

JOHN NIEHLS

vs.

MONTGOMERY COUNTY BOARD OF COMMISSIONERS

NO. 2020-19389

NOTICE TO DEFEND - CIVIL

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYER REFERENCE SERVICE
MONTGOMERY BAR ASSOCIATION
100 West Airy Street (REAR)
NORRISTOWN, PA 19404-0268

(610) 279-9660, EXTENSION 201

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

JOHN NIEHLS

vs.

MONTGOMERY COUNTY BOARD OF COMMISSIONERS

NO. 2020-19389

CIVIL COVER SHEET

State Rule 205.5 requires this form be attached to any document commencing an action in the Montgomery County Court of Common Pleas. The information provided herein is used solely as an aid in tracking cases in the court system. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

Name of Plaintiff/Appellant's Attorney: WALTER S ZIMOLONG, Esq., ID: 89151

Self-Represented (Pro Se) Litigant

Class Action Suit Yes No

MDJ Appeal Yes No

Money Damages Requested

Commencement of Action:

Amount in Controversy:

Complaint

Case Type and Code

Miscellaneous: _____

Declaratory Judgment _____

Other: _____

Case# 2020-19389-0 Docketed at Montgomery County Prothonotary on 11/18/2020 1:51 PM, Fee = \$290.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

IN THE COURT OF COMMON PLEAS, MONTGOMERY COUNTY,
PENNSYLVANIA, CIVIL DIVISION

JOHN NIEHLS :
111 Wild Run Road : NO.
Barto, PA 19504 :

ELIZABETH WEIR :
124 Beaumont Place, :
Lower Gwynedd, PA 19002 :

AND :

KAITLIN DERSTINE :
21 South Hamilton Street :
Telford, PA 18969 :

Plaintiffs/Petitioners, :

v. :

MONTGOMERY COUNTY BOARD OF :
COMMISSIONERS, :
Montgomery County Courthouse :
P.O. Box 511 :
Norristown, PA 19404-0313, :

VALERIE A. ARKOOSH, in her official :
capacity :
Montgomery County Courthouse :
P.O. Box 511 :
Norristown, PA 19404-0313, :

KENNETH E. LAWRENCE, in his offi- :
cial capacity :
Montgomery County Courthouse :
P.O. Box 511 :
Norristown, PA 19404-0313, :

MONTGOMERY COUNTY DEPART- :
MENT OF HEALTH AND HUMAN :
SERVICES :
P.O. Box 311 :
Norristown, PA 19404-0311, :

JANET PANNING, in her official ca- :
pacity :
P.O. Box 311 :
Norristown, PA 19404-0311, :
: :
RICHARD S. LORRAINE, in his official :
capacity :
P.O. Box 311 :
Norristown, PA 19404-0311 :
: :
MONTGOMERY COUNTY BOARD OF :
HEALTH :
P.O. Box 311 :
Norristown, PA 19404-0311, :
: :
MICHAEL B. LAIGN, in his official ca- :
pacity :
P.O. Box 311 :
Norristown, PA 19404-0311, :
: :
FRANCIS JEYARAJ, in his official ca- :
pacity :
P.O. Box 311 :
Norristown, PA 19404-0311, :
: :
STEVEN KATZ, in his official capacity :
P.O. Box 311 :
Norristown, PA 19404-0311, :
: :
BARBARA WADSORTH, in her official :
capacity :
P.O. Box 311 :
Norristown, PA 19404-0311, :
: :
AND :
: :
MARTIN D. TRICHTINGER, in his offi- :
cial capacity :
P.O. Box 311 :
Norristown, PA 19404-0311, :
: :
Defendants/Respondents. :

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiffs, John Niehls, Elizabeth Weir, and Kaitlin Derstine, bring this complaint in equity to enjoin all official actions taken by the defendants in violation of the Sunshine Act, 65 Pa.C.S.A. § 701, et. seq. (the “Sunshine Act”) and aver as follows:

Parties and Jurisdiction

1. Plaintiff, John Niehls, is a resident of the County of Montgomery with a residence located at 111 Wild Run Road, Barto, PA 19504.

