

ST. CHARLES COUNTY COUNCIL
EMERGENCY MEETING
March 20, 2020
8:30 a.m.
EXECUTIVE BUILDING/COUNCIL CHAMBERS
100 N. THIRD STREET, ST. CHARLES, MO
"Tentative"
AGENDA

**PUBLIC ATTENDANCE WILL ONLY BE PERMITTED THROUGH VIRTUAL
PRESENCE (TV.SCCMO.ORG)**

ROLL CALL

PUBLIC COMMENTS

Council will be accepting comments by e-mail at Council@sccmo.org or in writing up until 12:00 p.m. (noon) on Friday, March 20, 2020 and such comments will be included into the record of the meeting.

EMERGENCY BILLS

Emergency Bill No. 4828

Agreement with the City of St. Peters to obtain space in the St. Peters Emergency Operations Area for the purpose of operating an Informational Call Center

Documents:

[EMERGENCY BILL NO. 4828.PDF](#)

Emergency Bill No. 4829

Enacting a new Section 210.005 relating to failure to comply with Public Health Emergency Orders

Documents:

[EMERGENCY BILL NO. 4829.PDF](#)

Emergency Bill No. 4830

Establishing Leave Policies related to the COVID-19 Pandemic and authorizing the County Executive to modify the Policy as needed

Documents:

[EMERGENCY BILL NO. 4830.PDF](#)

Emergency Bill No. 4831

Execute a Memorandum of Understanding between the St. Charles County Department of Corrections and various agencies for purposes of coordinating effective response to handling incarcerated persons during the COVID-19 Pandemic

Documents:

[EMERGENCY BILL NO. 4831.PDF](#)

Emergency Bill No. 4828

Ordinance No. _____

Requested by: Demetrius Cianci-Chapman

Sponsored by: Terry Hollander

AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE CITY OF ST. PETERS TO OBTAIN SPACE IN THE ST. PETERS EMERGENCY OPERATIONS AREA FOR THE PURPOSE OF OPERATING AN INFORMATIONAL CALL CENTER TO RESPOND TO CITIZENS' INQUIRIES REGARDING THE COVID-19 PANDEMIC

WHEREAS, worldwide, there are currently more than 167,000 COVID-19 cases resulting in nearly 6,500 deaths. In the United States, more than 3,000 cases have been diagnosed; and

WHEREAS, on March 13, 2020, the County Executive declared a State of Emergency for St. Charles County to ensure all resources are made available to assist in fighting the COVID-19 pandemic; and

WHEREAS, the St. Charles County Department of Public Health has been designated as the lead agency to coordinate the County's response and disseminate information to the public; and

WHEREAS, at the current time, there is no known vaccine to prevent individuals from contracting the COVID-19 disease if exposed to the novel coronavirus; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has developed and issued healthcare

protocols to reduce the likelihood of individuals contracting COVID-19; and

WHEREAS, the St. Charles County Charter, Article II, Section 2.605 (2018) states that to meet a public emergency affecting the immediate preservation of the public peace, health and welfare, the Council may adopt emergency ordinances; and

WHEREAS, the public emergency affecting the immediate preservation of the public peace, health, safety and welfare in the County exists in that the County is experiences an extraordinary and unprecedented number of calls for assistance and guidance from County residents related to COVID-19; and

WHEREAS, Section 70.220, RSMo, authorizes intergovernmental agreements between political subdivisions of this state and other political subdivisions or federal agencies for the purposes herein set out.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The County Executive is hereby authorized to execute an agreement in substantially the same form as **EXHIBIT A** with the City of St. Peters on behalf of the St. Charles County Department of Public Health for the purpose of operating a call center to respond to citizens' calls regarding COVID-19.

Section 2. The County Executive is authorized to renew this agreement as necessary until the State of Emergency has terminated.

Section 3. Compliance with all the terms of this agreement shall be the responsibility of the St. Charles County Department of Public Health.

Section 4. The agreement shall be valid upon its lawful execution as required by Chapter 70 of the Revised Statutes of Missouri.

Section 5. Declaration of Emergency. An emergency exists because there is a confirmed St. Charles County case, as well as cases in St. Louis County and St. Louis City which jurisdictions are a part of the metropolitan area.

