



The City Council of the City of St. Charles welcomes you to its Regular Meeting of Tuesday, April 14, 2020 at 6:00 p.m. at 830 Whitewater Avenue, City Council Chambers, St. Charles, Minnesota.

ITEM	ACTION REQUESTED
1. Call to Order	
2. Pledge of Allegiance	
3. April 14, 2020 Agenda	APPROVE
4. Meeting Minutes	APPROVE
-March 10, 2020	
-March 16, 2020	
-March 24, 2020	
5. April Payables	APPROVE
6. Notices and Communications (if applicable)	INFORMATION
7. Reports of Boards and Committees:	INFORMATION
7a. Administrator's Report, Nick Koverman	
7b. Public Works Superintendent Report, Kyle Karger (TBD)	
7c. Chief of Police Report, Ken Frank	
7d. School Board, Craig Hilmer	
8. COVID Updates	INFORMATION
9. Ordinance #619 Establishing Park Hours (2 nd Reading)	APPROVE
10. Ordinance #620 Prohibiting the Discharge of Firearms (2 nd Reading)	APPROVE
11. Ordinance #621 Drinking in Public & Exceptions	APPROVE
12. Liability Coverage Waiver Form-LMCIT	APPROVE

UNSCHEDULED PUBLIC APPEARANCES: Members of the audience may address any item not on the agenda. State Statute prohibits the City Council from discussing an item that is not on the agenda, but the City Council does listen to your concerns and has staff follow up on any questions you raise.

ADJOURNMENT

Please Note: Some or all councilmembers may participate by telephone or other electronic means as permitted through Minn. Stat. 13D.021.

To attend the conference call please dial 1-320-460-1726 and the conference ID: 175 632 653#



MEMORANDUM for the CITY COUNCIL of St. Charles for
Tuesday, April 14, 2020

8. COVID Updates. A summary of COVID related items will be presented Tuesday evening. The Governor's Emergency Order 20-33 is included for information.

9. Ordinance #619 Establishing Park Hours (2nd Reading). Please see the closed ordinance for consideration.

10. Ordinance #620 Prohibiting the Discharge of Firearms (2nd Reading). Please see the enclosed ordinance for consideration.

11. Ordinance #621 Drinking in Public & Exemptions (1st Reading). Please see the enclosed ordinance for consideration.

12. Liability Coverage Waiver Form-LMCIT. Please see the enclosed Liability Coverage Waiver Form that the LMCIT requires to be signed annually by Council.

MINUTES of the ST. CHARLES CITY COUNCIL
for Tuesday, March 10, 2020 held at 6:00 p.m. at
830 Whitewater Avenue,
St. Charles, Minnesota

MEMBERS PRESENT:

Councilmen:

Mayor John Schaber

Dave Braun

Craig Hilmer

Wayne Getz

David Kramer

STAFF PRESENT: Police Chief Ken Frank, Nick Koverman (City Administrator).

OTHERS IN ATTENDANCE: Dan White, Bob Bambenek (Winona County Recorder), Brian Voerding (Complete County Winona County) and Jill Veerkamp (St. Charles Press).

1. ESTABLISH QUORUM/CALL TO ORDER

Quorum was established with Mayor Schaber calling the meeting to order at 6:00 p.m.

2. PLEDGE of ALLEGIANCE

3. APPROVAL of the AGENDA:

Motion to approve the agenda.

Motion to approve: **Dave Braun**

No discussion.

Motion carried.

4. Meeting Minutes

February 11, 2020

Motion to approve: **Wayne Getz**

No further discussion.

Motion declared carried.

February 25, 2020

Motion to approve: **Craig Hilmer**

No further discussion

Motion declared carried.

5. March Payables. No questions were asked.

Motion to approve: **David Kramer**

No further discussion.

Motion declared carried.

6. Notices and communications: None.

7. Reports of Boards and Committee:

Various reports were given.

8. Bob Bambenek-2019 Winona County in Review. Winona County Recorder Bob Bambenek provided the Council with a look back at 2019 in relation to home sales. He relayed that the best selling home was a 3-bedroom, 2-bath ranch style for the third year in a row. He reported that 704 homes were sold in 2019 which was up by thirty-four. He also reported 151 births, 365 deaths, and 247 marriages. Council thanked him for his time and information.

9. Resolution #16-2020 Support of 2020 Census/Winona County Count. Brian Voerding of Engage Winona County was in attendance to share the various strategies and partnerships that various county partners including the City of St. Charles has been taking as far as sharing information and preparing for the upcoming 2020 Census. Voerding relayed the importance of the work being completed by communities and stressed that the government will be focusing on online and mobile strategies to complete the upcoming census. He thanked the Council and staff for doing their part in sharing the importance that included the passing of the resolution of support as presented. Hearing no questions, a motion was made to approve the resolution as presented.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

10. PROCLAMATION-St. Charles Moose Lodge Day-March 27, 2020. Mayor Schaber read aloud the proclamation in honor of the work of the St. Charles Moose Lodge that has been in existence since 1913 in St. Charles. A motion was made to approve the proclamation as presented.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

11. Ordinance #618 Amending Language in the C-3 District (2nd Reading). Mayor Schaber called for any comment or discussion and hearing none called for a motion to approve the ordinance as presented for the second reading. So moved by Clm. Kramer.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

12. Resolution #15-2020 Accepting a donation for St. Charles Ambulance. Admin. Koverman relayed that a donation was received in the amount \$1,044.00 in memory of Steve Willson. Mayor Schaber expressed his appreciation and called for a motion to approve the resolution as presented.

Motion to approve: **Craig Hilmer**

No further discussion.

Motion carried.

13. Certificate of Adoption-Water Supply Plan. Admin. Koverman presented the information related to the water supply plan that staff along with WHKS had worked on over 2019 and submitted to the MN Dept. of Health for review. Clm. Hilmer commended the staff as he had reviewed the comments and felt that the public works department had been taking a proactive stance on many instances as outlined within the comments section of the plan. He recounted that part of the approval process was adopting the Critical Water ordinance which was completed earlier in the year. The certification presented would be the final piece. A motion was made to approve the certification of the plan.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

14. Accept Resignation – Feuerhelm/Advertise Vacancy. Admin. Koverman relayed that a letter of resignation had been received by Greg Feuerhelm. He relayed that Mr. Feuerhelm has served the city for almost 6 years, which is longer than anticipated, but that in that time he has helped to complete many projects and saved city taxpayers considerably. He has been a valued member of the team and the crew hates to see him go. With his resignation, it was then requested to seek a replacement for the position and to begin to advertise for the opening. Hearing no discussion, a motion was made to accept the resignation and advertise the vacancy.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

15. Resolution #17-2020 Support for 2020 Bonding Request for RST. Admin. Koverman relayed that as a member of the Southeast League of Municipalities, the City of St. Charles has been asked to support a resolution in support of a bonding request for the Rochester International Airport. The upgrades would allow the airport to continue to improve services and routes around the country as it is a crucial component of the region's economic viability. Clm. Kramer inquired as to the amount and Admin. Koverman relayed that he would send the amount, but that it he believed it was an \$8 million request as part of a much larger package being sought from the federal government. Clm. Getz expressed his support as he utilizes the facility frequently and appreciates its function and location. A motion was made to approve the resolution as presented.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

16. 2020 SEMCAC CIP Contract. Admin. Koverman presented the contract with SEMCAC who helps to conduct various programs and services in relation to the state mandated requirement of providing a portion of the electric utilities conservation improvement plan services to qualifying low income families/residents. The partnership has served the residents well, in his estimation, and should be one to continue. Hearing no further discussion, a motion was made to approve the resolution as presented.

Motion to approve: **Craig Hilmer**

No further discussion.

Motion carried.

17. Resolution #18-2020 Accept/Award Sanitary Sewer Lining Contract. Admin. Koverman presented information from WHKS Engineering as a review of the proposed 2020 sanitary sewer lining project. After reviewing the bids received, it was recommended that Hydro-Klean be presented the award in the amount of \$45,507. A motion was made to accept the resolution as presented.

Motion to approve: **David Kramer**

No further discussion.

Motion carried.

18. Summer Job Lists – Advertise. The summer Park and Rec job list was presented and recommended approval to advertise as part of the Monday evening Park Board meeting. Hearing no further discussion, a motion to approve the list was moved.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

19. Park Mowing Contract. Two bids were reviewed by the Park Board and it was the recommendation of the Park Board to award the 5-year contract to Bill's Towing. The bid price had increased \$150.00 over the previous contract price. No further discussion was held and a motion was made to approve the contract to Bill's Towing.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

Unscheduled Public Appearances. None.

Motion to adjourn at 6:50 p.m.: **Wayne Getz**

No further discussion.