2. Plaintiff, Elizabeth Weir, is a resident of the County of Montgomery with a residence located at 124 Beaumont Place, Lower Gwynedd, PA 19002.

3. Plaintiff, Kaitlin Derstine, is a resident of the County of Montgomery with a residence located at 21 South Hamilton Street, Telford, PA 18969.

4. Defendant, Montgomery County Board of Commissioners, is a body public and an agency as defined under Section 703 of the Sunshine Act, 65 Pa.C.S. § 703.

5. Defendant, Valerie Arkoosh, is a Commissioner and Chair of the Montgomery County Board of Commissioners. She is sued in her official capacity.

6. Defendant, Kenneth Lawrence, Jr., is a Commissioner and Vice Chair of the Montgomery County Board of Commissioners. He is sued in his official capacity.

7. Defendant, Montgomery County Department of Health & Human Service, Office Public Health, is a body public and an agency under Section 703 of the Sunshine Act, 65 Pa.C.S. § 703.

8. Defendant, Janet Panning, is the Interim Director of the Office of Public Health. She is sued in her official capacity.

9. Defendant, Richard S. Lorraine, is the Medical Director of the Office of Public Health. He is sued in his official capacity.

10. Defendant, Montgomery County Board of Health (the “Board”), is a five member board formed under 16 P.S. § 12001, et. seq., and a County resolution dated January 25, 1990 the members of which are appointed by the Montgomery County Board of Commissioners. The Board is an agency as defined under the Sunshine Act, 65 Pa.C.S. § 703.

11. Defendant, Michael B. Laign, is a member of the Board and is sued in his official capacity.

12. Defendant, Francis Jeyaraj, is a member of the Board and is sued in his official capacity.

13. Defendant, Steven Katz, is a member of the Board and is sued in his official capacity.

14. Defendant, Barbara Wadsworth, is a member of the Board and is sued in her official capacity.

15. Defendant, Martin D. Trichtinger, is a member of the Board and is sued in his official capacity.

16. This Court has jurisdiction over this matter under 42 Pa.C.S. § 931(a)(1) and 65 Pa.C.S. § 715.

Factual Background

The Sunshine Act

17. The Sunshine Act protects the “the right of the public to be present at all meetings of agencies and to witness the deliberation, policy formulation and decision making of agencies.” 65 Pa.C.S.A. § 702(a).

18. The public participation in such meetings “is vital to the enhancement and proper functioning of the democratic process and that secrecy in public affairs undermines the faith of the public in government and the public's effectiveness in fulfilling its role in a democratic society.” *Id.*

19. Accordingly, under the Sunshine Act, for any action by an agency to be valid the public must “have notice of and the right to attend all meetings of agencies at which any agency business is discussed or acted upon.” 65 Pa.C.S.A. § 702(b).

20. To satisfy the notice provisions of the Sunshine Act, an agency must give the public at least 24 hours’ notice of the meeting. 65 Pa.C.S.A. § 709(a).

21. The public notice must include the place, date, and time of a meeting and be placed in a newspaper of general circulation, which is published in the political subdivision where the meeting will be held or in a newspaper that has a larger paid circulation than every newspaper published in the political subdivision. 65 Pa. C.S.A. § 703.

22. The public notice must also be posted at their principal office or at the public building where the meeting will take place. *Id.*

23. In the event an agency recesses or reconvenes a meeting, it must post a notice of the place, date, and time of the meeting at its principal office or the public building where the meeting will take place, by posing notice in a newspaper of general

circulation, or by advertising on radio or television station which regularly broadcasts into the political subdivision. *Id.*; 65 Pa.C.S.A. § 709(c)

24. Included in the right to attend a meeting is the right “to comment on matters of concern, official action or deliberation which are or may be before the board or council **prior to taking official action.**” 65 Pa.C.S.A. § 710.1(a).

25. Even amidst the COVID-19 pandemic, “[p]ublic participation pursuant to Section 710.1 is a necessity.” Pennsylvania District Attorneys Association, *Sunshine Law Guidance*, https://openrecordspa.files.wordpress.com/2020/03/pdaa_covid-19_guidance.pdf

26. If an agency takes official action at a meeting held in contravention to the Sunshine Act, a Court may enjoin the official action and thereafter declare it invalid. 75 Pa.C.S.A. § 713.

