

**The Board of Trustees of Colerain Township, County of Hamilton, State of Ohio,** met in emergency session at 6 p.m., on the 16th day of March, 2020, at the Colerain Township Administration Building, 4200 Springdale Road, Cincinnati, Ohio 45251, with the following members present:

Raj Rajagopal, Dan Unger, Matthew Wahlert

Mr. Wahlert introduced the following resolution and moved its adoption:

RESOLUTION NO. 12-20

**RESOLUTION DECLARING A STATE OF EMERGENCY DUE TO COVID-19**

**WHEREAS,** Coronavirus Disease 2019 (COVID-19) is a respiratory disease that can result in serious illness or death, which is caused by the SARS-CoV-2 virus that is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person; and

**WHEREAS,** due to the discovery of, and increases in, confirmed COVID-19 cases existing within the State of Ohio, Colerain Township, Hamilton County, Ohio, is being affected by the COVID-19 in a manner which could endanger health, safety, and welfare of persons within the border of Hamilton County, Ohio; and

**WHEREAS,** on January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

**WHEREAS,** Ohio Governor DeWine issued Executive Order # 2020-01D on March 9, 2020, designed to protect the well-being of Ohioans from the dangerous effects of COVID-19 which declared a state of emergency in Ohio due to the COVID-19 pandemic; and

**WHEREAS,** the State of Ohio announced its first case of community acquired COVID-19 on March 11, 2020; and

**WHEREAS,** the health risks created by those exposed to COVID-19 along the need to limit large gatherings of persons per state and local guidance have created a number of issues, problems, and difficulties for the Township Administration in being able to properly complete its duties in an effective, efficient, and timely manner to address this global pandemic within the Township; and

**WHEREAS,** the event may exceed all locally available public and private resources available to alleviate the effects of this emergency; and

**WHEREAS,** the Board of Trustees has determined that it is in the best interest of the Township to take the necessary actions to prevent COVID-19 from spreading and to protect the health, welfare, and safety of the citizens of the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Colerain Township, Hamilton County, Ohio Board of Trustees declares a state of emergency exists in Colerain Township related to the COVID-19 pandemic and hereby invokes and declares under authority provided by the Ohio Constitution and Ohio Revised Code including, but not limited to, RC. Chapter 5502,, that the following actions have been determined to be taken in order to protect the health, safety, and welfare of the residents of Colerain Township, Hamilton County, Ohio.

**BE IT FURTHER RESOLVED** by the Board of Trustees of Colerain Township, Hamilton County, Ohio, as follows:

1. Pursuant to ORC 5705.41(D)(1) and the Colerain Township Purchasing Policy, given this emergency situation the Board of Township Trustees authorize the use of then-and-now certificates when necessary to purchase supplies, materials and other goods and services so as not to impede an expedited response to the Public Health Emergency; and
2. Colerain Township Paid Time Off Policy #1.9 shall be modified/clarified to allow for the following:
  - a. Should an employee get COVID-19 as part of their duties (e.g. public safety personnel from patient) that employee shall use worker's compensation leave.
  - b. Should an employee get COVID-19 unrelated to their work duties, that employee shall use sick leave.
  - c. Should an employee be required to stay home to care for unsick children who are home due to school or daycare closures the following options are to be used in this order and in consultation with each individual employee's department head:
    1. Flex Time
    2. Work from home
    3. Paid Time Off (PTO)
  - d. All employees are encouraged to stay home when sick and/or exhibiting any symptoms of COVID-19 and should work from home when possible, using PTO when not possible.
  - e. Department Heads have the authority to send an employee home suspected to be sick and/or who exhibits symptoms of COVID-19.
  - f. Non-essential employees will be assigned by the Township Administrator to work remotely if/when a confirmed positive COVID-19 occurs in the employees' specific workplace. i.e 4200 Springdale, 4160 Springdale, etc. If a confirmed positive COVID-19 case occurs in a worksite, the Township Administrator shall determine which employees are to be classified as essential and which employees are classified as non-essential.
3. All non-essential employee travel is to be discontinued until further notice.
4. In the event that the Township Administrator is incapacitated, the Assistant Township Administrator shall assume the responsibilities and is duly authorized to act as the interim Township Administrator. In the event that both the Township Administrator and the Assistant Township Administrator are incapacitated, the Chief of Police shall assume the

responsibilities and shall be duly authorized to act as the interim Township Administrator.

5. The Colerain Township Senior Center shall be closed until further notice.
6. All hall rentals in the Community Center expecting more than 50 people are encouraged to reschedule, in accordance with Governor DeWine's Guidance.
7. Social distancing shall be encouraged at public meetings by increasing the distance between seats in the audience.
8. As long as the state of emergency is in place, Colerain Township will follow all orders from the State of Ohio and Hamilton County.
9. All Zoning Commission and Board of Zoning Appeals meetings will be suspended throughout the duration of this resolution.

**BE IT FURTHER RESOLVED** that the State of Emergency shall end in thirty days unless renewed by a majority vote of this Board.

**BE IT FURTHER RESOLVED** that it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code; and

**BE IT FURTHER RESOLVED** that the Board by a majority vote hereby dispenses with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of the Resolution upon its first reading.

**BE IT FURTHER RESOLVED** That this Resolution shall be effective at the earliest date allowed by law.

Mr. Unger seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Mr. Rajagopal aye, Mr. Unger aye, Mr. Wahlert aye

ADOPTED this 16th day of March, 2020.

BOARD OF TRUSTEES:

Raj Rajagopal  
Raj Rajagopal, Trustee

Dan Unger  
Dan Unger, Trustee

Matthew Wahlert  
Matthew Wahlert, Trustee

ATTEST:

Heather E. Harlow  
Heather E. Harlow,  
Colerain Township Fiscal Officer

Resolution prepared by and approved as to form:

Lawrence E. Barbieri (0027106)  
Colerain Township Law Director  
Scott A. Sollmann (0081467)  
Asst. Colerain Township Law Director  
5300 Socialville Foster Rd., Suite 200  
Mason, OH 45040 (513) 583-4200

AUTHENTICATION

This is to certify that this Resolution was duly passed and filed with the Colerain Township Fiscal Officer this 16th day of March, 2020.

Heather E. Harlow  
Heather E. Harlow  
Colerain Township Fiscal Officer