Motion carried.

John Schaber, Mayor

ATTEST

Nick Koverman, City Administrator

MINUTES of the ST. CHARLES CITY COUNCIL
for the EMERGENCY MEETING on Monday, March 16, 2020 held at 6:00 p.m. at
830 Whitewater Avenue,
St. Charles, Minnesota

MEMBERS PRESENT:

Councilmen:
Mayor John Schaber
Dave Braun
Craig Hilmer
Wayne Getz
David Kramer

STAFF PRESENT: Aaron Carlson (Fire Chief), Jeff Hardtke (Ambulance Director), Ken Frank (Police Chief and Nick Koverman (City Administrator)

OTHERS IN ATTENDANCE: Jill Veerkamp (St. Charles Press).

1. ESTABLISH QUORUM/CALL TO ORDER

Quorum was established with Mayor Schaber calling the meeting to order at 6:00 p.m.

2. PLEDGE of ALLEGIANCE

3. APPROVAL of the AGENDA:

Motion to approve: **Dave Braun**
No discussion.
Motion carried.

4. COVID-19 Updates and Planning. Admin. Koverman began by highlighting general information of resources for the public to seek during the COVID-19 time. He highlighted a few of the steps taken by police to protect the officers and then Chief Ken Frank added additional steps and how the department was looking to manage long-term impacts. Ambulance Director Jeff Hardtke discussed the ongoing contact he had with the local and state agencies as he prepared his crews to be safe. Fire Chief Aaron Carlson explained the same to the Council. Koverman relayed that final winter Park & Rec activities had been cancelled per guidelines of the CDC and gatherings of not more than 10 people. In discussing the library, 19 library services had closed their buildings thereby restricting any walk-up hours. Library programs were cancelled through May and it was recommended to close the library through the 27th and re-evaluate at that time.

As for the senior dining site, SEMCAC will be discontinuing communal dining on March 18, 2020, but Meals on Wheels will continue.

The St. Charles School District is planning for long distance learning and taking all necessary steps to provide food and technology.

Koverman relayed that it was requested if the city was going to mail a flyer and/or serve as a contact point for volunteers to provide supplies. The volunteer question also came up at the school meeting he had been at along with Rick Schaber and they were requesting that monetary donations to various service groups would be more helpful. City staff was working to contact churches to see if volunteers could work through them. Staff was also contacting the Resource Center to assist residents in search of food. A phone campaign was discussed to provide some general information to residents as well as Facebook and the website.

As part of the recommendations, Koverman highlighted the following actions for consideration:

-For utility customers, it was recommended to waive late fees initially for March and April and forego utility disconnections with a payment arrangement. He stressed the need/importance of communication.

-For EDA loan customers, it was recommended to temporarily suspend payments through May, but to revisit if the need existed.

-It was recommended to begin Wednesday, March 18th to begin walk-up service. Staff will maintain library hours of service, but would utilize website or appropriate app. Library programs would also be canceled through the end of May.

-Staff will structure a phone campaign, rather than a mailing, to remind people of the drop box and online option. We will work to inform residents of resources and agency partners including the Resource Center, SEMCAC, School District, and local church organizations to help with various segments of the population.

Mayor Schaber Council if they had any questions pertaining to the recommendations. Clm. Kramer expressed that focusing on the mission critical pieces of water and electric should also be a focus in the days ahead. Koverman relayed that discussion with the Public Works Director had taken place and that large projects were being delayed because the focus has shifted to making sure we can keep utilities going and staff healthy and safe.

A motion was made to approve the recommendations as discussed.

Motion to approve: **Dave Braun**

No further discussion.

Motion carried.

UNSCHEDULED PUBLIC APPEARANCES

None.

A motion to adjourn at 6:27 p.m.

Motion to approve: **Wayne Getz**

No further discussion.

Motion carried.

John Schaber, Mayor

ATTEST:

Nick Koverman, City Administrator

MINUTES of the ST. CHARLES CITY COUNCIL
for Tuesday, March 24, 2020 held at 6:00 p.m. at
830 Whitewater Avenue,
St. Charles, Minnesota

MEMBERS PRESENT:

Councilmen:

Mayor John Schaber (present)

Dave Braun (phone)

Craig Hilmer (present)

Wayne Getz (present)

David Kramer (present)

STAFF PRESENT: Kyle Karger (Public Works Director) and Nick Koverman (City Administrator)

OTHERS IN ATTENDANCE: Jill Veerkamp (St. Charles Press).

1. ESTABLISH QUORUM/CALL TO ORDER

Quorum was established with Mayor Schaber calling the meeting to order at 6:04 p.m. Roll call was taken with the following present: John Schaber, Craig Hilmer, Wayne Getz, and David Kramer. Dave Braun was present via phone conference.

2. PLEDGE of ALLEGIANCE

3. APPROVAL of the AGENDA:

Motion to approve: **Craig Hilmer**

No discussion.

Roll call was taken: All members voted in favor

Motion carried.

4. Notices and communications: Admin. Koverman informed the Council of the Project Fine Community Report to be held Wednesday, February 19th from 5-7 p.m. He asked Council to let him know if anyone was interested.

5. Review of Financials. No questions or comments. A motion was made to approve the financials as presented.

Motion to approve: **Dave Braun**

No further discussion.

Roll call was taken: All members voted in favor

Motion carried.

6. COVID-19 Updates. Admin. Koverman provided brief updates from various departments. As part of the update, he relayed the following:

-the library has temporarily delayed the assistant library position search.

-the parks department is fielding questions for summer park and recreation and that registrations are continuing with the understanding that programming may be delayed or cancelled.

-the 2020 audit has been delayed.

-Construction Management Services (CMS) has suspended in-home inspections.

-CEDA representative, Cris Gastner, has been officing in Chatfield rather than in City Hall and will continue to do so at this time.

-Board of Appeals and Adjustment meeting will more than likely be held as a phone conference unless the Council canceled the meeting. However, the local board would not be able to hold a meeting for the next 2 years.

As considerations for Council, Admin. Koverman presented the following recommendations:

1. The Library remain closed to walk-in service until further notice.
2. City Hall remain closed to walk-in-service until further notice.

3. City Hall staff and public works department were to stagger shifts and where possible, so as to decrease exposure/contact, telework. In addition, public works crews would stagger work shifts/crews in order to limit exposure, yet keep crews available for services/projects.
4. Discontinue replacement of meters in homes per MMUA guidelines and to limit exposure or use respective Personal Protective Equipment (PPE) when applicable.

Koverman relayed that the following resolution declaring a local emergency would allow flexibility with current policy/practices as well as allow the city to utilize additional resources from agency partners. The resolution was being adopted by many communities and recommended by the City Attorney at this time.

Council briefly reviewed the Resolution #19-2020 Declaring a Local Emergency of item No. 7. Hearing no questions, a motion was made to approve the resolution as presented.

Motion to approve: **Craig Hilmer**

No further discussion.

Roll call was taken. All members voted in favor.

Motion carried.

Mayor Schaber asked Council for any comments on the recommendations presented. All agreed that the recommendations were reasonable and a motion was made to approve the recommendations as presented.

Motion to approve: **Wayne Getz**

No further discussion.

Roll call was taken. All members voted in favor.

Motion carried.

Admin. Koverman asked for clarification as to the timing of the staggered shift process. Council expressed that staff was authorized discretion in implementing the strategy.

8. WOW Request. Admin. Koverman outlined a request for the upcoming What's On Wednesday schedule and the requests for use of the following: city hall green space, access to city hall bathrooms, approval of alcohol on premise, garbage cans, street closure for the required portion of St. Charles Avenue, cones/barricades for the applicable section of street and city hall parking, and a temporary electrical addition. Koverman relayed that in working with Director Karger and Don Andring of Andring Electric that a permanent location for additional electrical outlots would be sought. Alcohol would be regulated by the upcoming ordinance within the park. Council concurred that last year's events were successful and a motion was made to approve the request as presented.

Motion to approve: **David Kramer**

No further discussion.

Roll call was taken. All members voted in favor.

Motion declared carried.

9. 2019 Watermain-Pay Request NO. 2-Final. Admin. Koverman summarized the final payment that was reviewed by WHKS Engineers for \$3,169.25 for the 2019 watermain project. Hearing no discussion, a motion was made to approve the final payment.

Motion to approve: **Wayne Getz**

No further discussion.

Roll call was taken. All members voted in favor.

Motion declared carried.

10. Resolution #20-2020 Donation in Memory (Fran Goodrich). Admin. Koverman reviewed the resolution presented to state that donations were received in the amount of \$305.00 for the ambulance department, \$175.00 for the fire department, and \$300.00 for the library in memory of Fran Goodrich. Mayor Schaber thanked the family for their donation and a motion to approve the resolution was presented.