The Board’s Special Meetings on November 12, 2020 and reconvened meeting on November 13, 2020

27. On November 10, 2020, the Board gave notice of a special meeting to be held at noon on November 12, 2020 (the “November 12th meeting”). A copy of the notice is attached at Exhibit “A.”

28. Under the Sunshine Act, a special meeting is “a meeting scheduled by an agency after the agency’s regular schedule of meetings has been established. 65 Pa.C.S.A. § 703.

29. Notice of the November 12th meeting was posted on the Board’s Twitter feed and the Board’s website. A copy of the notice of special meeting appearing on the Board’s website is attached at Exhibit “B.”

30. The November 12th meeting was scheduled to occur via Zoom videoconferencing. *See* Ex. “A.”

31. Despite previously publicly posting a Zoom link and login information for a Special Meeting in September, in order for the public to participate in the November 12th meeting, each person was required to send an email to a member of the Board’s staff to request the Zoom link and login information. *Id.*

32. Attendance at the November 12th meeting was capped at 500 participants.

33. The November 12th meeting convened at 10 a.m. that day.

34. At the beginning of the meeting, the Board confirmed that a quorum was present and presented the proposed order to the public.

35. The proposed order presented for consideration and public comment, stated, in pertinent part:

“All schools, both public and private in Montgomery County are required to support virtual education only, for the period of November 23 through December 6, 2020 **with the potential for expansion beyond this date.** This requirement includes virtual education only for special education and canceling of school sanctioned extra-curricular activities.”

A screen shot of the proposed order is attached at Exhibit “C.” (emphasis added).¹

36. In order for a member of the public to comment at the November 12th meeting, he or she needed to put their name in the comment section of the Zoom chat.

¹ The Board did not make this version of the proposed order available to the public in print format. However, the November 12th meeting was recorded, and Plaintiffs attach a screenshot of the pertinent language quoted herein.

37. Those instructions were given once at the beginning of the meeting and again approximately twenty minutes later.

38. Public comments were limited to two minutes.

39. After about an hour of public comment, the Board was informed that many members of the public who wished to comment were unable to attend the meeting because the Zoom room attendance was capped at 500 people.

40. The meeting proceeded for just over two and a half hours, during which the Board heard between fifty and seventy-five public comments.

41. The Board refused to vote on the proposed order on November 12th, over the vigorous objections of members of the public who were able to attend the meeting.

42. Instead, the Board decided to recess and reconvene at noon on November 13, 2020 (the "November 13th meeting").

43. The November 12th meeting ended at approximately 12:40 p.m. that day.

44. At 5:11 p.m. on November 12th, the Board posted the following statement on its Twitter feed: "Thank you to those who spoke at today's Board of Health meeting. The meeting was recessed and will reconvene at Fri. 11/13 at noon. Public comment received by 4 pm today will be reflected in the final Board of Health minutes. Watch tomorrow's meeting here: [facebook.com/MontcoHealthpa/](https://www.facebook.com/MontcoHealthpa/)".

A copy of this tweet is attached at Exhibit "D."

45. This announcement, less than twenty-four hours before the November 13th meeting was scheduled, did not appear on the Board's website or in any other publication.

46. Public comments on the proposed order were cut off the afternoon before the November 13th meeting.

47. The public could only watch the November 13th meeting.

48. No public comments, live or written, were considered or permitted before the Board reached its decision.

49. The Board did not deliberate on their decision during the November 13th meeting; instead, each member simply stated his or her intention to approve the proposed order.

50. This, despite the fact that the Board ultimately voted to approve a revised version of the proposed order that was presented to the public on November 12th.

51. The order, as approved, states in relevant part:

"All schools, both public and private in Montgomery County are required to support virtual education only, for the period of November 23 through December 6, 2020. This requirement includes virtual education only for special education and canceling of school sanctioned extra-curricular activities."

A copy of the Order is attached at Exhibit "E."

52. The clause "**with the potential for expansion beyond this date**" was omitted from the proposed order, without any public deliberation, explanation, or opportunity for the public to comment on the substantial revision.

