work pursuant to workforce reduction plans, and are unable to work remotely while at home, then in that event the employee shall be paid at two-thirds (2/3) of the employee's regularly hourly, regular hourly rate of pay, two-thirds (2/3)."

Roger Emmons: Or two-thirds (2/3).

Commissioner Saylor: "Or two-thirds (2/3) of the applicable minimum wage, whichever is higher, equal to the number of hours they would have otherwise worked for the period of time through May 5, 2020. In that event, employees may apply additional accrued vacation and/or sick pay to supplement the provided benefit at the employee's discretion. If an employee requests time off work during this period in addition," lost my place here, "To the work plans implemented by each department, they may apply accrued paid time off benefits (PTO) or use unpaid leave all as approved by their supervisor. If any policies and procedures of the Warrick County Employee Handbook conflict with this Emergency Leave Policy, then this policy shall control until such time as this policy is amended, in rescinding or expires. This pay Resolution may be extended, or a back to work notice may be issued, effective after May 5, 2020, or may be modified or rescinded prior to May 5, 2020, by the President of the Board of Commissioners pursuant to the authority previously approved pursuant to Indiana law."

Todd Glass: So, if I may, that is the Board of Commissioners providing this additional benefit to help implement these work reduction plans. And your commitment to pay employees full pay if they're working at home or two-thirds (2/3) pay if they're not able to work at home. That is something that this Board initiated last week that you need to extend to May 5th that is over and above the Emergency Sick Leave Act providing for ten (10) days of paid leave in the event of the COVID-19 scenarios. So, this is something the Board of Commissioners have done over and above what the law requires for your County employees to implement this reduction of workforce to make the work environment safer and also make sure the employees, make sure the employees know are getting paid while they're at home in one (1)

manner or the other. So that is a part of Resolution 2020-04 that is updated and extended to May 5th, by Resolution 2020-05.

Commissioner Saylor: Okay. Commissioners, are there any questions on this Resolution?

Commissioner Johnson: Nope.

Commissioner Saylor: Okay, so, if not, do I have a motion?

Commissioner Johnson: Make a motion to approve Resolution 2020-04?

Roger Emmons: No.

Commissioner Johnson: '05?

Roger Emmons: '05.

Commissioner Saylor: "05.

Commissioner Phillippe: I'll second Bob's motion.

Commissioner Saylor: I have a first and then a second. Any discussion? There's none. So, all in favor signify by saying, aye.

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

Commissioner Saylor: Aye. Motion carries three, zero (3-0).

(Resolution 2020-05 is located on Pages 3 through 4 of these Official Minutes)

EMERGENCY PROCLAMATION 2020-01 EXTENSION

Commissioner Saylor: Is there any other business that the Board needs to...?

Todd Glass: Yes, you need to also go back to the Emergency Proclamation, which I think is in front of you. Originally, it passed on March 17th. That was establishing an Emergency Proclamation for Warrick County and Warrick County employees. But also closing Warrick County offices to public access. That expired either today or tomorrow. I can't remember. But you have a new Emergency Proclamation in compliance with Governor Holcomb's Executive Order 2020-17 extending your Emergency Proclamation to May 5th.

Commissioner Saylor: Okay.

Todd Glass: And I, my associate, John Goth, and I have done further research into the statutory authority for your Proclamation of Emergencies and have concluded with a unanimous vote, that can extend for thirty (30) days and you no longer need to do that every seven (7) days.

Commissioner Saylor: Good deal. So, does anything in this document need to be read? Do we read it on, do we read the second page, 'Be it resolved as follows?'

Todd Glass: Probably not, but if I may, Mr. President, I'll just summarize that this Emergency Proclamation extends the Emergency Proclamation for Warrick County through May 5th. The Commissioners are directing the citizens to use their utmost diligence in providing for their safety during this emergency in the compliance with all Emergency Proclamations and Directives and to comply with all those emergency measures through May 5th. And furthermore, you're instructing the County Offices to remain closed to public access except by prior appointment or other means that we have implemented all through May 5th.

Commissioner Saylor: Okay.

Todd Glass: And that should suffice.

Commissioner Saylor: Okay, Commissioners, do I have a motion for the Local Emergency Proclamation?

Commissioner Phillippe: Make a motion to extend the Emergency motion, Emergency Proclamation.

Commissioner Johnson: I'll second.

Commissioner Saylor: Have a first and a second. Any discussion? All in favor by signifying by saying, aye.

Commissioner Phillippe: Aye.

Commissioner Johnson: Aye.

Commissioner Saylor: Aye. Motion carries three, zero (3-0). Alright. That's all the business then. So, with that, do I have a motion to adjourn?

Commissioner Johnson: I'll make that motion.

Commissioner Phillippe: Second.

Commissioner Johnson: Aye.


Commissioner Phillippe: Aye.

Commissioner Saylor: Aye. Motion carries three, zero (3-0). Meeting adjourned.

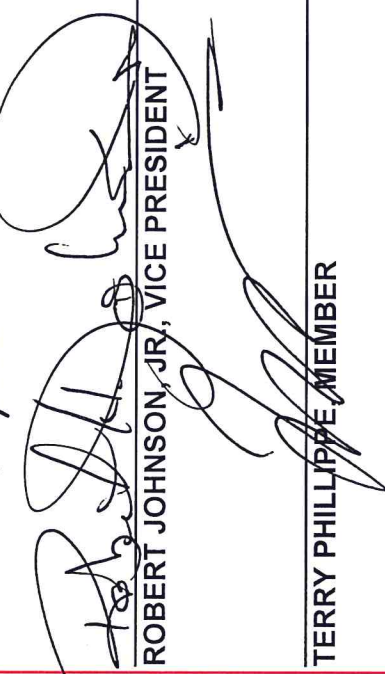
(Proclamation 2020-01 Extension is located on Page 4 of these Official Minutes)

ADJOURNMENT: Meeting adjourned at 11:23 A.M.

WARRICK COUNTY BOARD OF COMMISSIONERS



DAN SAYLOR, PRESIDENT



ROBERT JOHNSON, JR., VICE PRESIDENT

TERRY PHILLIPPE, MEMBER

ATTEST: 

DEBORAH K. STEVENS, AUDITOR
WARRICK COUNTY, INDIANA

Minutes transcribed by Kristine Georges

RESOLUTION 2020-05
A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF WARRICK COUNTY, INDIANA, ESTABLISHING
CERTAIN EMPLOYMENT POLICIES DURING EMERGENCY

WHEREAS, on March 6, 2020, the Governor of the State of Indiana issued Executive Order 20-02, which declared a public health emergency in the State of Indiana as a result of the novel Coronavirus Disease 2019 ("COVID-19") outbreak in Indiana;




WHEREAS, on April 3, 2020, the Governor of the State of Indiana issued Executive Order 20-17, which renewed said public health emergency as a result of the COVID-19 outbreak in Indiana, with such declaration to expire on May 5, 2020, unless further renewed; and

WHEREAS, certain steps need to be taken under these extraordinary circumstances to protect the health and safety of employees of Warrick County during the emergency while at the same time avoiding disruption of essential County government services to which the citizens of Warrick County are entitled to continue receiving during the COVID-19 public health emergency.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Warrick County, Indiana, a workforce reduction plan for all County employees shall be implemented effective April 1, 2020, pursuant to work plans developed by each department head. For those employees scheduled off work pursuant to workforce reduction plan, and are unable to work remotely while at home, then in that event the employee shall be paid at two-thirds (2/3) of the employee's regular hourly rate of pay or two-thirds (2/3) of the applicable minimum wage, whichever is higher, equal to the number of hours they would have otherwise worked for the period of time through May 5, 2020. In that event, employees may apply additional accrued vacation and or sick pay to supplement the provided benefit at the employee's discretion. If an employee requests time off work during this period in addition to the work plans implemented by each department, they may apply accrued paid time off benefits (PTO) or use unpaid leave all as approved by their supervisor. If any policies and procedures of the Warrick County Employee Handbook conflict with this emergency leave policy, then this policy shall control until such time as this policy is amended, is rescinded or expires. This pay resolution may be extended, or a back to work notice may be issued, effective after May 5, 2020, or may be modified or rescinded prior to May 5, 2020, by the President of the Board of Commissioners pursuant to the authority previously approved pursuant to Indiana law.

The above Resolution is passed and adopted by the Board of Commissioners of Warrick County, Indiana, this 6th day of April, 2020.

BOARD OF COMMISSIONERS
OF WARRICK COUNTY, INDIANA


Dan Saylor, President

Robert H. Johnson, Jr., Vice President

Terry J. Phillips, Member

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:


Todd L. Chans, Esq.
Warrick County Attorney

**LOCAL EMERGENCY PROCLAMATION
FOR WARRICK COUNTY, INDIANA**

2020-01 Extension

WHEREAS, the Coronavirus 2019 ("COVID-19") is a severe respiratory illness that was first detected in the City of Wuhan, Hubei Province, China;

WHEREAS, COVID-19 is a rapidly spreading virus that is transmitted from human to human and results in symptoms ranging from fever, cough, acute respiratory distress, pneumonia, and even death;

WHEREAS, on March 6, 2020, the Governor of the State of Indiana declared a public health emergency for COVID-19, pursuant to Executive Order 20-02;

WHEREAS, on April 3, 2020, the Governor of the State of Indiana renewed the declaration of said public health emergency for COVID-19, pursuant to Executive Order 20-17, with such declaration to expire on May 5, 2020, unless further renewed;

WHEREAS, on March 17, 2020 the Board of Commissioners of Warrick County declared a local disaster emergency as a result of COVID-19 for Warrick County, which declaration has been subsequently renewed on March 24, 2020, and April 1, 2020;

WHEREAS, the Public Health Officer Designee of Warrick County, Indiana, Aaron Franz, has recommended Warrick County renew its declaration of a local emergency as a result of COVID-19;

WHEREAS, the Warrick County, Indiana has been or is immediately threatened by COVID-19;

WHEREAS, the Governor of the State of Indiana has issued additional directives with respect to COVID-19 which supplements Executive Order 20-02, and it is anticipated the Governor will continue to issue directives as needed until this emergency has passed; and

WHEREAS, the Board of Commissioners of Warrick County desire to do as much as possible to help flatten the curve of the spread of COVID-19 and, in an abundance of caution, desire to support the actions taken by the Governor of the State of Indiana and to issue additional directives concerning specific governmental operations by and which impact Warrick County, Indiana.

NOW, THEREFORE we, the Board of Commissioners of Warrick County, declare that a state of emergency exists in Warrick County and that we hereby invoke and declare those portions of the Indiana Code which are applicable to the conditions that have caused the issuance of this proclamation, to be in full force and effect throughout Warrick County, Indiana, for the exercise of all emergency authority for the protection of the lives and property of the people of

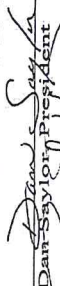


Warrick County and with the goal of the restoration of local government with a minimum of interruption.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. All public offices and employees of Warrick County, Indiana, are hereby directed to exercise the utmost diligence and discharge of duties required of them for the duration of the emergency and the execution of emergency laws, regulations, and directives – state and local.
2. All citizens of Warrick County are called upon and directed to comply with necessary emergency measures to cooperate with public officials and disaster service forces and execute emergency operation plans and to obey and comply with the lawful directions of properly identified officers.
3. From and after 5:00 p.m. on March 17, 2020, there shall be no public access except by prior appointment to the Warrick County Historic Courthouse, the Warrick County Jail, or any other County building or facility during the pendency of this proclamation. Furthermore, there shall be no public access to the Warrick County Judicial Center except for necessary individuals attending emergency Court proceedings as directed by the Courts, persons filing emergency court proceedings with the Clerk, or by prior appointment to all other County offices.
4. This Proclamation shall remain in full force and effect until the expiration of the Statewide public health emergency at midnight May 5, 2020, consistent with Executive Order 20-17 issued by the Governor of the State of Indiana, subject to amendment or extension by the undersigned Board of Commissioners.

Passed and adopted by the Warrick County Board of Commissioners this 6th day of April, 2020.

BOARD OF COMMISSIONERS
OF WARRICK COUNTY, INDIANA


Dan Saylor, President

Robert H. Johnson, Jr., Vice President

Terry J. Phillips, Member