Section 6. This ordinance shall be in full force and effect from and after the date of its passage and approval by two-thirds of all Councilmembers in accordance with the provisions of Article 2.605 of the Charter of St. Charles County.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR

EXHIBIT A

**COOPERATIVE AGREEMENT FOR OBTAINING SPACE TO CONDUCT A
CITIZENS' CALL CENTER RELATING TO COVID-19**

This Agreement is entered into as of the _____ day of _____, 2020, between ST. CHARLES COUNTY, MISSOURI, a charter county and political subdivision of the state of Missouri (hereinafter referred to as "County"), the City of St. Peters, Missouri, a city of the fourth class and political subdivision of the State of Missouri (hereinafter referred to as "City").

WHEREAS, worldwide, there are currently more than 167,000 COVID-19 cases resulting in nearly 6,500 deaths. In the United States, more than 3,000 cases have been diagnosed; and

WHEREAS, on March 13, 2020, the County Executive declared a State of Emergency for St. Charles County to ensure all resources are made available to assist in fighting the COVID-19 pandemic; and

WHEREAS, the St. Charles County Department of Public Health has been designated as the lead agency to coordinate the County's response and disseminate information to the public; and

WHEREAS, at the current time, there is no known vaccine to prevent individuals from contracting the COVID-19 disease if exposed to the novel coronavirus; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has developed and issued healthcare protocols to reduce the likelihood of individuals contracting COVID-19; and

WHEREAS, Section 70.220, RSMo, authorizes intergovernmental agreements between political subdivisions of this state and other political subdivisions or federal agencies for the purposes herein set out.

NOW, THEREFORE, the parties do hereby agree as follows:

General Terms

1. The City hereby leases to County and County hereby leases from the City the portions of the building located at St. Peters Justice Center, 1020 Grand Teton Drive, St. Peters, MO 63376 (the "Building"). County's rights are subject to all restrictions, encumbrances, covenants, easements and rights-of-way of record and applicable zoning regulations including, but not limited to, rights of ingress and egress. The City represents to the County that the Leased Premises are safe in good order and repair, including but not limited to all HVAC systems, plumbing, electrical and structural systems and is fit for use as municipal police department detective bureau and related purposes.

2. St. Peters may submit costs for possible reimbursement on Form 214 to the County Emergency Management Director.

3. County shall have the right to access the Premises for the operation by the St. Charles County Department of Public Health of a call center to respond to citizens' calls regarding COVID-19.

4. County employees shall be subject to the City's directions for ingress and egress to the call center location.

Limitations

5. This Agreement is not assignable by any party hereto.

6. The parties shall comply with all applicable laws, ordinances, rules, regulations and requirements now in force or which may hereinafter be put into force.

Duration and Termination

7. This Agreement commences upon full execution by both parties and continues until the termination of the State of Emergency declared on March 13, 2020, by the County Executive to fight the COVID-19, or until such later date as the parties may agree.

8. This Agreement may be terminated by either party hereto with ten (10) days written notice to the other party.

Miscellaneous

9. The headings in this Agreement are for convenience only and neither limit nor amplify the provisions of this Agreement.

10. If any provision of this Agreement shall be found by a court of competent jurisdiction to be invalid or unenforceable, the same shall be reduced in scope and coverage to the extent necessary to render the same valid, and, if that is not possible, the remainder of this Agreement shall not be affected and shall continue in full force and effect.

11. No provision of this Agreement shall be construed against or interpreted to the disadvantage of a party by any court or other governmental authority by reason of such party having or being deemed to have structured or dictated such provision.

12. This Agreement constitutes the entire agreement of the parties hereto with respect to the subject matter hereof. There are no contemporaneous agreements, written or oral, between the parties with respect to the subject matter hereof. This Agreement may be modified only by a written instrument signed by each of the parties hereto.

13. Notices: All notices and other communications hereunder shall be in writing and shall be deemed to be duly given if (a) delivered in person or by commercial delivery service, or (b) if

mailed by certified mail, with postage prepaid and return receipt requested, to the party at its address as set forth below, or to such other person and/or address as the party may provide by written notice in the future:

To County:
Director of Finance
St. Charles County
201 North Second Street, Fifth Floor
St. Charles, Missouri 63301

To City:
City Administrator
City of St. Peters
One St. Peters Centre Blvd.
St. Peters, Missouri 63376

IN WITNESS WHEREOF, each of the undersigned has executed this Agreement after duly obtaining authorization to enter same from the governing body thereof in accordance with applicable law.