53. The Board has not posted the final notes from the November 12th and 13th meetings.

COUNT I

Violation of the Sunshine Act by Failing to Provide Proper Public Notice of the Reconvened November 13, 2020 meeting.

54. Plaintiff incorporates the previous paragraphs by reference.

55. Under the Sunshine Act, defendants were obligated to provide public notice of the date, time, and place of the reconvened meeting on November 13, 2020.

56. Upon information and belief, the defendants did not publish notice of the November 13th meeting in a newspaper nor did it advertise on television or radio.

57. Rather, the only notice given was via the Board's website and twitter feed.

58. Defendants were aware of their obligations under the Sunshine Act to take official action only at a meeting open to the public.

59. Defendants willfully violated the Sunshine Act by taking this unlawful action.

COUNT II

Violation of the Sunshine Act by Limiting Public Comment

60. Plaintiffs incorporate the previous paragraphs by reference.

61. Under the Sunshine Act, defendants were required to provide members of the public a reasonable opportunity to comment on the official action and deliberations before the defendants acted. 65 Pa.C.S.A. § 710.1(a).

62. Defendants violated the Sunshine Act by limiting public comment after two and half hours at the November 12th meeting and barring public comment at the reconvened November 13th meeting.

63. Defendants were aware of their obligations under the Sunshine Act to take official action only at a meeting open to the public.

64. Defendants willfully violated the Sunshine Act by taking this unlawful action.

COUNT III Violation of the Sunshine Act by Deliberating in Private

65. Plaintiffs incorporates the previous paragraphs by reference.

66. The Sunshine Act defines “deliberation” as “the discussion of agency business held for the purpose of making a decision.” 65 Pa.C.S.A. § 703.

67. Deliberation occurs whenever a majority of an agency’s members meet to discuss an issue and those discussions go to making a decision on the matter.

68. At some point between the November 12th and November 13th meetings, the Board, in secret and behind closed doors, decided to significantly revise the proposed order.

69. Private and closed-door discussions by Board members in these circumstances constitute deliberations under Pennsylvania’s Sunshine Act. *See Moore v. Twp. of Racoon*, 625 A.2d 737, 740 (Pa. Commw. 1993) (merely discussing possible

changes to ordinance at closed meeting with majority of members constituted “deliberation”); *Ackerman v. Upper Mt. Bethel Twp.*, 567 A.2d 1116, 1119 (Pa. Commw. 1989) (closed meeting held solely to discuss amendment to zoning ordinance constituted “deliberation”).

70. Defendants were aware of their obligations under the Sunshine Act to take official action only at a meeting open to the public.

71. Defendants willfully violated the Sunshine Act by taking this unlawful action.

PRAYER FOR RELIEF

Petitioners respectfully request that the grant them the following relief:

- a. Declaring that Board violated the Sunshine Act with respect to its November 12, 2020 and November 13, 2020 special meetings.
- b. Declaring any and all official action taken by the Board at the special meeting on November 12, 2020 and reconvened meeting on November 13, 2020 invalid and void.
- c. Issuing a preliminary and permanent injunction enjoining all defendants from enforcing or taking any official action on the Montgomery County COVID-19 Risk Reduction and Mitigation Order which closes all public and private schools in Montgomery County from November 23 through December 6, 2020;
- d. Awarding plaintiffs attorneys fees and costs; and
- e. Awarding plaintiffs any other appropriate relief.

Respectfully submitted,

By: /s/Walter S. Zimolong
Walter S. Zimolong, Esquire
Attorney I.D. No. 89151
353 W. Lancaster Avenue, Suite 300
Wayne, PA 19087
wally@zimolonglaw.com
(215) 665-0842

By: /s/Jaclyn M. Mason, Esquire
Jaclyn M. Mason, Esquire
Attorney I.D. No. 90130
Law Office of Jaclyn M. Mason
1724 Spruce Street
Philadelphia, PA 19103
jaelyn@jmmasonlaw.com
(610) 715-8892

Date: November 18, 2020

VERIFICATION

I, John Niehls, verify that that the facts contained in the foregoing are true and correct based upon my knowledge, information, and belief. However, while the facts are true and correct based upon my knowledge, information, and belief, the words contained in the foregoing are those of counsel and not mine. I understand that statements herein are made subject to the penalties set forth in 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

