

Resolution No. 102 - 03/20

Declaring a State of Emergency in Walworth County as a Result of the COVID-19 Virus

1 Moved/Sponsored by: N/A
2

3 **WHEREAS**, pursuant to Section 18-2(b)(1) of the Walworth County Code of Ordinance, a state
4 of emergency may be declared by a majority vote of the county board; and,
5

6 **WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services
7 declared a Public Health Emergency; on March 11, 2020, the World Health Organization
8 declared COVID-19 a pandemic; and on March 12, 2020, the Governor of the State of Wisconsin
9 declared a Health Emergency in the State; and,
10

11 **WHEREAS**, Walworth County has been working to protect the health and well-being of its
12 residents from the spread of COVID-19 and to prepare for the impacts the disease is likely to
13 have on the County; and,
14

15 **WHEREAS**, COVID-19 is a contagious, and at times fatal, respiratory disease; and the
16 worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person
17 transmission throughout the United States significantly affects the lives and health of our people,
18 as well as our economy; and COVID-19 has had and continues to threaten disastrous impacts on
19 the health, security, and safety of the public; and,
20

21 **WHEREAS**, the County Board has determined that it is necessary to make all possible resources
22 and means available to the County in order to protect the health, safety, and welfare of its
23 residents from the threat posed by the continued spread of COVID-19.
24

25 **NOW THEREFORE BE IT RESOLVED** that pursuant to Wis. Stat. §323.11, the County
26 Board finds and declares that an emergency exists within the County by reason of an imminent
27 threat of disaster impairing medical care, health, and other critical systems of the County due to
28 the spread of COVID-19.
29

30 **BE IT FURTHER RESOLVED** that during the period of emergency prescribed by this
31 Resolution, as specifically authorized by Wis. Stat. §323.14 (4), the County Board may “order,
32 by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection,
33 and welfare of persons and property within” the County.
34

35 **BE IT FURTHER RESOLVED** that the County Administrator is hereby authorized and
36 directed by the Board to coordinate and administer the County’s emergency management
37 response and to carry out the orders of the County Board related thereto.
38

39 **BE IT FURTHER RESOLVED** that the Head of Emergency Management of the County is
40 authorized and directed to carry out his duties under the County’s Emergency Management Plan
41 in coordination with the County Administrator and to perform such other duties as may be
42 directed by further resolution of the Board.
43

1 **BE IT FURTHER RESOLVED** that the provision of the Ordinances, Section 18-5(e), that
2 allows a County Board Supervisor to attend a meeting by telephone during a declared emergency
3 shall be extended, under the same requirements, to all members of the committees, commissions,
4 and boards of and reporting to the County Board so that the County Board may continue to
5 receive and benefit from their recommendations and support.
6

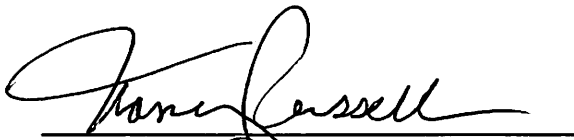
7 **BE IT FURTHER RESOLVED** that based upon the information available to the County Board
8 and the ongoing threat posed by the spread of COVID-19, the period of emergency shall continue
9 for ninety (90) days from the effective date of this Resolution unless sooner terminated or
10 extended by further resolution of the County Board.
11


12 **BE IT FURTHER RESOLVED** that the emphasized and highlighted components of the
13 “Walworth County, Wisconsin, COVID-19 Operations Response Plan, Version 3-19-20(1),”
14 which is incorporated herein by reference, makes funding available for associated demands and
15 hereby extends additional authority to the County Administrator with the acknowledgement and
16 intent that such authorizations may expand upon or conflict with existing ordinances and policies,
17 which actions are necessary for the execution of the duties and emergency management
18 responsibilities authorized herein.
19

20 **BE IT FURTHER RESOLVED** that the County Board:

- 21 a) Authorizes the transfer of General Fund available fund balance equal to 50% of the
22 County’s 2020 contingency fund, or \$312,500, to be used for the purchase of goods,
23 services, or excess overtime/other payroll related costs above adopted budgeted funding
24 under current policy and payroll practices; and,
25 b) Authorizes the County Board Chair or the Finance Committee to approve a second
26 transfer of General Fund available balance, for an additional \$312,500, in the event that it
27 becomes financially necessary; and,
28 c) Authorizes the County Administrator and Finance Director to approve budget
29 modifications up to \$250,000 to incorporate any state or federal grants provided to
30 address COVID-19 in any manner.
31