Motion to approve: **David Kramer**

No further discussion.

Roll call was taken. All members voted in favor.

Motion declared carried.

11. Ordinance #619 Establishing Park Hours (1st Reading). Admin. Koverman reviewed the ordinance regarding establishing of parking hours within the parks. He relayed that a few minor corrections had been made and that the Park Board had reviewed and recommended adoption. Hearing no questions, a motion was made to approve the first reading of Ordinance #619.

Motion to approve: **Dave Braun**

No further discussion.

Roll call was taken. All members voted in favor.

Motion declared carried.

12. Ordinance #620 Prohibiting the Discharge of Firearms (1st Reading). Admin. Koverman briefly reviewed the proposed ordinance and discussed that a similar ordinance had been in City Code, but was inadvertently omitted at some point. The Park Board reviewed the proposed ordinance and recommended adoption. Clm. Kramer presented a change in language that would omit language under B(3) at a cemetery located within the city, while adding the language after rifle volley "with blanks". Another notation change was requested as well. With those amendments, a motion was made to approve the first reading.

Motion to approve: **David Kramer**

No further discussion.

Roll call was taken. All members voted in favor.

Motion declared carried.

13. Ordinance #621 Drinking Public & Exemptions (1st Reading). Admin. Koverman relayed the intent of the ordinance was to allow drinking within the park system, but to provide some parameters and guidelines for users of the park as well as law enforcement. The Park Board reviewed the ordinance and recommended approval. Clm. Kramer questioned the need to define a public place either in the ordinance or in the definitions section. He also asked about people having liquor in the vehicle in the parks. Council agreed that some clarification of the language would be best. A motion to table the first reading was moved.

Motion to table: **David Kramer**

No further discussion.

Roll call was taken. All members voted in favor.

Motion declared carried.

UNSCHEDULED PUBLIC APPEARANCES

None.

A motion to adjourn at 6:33 p.m.

Motion to approve: **Wayne Getz**

No further discussion.

Roll call was taken. All members voted in favor.

Motion carried.

John Schaber, Mayor

ATTEST:

Nick Koverman, City Administrator



City Administrator's Report—March 2020

March 2—Cris Gastner and I met with area commercial developer to discuss the Chattanooga Innovation Park and possible connections/partnerships. As construction continues on Love's and other projects, more consideration will be given.

March 3—Presidential Primary Election held

March 4—Attended a DNR floodplain training in Rochester.

March 5—Held a phone conference with a carrier for private water and sewer line insurance plans.

March 10—Met with senior center board to discuss/listen to flooring options for the senior center and to gauge partnership.

Director Karger and I met with school district project coordinator to discuss upcoming projects, schedules and needs.

March 12—Attended the Winona BYTR meeting to discuss upcoming deployment of members and how the organization might support the effort.

March 16—Emergency Council meeting.

March 18—Phone conference with Emergency Management meeting.

March 25—Phone conference with Winona County Public Health meeting in the morning. A Winona County Emergency Management phone conference was held in the evening where continued updates were provided on COVID measures.

Continued monitoring of COVID actions have been taking place throughout departments and strategies implemented as new information arises. Rick Schaber is in communication with MRPA representatives to monitor conversations of pool and park/rec programming.

April 10, 2020: Update on the Police Departments response Protocol in Reference to the COVID-19 Pandemic

As of March 11, the following protocols were put in place:

Response to medical calls: We will “stage” outside the location of the call, if our assistance is requested Officers will “gown-up” with whatever protective gear would be required

****Response to citizen complaints:** If possible, officers will try and handle a complaint and follow-up via phone. If entry is needed into the residence, building or what have you, entry would be made through standard operating procedures keeping in mind social distancing a minimum distance of 6.’

****Civilian entry into the police department was restricted except for extenuating circumstances.** The number of police officers allowed in the department at one time is 2 or 3 max. The only exception was for a department meeting held March 25 and any other department briefings will be held at a different location or through phone or written correspondence.

**** It is everyone’s responsibility to regularly clean and wipe things down in the office and squads.** This is not only for the officer’s protection but the protection of fellow officers, their families and the public. Information on cleaning and disinfecting was provided.

****Hands are cleaned regularly including whenever the enters or exit the department**

****A first report of injury is completed on any suspected exposure.**

****Reviewed at a department meeting and distributed to each officer was from the CDC “Coved 19 What Law Enforcement personnel need to know about Coronavirus Disease 2019 (COVID-19).”**

**** Each officer completed 2, 1hr online courses through the League of MN Cities “Patrol.” Bloodborne Pathogens” and “Personal Protective Equipment.”** Even though COVID-19 is not a bloodborne pathogen the precautions are very similar.

****Each officer was issued a Personal Protection Kit that contents include a face mask, eye shield, safety glasses, medical grade nitrile gloves, hair cover and a gown that is impervious to fluids.**

**** This protocol was discussed at a March 11 meeting and was followed up with in an email to staff.**

March 17

****Officers were informed of protocol changes with dispatch, the Winona County Jail and that City Hall would be closing.**

March 19

****Various emergency declarations were reviewed and forwarded to staff.**

March 25 Staff meeting.

**** Reviewed: executive orders and enforcement protocols along with updates from emergency management and County Atty Sonnemman.**

** Established a folder on the police shared drive where all previous communications from various agencies (including this department) are available for officer review and beginning with the week of March 23 there was a separate sub-folder for each week.

March 30

** Ride-a-longs are not allowed and if there is a need for a 2 person squad (shuttling them to maintenance, getting a fellow officer back to the squad after a certain call or what have you...) officers were instructed that all occupants wear a mask. Face shield/safety glasses and gloves was left to the officer's discretion. The mask recommended is the cloth surgical mask however if the N-95 was deemed necessary they are encouraged to use it. All in-custody are to be masked if possible and reminded to follow the previously issued protocol for disinfecting the rear seat area of the squad.

** On Friday April 3 I informed officers I was not ready to dictate an order to wear a mask and gloves on all calls they respond to where entry is into a confined space/area or that social distancing is not possible, but I expected such a directive will be coming real soon and I encouraged officers that it's a pretty a good practice to start. On Monday April 6 after the CDC encouraged Americans to wear a face mask in public, I directed officers to utilize the N-95 mask and medical gloves (if possible) on all calls when entering a confined space or where social distancing was not possible.

Enforcement of the Governors Executive Order to Stay at Home

** Enforcement begins with education of the order, how it applies to the situation at hand and if there is no compliance a warning that a misdemeanor citation will be issued. If activity continues after this warning a citation will be issued. If there is continued noncompliance and officers need clarification, they are instructed to contact either myself or Sgt Pelaez. In certain situations, I will be contacting the Winona County Atty as to how they want me to proceed.

On a side note when we've had to talk to people about a certain compliance issue the community has been 100% cooperative.

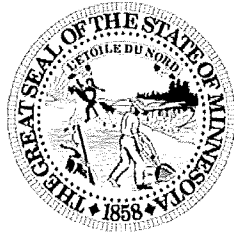
**** This is a brief outline of the department protocol that has been discussed with officers and is not meant to be a complete and all-encompassing protocol of the COVID-19 response by the St Charles Police Department.**

Respectfully submitted,

Chief Ken Frank

STATE OF MINNESOTA

Executive Department



Governor Tim Walz

Emergency Executive Order 20-33

Extending Stay at Home Order and Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. On March 11, 2020, the World Health Organization (“WHO”) characterized the COVID-19 outbreak as a pandemic. Despite efforts to contain COVID-19, the WHO and the Centers for Disease Control and Prevention (“CDC”) indicate that it is expected to spread. Confirmed cases of COVID-19 in Minnesota are rapidly increasing. On March 15, 2020, Minnesota detected the first confirmed cases caused by “community spread”—infections not epidemiologically linked to overseas travel. By March 17, 2020, all fifty states had reported a confirmed case of COVID-19. And on March 21, 2020, the Minnesota Department of Health (“MDH”) announced the first confirmed fatality due to COVID-19 in Minnesota.

Community spread of COVID-19 continues to increase in Minnesota and nationwide. As of April 8, 2020, Minnesota had 1,154 confirmed COVID-19 cases, with 271 hospitalizations and 39 fatalities. Also, as of April 7, 2020, the United States had over 374,000 confirmed cases with over 12,000 recorded fatalities. Increased testing capacity would undoubtedly show that COVID-19 is circulating in communities across Minnesota that have not yet identified a confirmed case.

Minnesota has already taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. On March 15, 2020, I issued Executive Order 20-02 ordering the temporary closure of public schools. On March 16, 2020, I issued Executive Order 20-04 ordering the closure of bars, restaurants, and other places of public accommodation. On March 25, 2020, I issued Executive Order 20-20 which directed Minnesotans to stay at home except for certain exempted activities and work.

On March 29, 2020, the federal government revised previous guidance and encouraged continued social distancing through the end of April. The continued presence of community spread in Minnesota, the rapid increase in COVID-19 cases, and the rising COVID-19 related

deaths both globally and in Minnesota require us to continue our measures to slow the spread of this pandemic. Slowing the community spread of COVID-19 is critical to ensuring that our healthcare facilities remain able to accommodate those who require intensive medical intervention.

This Executive Order is consistent with nationwide efforts to contain the spread of COVID-19. As of April 7, 2020, forty-one other states and the District of Columbia representing almost 318 million Americans have issued orders or public health directives closing non-essential businesses or limiting residents from participating in non-essential activities. Ten of these states have already extended or renewed these orders and directives in recognition of the ongoing need for proactive measures to contain the spread of COVID-19. Limiting activities to only those that are most essential and practicing social distancing at all times are vital tools required to mitigate the community spread of COVID-19 in Minnesota and nationwide.

Executive Order 20-20 set forth a number of Critical Sectors based on guidance from the U.S. Department of Homeland Security. That Guidance has since been updated and revised. This order adopts and relies on the March 28, 2020 Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response, Version 2.0 (“Updated CISA Guidance”—attached to, and incorporated into, this Executive Order). The Updated CISA Guidance identifies workers who conduct a range of operations and services that are essential to continued critical infrastructure viability. This federal guidance provides a baseline for Minnesota’s efforts to ensure critical infrastructure and services are maintained while slowing the spread of COVID-19.

In Minnesota Statutes 2019, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers “in order to (1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act.

Minnesota Statutes 2019, section 12.21, subdivision 3(7), authorizes the Governor to cooperate with federal and state agencies in “matters pertaining to the emergency management of the state and nation.” This includes “the direction or control of . . . the conduct of persons in the state, including entrance or exit from any stricken or threatened public place, occupancy of facilities, and . . . public meetings or gatherings.” Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2019, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

For these reasons, I order as follows:

1. Beginning on Wednesday, April 8, 2020 at 11:59 pm through Sunday, May 03, 2020 at 11:59 pm, all persons currently living within the State of Minnesota are ordered to stay at home or in their place of residence except to engage in the Activities and

Critical Sector work set forth below in Paragraphs 5 and 6. Executive Order 20-20 is rescinded as of April 8, 2020 at 11:59 pm.

2. For purposes of this Executive Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities, to the extent they are used for lodging.
3. This Executive Order does not restrict virtual work or telework (*i.e.* work from home). Minnesotans working in any field, including the Critical Sectors set forth below, are encouraged to work from their home or residence as much as possible.
4. **Definitions.** As used in this Executive Order, “workers” and “personnel” are broadly defined to include owners, proprietors, employees, contractors, vendors, volunteers, and interns. As used in this Executive Order, “Critical Sectors” is defined to include the categories found in the Updated CISA Guidance and the additional categories listed below.
5. **Exemptions – Activities.** Minnesotans may leave their homes or residences to engage in the following activities, provided that all persons follow the guidelines set forth and maintained by the Minnesota Department of Health (“MDH Guidelines”), including but not limited to social distancing, to the maximum extent possible.
Consistent with federal guidance and to protect our neighbors, Minnesotans are encouraged to stay close to home and are strongly discouraged from engaging in unnecessary travel. This list of Activities may be clarified, as deemed necessary by the Governor, to ensure the health, safety, and security of all Minnesotans. Clarifications will be available for public review at: <https://mn.gov/covid19/>
 - a. **Relocation to ensure safety.** Individuals whose homes or residences are unsafe or become unsafe, including individuals who have suffered or are at risk of domestic violence or for whom the safety, sanitation, or essential operations of their home or residence cannot be maintained, are allowed and urged to leave their home or residence and relocate to a safe alternative home or residence.
 - b. **Health and safety activities.** Individuals may seek emergency services; obtain medical services, supplies, and medications; and visit a health care or dental professional or facility, or a veterinarian. Individuals may also donate blood.
 - c. **Outdoor activities.** Individuals may engage in outdoor activities (*e.g.*, walking, hiking, running, biking, driving for pleasure, hunting, or fishing), and may go to available public parks and other public recreation lands, consistent with remaining at least six feet apart from individuals from other households. Public accommodations that are closed under Executive Orders 20-04 and 20-18 remain closed under this Executive Order, even if they feature outdoor activities. Nothing in the Executive Order permits trespass

upon private property. Minnesotans are encouraged to stay close to home and are strongly discouraged from engaging in unnecessary travel.

- d. **Necessary supplies and services.** Individuals may leave their residences to:
 - i. Obtain food, including delivery or carry-out services, beverages (alcoholic and non-alcoholic), and other grocery items.
 - ii. Obtain gasoline.
 - iii. Obtain supplies needed to work from home.
 - iv. Obtain commercially available personal protective equipment and supplies and materials necessary to make homemade personal protective equipment.
 - v. Obtain products needed to maintain the safety, sanitation, and essential operation of homes and residences, businesses, and personally owned vehicles, including automobiles and bicycles.
 - vi. Visit and use the services of laundromats and dry cleaners.
- e. **Essential intrastate and interstate travel.** Minnesotans are encouraged to stay close to home and are strongly discouraged from engaging in unnecessary travel. Individuals may travel to exempted activities and may travel to return to a home or place of residence. Individuals may also travel into and out of Minnesota.
- f. **Care of others.** Individuals may care for a family member, friend, or pet in another household, and may transport family members, friends, or pets as allowed by this Executive Order, including the transport of children pursuant to existing parenting time schedules or other visitation schedules pertaining to a child in need of protective services (CHIPS) proceeding.
- g. **Displacement.** Individuals without a home are exempt from the restrictions in this Executive Order, and they may move between emergency shelters, drop-in centers, and encampments. Encampments should not be subject to sweeps or disbandment by state or local governments, as such sweeps or disbandment increase the potential risk and spread of COVID-19.
- h. **Moving or relocation.** Individuals are permitted to move to a new home or place of residence, provided they follow MDH Guidelines to the maximum extent possible.
- i. **Voting.** Individuals are permitted and encouraged to vote in all state and local elections. Voters are also encouraged to vote by absentee by mail where feasible.

- j. **Funerals.** Individuals may leave their home or residence to attend funerals, whether at a place of worship, funeral home, burial site, or other similar location, provided that the gathering consists of no more than 10 attendees. The space utilized must allow for social distancing and compliance with MDH Guidelines to the maximum extent possible. Venues should make accommodations for remote attendance, if possible, for others. Individuals who are at high risk from COVID-19 are strongly encouraged to attend remotely.

k. **Tribal Activities and Lands.**

- i. Activities by tribal members within the boundaries of their tribal reservations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.
- ii. Activities within the boundaries of federal land held in trust for one of the 11 Minnesota Tribal Nations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.
- iii. Activities by tribal members to exercise their federal treaty rights within the boundaries of their treaty territory (also known as “ceded territory”) are exempt from the restrictions in this Executive Order but may be subject to restrictions by applicable tribal authorities.
- iv. Tribal members may travel to and from their tribal reservations in accordance with applicable tribal law.

6. **Exemptions – Critical Sectors. All workers who can work from home must do so.** Workers in the following Critical Sectors, who are performing work that cannot be done at their home or residence through telework or virtual work and can be done only at a place of work outside of their home or residence, are exempted from the prohibition in paragraph 1 of this Executive Order as set forth below. **These critical services exemptions apply only to travel to and from an individual’s home or residence and place of work and an individual’s performance of work duties that cannot be done at their home or residence. Travel may include transportation to and from child care or school settings as necessary to ensure the safe care of children.** This list of Critical Sectors may be clarified, as deemed necessary by the Governor, to ensure the health, safety, and security of all Minnesotans. These clarifications carry the full weight and effect of this Executive Order. Clarifications are available for public review at: <http://mn.gov/deed/critical/>

- a. **Healthcare and public health.** As applicable, healthcare and public health workers are subject to the restrictions on elective surgeries and procedures as set forth in Executive Orders 20-09 and 20-17. This category is limited to:
 - i. Healthcare and public health workers listed in the Updated CISA Guidance.

- ii. Workers providing or supporting reproductive health care, childbirth services, mental health care, and substance use treatment.
 - iii. Workers supporting manufacturers, technicians, logistics and warehouse operators, and distributors of personal care, hygiene, and healthcare products.
 - iv. Workers providing or supporting home care and human services workers from government or non-profit providers who are delivering food, prescriptions, case management services, mental health and substance abuse therapy, or who are otherwise caring for a client.
 - v. Workers providing or supporting home-based care for adults, seniors, and children, including but not limited to people who are blind, deaf, deafblind, or hard of hearing and people with disabilities, including physical disabilities, developmental disabilities, intellectual disabilities, substance use disorders, or mental illness. This includes workers who must travel to a person's home to provide care or other in-home services including meal delivery and one-on-one interpreting services for people who are blind, deaf, deafblind, or hard of hearing.
 - vi. Personal care attendants, paid employees of government and non-profit providers, or volunteers representing government and non-profit providers.
 - vii. Workers supporting the medical cannabis industry.
 - viii. Workers in adult daycares are **not** exempted.
- b. **Law enforcement, public safety, and first responders.** This category is limited to law enforcement and public safety workers and first responders listed in the Updated CISA Guidance, and all corrections personnel, state and county probation officers, supervision agents, victims' advocates, animal control officers, humane officers, and all workers who support electronic security and life-safety services, and bail bond agents posting a bond.
- c. **Food and agriculture.** This category includes food and agriculture workers listed in the Updated CISA Guidance. For clarity, and for the purposes of this Executive Order, references to "beverages" include alcoholic beverages. The restrictions on restaurants, bars, and other places of public accommodation adopted in Executive Orders 20-04, 20-18, and this Executive Order remain in effect. This category also includes:
- i. Workers supporting agricultural equipment repair service.
 - ii. Lawncare and landscaping workers.

- iii. Workers supporting garden centers, stores, and nurseries, provided that such centers, stores, or nurseries adhere to guidance provided by the Minnesota Department of Agriculture.
- iv. Workers supporting florists for the sale for delivery only of perishable plant stock. Workers delivering perishable plant stock are strongly encouraged to drop off product at the front door of nursing homes and hospitals to avoid contact with vulnerable populations.
- v. This category **does not** include the following workers, who are **not** exempted from the restrictions in paragraph 1:
 - a. Workers supporting tobacco and vaping-product shops.
 - b. Workers supporting cannabidiol (CBD) oil shops.
- d. **Energy.** This category is limited to energy workers listed in the Updated CISA Guidance, workers supporting emergency response operations, and workers supporting the underground storage of natural gas.
- e. **Water and wastewater.** This category is limited to water and wastewater workers listed in the Updated CISA Guidance, in addition to State Parks workers who maintain water and wastewater infrastructure, workers who perform work related to residential wells and septic tanks, and workers who supply bottled water or home filtration systems in areas where that is a health necessity.
- f. **Transportation and logistics.** This category is limited to the transportation and logistics workers listed in the Updated CISA Guidance, in addition to:
 - i. State, county, and local government agencies and agency workers, as well as private sector workers, who support or enable transportation functions, including engineers, dispatchers, maintenance and repair technicians (including workers at maintenance and repair shops), warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel).
 - ii. Workers engaged in roadway construction, maintenance, and utility projects.
 - iii. Public transit workers.
 - iv. Bicycle shops and distribution facilities.
 - v. Automobile, motorcycle, recreational vehicle (RV), and all-terrain vehicle (ATV) sales that are necessary to allow for essential travel or support Critical Sectors, when conducted by appointment, and only

when CDC and MDH guidelines, including social distancing, can be met.

- vi. Workers who clean vehicles used for public transportation, government services, and Critical Sectors.
- g. **Public works and infrastructure support services.** This category is limited to public works and infrastructure support services workers listed in the Updated CISA Guidance, in addition to construction material suppliers and workers providing services necessary to maintain construction material sources.
- h. **Communications and information technology.** This category is limited to communications and information technology workers listed in the Updated CISA Guidance and all workers who support news services of all kinds, including newspapers, radio, television, and other forms of news media.
- i. **Other community-based government operations and essential functions.** This category is limited to the other community-based and government essential functions listed in the Updated CISA Guidance, in addition to workers who support the following functions and services:
 - i. Election support services and election administration workers.
 - ii. Housing, shelter, and homelessness-prevention staff of state and local agencies and organizations responsible for ensuring safe and stable housing, including workers from state and local agencies and organizations with responsibility for ensuring safe and stable housing; shelter outreach or drop-in center programs; financing affordable housing; and administering rent subsidies, homeless interventions, operating supports, and similar supports. This includes workers necessary to provide repairs, maintenance, and operations support to residential dwellings.
 - iii. Workers performing all other governmental functions which are necessary to ensure the health, safety, and welfare of the public, to preserve the essential elements of the financial system of government, and to continue priority services as determined by a political subdivision of the State. All political subdivisions of the State will determine the minimum personnel necessary to maintain these governmental operations.
 - iv. Workers supporting building code enforcement necessary to maintain public safety and health and for all ongoing construction.
 - v. Workers, including logistical and contract workers, who are critical to facilitating support of national, state, and local emergency response operations.

- vi. Workers necessary to process applications for and issue hunting and fishing licenses, where it is impracticable for applicants to apply online.
- j. **Critical manufacturing.** This includes the critical manufacturing workers listed in the Updated CISA Guidance and the following:
 - i. Workers supporting iron ore mining and processing operations and supplier/vendor industries essential to such mining and processing operations.
 - ii. Workers supporting printing operations that supply other Critical Sectors. Other printing workers are **not** exempted.
- k. **Hazardous materials.** This category is limited to hazardous materials workers listed in the Updated CISA Guidance.
- l. **Financial services.** This category is limited to financial services workers identified in the Updated CISA Guidance, in addition to workers at banks, credit unions, insurance companies, and insurance agencies. Debt collection professionals and other workers supporting debt collection are **not** exempted.
- m. **Chemical.** This category is limited to chemical workers listed in the Updated CISA Guidance.
- n. **Defense industrial base.** This category is limited to defense industrial base workers listed in the Updated CISA Guidance.
- o. **Commercial facilities/essential supply stores.** Essential supply stores are strongly encouraged to offer curbside pickup or delivery of products. This category is limited to commercial facilities workers listed in the Updated CISA Guidance and the following:
 - i. Workers supporting businesses that sell products, tools, materials, or supplies necessary for: (1) Critical Sectors to continue their essential operations, (2) for workers to work from home, or (3) for the maintenance of the safety, sanitation, and essential operation of homes or residences.
 - ii. Workers supporting licensed businesses that sell or service firearms, pursuant to Minnesota Statutes 2019, section 624.7192. Gun ranges and clubs must remain closed pursuant to Executive Orders 20-04, 20-18, and this Executive Order.
 - iii. Workers supporting arts and crafts stores, but only to the extent that they are distributing materials for making personal protective equipment (*e.g.* homemade facemasks). Such materials must be purchased on-line or by phone before pick-up and must be pre-

packaged by the manufacturer, distributor, or the store. Workers supporting arts and crafts stores are not otherwise exempt.

- p. **Residential/shelter facilities and services.** This category includes the residential/shelter facilities and services workers listed in the Updated CISA Guidance, including workers supporting moving and relocation services, in addition to workers supporting emergency shelters, drop-in centers, and encampments, as well as outreach workers. Governmental and other entities are strongly urged to make 24-hour shelter available as soon as possible, to the maximum extent practicable, and in compliance with CDC guidance.
- q. **Laundry and hygiene products and services.** This category includes the hygiene products and services workers listed in the Updated CISA Guidance and the following:
 - i. Workers in laundromats and all laundry or dry-cleaning services.
 - ii. Workers cleaning common areas in apartment buildings and other similar common spaces.
 - iii. Workers providing housecleaning for individuals with disabilities.
 - iv. Workers doing ordinary residential housecleaning of individual homes are **not** exempt.
- r. **Tribal Governments.** Tribal officers and workers deemed essential by the relevant Tribal government, regardless of residence.
- s. **The Judicial Branch.** This category is limited to judicial officers and personnel deemed essential by the Chief Justice to ensure the continued operations of Minnesota's court system.
- t. **The Executive Branch.** This category is limited to personnel deemed necessary to continue priority services of executive branch agencies, offices, departments, divisions, boards, bureaus, councils, committees, institutions, authorities, and commissions, as well as, the Minnesota State Colleges and Universities system, Minnesota State Retirement System, Public Employees Retirement Association, and Teacher's Retirement Association, as determined by the Commissioner of Management and Budget in consultation with those agencies and entities.
- u. **Executive Constitutional Offices.** This category is limited to Constitutional Officers and personnel deemed essential by the applicable Constitutional Officer to ensure the continued operations of the Constitutional Office.
- v. **The Legislative Branch.** This category is limited to personnel deemed essential by the presiding officers of each body.

- w. **Federal employees.** Nothing in this Executive Order will be construed to limit, prohibit, or restrict in any way the operations of the federal government or the movement of federal officials in Minnesota while acting in their official capacity, including federal judicial, legislative, and executive staff and personnel.
- x. **National Guard.** This category is limited to National Guard members that are on orders, to include state active duty, Title 32, or Title 10 orders and members in an Inactive Duty for Training status. At the discretion of the Adjutant General, this category also includes full-time staff of the Minnesota National Guard or Department of Military Affairs that are necessary for the execution of the National Guard's mission.
- y. **Faith leaders and workers.** This category includes officials, workers, and leaders in houses of worship and other places of religious expression or fellowship, wherever their services may be needed. This category also includes workers necessary to plan, record, and distribute online or broadcast content to community members.
- z. **Education.** Educators and other workers supporting public and private schools, as well as higher education (*e.g.*, colleges and universities). This category includes educators and other workers providing care to children as provided by Executive Order 20-19. Executive Order 20-02 remains in effect.
- aa. **Construction and critical trades.** This category includes the following:
 - i. Workers in the skilled trades such as electricians, plumbers, HVAC and elevator technicians, and other workers supporting construction of all kind.
 - ii. Workers such as exterminators, cleaning and janitorial staff for commercial and governmental properties, moving and relocation services, security staff, operating engineers, and all other service providers who provide services that are necessary to maintain the safety, sanitation, and essential operation of homes and residences and the Critical Sectors listed in this Executive Order.
 - iii. Workers supporting major appliance sales, related parts sales, and service.
- bb. **Child care providers.** This category includes workers in child care centers, family child care, schools, and other facilities. Such providers are encouraged to remain open to provide child care services for workers in the Critical Sectors listed in this Executive Order as possible and insofar as public health guidance can be followed. This category also applies to individuals providing child care for Critical Sector workers in a personal home, such as family, friend, and neighbor care required for Critical Sector workers to continue to perform their duties.

- cc. **Hotels, residential facilities, and shelters.** This category includes workers supporting hotels and motels, facilities and shelters for adults, seniors, and children, including victims of domestic violence, people with developmental disabilities, intellectual disabilities, substance abuse disorders, or mental illness. Such facilities and shelters include halfway houses and residential treatment programs. This category also includes workers needed to keep apartment complex buildings and other congregate residences or homes operational and sanitary.
- dd. **Charitable and social services organizations.** This category is limited to workers supporting organizations that are engaged in hunger relief work, and those that provide food, shelter, prescription delivery, mental health and substance abuse treatments, and other social services, as well as other necessities of life for individuals in need of such services, older adults who live alone, people with disabilities, and those who need assistance as a result of this emergency.
- ee. **Legal services.** This category is limited to workers who are necessary to provide essential legal services. Essential legal services include:
- i. Advice and representation needed to aid the delivery of all critical government services.
 - ii. Advice and representation required to ensure the immediate and critical health, safety, and liberties of Minnesotans, including but not limited to, end-of-life planning, immigration, essential services to elders and persons with disabilities, child support, child-protection and domestic abuse matters, protection of personal financial resources necessary to meet basic needs, prosecution or defense in ongoing criminal matters, or all matters in which individuals are held in custody pending a legal proceeding, and proceedings held in the district or appellate courts during the effective period of this order.
 - iii. Advice and representation related to the continuation of the Critical Sectors identified in this Executive Order, including ensuring compliance with this Executive Order, previous Executive Orders, and all applicable laws, rules, and regulations applying to Critical Sectors.
 - iv. Supporting housing and shelter-related efforts, including loan applications, loan processing, seeking temporary relief from residential and commercial loan or lease provisions, retention of gas, electric, or water utility services, and seeking temporary relief from residential evictions or foreclosures, or other actions intended to keep people in their homes.
 - v. Process servers and legal couriers.

- ff. **Notaries.** This category is limited to notaries performing services that cannot be deferred and which cannot be accomplished via remote services under Minnesota Statutes 2019, section 358.645.
- gg. **Critical labor union functions.** This category includes labor union essential activities, including the administration of health and welfare funds, and monitoring the wellbeing and safety of members providing services in the Critical Sectors.
- hh. **Animal care and veterinarians.** This category is limited to veterinarians and workers at animal care facilities or Department of Natural Resources workers who provide food, shelter, veterinary services, and other necessities of life for animals. Workers in this category are subject to the restrictions on elective surgeries and procedures as set forth in Executive Orders 20-09 and 20-17. This category also includes the following:
 - i. Workers providing care (*e.g.* daycare or boarding) to pets in the following circumstances:
 - a. Caring for pets owned by other Critical Sector workers during their shifts.
 - b. Caring for pets needing care because the owner is physically or otherwise unable to care for the animal.
 - c. Caring for pets owned by individuals who are ill or quarantined, provided that contact with the owner is limited to a one-time pick up until the illness or quarantine has passed.
 - d. Caring for pets currently boarded and circumstances prevent the owner from retrieving them.
 - ii. Workers supporting pet adoption and animal foster care are exempt, provided that (1) any paperwork and payment is done online, and (2) appropriate social distancing is observed during the adoption process.
 - iii. Workers supporting pet grooming businesses are **not** exempt.
- ii. **Real estate transactions.** This category is limited to workers who facilitate and finance real estate transactions and real estate services, including appraisers and title services.
- jj. **Minimum basic operations.** This category includes workers supporting minimum basic operations in businesses and other organizations. Minimum basic operations include (i) minimum necessary activities to maintain the value of the business' inventory, preserve the condition of a business's or other organization's facilities, physical plant, or equipment, ensure security, process payroll and employee benefits, or related functions; and (ii) the

minimum necessary activities to facilitate remote work by workers from their residences (*e.g.*, IT personnel who allow workers to operate remotely or personnel who support remote or distance learning).

7. All exempted Activities and Critical Sector work should be conducted in a manner that adheres to Minnesota Occupational Safety and Health Standards and the Minnesota Department of Health and CDC Guidelines related to COVID-19, including social distancing and hygiene. Under existing law and authority, the Minnesota Occupational Safety and Health Administration may issue citations, civil penalties, or closure orders to places of employment with unsafe or unhealthy conditions, and the Department of Labor and Industry may penalize employers that retaliate against employees who raise safety and health concerns.
8. Except as necessary to seek medical care and obtain other necessities of life, people at high risk of severe illness from COVID-19 (*e.g.*, elderly people and those with underlying health conditions) are strongly urged to stay in their home or residence, even when the terms of this Executive Order would allow them to leave their home or residence.
9. I urge all Minnesotans to voluntarily comply with this Executive Order. Pursuant to Minnesota Statutes 2019, section 12.45, a worker who willfully violates this Executive Order is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000 or by imprisonment for not more than 90 days. Any business owner, manager, or supervisor who requires or encourages any of their employees to violate this Executive Order is guilty of a gross misdemeanor and upon conviction must be punished by a fine not to exceed \$3,000 or by imprisonment for not more than a year. In addition to those criminal penalties, the Attorney General, as well as city and county attorneys, may seek any civil relief available pursuant to Minnesota Statutes 2019, section 8.31, for violations of this Executive Order, including civil penalties up to \$25,000 per occurrence from businesses and injunctive relief. Nothing in this Executive Order is intended to encourage or allow law enforcement to transgress individual constitutional rights.
10. I direct the Commissioners of Health, Employment and Economic Development, and Labor and Industry to begin planning on how to allow certain non-Critical Sector workers to return to work when it is safe to do so. Such a plan must include guidelines and requirements for appropriate social distancing, hygiene, and public health best practices. I also direct other cabinet agencies to coordinate expeditiously to develop relevant guidance related to this Executive Order and to provide that guidance to the public.
11. I direct all state agencies to continue to coordinate expeditiously to develop plans to mitigate the economic effects of closures and restrictions necessitated by this peacetime emergency, including potential financial support, regulatory relief, and other executive actions.

12. The closure of bars, restaurants, and other public accommodations set forth in Executive Order 20-04, as amended by Executive Orders 20-08 and 20-18, is extended until May 3, 2020 at 11:59 pm.
13. This Executive Order may be extended by a future Executive Order, with the approval of the Executive Council.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on April 8, 2020.



Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

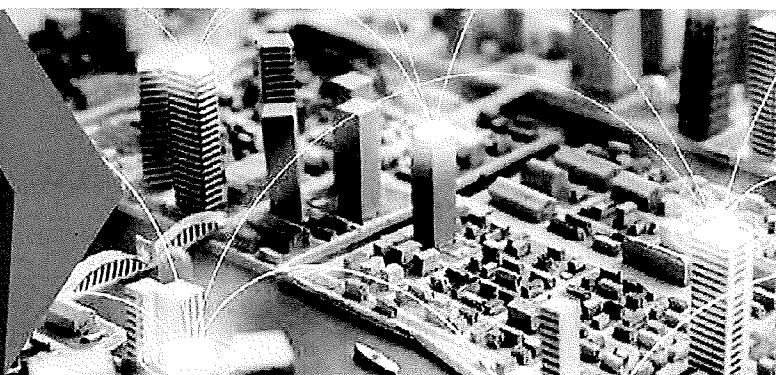
Approved by the Executive Council on April 8, 2020:

Alice Roberts-Davis
Secretary, Executive Council



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DEFEND TODAY, SECURE TOMORROW



Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience In COVID-19 Response

Version 2.0 (March 28, 2020)

THE IMPORTANCE OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

Functioning critical infrastructure is imperative during the response to the COVID-19 emergency for both public health and safety as well as community well-being. Certain critical infrastructure industries have a special responsibility in these times to continue operations.

This advisory guidance and accompanying list are intended to support state, local, tribal, territorial and industry partners in identifying the critical infrastructure sectors and the essential workers needed to maintain the services and functions Americans depend on daily and that need to be able to operate resiliently during the COVID-19 pandemic response.

This document gives advisory guidance on defining essential critical infrastructure workers. Promoting the ability of such workers to continue to work during periods of community restriction, access management, social distancing, or closure orders/directives is crucial to community resilience and continuity of essential functions.

CISA will continually solicit and accept feedback on the list and will evolve the list in response to stakeholder feedback. We will also use our various stakeholder engagement mechanisms to work with partners on how they are using this list and share those lessons learned and best practices broadly. Feedback can be sent to CISA.CAT@CISA.DHS.GOV.

CONSIDERATIONS FOR GOVERNMENT AND BUSINESS

This list was developed in consultation with federal agency partners, industry experts, and State and local officials, and is based on several key principles:

1. Response efforts to the COVID-19 pandemic are locally executed, state managed, and federally supported.
2. Everyone should follow guidance from the CDC, as well as State and local government officials, regarding strategies to limit disease spread.
3. Workers should be encouraged to work remotely when possible and focus on core business activities. In-person, non-mandatory activities should be delayed until the resumption of normal operations.
4. When continuous remote work is not possible, businesses should enlist strategies to reduce the likelihood of spreading the disease. This includes, but is not necessarily limited to, separating staff by off-setting shift hours or days and/or social distancing. These steps can preserve the workforce and allow operations to continue.
5. All organizations should implement their business continuity and pandemic plans or put plans in place if they do not exist. Delaying implementation is not advised and puts at risk the viability of the business and the

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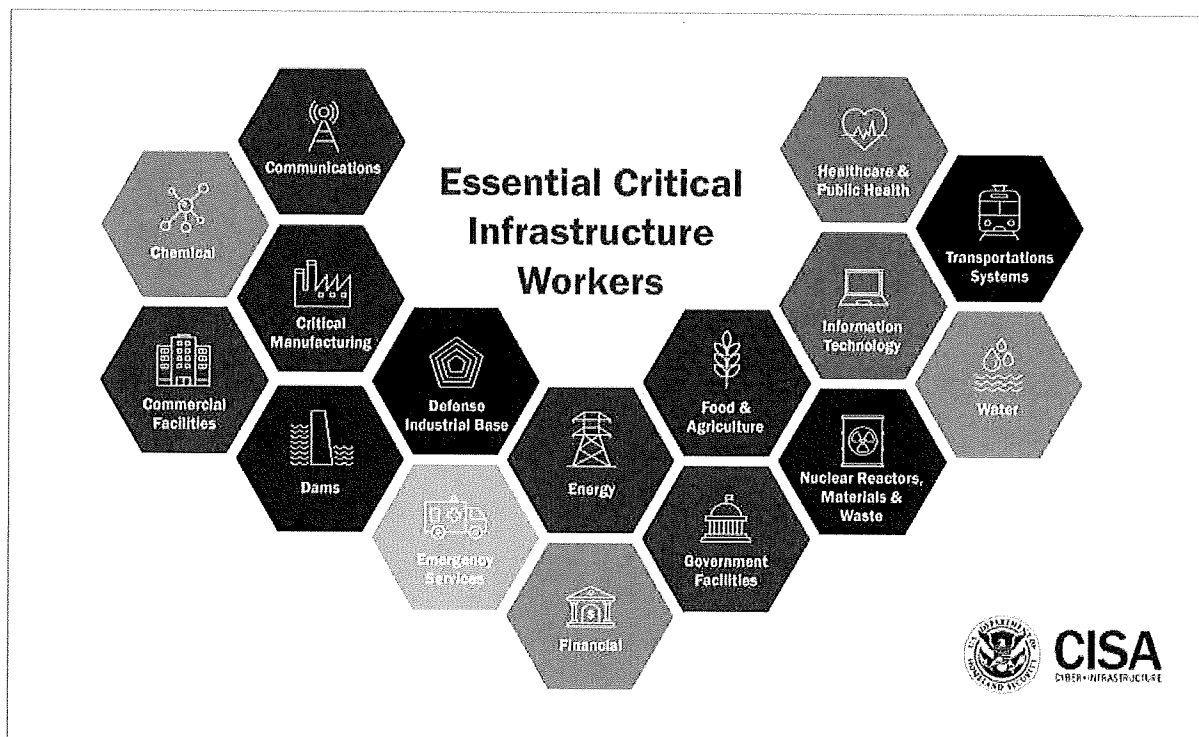
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health and safety of the employees.

6. Reliance on technology and just-in-time supply chains means that certain workers must be able to access certain sites, facilities, and assets to ensure continuity of functions.
7. Government employees, such as emergency managers, and the business community need to establish and maintain lines of communication.
8. When government and businesses engage in discussions about essential critical infrastructure workers, they need to consider the implications of business operations beyond the jurisdiction where the asset or facility is located. Businesses can have sizeable economic and societal impacts as well as supply chain dependencies that are geographically distributed.
9. Whenever possible, jurisdictions should align access and movement control policies related to critical infrastructure workers to lower the burden of workers crossing jurisdictional boundaries.

IDENTIFYING ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

The following list of identified essential critical infrastructure workers is intended to be overly inclusive reflecting the diversity of industries across the United States.



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HEALTHCARE / PUBLIC HEALTH

- Workers who perform critical clinical research, development, and testing needed for COVID-19 response.
- Healthcare providers and Caregivers including physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, optometrists, speech pathologists, chiropractors, and diagnostic and therapeutic technicians and technologists.
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.).
- Workers in other medical and biomedical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Nursing Care Facilities, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers, and retail facilities specializing in medical good and supplies).
- Manufacturer workers for health manufacturing (including biotechnology companies), materials and parts suppliers, logistics and warehouse operators, distributors of medical equipment (including those who test and repair), personal protective equipment (PPE), isolation barriers, medical gases, pharmaceuticals (including materials used in radioactive drugs), dietary supplements, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.
- Public health / community health workers, including those who compile, model, analyze and communicate public health information.
- Blood and plasma donors and the employees of the organizations that operate and manage related activities.
- Workers who manage health plans, billing, and health information, who cannot practically work remotely.
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely.
- Workers performing information technology and cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely.
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely.
- Pharmacy employees necessary to maintain uninterrupted prescription filling.
- Workers performing mortuary funeral, cremation, burial, cemetery, and related services, including funeral homes, crematoriums, cemetery workers, and coffin makers.
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident.

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CITY OF ST. CHARLES

ORDINANCE #619

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA, AMENDING ST. CHARLES CODE TO ESTABLISH A NEW CHAPTER OF THE ST. CHARLES CITY CODE REGULATING CONDUCT IN CITY PARKS AND WITHIN THAT CHAPTER TO ADOPT AN ORDINANCE ESTABLISHING OPERATING HOURS FOR CITY PARKS

THE CITY OF ST. CHARLES DOES ORDAIN:

Section 1. Title IX: General Regulations, be amended to add a new chapter and section as follows: Chapter 95, City Parks; and Section 95.01 HOURS OF OPERATION FOR CITY PARKS, of the City Code of St. Charles, Minnesota, which shall read as follows:

PUBLIC PARKS

§95.01 HOURS OF OPERATION FOR CITY PARKS

(A) Definitions. For the purpose of this section, the phrase “city park,” or “park,” means the following parks, which include all publicly owned parking lots adjacent thereto, previously established in the City of St. Charles:

- (1) Brookwood Park;
- (2) City Park;
- (3) Jessens Park;
- (4) Kieffer Park;
- (5) Meadow View Park;
- (6) Oakview Park; and
- (7) Whispering Hills Park.
- (8) The portion of Sportsman’s Park within City limits.
- (9) City Hall Park

(B) Operating hours. All city parks as defined herein shall be closed between the hours of 11:00 p.m. and 7:00 a.m. the following day. The City Public Works Director shall erect at the

entrance to city park listed herein a sign that clearly states the operating hours of the park and that presence in the park outside of operating hours is a misdemeanor offense. It is a misdemeanor offense for a person to remain in a motor vehicle that is located within a city park or for the owner of a motor vehicle to leave their vehicle parked unattended in any publicly owned parking lot adjacent to a city park outside of operating hours.