CITY OF ST. PETERS, MISSOURI:

ST. CHARLES COUNTY, MISSOURI:

By _____
Len Pagano, Mayor

By _____
Steve Ehlmann, County Executive

ATTEST:

ATTEST:

Patty Smith, City Clerk

Brenda Hinton, County Registrar

Emergency Bill No. 4829

Ordinance No. _____

Requested by: Steve Ehlmann, Demetrius Cianci-Chapman

Sponsored by: Terry Hollander

AN EMERGENCY HEALTH ORDINANCE WITH A PENALTY PROVISION ENACTING A NEW SECTION 210.005 OF THE ORDINANCES OF ST. CHARLES COUNTY, MISSOURI RELATING TO FAILURE TO COMPLY WITH PUBLIC HEALTH EMERGENCY ORDERS

WHEREAS, on March 13, 2020, the St. Charles County Executive Steve Ehlmann declared that a State of Emergency exists in St. Charles County, Missouri, to assist with the St. Charles County’s response to the health threat posed by SARS-CoV-2 virus, which causes Novel Coronavirus 2019 (“COVID-19”); and

WHEREAS, COVID-19 can result in mild of severe symptoms, is highly contagious and is spread through close contact between persons and respiratory transmission; and

WHEREAS, COVID-19 poses a serious health risk, particularly for residents and visitors who are elderly or have compromised immune systems; and

WHEREAS, on March 11, 2020, the World Health Organization officially declared a pandemic due to COVID-19, and on March 13, 2020, Missouri Governor Michael L. Parson declared a State of Emergency in Missouri to assist with the State’s response to this health threat; and

WHEREAS, Article II, Section 2.529 of the Charter of St. Charles County provides that the County Council shall have the power to exercise legislative power pertaining to public

health and welfare, police and traffic, building construction, and planning and zoning, in the part of the County outside incorporated Cities, Towns, and Villages, and on such other subjects as may be authorized by the Constitution or by applicable law; and

WHEREAS, pursuant to Missouri Revised Statute Section 192.300, St. Charles County may enact ordinances to enhance the public health in all areas of the County, whether unincorporated or incorporated; and

WHEREAS, pursuant to Code of State Regulations Section 19 CSR 20-20.040 and 19 CSR 20-20.050, the County's Director of Public Health, as the local public health authority, has the power to issue orders regarding Measures to Determine the Prevalence and Prevent the Spread of Diseases which are Infectious, Contagious, Communicable, or Dangerous in their Nature and to Quarantine or Isolation Practices and Closing of Schools and Places of Public and Private Assembly.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. A new Section 210.005, OSCCMo., is hereby enacted as follows:

Section 210.005 Public Health Emergency Orders

A. A Public Health Emergency Order is any order issued by the County Executive or Director of the County's Public Health Department pursuant to a declared public health State of Emergency, including any and all amendments thereto.

- B. In order to enhance the public health and prevent the entrance and spread of disease in St. Charles County, the provisions of this chapter shall apply in all unincorporated and incorporated parts of St. Charles County.
- C. No person shall knowingly violate a Public Health Emergency Order.
- D. Any person who, having been given a warning, is guilty of a misdemeanor. A separate offense shall be deemed committed on each day a violation occurs or continues.
- E. Enforcement of these Sections shall be the responsibility of the County Counselor's Office.
- F. The County Counselor's Office shall seek judicial enforcement of Public Health Emergency Orders as required to ensure they are carried out to protect the public health and safety.

Section 2. Declaration of Emergency. An emergency exists because there is a confirmed St. Charles County case, as well as cases in St. Louis County and St. Louis City which jurisdictions are a part of the metropolitan area.

Section 3. This ordinance shall be in full force and effect from and after the date of its passage and approval pursuant to the St. Charles County Charter Article II, Section 2.605.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR

Emergency Bill No. 4830

Ordinance No. _____

Requested by: Steve Ehlmann and Samantha Shadrach

Sponsored by: Terry Hollander

AN EMERGENCY ORDINANCE ESTABLISHING
LEAVE POLICIES REGARDING THE DECLARED
PUBLIC HEALTH EMERGENCY RELATED TO
THE COVID-19 PANDEMIC AND AUTHORIZING
THE COUNTY EXECUTIVE TO MODIFY THE
POLICY AS NEEDED TO RESPOND TO
CHANGING CONDITIONS

WHEREAS, on March 13, 2020, the St. Charles County Executive Steve Ehlmann declared that a State of Emergency exists in St. Charles County, Missouri, to assist with the St. Charles County's response to the health threat posed by SARS-CoV-2 virus, which causes Novel Coronavirus 2019 ("COVID-19"); and

WHEREAS, COVID-19 can result in mild or severe symptoms, is highly contagious and is spread through close contact between persons and respiratory transmission; and