32 **BE IT FURTHER RESOLVED** that all actions heretofore taken by the County Board and other
33 appropriate public officers and agents of the County with respect to the matters contemplated
34 under this Resolution are hereby ratified, confirmed.
35

36
37 
38 _____
39 Nancy Russell
40 County Board Chair

36
37 
38 _____
39 Kimberly S. Bushey
40 County Clerk

42 County Board Meeting Date: March 19, 2020
43

44 Action Required: Majority Vote _____

Two-thirds Vote X Other _____


This Resolution/Ordinance was:
Adopted: Roll Call U.C./Voice
Rejected/Referred/Laid Over
Ayes: _____ Noes: _____ Absent: _____
Date March 19, 2020

Policy and Fiscal Note is attached.

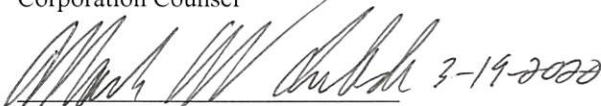
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

 March 19, 2020

Michael P. Cotter Date
Corporation Counsel

 3/19/20

Jessica Conley Date
Finance Director

 3-19-2020

Mark W. Lubarda Date
County Administrator

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 102 - 03/20

- I. **Title:** Declaring a State of Emergency in Walworth County as a Result of the COVID-19 Virus

- II. **Purpose and Policy Impact Statement:** The purpose of this resolution is to declare a state of emergency in Walworth County as a result of the COVID-19 virus and to establish certain additional emergency authorities to combat and address the emergency.

- III. **Budget and Fiscal Impact:** (1) Authorizes the transfer of General Fund available fund balance equal to 50% of the County's 2020 contingency fund, or \$312,500, to be used for the purchase of goods, services, or excess overtime/other payroll related costs above adopted budgeted funding under current policy and payroll practices. (2) Authorizes the County Board Chair or the Finance Committee to approve a second transfer of General Fund available fund balance, for an additional \$312,500, in the event that it becomes financially necessary.


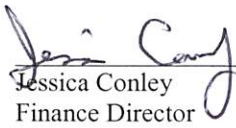

- IV. **Addressed, in part, by the following standing committee for consideration and date of referral:**

Note: The Human Resources Committee only considered the attachment, "Walworth County, Wisconsin, COVID-19 Operations Response Plan, Version 3-19-20(1)," with respect to anticipated Human Resources matters.

Committee: Human Resources Committee Meeting Date: March 18, 2020

Vote: 4-0 to recommend approval

County Board Meeting Date: March 19, 2020

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached ordinance.	
 _____ Michael P. Cotter Corporation Counsel	 _____ Jessica Conley Finance Director
Date	Date
 _____ Mark W. Luberda County Administrator	3-19-2020 Date

Walworth County, Wisconsin, COVID-19 Operations Response Plan, Version 3-19-20(1)

The purpose of this plan is to enable Walworth County to respond to the rapidly evolving coronavirus disease 2019 (COVID-19) public health emergency. As such, it provides guidance to Walworth County department heads and employees and provides for the delegation of authorities necessary to implement the plan. This plan will be updated as necessary, with each update identified with a unique version number. In order to consolidate information, the plan incorporates direction issued by and authority granted by the County Board under its emergency declaration and existing ordinance and direction issued by the County Administrator. Authority granted by the County Board under its emergency declaration is in bold print within this document.

1. SOCIAL DISTANCING

In order to better protect our employees and the people we serve, the County and/or departments will address or implement the following steps aimed at reducing direct contact between individuals:

- **County Facility Access:** Facilities that regularly host or serve the public will have signs placed on each entrance encouraging individuals to conduct business by telephone, providing guidance to contact the offices by telephone, and instructing individuals with the flu or flu-like symptoms to not enter the building.
- **County Related Travel:** All work-related travel outside of Walworth County is limited to essential needs and exceptions will be subject to department head approval.
- **Limiting face-to-face meetings:** To the greatest extent possible, you should limit face-to-face meetings by using email, phone conferences, or videoconferencing. Consider whether any meetings, either within the department or within the community, can be cancelled or rescheduled or conducted remotely with the use of technology. Our default position should be that in-person meetings will be cancelled unless there is a compelling need. We are planning on providing departments with some additional technology conferencing tools to assist in this.
- **Public Meetings:** Essential public meetings may continue to be held. **If the State provides any authority for limiting public access to such meetings, it shall be the County's intent to apply such authority.** To the extent available, under state authorization and technological capabilities, remote access to meetings will be provided for.
- **Modifying work schedules:** **Departments may employ modified work schedules to enhance social distancing as authorized by the County Administrator for the duration of the period of the Emergency Declaration in a manner and form as he shall determine is appropriate.** Greater detail on implementation is provided below.
- **Remote Working / Telecommuting:** **Departments may employ remote working / telecommuting to enhance social distancing as authorized by the County Administrator for the duration of the period of the Emergency Declaration in a manner and form as he shall determine is appropriate.** Greater detail on implementation is provided below.
- In relation to certain Lakeland School staff, as determined, given their unique staffing and the Governor's directives related to schools, modifying work schedules and remote working may involve special circumstances and could include continued pay for remote learning efforts through at least April 3, 2020, which date is subject to re-evaluation and, potentially, further declarations by the Governor related to schools.
- The existing policy limiting eating at one's workspace is hereby suspended. Employees, however, are encouraged to clean such spaces after eating and instructed to throw food waste

away in the trash located in the regular break room or eating area. The goal is to help ensure that suspension of the rule does not increase the likelihood of insects or vermin.

- Limitation on access to county facilities and services may occur for individuals recently in a “community transmission” zone or more broadly for preventative measures.

2. PERSONAL HYGIENE AND CLEAN WORK ENVIRONMENTS

We all have a responsibility to provide for a safe and clean work environment. Public Works will be developing enhanced cleaning steps to increase the level and frequency of cleaning and disinfecting, including more attention to frequently touched surfaces such as railings, door knobs, elevator buttons, and conference room tables. We ask that employees assist in these efforts. Public Works will look to provide cleaning supplies for each office area so that you can personally and more frequently clean your phone, keyboard, and desk as you wish. When cleaning supplies are provided in meeting rooms, individuals are asked to wipe down the tables, chair arms, etc. following each meeting. Individuals are expected to practice the personal hygiene steps recommended by the CDC, such as hand washing.

3. MODIFYING WORK SCHEDULES AND REASSIGNMENTS

The County Administrator has asked departments to consider whether modifying work schedules to reduce overlap of staff in our non-24/7 operations is feasible. Department heads may make minor deviations to work schedules for these purposes. In order to consider consistency, efficiency, and the continued efficiency and effectiveness of operations, the County Administrator will review and approve broader use of modified work schedules. The County reserves the right to rescind or limit its application or continued applications.

Coordinated or shared modified work schedules is encouraged. For example, one individual working on site in the morning and another in the afternoon or alternating days off site could still provide for office or phone coverage.

Reassignments: The County Administrator may execute the County’s right to re-assign essential and non-essential staff to essential duties.

4. REMOTE WORKING / TELECOMMUTING

All departments have been asked to consider whether and how staff may be able to work remotely. Not all departments and functions will be able to accommodate this, as many of our services require direct client interaction. There are also some limitations on technology and equipment that may restrict our ability to implement this County-wide; nonetheless, IT is working to leverage our resources to their greatest extent. More details are being developed to ensure remote working can remain efficient, effective, and productive. Authorization will require approval by both the department head and, with the intent of tracking usage and usage type, the County Administrator.

5. PERSONAL TRAVEL

If you will be traveling out of Wisconsin, we ask that you communicate your travel plans, including the airports through which you will be traveling and your return date, with your direct Supervisor and Department Head. This will help the County to prepare for and respond to issues that may arise.

Upon return from vacation, we will expect employees to self-quarantine under the following two circumstances:

- If you, or a member of your traveling party, have knowingly come in contact with someone contagious or if you otherwise have reason to believe someone in your party may have contracted COVID-19; and/or,
- If, consistent with direction from Walworth County Public Health, the State Division of Public Health, and the Centers for Disease Control (CDC), you have traveled to a state (or county if the information is localized) or country currently designated as having “community transmission” or “community spread.” This means that transmission is occurring not only through individuals who have traveled, but is expected to be generally prevalent in the community. Please consult the following map to identify states with community transmission: <https://www.cdc.gov/coronavirus/2019-ncov/cases-in-us.html>. [Scroll down to the map and hover your mouse over each state; those that indicate “Community Transmission: Yes” are subject to this rule, but be advised this map changes daily.]

Note: In relation to employees with their primary home within a “community transmission” zone or whose spouse works within a “community transmission” zone, a decision on how to address handling “community transmission” designations for Illinois and certain Wisconsin communities is forth coming.

