EXECUTIVE ORDER 2020-5

WHEREAS, on March 12, 2020, Governor John Carney issued a Declaration of a State of Emergency for the State of Delaware (the “Emergency Declaration”) due to the public health threat created by the novel coronavirus (“COVID-19”), and has since issued nine modifications to the Emergency Declaration; and

WHEREAS, on March 22, 2020, the Governor’s Fourth and Fifth Modifications to the Emergency Declaration, which became effective on March 24, 2020, closed businesses defined as “Non-Essential Businesses” until May 15, 2020, and ordered all Delaware residents to shelter in place except for “Essential Activities” and “Essential Travel;” and

WHEREAS, the County government, like the state government, constitutes an Essential Business and has continued its operations, while requiring as many employees as possible to telecommute and requiring on-site employees to comply with social distancing requirements; and

WHEREAS, the Emergency Declaration, as modified, does not fall within the short-term emergency circumstances contemplated in Personnel Policy 1.03; and

WHEREAS, the COVID-19 public health threat is a novel, longer-term threat;

WHEREAS, through Executive Orders 2020-2, 2020-3, and 2020-4, I granted Paid Emergency Leave and Administrative Leave with Pay under certain circumstances; and

WHEREAS, additional personnel policies related to the COVID-19 public health threat have been issued by the Chief Human Resources Officer; and

WHEREAS, the federal Families First Coronavirus Response Act provides most County employees rights to Paid Emergency Sick Leave and Expanded Family and Medical Leave; and

WHEREAS, it is necessary to create a comprehensive personnel policy regarding the leave and personnel policies related to the COVID-19 public health threat; and

WHEREAS, on March 24, 2020, the Governor’s Sixth Modification to the Emergency Declaration placed a moratorium on residential mortgage foreclosure proceedings to enable Delawareans to shelter in place safely; and

WHEREAS, on March 22, 2020, the Delaware Supreme Court issued an administrative order closing all court facilities, except for certain 24-hour Justice of the Peace Courts, effective as of March 23, 2020, until at least April 15, 2020, in response to the public health threat posed by COVID-19; and

WHEREAS, Delaware residents have already suffered a substantial financial toll resulting from efforts to reduce the spread of COVID-19, as evidenced by the number of claims for unemployment insurance
benefits in Delaware for the week March 15-21, 2020, which exceeded the number of claims received in any month over the past thirty (30) years; and

WHEREAS, it is anticipated that the public health threat created by COVID-19, and efforts to reduce its spread, will continue to take a steep financial toll on Delaware residents for the indefinite future; and

WHEREAS, pursuant to 9 Del. C. § 330, New Castle County (the “County”) has general powers and duties to direct, manage and control its business and finances; and

WHEREAS, on March 16, 2020, all County libraries were closed to the public until further notice in order to help reduce the spread of COVID-19; and

WHEREAS, the County enables property owners to make online tax and sewer payments by credit card and electronic check through a third-party provider, Paymentus Corporation (“Paymentus”) and the County seeks to encourage property owners to make payments online rather than in-person at the Government Center; and

WHEREAS, Paymentus charges property owners, or parties paying on the owners’ behalf, a service fee (a) equal to 2.5% of the total of any tax payment and (b) of $5.25 for each sewer payment per $650 increment; and

WHEREAS, the County offers a Maintenance Corporation Billing Program (the “Billing Program”) in which it sends annual bills and processes payments on behalf of participating maintenance corporations for the dues or assessments that residents of the applicable subdivision are required to pay to the applicable maintenance corporation; and

WHEREAS, the County charges maintenance corporations participating in the Billing Program an annual “per parcel” fee to help cover the County’s costs associated with providing its billing and remittance services.

WHEREAS, it is necessary to provide relief to New Castle County property owners, residents and employees due to the financial toll already caused by the COVID-19 pandemic and its anticipated long-lasting and potentially devastating impact.

NOW THEREFORE, I, the County Executive, direct that the following policy be implemented:


2. The New Castle County Office of Law shall not initiate any new monition action for collection of delinquent taxes or execute on any existing judgment in favor of the County.

3. Property owners, or any party paying on their behalf, shall not be charged the applicable Paymentus service fee when making an online tax or sewer payment by credit card or electronic check.

HONESTY ★ TRANSPARENCY ★ EFFICIENCY
4. Fines for overdue County library materials and fees for misplaced County library materials for items that were checked out as of March 16, 2020 shall be waived.

5. Maintenance corporations participating in the Billing Program for calendar year 2020 shall not be charged the annual “per parcel” fee for the billing and remittance services provided by the County.

This Executive Order shall become enforceable immediately upon signature by the New Castle County Executive. Unless otherwise indicated above, this Executive Order shall remain in effect until the earlier of (a) the termination of the Emergency Declaration pursuant to applicable state law and (b) the rescission of this Executive Order by the New Castle County Executive.

So Ordered:

[Signature]

Matthew Meyer
New Castle County Executive

April 3, 2020

Date