(C) Exceptions. Exceptions to the hours of operation listed in this section are as follows:

- (1) Advanced written or verbal permission from the Public Works Director or City Administrator to remain in a park after operating hours; or
- (2) Any event planned and hosted by any City official acting in official capacity; or
- (3) Authorized city or partner agency vehicles.

(D) Penalty. Any person found in the parks after closing hours shall be in violation of this section shall be guilty of a misdemeanor.

(E) Enforcement. This section can be enforced by any person with a Minnesota Peace Officer's License with jurisdiction in the city of St. Charles.

Section 2. This Ordinance shall take effect thirty days after its publication.

Adopted this ____ day of _____, 2020 by the City Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

CITY OF ST. CHARLES

ORDINANCE #620

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA, AMENDING ST. CHARLES CODE TO ESTABLISH AN ORDINANCE PROHIBITING THE DISCHARGE OF FIREARMS WITHIN THE CITY LIMITS

THE CITY OF ST. CHARLES DOES ORDAIN:

Section 1. Title XIII: General Offenses, Chapter 130: General Offences of the City Code of St. Charles, Minnesota, be amended to add the following new sections and read as follows:

§ 130.30 PROHIBITION OF FIREARM USE WITHIN CITY LIMITS.

Section 1. Prohibition of Firearm Use.

(A) *Prohibited Acts.*

(1) *Generally.* No person shall discharge a firearm, air rifle, air gun, BB gun, slingshot, or other similar device capable of self-propelled discharge within City of St. Charles City limits, except as provided in this Section. Any person in violation of this provision shall be guilty of a misdemeanor.

(2) *Definition.* For purposes of this section, a firearm has the meaning contained in Minn. Stat. § 97A.015, subd. 19, as may be amended from time to time.

(B) *Exceptions.*

(1) *Lawful defense, law enforcement.* Nothing in this article shall be construed to prohibit the firing of a gun, pistol, revolver or other kind of firearm when done in the lawful defense of person or family or in the necessary enforcement of the laws by a law enforcement officer.

(2) *Wildlife Conservation.* Wildlife conservation or animal control officers or other authorized representatives of the city, county, state or federal government, acting in an official capacity, may use a firearm or weapon to restrain the free movement of any animal, wildlife or birds as is permitted by law.

(3) *Veterans Organizations.* Members of authorized veterans and law enforcement Honor Guards discharging a rifle volley with blanks as an honorary salute.

(4) *Firearm Ranges.*

(a) The discharge of firearms shall also be permitted at any trap, skeet or

firing range in zoning districts allowing such a property use. This exception applies only upon such days and at such times as the range is open for shooting and when the manager of the range or his lawful agent is present and supervising the shooting of firearms. All trap, skeet and firing ranges shall have signs conspicuously placed on the premises stating the substance of this section.

(b) No person shall possess or consume nonintoxicating malt liquor or intoxicating liquor at any trap, skeet or firing range located in the city.

- (5) *Permit.* Nothing in this section shall be construed to prohibit the firing of a gun, pistol, revolver or other kind of firearm in situations authorized by the City code, and when permission therefor has first been given by the Chief of Police, which permission shall designate the place where and the time when such firearms may be used. Any resident of the City may obtain a permit from the Chief of Police for shooting an air rifle, air gun, BB gun, or other similar device for the shooting of vermin inside a dwelling, building or structure on property within City limits.

(C) *Authority.* This section is enacted pursuant to Minn. Stat. § 412.221, subd. 32, 410.33, and §340A.509.

Section 2. Prohibition of Bow and Arrow Use.

(A) *Prohibited Acts.*

- (1) *Definitions.* The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, unless the context clearly indicates a different meaning.

(a) *Arrow* - shall mean any shaft, rod or bolt constructed out of any substance.

(b) *Bow* - shall mean any device designed as or commonly known as a bow, long-bow, compound-bow, or cross-bow and fashioned to propel, thrust or project an arrow, shaft, bolt, or rod beyond one foot of the device itself.

- (2) *Shooting of Bows and Arrows Prohibited.* It is unlawful to shoot, discharge or otherwise propel an arrow from a bow in the city except under the conditions listed under Paragraph (B) of this section.

(B) *Exemptions.* Use of bows and arrows in the following circumstances shall be exempted from the general prohibition thereof contained in Paragraph (A) of this section:

- (1) Bows and arrows may be used as authorized in a physical education program in a school when supervised by a member of its faculty;
- (2) Bows and arrows may be used in a community-wide supervised class or event as specifically authorized in advance by the Chief of Police; or

(3) Bows and arrows may be used in any bow and arrow range specifically established and so designated by the city council.

(C) *Authority.* This section is enacted pursuant to Minn. Stat. § 412.221, subd. 32 and §410.33.

Section 3. This Ordinance shall take effect thirty days after its publication.

Adopted this ____ day of _____, 2020 by the City Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

First Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Second Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Date of Publication: _____

CITY OF ST. CHARLES

ORDINANCE #621

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA, AMENDING ST. CHARLES CODE SECTION ENTITLED "DRINKING IN PUBLIC" TO INCLUDE EXCEPTIONS THEREIN ALLOWING CONSUMPTION OF ALCOHOL WITHIN CERTAIN PUBLIC PLACES

THE CITY OF ST. CHARLES DOES ORDAIN:

Section 1. Title XI: General Offenses, Chapter 113: Section 113.23: Drinking in Public of the City Code of St. Charles, Minnesota, be amended to read as follows:

§113.23 DRINKING IN PUBLIC.

The following provisions shall apply unless a place is licensed under this chapter or unless specific Council authorization is given:

(A) *General Prohibition.* No person shall consume any alcoholic beverage or possess any bottle or receptacle containing an alcoholic beverage in any public place unless otherwise permitted by this chapter, by other City Code provision, or by special permission of the City Council. For purposes of this section, public place means any street, avenue, alley, road, highway, boulevard, parking lot or facility, park, or other public property or premises; and

(B) *Exceptions.* Notwithstanding Section 113.23(A), consumption of alcoholic beverages and possession of open bottles or receptacles containing alcoholic beverages shall be allowed within the boundaries of the following public parks during hours the parks are open for public use:

- (1) Brookwood Park;
- (2) City Park;
- (3) Jessens Park;
- (4) Kieffer Park;
- (5) Meadow View Park;
- (6) Oakview Park; and
- (7) Whispering Hills Park.
- (8) The portion of Sportsman's Park within City limits.

(C) *Park Boundaries.* For the purpose of this section the park area extends only to the beginning edge of any street fit for vehicular travel, parking lot serving the public park, privately owned property line bordering the public park, or any sign erected by the City that states, "No Alcohol Beyond This Point." For the purposes of this section streets, alleys, or any other right-of-way or paved boundary surrounding the edge of the park other than sidewalks shall not be considered land within park boundaries.

(D) *Additional prohibitions.* Notwithstanding the exceptions listed in part (B) of this section, alcoholic beverages shall not be possessed or consumed under any of the following circumstances:

- (1) In any of the permitted spaces after the parks have closed, as stated in section 95.01 (B) of the Code;
- (2) By any person who has been charged by citation with any crime committed within the boundary of any park listed in Section (C) of this section during the same day that the person is charged with such a crime.
- (3) When any peace officer licensed by the City of St. Charles or any court of law has otherwise revoked a person's consent to consume alcohol;
- (4) By any person who is present within, operating, or in physical control of a motor vehicle as defined in Section 169A.03 subd. 15 of the Minnesota Impaired Driving Code.

(E) *Enforcement and Penalty.* This section can be enforced by any person with a Minnesota Peace Officer's License with jurisdiction in the city of St. Charles. Violation of this chapter is a misdemeanor.

(F) The city may impose a voluntary administrative penalty under § 10.90 rather than issuing a criminal citation or complaint.

(1987 Code, § 406.11) (Am. Ord. 515, passed 5-13-2008; Am. Ord. 592, passed 5-23-2017) Penalty, see § 10.99

(G) *Authority.* This section is enacted pursuant to Minn. Stat. §§ 145A.05 and 340A.509.

Section 2. This Ordinance shall take effect thirty days after its publication.

Adopted this ____ day of _____, 2019 by the City Council of the City of St. Charles, Minnesota.

Attest:

John Schaber, Mayor

Nick Koverman, City Administrator



LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to psstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits*, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.
- *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: _____

Check one:



☐ The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.

☐ The member **WAIVES** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____