A decision on self-quarantine should be made based on the status of each state *when one returns* from vacation and not when one leaves. In this circumstance, self-quarantine means remaining away from work and other public places, typically in one’s home, for 14 calendar days. Please see the CDC website for links to information about other steps to take during a self-quarantine. Also, depending on the spread of the Coronavirus in Walworth County and among our workforce, we may be required to take a more aggressive posture with regard to keeping employees away from work. Please do not take offense if your Supervisor sends you home due to recent travel or because you are exhibiting symptoms; remember that self-quarantine is not a punishment but rather a selfless act intended to keep your co-workers and our community, including the elderly and at-risk individuals, from being infected.

6. TEMPORARY CHANGES TO ACCESS LEAVE BENEFITS

In order to enhance our response capabilities, add flexibility in application of Human Resources policies, and aid employees in addressing these unusual circumstances, the County Board, through the Declaration of Emergency, authorizes the County Administrator to temporarily amend or suspend leave benefit policies as set forth in the Walworth County Code of Ordinances retroactive up to March 16, 2020, and for the duration of the period of the Emergency Declaration in a manner and form as he shall determine is appropriate. Such actions that extend beyond or have impacts beyond the end of the period of the Emergency Declaration may require continuing authority or a temporary modification of ordinances or policy, as appropriate.

This authorization anticipates (but is not limited by enumeration herein) actions such as the following temporary actions:

- Allowing use of the extended sick bank.
 - Applicable use of extended sick bank:
 - If an employee has the flu or flu-like symptoms;
 - If an employee, an employee’s qualified family member, or an employee’s immediate member of household have COVID-19;
 - If an employee, an employee’s qualified family member, or an employee’s immediate member of household have received notification of an exposure (by public health or medical provider); and,
 - If an employee voluntarily travels to a known state or county, if identifiable, with community transmission, extended sick is not available for self-quarantine

period. If the region's status changes while the employee is gone, this will not apply.

- Employees may not use an extended sick bank to cover time for child care issues.
- Waiving accrual cap on STO or increasing cap by 2 weeks (80 hours), including consideration of “vacation” accruals for the Walworth County Deputy Sheriffs Association (Article 10.01).
- Waiving the 60-day waiting period for PTO for new hires.
- If all accrued benefit time (STO, PTO, vacation, sick, sick bank, holiday, etc.) is exhausted, unpaid benefit time will be allowed.
- Option to allow an employee’s leave balance to go into the negative for STO and vacation (Deputy Sheriff’s Association) for up to 40 hours, once alternative applicable leave balances have been exhausted, and pay back through accruals or time earned over next 12-18 months.
- If extenuating circumstances arise for those, for example who are not eligible for FMLA, that would jeopardize elected benefit continuation, the County will work to consider allowing a one-time 30-day extension to provide continuation of benefits at the employee rate.
- Childcare issues due to closures -
 - Allowed to use: STO, PTO, holiday bank, or comp bank (any paid time except extended sick bank).
 - If all accrued benefit time is exhausted, unpaid benefit time will be allowed.
- Extenuating circumstances will be evaluated on a case-by-case basis and approved by County Administrator.
- Department Heads are encouraged to review work rules for scheduling time off and attendance.
- If the Federal government expands any of these benefits, the County will be prepared to address and incorporate them, as appropriate.

7. ADDED FINANCIAL OBLIGATIONS AND AUTHORIZATION OF TRANSFER

The County Board authorizes the transfer of General Fund available fund balance equal to 50% of the County’s 2020 contingency fund, or \$312,500, to be used for the purchase of goods, services, or excess overtime/other payroll related costs above adopted budgeted funding under current policy and payroll practices.

The County Board authorizes the County Board Chair or the Finance Committee to approve a second transfer of General Fund available fund balance, for an additional \$312,500, in the event that it becomes financially necessary.

Department heads are directed to track all costs associated with prevention and reaction to COVID -19.

8. MEDICAL HEALTH CARE PLAN

The medical health care plans will provide coverage for COVID-19 testing, subject to the remaining conditions of the plans.

9. ESSENTIAL EMPLOYEES AND ESSENTIAL OPERATIONS

The County Administrator shall determine and prepare a list of essential operations and essential employees and, subsequently, report such list(s) to the Human Resources and Executive Committees.

10. PUBLIC INFORMATION

Walworth County Health and Human Services Department shall establish and maintain a point of information related to COVID-19 within the county website.

<https://wi-walworthcounty.civicplus.com/856/COVID-19>