/s/ John Niehls

VERIFICATION

I, Elizabeth Weir, verify that that the facts contained in the foregoing are true and correct based upon my knowledge, information, and belief. However, while the facts are true and correct based upon my knowledge, information, and belief, the words contained in the foregoing are those of counsel and not mine. I understand that statements herein are made subject to the penalties set forth in 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

Elizabeth Weir

VERIFICATION

I, Kaitlin Derstine, verify that that the facts contained in the foregoing are true and correct based upon my knowledge, information, and belief. However, while the facts are true and correct based upon my knowledge, information, and belief, the words contained in the foregoing are those of counsel and not mine. I understand that statements herein are made subject to the penalties set forth in 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

/s/ Kaitlin Derstine

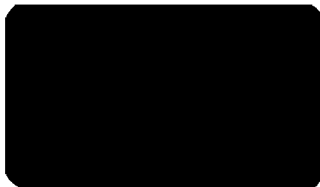
Case# 2020-19389-0 Docketed at Montgomery County Prothonotary on 11/18/2020 1:51 PM, Fee = \$290.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

LEGAL NOTICES

The Montgomery County Department of Health and Human Services Office of Public Health (OPH) will virtually conduct a special Board of Health Meeting on Thursday, Nov. 12, 10 a.m. Members of the Board and county staff will participate remotely via video conference and the public is invited to join the special meeting. Please confirm participation with OPH staff by sending your name and the organization you represent to twilliams@montcopa.org . You are invited to join the meeting by following the Zoom link or call-in phone access: <https://zoom.us/j/93980746958?pwd=YmE5QWFpa2tHeFVmRXVpOFdpNldNdz09> Dial: 1 267-831-0333 Meeting ID: 939 8074 6958 Passcode: 712017 TH-Nov 11-1a

Appeared in: **Times Herald** on Wednesday, 11/11/2020

[Back](#)





MONTGOMERY COUNTY PENNSYLVANIA

BOARD OF HEALTH

MEETINGS

2020 SCHEDULE

Wednesday, February 5th - **canceled** ; meeting will be rescheduled at a later date

Wednesday, May 6th - **canceled**

Wednesday, September 9th at 10:00am

Online: [Zoom link](#)

To dial by phone: 1-267-831-0333; Passcode: 669729

Please confirm your participation by sending your name, phone number and e-mail address to Toyca Williams, twilliams@montcopa.org by Tuesday, Sept. 8.

Wednesday, September 30th at 11:00am - **SPECIAL MEETING NOTICE**

Online: [Zoom link](#)

To dial by phone: 1-267-831-0333; Meeting ID: 950 0866 7967; Passcode: 791315

Thursday, November 12th at 10:00am - **SPECIAL MEETING NOTICE**

Online via Zoom - *Please confirm your participation by sending your name, phone number and e-mail address to Toyca Williams, twilliams@montcopa.org by Tuesday, Nov. 10. You will be sent a link to log-in.*

Wednesday, December 2nd at 11:00am

Online via Zoom - *Please confirm your participation by sending your name, phone number and e-mail address to Toyca Williams, twilliams@montcopa.org by Tuesday, Nov. 24. You will be sent a link to log-in.*

MEETING LOCATION (UNLESS OTHERWISE NOTED ABOVE)

Montgomery County Human Services Center
Board Room, 1st Floor
1430 DeKalb Street
Norristown, Pennsylvania 19404-0311

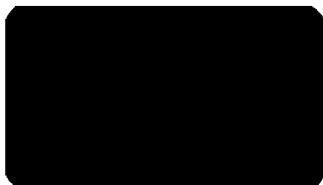
AGENDAS & MINUTES

Agendas are available prior to the meetings.

[Most Recent Agenda](#) | [View All](#)

MEMBERS

Member Name	Appointed to the Board of Health	Current Term Expires
Michael B. Laign, Chair	6/20/2013, 12/1/2016	12/31/2020
Francis Jeyaraj, MD	1/3/2013, 1/15/2015, 12/13/2018	12/31/2022
Steven Katz	1/3/2013, 1/15/2015, 12/13/2018	12/31/2022
Barbara Wadsworth, DNP	8/7/2014, 12/1/2016	12/31/2020
Martin D. Trichtinger, MD	1/15/2015, 12/13/2018	12/31/2022



Case# 2020-19389-0 Docketed at Montgomery County Prothonotary on 11/18/2020 1:51 PM; Fee = \$290.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

..... 1 2 3 4 5 6 [Redacted]

The implementation of virtual schools during the period of peak contagion is designed to reduce the spread of COVID-19 and is essential to ensure the protection of children, teachers, school staff, and others who are impacted, as well as those in the general community.

HEREFORE, pursuant to my authority as Interim Administrator of the Montgomery County Office of Public Health under the Pennsylvania Disease Prevention and Control Law of 1955, 35 P.S. § 521.1 et. seq., in order to ensure the health, safety and welfare of residents, school personnel, school children, their families, and the general populace of Montgomery County from further spread of COVID-19, I hereby order the following:

All schools, both public and private in Montgomery County are required to support virtual education only, for the period of November 23 through December 6, 2020 [Redacted]. This requirement includes virtual education only and canceling of school sanctioned extra-curricular activities including sports games and practices.



**Jet Panning, MS
Interim Administrator**

[Redacted signature line]

[Redacted signature block]

Case# 2020-19389-0 Docketed at Montgomery County Prothonotary on 11/18/2020 1:51 PM; Fee = \$290.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

-
- Explore
- Settings

← Tweet

🔍 Search Twitter

Montgomery County Office of Public Health
@MontcoHealthPA

New to Twitter?
Sign up now to get your own personaliz
[Sign up](#)

Thank you to those who spoke at today's Board of Health meeting. The meeting was recessed and will reconvene Fri. 11/13 at noon. Public comment received by 4pm today will be reflected in the final Board of Health minutes. Watch tomorrow's meeting here - facebook.com/MontcoHealthpa/

Relevant people
Montgomery County ...
@MontcoHealthPA
The official Montgomery Office of Public Health TV Account.

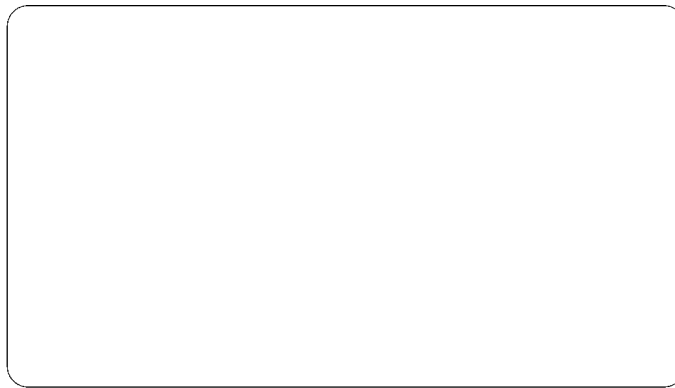
5:11 PM · Nov 12, 2020 · Twitter Web App

6 Retweets 12 Likes



What's happening
COVID-19 · 5 hours ago
Mouthwashes containing 0.07% of ingredient cetylpyridinium chloride 'show promising signs' of reducing COVID-19 in saliva, research shows
Trending with Listerine
Entertainment · Trending
Snapchat
62.3K Tweets
Entertainment · Trending
Damn Twitter
186K Tweets
Entertainment · Trending
Wait Twitter
Trending with Bye Instagram, Edit

Troy @injusticeact · Nov 12
Replying to @MontcoHealthPA
If you are that serious about the spread of COVID. Monitor these local gyms with people exercising with mask under their noses and wearing mask as a chin trap



🗨️ 2 🔄 🍷 2 📤

US elections · LIVE
Pennsylvania: Election news and updates
[Show more](#)

Let's Try This Again @LetsTry72168799 · Nov 12
Seems like there isn't anyone near him, not even close. This may be an isolated situation. Where's the picture of all the gathering crowds when the media took it upon themselves to announce Biden won..or any extremely large crowds for that matter.

🗨️ 2 🔄 🍷 1 📤

Show replies

This Tweet was deleted by the Tweet author. [Learn more](#)

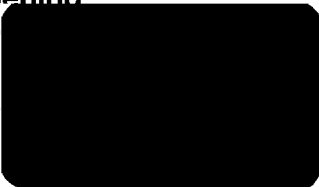
statyk @statyk · Nov 12
I think I counted exactly one. Put the point's taken.

🗨️ 🔄 🍷 📤

statyk @statyk · Nov 12
Replying to @MontcoHealthPA
There may come a time before this nightmare is over that we'll need to

Don't miss what's happening

People on Twitter are the first to know



[Log in](#) [Sign up](#)

Case# 2020-19389-0 Docketed at Montgomery County Prothonotary on 11/18/2020 1:51 PM. Fee = \$290.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

VALERIE A. ARKOOSH, MD, MPH, CHAIR
KENNETH E. LAWRENCE, JR., VICE CHAIR
JOSEPH C. GALE, COMMISSIONER



**MONTGOMERY COUNTY DEPARTMENT
OF HEALTH & HUMAN SERVICES**

OFFICE OF PUBLIC HEALTH
PO Box 311 • NORRISTOWN, PA 19404-0311

610-278-5117
FAX: 610-278-5167
WWW.MONTCOPA.ORG/HHS

JANET PANNING, MS
INTERIM ADMINISTRATOR
RICHARD S. LORRAINE, MD, FACP
MEDICAL DIRECTOR

ORDER OF THE MONTGOMERY COUNTY OFFICE OF PUBLIC HEALTH

Montgomery County School COVID-19 Risk Reduction and Mitigation Order

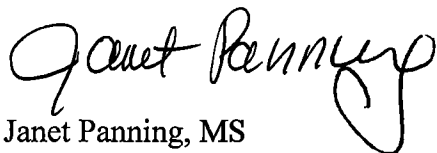
BACKGROUND

1. On March 8, 2020, the Montgomery County Commissioners declared a disaster emergency in Montgomery County because of a widespread outbreak of Coronavirus (COVID-19) that overwhelmed first responders, healthcare providers and businesses within Montgomery County.
2. The medical emergency from COVID-19 continues to endanger the health, safety and welfare of a substantial number of persons and businesses in Montgomery County, necessitating the continuation of the declared emergency through at least December 6, 2020, with the potential for extension beyond that date.
3. Emergency management measures are required to reduce the severity of this disaster and to protect the health, safety and welfare of affected residents in Montgomery County.
4. Montgomery County is currently experiencing a substantial surge of COVID-19 cases across the County with an associated rapid increase in hospitalizations related to COVID-19. The majority of spread is associated with private social gatherings and recreational sports.
5. Based on experience from prior holidays during the COVID-19 pandemic, it is anticipated that the traditional celebrations associated with the Thanksgiving Holiday coupled with the high incidence of COVID-19 in Montgomery County have the potential to dramatically increase the spread of COVID-19 across this community.
6. The implementation of virtual schools during the period of peak contagion is designed to reduce the spread of COVID-19 and is essential to ensure the protection

of children, teachers, school staff, and others who are impacted, as well as those in the general community.

THEREFORE, pursuant to my authority as Interim Administrator of the Montgomery County Office of Public Health under the Pennsylvania Disease Prevention and Control Law of 1955, 35 P.S. 521.1 et. seq., in order to ensure the health, safety and welfare of residents, school personnel, school children, their families, and the general populace of Montgomery County from the further spread of COVID-19, I hereby order the following:

All schools, both public and private in Montgomery County are required to support virtual education only, for the period of November 23 through December 6, 2020. This requirement includes virtual education only for special education and canceling of school sanctioned extra-curricular activities.



Janet Panning, MS

Interim Administrator

Montgomery County Office of Public Health

OFFICE OF PUBLIC HEALTH LOCATIONS

1430 DEKALB STREET • NORRISTOWN, PA 19404-0311 • PHONE: 610-278-5145 • FAX: 610-278-5166

364 KING STREET • POTTSTOWN, PA 19464 • PHONE: 610-970-5040 • FAX: 610-970-5048

102 YORK ROAD, SUITE 401 • WILLOW GROVE, PA 19090 • PHONE: 215-784-5415 • FAX: 215-784-5524