WHEREAS, COVID-19 poses a serious health risk, particularly for residents and visitors who are elderly or have compromised immune systems; and

WHEREAS, on March 11, 2020, the World Health Organization officially declared a pandemic due to COVID-19, and on March 13, 2020, Missouri Governor Michael L. Parson declared a State of Emergency in Missouri to assist with the State's response to this health threat; and

WHEREAS, County government must continue to provide essential

government services to its citizens and provide for the public health and safety of St. Charles; and

WHEREAS, it is necessary to adjust leave policies in response to the unprecedented emergency in order to continue to provide staffing and ensure that such essential government services can be delivered, and within the bounds of providing those services to allow employees the ability to respond to their individual circumstances; and

WHEREAS, the St. Charles County Charter, Article II, Section 2.605 states that to meet a public emergency affecting the immediate preservation of the public peace, health, safety and welfare, the Council may adopt emergency ordinances; and

WHEREAS, Article II, Section 2.529 of the Charter of St. Charles County provides that the County Council shall have the power to exercise legislative power pertaining to public health and welfare, police and traffic, building construction, and planning and zoning, in the part of the County outside incorporated Cities, Towns, and Villages, and on such other subjects as may be authorized by the Constitution or by applicable law; and

WHEREAS, pursuant to Missouri Revised Statute Section 192.300, St. Charles County may enact ordinances to enhance the public health in all areas of the County, whether unincorporated or incorporated.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The Director of Administration shall make such

operational adjustments and decisions to ensure that critical services and public safety services are not interrupted, and that appropriate staffing is provided in all areas related to public health and safety.

Section 2. The following provisions will govern leave usage during the course of the declared emergency and the County Executive is authorized to amend the provisions in response to an extended period of work interruption or to conform to any state and federal law changes.

INTENTIONALLY LEFT BLANK

Employee Compensation and Benefits During State of Emergency Declared March 13, 2020

Category	Definition	Work Requirements	Pay During the State of Emergency
Category 1	<p>Employee is ordered quarantined or has been advised to voluntarily quarantine by a Public Health Department.</p> <p>Must provide written documentation from Public Health.</p>	<p>During the ordered quarantine period or period when advised to be voluntarily quarantined, the employee shall have no work requirement while they are symptomatic. When not symptomatic, employees shall work as directed by their appointing authority, if such duties can be performed at home.</p>	<p>Paid regular rate of pay during the quarantine period. However, if during the time of this emergency, after the effective date of this bill the employee chooses to travel outside of the St. Louis region and upon return is ordered to quarantine or has been advised to voluntarily quarantine by a Public Health Department due to the travel, the employee is required to take PTO and if has no PTO balance will be treated under the unpaid leave standards of the current ordinance.</p>
Category 2	<p>Employee is a member of a *vulnerable population.</p>	<p>The employee is required to work in the ordinary course of business except as authorized by the appointing authority. The employee has the sole discretion to decide whether to work from home or to work in the ordinary course of business. If the employee decides to work from home, the employee must perform work as directed by the appointing authority. If the employee decides to work from home but it is not possible for the employee to perform job duties from home, the appointing authority may assign the employee other job duties that can be performed from the employee's home.</p>	<p>Paid regular rate of pay while complying with work requirements, otherwise the employee may utilize EML beginning the first day of absence or PTO if the employee's duties don't allow working from home.</p>

Category 3	Employee is (a) a parent or legal guardian of a dependent under the age of 18 in the employee's custody, (b) the dependent is isolated or quarantined outside of the employee's household, and (c) the employee is traveling to reach the dependent child requiring care related to Covid-19.	The employee is required to work in the ordinary course of business except as authorized by the appointing authority to telecommute if the employee's duties allow for remote work.	Paid regular rate of pay while complying with work requirements, otherwise the employee is required to take PTO.
Category 4	Employee is (a) a parent or legal guardian of a dependent, (b) the dependent's school or daycare is closed in connection with COVID-19, and (c) the dependent is in the parent or legal guardian's physical custody.	The employee is required to work in the ordinary course of business except as authorized by the appointing authority. The employee's appointing authority shall authorize the employee to work from home to the extent reasonably possible.	Paid regular rate of pay while complying with work requirements, otherwise the employee is required to take leave in the following order: Comp Time, PTO and if exhausted, EML is immediately available.
Category 5	Employee who is a household member of a person who is a member of the vulnerable population.	The employee is required to work in the ordinary course of business except as authorized by the appointing authority. The employee's appointing authority shall authorize the employee to work from home to the extent reasonably possible and, if the employee decides to work from home but it is not possible for the employee to perform job duties from home, the appointing authority may assign the employee other job duties that can be performed from the employee's home.	Paid regular rate of pay while complying with work requirements, otherwise the employee may utilize EML beginning the first day of absence or PTO if the employee's duties don't allow working from home.
Category 6	Employees who are defined as critical employees pursuant to this ordinance above.	The employee is required to work in the ordinary course of business except as authorized by the appointing authority.	Paid regular rate of pay while complying with work requirements.

