

PROCEEDINGS OF THE COUNTY BOARD

State of Minnesota
County of Kanabec
Office of the County Coordinator

March 25, 2020

The Kanabec County Board of Commissioners held an Emergency Meeting via telephone conference call at 2:00pm on Wednesday, March 25, 2020 pursuant to adjournment with the following Board Members present on-site: Dennis McNally, Craig Smith. The following board members joined the meeting via telephone: Gene Anderson, Kathi Ellis, Les Nielsen. Others present on-site: County Coordinator Kris McNally, HR Specialist Kim Christenson, and Recording Secretary Kelsey Schiferli. Others participating via telephone included: County Attorney Barbara McFadden, County Recorder Lisa Holcomb, and County Auditor Treasurer Denise Snyder.

Commissioner McNally led the assembly in the Pledge of Allegiance.

Action #1 – Dennis McNally introduced a motion to approve the agenda as presented.

The motion was duly seconded by Craig Smith and upon a roll call vote being taken thereon, the following voted:

Dennis McNally, in favor
Craig Smith, in favor
Les Nielsen, in favor
Gene Anderson, in favor
Kathi Ellis, in favor

Whereupon the motion was passed.

Public Health Director Kathy Burski gave an update regarding the COVID-19 Outbreak. She announced that as of March 26, 2020 the Public Health COVID-19 Hotline will be active from 8:00am – 5:00pm daily. The Public Health Department will be available to pick up and deliver groceries, prescriptions, and other necessities to Kanabec County Residents that are unable to do so due to the pandemic. Information only, no action was taken.

Action #2 – Dennis McNally introduced the following resolution and moved its adoption:

RESOLUTION #2 – 3/25/20

WHEREAS on March 13th, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency, and

WHEREAS on March 13th, 2020, Governor Tim Walz signed Executive Order 20-01 declaring a Peacetime State of Emergency to authorize any and all necessary resources to be used in support of the COVID-19 response, and

WHEREAS the Kanabec County Department of Emergency Management requests the Kanabec County Board of Commissioners declare a Local State of Emergency in Kanabec County Pursuant to Minnesota States Chapter 12, regarding the COVID-19 outbreak;

BE IT THEREFORE RESOLVED that the Kanabec County Board of Commissioners approves the Declaration of a Local State of Emergency effective March 25, 2020 as follows:

Kanabec County Declaration of Local Emergency

Novel Coronavirus Disease, commonly known as COVID-19, a respiratory disease-that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person.

The United States Centers for Disease Control and Prevention (CDC) has identified the public health threat posed by COVID-19, and has advised that person-to-person spread of COVID-19 will continue to occur.

On January 31st, 2020, the United States Department of Health and Human Services declared a public health emergency for COVID-19, beginning on January 27, 2020.

On March 11th, 2020, the World Health Organization declared COVID-19 a global pandemic, after its widespread impact reached 112 countries and its effect was felt in nearly every region.

On March 13th, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency.

On March 13th, 2020, Governor Tim Walz signed Executive Order 20-01 declaring a Peacetime State of Emergency to authorize any and all necessary resources to be used in support of the COVID-19 response.

The CDC and the Minnesota Department of Health (MDH) recommend that any individual with confirmed COVID-19 should remain under home isolation precautions until the risk of secondary transmission to others is thought to be low.

During this pandemic, individuals who are not yet diagnosed with COVID-19 but may have been exposed to COVID-19 are being asked place themselves in quarantine to control or prevent further spread of COVID-19.

The White House, the CDC and the MDH now recommend restrictions on gatherings of more than 10 persons and further recommend practice of social distancing of at least 6-feet in all settings.

The significant community, organizational, institutional and business responses to the COVID-19 pandemic have the potential to compromise the provision of essential public services, including a reduction in the size of the workforce due to school closures, isolation, or quarantine.

The necessary resources to respond to and recover from this pandemic, as well as to mitigate the significant business disruption experienced within the County, may well exceed existing resources available within the County, and additional resources may be needed from Kanabec County, and state and federal sources.

THEREFORE, the Kanabec County Board of Commissioners, under the authority given in Minn. Stat. §12.29, subd. 1, declares that a local emergency exists within Kanabec County, effective March 25, 2020.

The Kanabec County Board of Commissioners hereby authorizes and directs Kanabec County Public Safety, Public Health, Administration and Emergency Management officials to undertake all actions necessary to protect the health, safety and welfare of the citizens of Kanabec County, including through the judicious exercise of the powers and responsibilities provided in Minn. Stat. §12.37.

The Kanabec County Board of Commissioners further directs County departments to immediately review ordinance and regulatory requirements, operations, civil and legal proceedings, events, and resources that can and should be adjusted, modified or suspended, or to enact emergency regulations to support Kanabec County's response to the COVID-19 pandemic.

The Kanabec County Board of Commissioners further directs the Kanabec County Senior Management Team, consisting of the Sheriff, Public Health Director, Family Services Director, Coordinator, Attorney, Public Works Director, as well as the Kanabec County Director of Emergency Management, acting collectively as the County's Emergency Operations Team in responding to the COVID-19 pandemic, to request and coordinate appropriate aid and resources from surrounding jurisdictions, the State of Minnesota and the federal government, as needed. This directive authorizes purchases/procurement of goods and/or services up to a maximum of \$5,000 (five thousand dollars). All contractual agreements for goods or services, along with all contracts outside the scope of emergency management must be approved by the Board of Commissioners in order to be binding and effective.

Further, under Minn. Stat. §13D.021 and Minn. Stat. §373.052, subd. 1b, the Kanabec County Board of Commissioners further directs the County Coordinator, in consultation with the same County Emergency Operations Team, to take all right and prudent steps necessary to amend, suspend or otherwise adjust public access to County facilities, and normal locations, days and hours of County activities, operations and programs, in order to comply with the guidelines set by the White House, CDC and MDH for gatherings and social distancing, as well as based upon available County staffing and resources during this COVID-19 pandemic.

Further, under Minn. Stat. §13D.021, the Kanabec County Board of Commissioners declares in-person meetings of the County Board of Commissioners and other public bodies of the County to be impractical or imprudent during the COVID-19 pandemic, under the guidelines set by the White House, CDC and MDH for gatherings and social distancing, thus leading the Chairperson to direct that:

- Pursuant to Minn. Stat. §13D.021, in-person meetings of the Kanabec County Board of Commissioners, the Planning Commission/Board of Adjustment, the Housing and Redevelopment Authority, and other boards and commissions of Kanabec County are not practical or prudent due to the COVID-19 health pandemic and the emergency declared by Governor Walz pursuant to Minnesota Statutes, Chapter 12.
- Meetings of the County Board, the Planning Commission/Board of Adjustment, the Housing and Redevelopment Authority and other County boards and commissions may be conducted by telephone, video conferencing or other electronic means.
- In-person public attendance at meetings of the County Board, the Planning Commission/Board of Adjustment, the Housing and Redevelopment Authority and other County boards and commissions is not feasible, except by limiting in-person public attendance to as few people as possible for the necessary conduct of the public's business in the meeting room, with social distancing guidelines enforced, or as otherwise limited by recommendations and guidelines from state and federal authorities.
- County staff shall take such action as may be necessary to allow for such meetings to occur via telephone, video conferencing, or other electronic means pursuant to Minn. Stat. §13D.021, until such time as it is determined that in-person meetings may resume.
- County staff shall take such action as may be necessary to limit in-person public attendance to as few people as possible for the necessary conduct of the public's business in a meeting room and enforce social distancing guidelines, or otherwise limit such attendance as may be directed by the County Coordinator based on recommendations and guidelines from state and federal authorities.

Further, pursuant to Minn. Stat. § 12.29, subd. 1, the Kanabec County Board of Commissioners directs that this emergency declaration is in effect from the date of this declaration, as indicated below, and shall continue and remain in effect as long as the State of Minnesota peacetime emergency declaration remains in effect.

Further, the Kanabec County Board of Commissioners directs that this Declaration of Local Emergency, additions or changes to this declaration, the eventual termination or expiration of this declaration, and any and all official communications pertaining to the same, shall be given prompt and general publication, including on the County's website and social media sites, and immediately filed by the County Clerk.

The motion for the adoption of the foregoing Resolution was duly seconded by Gene Anderson and upon a roll call vote being taken thereon, the following voted:

Dennis McNally, in favor
Craig Smith, in favor

Gene Anderson, in favor
Les Nielsen, in favor
Kathi Ellis, in favor

Whereupon the resolution was declared duly passed and adopted.

County Sheriff Brian Smith discussed the potential use of the Mora Civic Center for local emergency response purposes as a temporary morgue. He also discussed the option of renting a refrigerated truck at a cost of \$60 per day, plus fuel. Brian will contact the National Guard to see if they have a refrigerated truck available. Information only, no action was taken.

County Coordinator Kris McNally led a discussion regarding personnel considerations related to COVID-19.

Action #3 – Gene Anderson introduced the following resolution and moved its adoption:

Resolution #3 – 3/25/20

WHEREAS existing County policy requires employees to use PTO/banked sick/banked vacation to care for sick or healthy children, and

WHEREAS the new federal Families First Coronavirus Response Act (FFCRA) provides up to 12 weeks of paid leave (Paid Sick Time and EFMLA) for certain defined circumstances related to employees providing care for their child or children to be paid at 2/3 the amount of regular pay for employees who qualify,

THEREFORE BE IT RESOLVED that the Kanabec County Board of Commissioners directs compliance with the Families First Coronavirus Response Act (FFCRA),

BE IT FURTHER RESOLVED that the Kanabec County Board of Commissioners will allow employees who qualify for FFCRA paid sick leave and EFMLA to use PTO/banked sick/banked vacation to cover the remaining 1/3 of pay that is not covered by FFCRA between April 1 – December 31, 2020.

BE IT FUTHER RESOLVED that this resolution is in effect during only the effective dates of the FFCRA which are subject to change by the Secretary of Labor.

The motion for the adoption of the foregoing Resolution was duly seconded by Craig Smith and upon a roll call vote being taken thereon, the following voted:

Dennis McNally, in favor
Craig Smith, in favor
Gene Anderson, in favor
Les Nielsen, in favor

Kathi Ellis, in favor

Whereupon the resolution was declared duly passed and adopted.

Action #4 – Craig Smith introduced the following resolution and moved its adoption:

Resolution #4 – 3/25/20

WHEREAS current County policy requires employees to use PTO/banked sick/banked vacation to cover at least the first five consecutive scheduled work days of an absence for the employee's injury, illness, or immediate family emergency illness, and

WHEREAS existing EMB Use Policy states that if the above stated illness/injury extends beyond 5 days, Emergency Medical Benefit (EMB) is allowed with the requirement of a doctor's note, and

WHEREAS existing policy requires initiation of FMLA after the first five consecutive scheduled work days of an absence for the employee's injury, illness, or immediate family emergency illness consecutive scheduled days of illness, and

WHEREAS the new federal Families First Coronavirus Response Act (FFCRA) provides up to 80 hours of paid sick time for qualifying employees in certain defined circumstances;

BE IT RESOLVED that the Kanabec County Board of Commissioners directs continuation of the existing EMB Use and FMLA policies with the requirement to provide a doctor's note;

BE IT FURTHER RESOLVED that the Kanabec County Board of Commissioners directs compliance with the Families First Coronavirus Response Act (FFCRA) and coordination of paid leave benefits between federal mandates and existing county policy and benefits;

BE IT FURTHER RESOLVED that the Board authorizes employees who qualify to for the FFCRA Paid Sick Time to use PTO/banked sick/banked vacation to cover the remaining 1/3 of pay that is not covered by FFCRA in certain circumstances;

BE IT FURTHER RESOLVED that this resolution is in effect during only the effective dates of the FFCRA which are subject to change by the Secretary of Labor;

BE IT FURTHER RESOLVED to re-evaluate this matter on April 21, 2020.

The motion for the adoption of the foregoing Resolution was duly seconded by Dennis McNally and upon a roll call vote being taken thereon, the following voted:

Dennis McNally, in favor
Craig Smith, in favor
Gene Anderson, in favor
Les Nielsen, in favor
Kathi Ellis, in favor

Whereupon the resolution was declared duly passed and adopted.

Discussion was held on advancing PTO benefits to employees who run out of accrued PTO. Board consensus was not to allow PTO advancement at this time, but continue to allow the existing PTO donation process as needed.

Action #5 – Gene Anderson introduced the following resolution and moved its adoption:

Resolution #5 – 3/25/20

WHEREAS the COVID-19 outbreak has led to restrictions to in-person public access to county facilities and adjustments in staffing schedules for the employees of Kanabec County, and

WHEREAS most Kanabec County department heads are temporarily able to continue to utilize staff at existing statuses and to offer telecommuting opportunities and social distancing practices to employees, and

WHEREAS other department heads have reduced employees' scheduled days/hours due to COVID-19-related lack-of-work and required use of accrued PTO for time not worked, and

WHEREAS some employees who have traveled or had exposure to an immediate family member with symptoms of COVID-19 (or similar) have been determined to potentially pose a risk of spreading the virus to the public and other employees, thus have been asked to isolate or self-quarantine, and

WHEREAS Kanabec County Board of Commissioner's priorities are to ensure the health and safety of the public and of the employees of Kanabec County, and to ensure the continuation of critical sector work provided by the county;

THEREFORE BE IT RESOLVED that the Kanabec County Board of Commissioners authorizes allowing current, active employees to receive their regular pay and benefits (based on existing status) from March 14th through April 24th if they experience a reduction in hours due to lack of work; or illness or quarantine/isolation orders related to the COVID-19 outbreak;

BE IT FURTHER RESOLVED that employees will be required to use PTO/banked vacation/banked sick time for any vacation, personal time, sickness not related to COVID-19 and for work refusal from March 14th through April 24th.

BE IT FURTHER RESOLVED that the County Board of Commissioners will re-evaluate this on April 21st when more information about the impact and anticipated duration of the COVID-19 pandemic is available.

The motion for the adoption of the foregoing Resolution was duly seconded by Les Nielsen and upon a roll call vote being taken thereon, the following voted:

Dennis McNally, opposed
Craig Smith, opposed
Gene Anderson, in favor
Les Nielsen, in favor
Kathi Ellis, in favor

Whereupon the resolution was declared duly passed and adopted.

Action #6 – Gene Anderson introduced the following resolution and moved its adoption:

Resolution #6 – 3/25/20

WHEREAS the Governor of Minnesota issued Emergency Executive Order 20-20 at the same time as the Emergency Board Meeting of the Kanabec County Board of Commissioners; and

WHEREAS it was unknown if Emergency Executive Order 20-20 would define essential or critical sector workers, and

WHEREAS defining essential or critical sector workers was necessary and prudent in the County's COVID-Response Planning, staffing decisions, and asset allocation,

BE IT RESOLVED that the Kanabec County Commissioners agreed to use the Governor's Executive Order, the Kanabec County Emergency Operations Plan, and the discretion of the Kanabec County Commissioners to define essential or critical sector employees of Kanabec County.

The motion for the adoption of the foregoing Resolution was duly seconded by Craig Smith and upon a roll call vote being taken thereon, the following voted:

Dennis McNally, in favor
Craig Smith, in favor
Gene Anderson, in favor
Les Nielsen, in favor
Kathi Ellis, in favor

Whereupon the resolution was declared duly passed and adopted.

3:46pm – The Chairperson adjourned the meeting. The Kanabec County Board of Commissioners will meet again in regular session on April 7, 2020 at 9:00am via a telephone conference call.

Signed _____
Chairperson of the Kanabec County Board of Commissioners,
Kanabec County, Minnesota

Attest: _____
Board Clerk