

**MONTGOMERY COUNTY COMMISSIONERS**

**EXECUTIVE ORDER NO. 2020-1**

**ORDER INSTITUTING A PENDING LEAVE POLICY IN RESPONSE TO THE  
CORONAVIRUS DISEASE 2019 EPIDEMIC**

WHEREAS, the novel Coronavirus Disease 2019 (COVID-19) is a severe respiratory illness that has rapidly spread to more than 60 countries in the world, including the United States; and

WHEREAS, on January 30, 2020, the World Health Organization declared the COVID-19 outbreak to be a public health emergency of international concern; and

WHEREAS, on January 31, 2020, Health and Human Services Secretary, Alex M Azar II, declared a public health emergency for the United States; and

WHEREAS, on March 6, 2020, Indiana Governor Eric Holcomb issued Executive Order 20-02, declaring a public health emergency for the coronavirus disease; and

WHEREAS, in response to the outbreak, the Centers for Disease Control and Prevention (CDC) determined that COVID-19 presents a serious health threat and currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes, washing hands often, use of alcohol-based hand sanitizers and routinely cleaning frequently touched services and objects in order to increase community resilience and readiness for responding to an outbreak; and

WHEREAS, on March 16, 2020, the Board of Commissioners of Montgomery County (the "Commissioners"), pursuant to Indiana Code §10-14-3, declared a public health emergency and the effect of doing so is to activate the response and recovery aspects of all applicable local or interjurisdictional disaster emergency plans and authorizes the furnishing of aid and assistance under the plans; and

WHEREAS, also on March 16, 2020, pursuant to Indiana Code §10-14-3-17(j)(5), the Commissioners waive 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 ; and

WHEREAS, also on March 16, 2020, pursuant to Indiana Code §10-14-3-22, the Commissioners authorized the President of the Board of Commissioners to may make, amend and rescind orders, rules and regulations necessary to 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; and

WHEREAS, also on March 16, 2020, the Commissioners cancelled all Montgomery County government meetings until further notice; and\

WHEREAS, consistent with the guidance offered by the CDC, ISDH, the orders of the Governor, and advice of local health officials, the Montgomery County government will be required to take extraordinary measures to protect its employees and members of the public from the spread of the COVID-19 disease, including but not limited to the modification of leave policies and employee policies, the modification or rules regarding working remotely, attendance, sick leave, and other action.

NOW, THEREFORE, I, James D. Fulwider, by virtue of the authority vested in me as President of the Montgomery County Board of Commissioners and the emergency powers conferred to me by the Board during this public health emergency, do hereby order that:

1. The attached Pandemic Leave Policy will become effective immediately in order to accommodate extraordinary employment directives, decisions and orders and ensure that all employees of Montgomery County who are adversely affected by the disease are paid during the emergency if they are able to work but are unable to report to work;
2. The County Administrator will meet with Department Heads in order to explain this Pandemic Leave Policy and will take all necessary action to implement this policy;
3. The County Administrator will file with Order with the Clerk and the Auditor;
4. This Order will remain in effect until the Commissioners extend, modify or revoke the action taken herein;

Date: March 17, 2020

---

James D. Fulwider, President  
Montgomery County Board of Commissioners

ATTEST: \_\_\_\_\_  
Jennifer Andel, Auditor