Clarifications:

- *Vulnerable individuals are those who are (1) 60 years of age or older, or (2) have any of the following underlying medical conditions: Blood Disorders; Cancer; Chronic Kidney Disease; Chronic Liver Disease; Compromised Immune System; Current or Recent Pregnancy; Diabetes or other Metabolic Disorders; Metabolic Disorders; Heart Disease; Lung Disease including Asthma or Chronic Obstructive Pulmonary Disease; Neurological and neurologic and neurodevelopment conditions. This term is subject to change by the Director of the Department of Public Health.

- Paid family leave policy applies as normal.
- While working from home, the employee must comply with the Telecommuting Agreement entered into between the employee and their Appointing Authority. Employees may be asked to perform duties that are not currently part of their job.
- Employees should provide as much advanced notice to their supervisor as possible.

Section 3. Compliance with this ordinance shall be the responsibility of the Director of Human Resources.

Section 4. Declaration of Emergency. An emergency exists because there is a confirmed St. Charles County case, as well as cases in St. Louis County and St. Louis City which jurisdictions are a part of the metropolitan area.

Section 5. This ordinance shall be in full force and effect from and after the date of its passage and approval by two-thirds of all Councilmembers in accordance with the provisions of Article 2.605 of the Charter of St. Charles County.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR

Emergency Bill No. 4831

Ordinance No. _____

Requested by: Steve Ehlmann

Sponsored by: Terry Hollander

AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE, OR HIS DESIGNEE, TO EXECUTE MEMORANDUM OF UNDERSTANDING BETWEEN THE ST. CHARLES COUNTY DEPARTMENT OF CORRECTIONS AND VARIOUS AGENCIES FOR THE PURPOSES OF COORDINATING EFFECTIVE RESPONSE TO HANDLING INCARCERATED PERSONS WITHIN ST. CHARLES COUNTY DURING THE COVID-19 PANDEMIC

WHEREAS, worldwide, there are currently more than 167,000 COVID-19 cases resulting in nearly 6,500 deaths. In the United States, more than 3,000 cases have been diagnosed; and

WHEREAS, on March 13, 2020, the County Executive declared a State of Emergency for St. Charles County to ensure all resources are made available to assist in fighting the COVID-19 pandemic; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has developed and issued healthcare protocols to reduce the likelihood of individuals contracting COVID-19; and

WHEREAS, the St. Charles County Charter, Article II, Section 2.605 (2018) states that to meet a public emergency affecting the immediate preservation of the public peace, health and welfare, the Council may adopt emergency ordinances; and

WHEREAS, the incarcerated population is especially at risk during this national health crisis because of the nature of secure housing facilities; and

WHEREAS, certain measures will assist the County in protecting peace, health, safety and welfare of the correctional staff and incarcerated persons within the County Correctional Facilities related to COVID-19; and

WHEREAS, Chapter 70, Revised Statute of Missouri authorizes intergovernmental agreements between political subdivisions of this state and other political subdivisions or agencies for the purposes herein set out.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The County Executive, or his designee, is hereby authorized to execute Memoranda of Understanding for the St. Charles County Department of Corrections' response to the COVID-19 pandemic.

Section 2. The County Executive, or his designee, is hereby authorized to execute amendments to or renewals of such Memoranda of Understanding for this purpose, as necessary until the State of Emergency has terminated, with such agreements to be in a form approved by the County Counselor.

Section 3. Compliance with all the terms of this agreement shall be the responsibility of the St. Charles County Department of Corrections

Section 4. The agreement shall be valid upon its lawful execution as required by Chapter 70 of the Revised Statutes of Missouri.

Section 5. Declaration of Emergency. An emergency exists because there is a confirmed St. Charles County case, as well as cases in St. Louis County and St. Louis City which jurisdictions are a part of the metropolitan area.

Section 6. This ordinance shall be in full force and effect from and after the date of its passage and approval by two-thirds of all Councilmembers in accordance with the provisions of Article 2.605 of the Charter of St. Charles County.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR