

CUMBERLAND TOWN COUNCIL

RESOLUTION NO. 2020-07

A RESOLUTION DECLARING A PUBLIC HEALTH EMERGENCY AND EXERCISING EMERGENCY POWERS

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, the Governor's Executive Order requires coordination across federal, state and local governments, first responders, private organizations and the entire healthcare structure in Indiana and activates the disaster response and recovery aspects of the state, local and interjurisdictional emergency plans of all counties in Indiana; and

WHEREAS, Joe Siefker is the President of the Town Council and executive officer of the Town, and he has the authority to declare public health emergencies for a period of seven (7) days; and

WHEREAS, the Cumberland Town Council is the governing body of the Town, and it has the authority to extend the effectiveness of a declaration of a public health emergency beyond the initial seven (7) days; and

WHEREAS, pursuant to Indiana Code §10-14-3-17(j)(5), after the declaration of an emergency, the Town Council may 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, pursuant to Indiana Code §10-14-3-22, the Town Council 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 Counties in which the Town is located, and any such orders, rules and regulations have the full force and effect of law when filed in the office of the Clerk-Treasurer of Cumberland;

NOW, THEREFORE, BE IT RESOLVED BY THE CUMBERLAND TOWN COUNCIL, as follows:

1. The President of the Town Council hereby declares a local disaster emergency pursuant to Indiana Code §10-14-3-29, and the Town Council orders that this declaration will be effective to and until _____, 2020;
2. 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;
3. For purposes of claims, the President of the Town Council and the Town Manager may approve claims and submit the claims to the Clerk-Treasurer for payment;
4. The Town Council 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 counties in which the Town is located, and any such orders, rules and regulations have the full force and effect of law when filed in the office of the Clerk-Treasurer of Cumberland;
5. This Resolution shall automatically expire on _____, 2020, but its effectiveness may be extended by act of the Town Council.

Adopted the 18th day of March, 2020.

CUMBERLAND TOWN COUNCIL:

Joe Siefker, President

Anna Pea, Vice President

Brian Gritter, Member

Edward Loud, Member

Breck Terheide, Member

ATTEST: _____
Erica Salmon, Clerk-Treasurer