



# AGENDA

## Blackduck City Council - Work Session Meeting

6:00 PM - Monday, March 23, 2020  
City Hall, 8 Summit Drive, Blackduck MN

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	Page
1. CALL TO ORDER	
2. APPROVAL OF AGENDA	
3. OLD BUSINESS	
a. City Building Designs & Redesigns	
b. Golf Course Cart Shed	
c. Rural Development Grant Application Status	
4. NEW BUSINESS	
a. COVID-19 - Executive Orders	2 - 45
<a href="#">20-01</a>	
<a href="#">20-02</a>	
<a href="#">20-03</a>	
<a href="#">20-04</a>	
<a href="#">20-05</a>	
<a href="#">20-06</a>	
<a href="#">20-07</a>	
<a href="#">20-08</a>	
<a href="#">20-09</a>	
<a href="#">20-10</a>	
<a href="#">20-11</a>	
<a href="#">20-12</a>	
b. Public Offices - status	
c. Summer Businesses during COVID-19	
d. Other Committee Notices -	
e. Donation Request -	46 - 47
<a href="#">2020 Blackduck After Prom</a>	
f. Councilor Resignation - Tylor Roth	48
<a href="#">Council member Roth Resignation</a>	
g. Elected Official Conflict of Interest / Code of Ethics Policy	49 - 55
<a href="#">Conflict of Interest - Code of Ethics</a>	
5. ADJOURNMENT	

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-01

#### **Declaring a Peacetime Emergency and Coordinating Minnesota's Strategy to Protect Minnesotans from COVID-19**

**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 infectious disease known as COVID-19, an act of nature, has now been detected in 118 countries and territories, including the United States. COVID-19 has been reported in 42 states. There are over 1,600 confirmed cases nationwide, including fourteen in Minnesota.

The U.S. Department of Health and Human Services Secretary has declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19. The World Health Organization has recently assessed that this outbreak can be characterized as a pandemic.

In coordination with other state agencies, local governments, and partners in the private sector, the Minnesota Department of Health ("MDH") has been preparing for and responding to the COVID-19 pandemic in Minnesota.

On April 4, 2019, I issued Executive Order 19-22, which assigned emergency responsibilities to state agencies to respond to and assist in recovery from the effects of natural or technological emergencies, including responsibility to engage in emergency preparedness efforts. On April 4, 2019, I also issued Executive Order 19-23, which directed state agencies to engage in continuity of government and continuity of operations planning. That Executive Order established the Continuity Policy Coordination Sub-Cabinet to develop and maintain a framework for a continuity of government plan, and to oversee agency continuity of operations planning, led by Minnesota Management and Budget ("MMB").

Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. Our State has been actively conducting continuity planning for state agency operations. MMB activated its Statewide Contingency Response Team ("SCRT"), which meets regularly to coordinate and direct state agencies to ensure priority government services continue. State agency emergency managers and continuity coordinators from the agencies have

been meeting together and sharing information related to emergency management and continuity of operations planning activities.

The State also has activated our Joint Information Center (“JIC”), led by the Department of Public Safety (“DPS”) and MDH. The JIC is responsible for sharing operational updates and keeping the public informed on COVID-19. This group convenes daily to provide consistent, coordinated, and timely information.

Agencies have activated their internal command or continuity teams and have been reviewing their emergency response and continuity plans, which are plans in place that outline how agencies will provide priority services during an emergency. Agencies have been reviewing their priority services and preparing their employees with the goal of providing uninterrupted priority services throughout an emergency.

On January 29, 2020, MDH instituted its Incident Command System (“ICS”). The ICS provides a standardized approach to the command, control, and coordination of emergency response. MDH convened a state agency COVID-19 coordinating group on March 3, 2020. DPS’s Division of Homeland Security and Emergency Management (“HSEM”) activated the State Emergency Operations Center on March 6, 2020.

MDH remains in close contact with federal, state, and local partners, and the Commissioner of Health recently convened a group of experts, including healthcare professionals (doctors, nurses, administrators, insurers), government partners (cities, counties, tribal nations), business and labor leaders, educators (child care, K-12, higher ed), public health experts, and authorities on long term care and Minnesota’s aging population. This cross-sector group provides guidance to the Commissioner on MDH’s strategies for responding to COVID-19.

As part of the response, MDH experts have been providing timely information and education to the public and stakeholders through up-to-date website information, regular press briefings, and calls for stakeholders such as schools, long-term care facilities, healthcare providers, and the business community. MDH’s COVID-19 website, with materials available in 16 languages, has been accessed by thousands of Minnesotans.

Local resources are inadequate to fully address the COVID-19 pandemic. We must continue to take this pandemic seriously, and there are sensible steps that Minnesotans and our state government can take to protect all Minnesotans by slowing the spread of COVID-19, prioritizing our healthcare resources, and safeguarding at-risk communities.

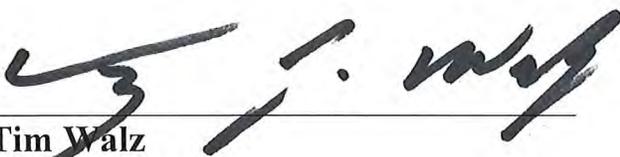
For these reasons, I declare a peacetime emergency in Minnesota and order as follows:

1. In consultation with federal, state, and local partners, tribal nations, relevant experts, and stakeholders, MDH will continue to lead the coordination of the State’s response to COVID-19.
2. HSEM will continue to assist MDH and coordinate support through the State Emergency Operations Center and in accordance with the Minnesota Emergency Operations Plan.

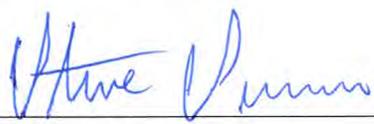
3. All state agencies, in cooperation with appropriate federal agencies, will work to support healthcare providers, tribal and local governments, and public health organizations as they respond to COVID-19.
4. The Minnesota National Guard will ensure that it is ready to assist as needed during this peacetime emergency.
5. In consultation with the Centers for Disease Control and Prevention, as well as public health, medical, and other experts, MDH will continue to provide guidance that is accessible and transparent to all Minnesotans, including guidance on how to best prevent and reduce community spread of COVID-19 within Minnesota and manage critical healthcare resources.
6. I encourage individual Minnesotans to help protect all Minnesotans by continuing their individual prevention efforts such as staying home when feeling sick, frequently washing their hands, and monitoring information about COVID-19.
7. I urge and advise Minnesotans to follow MDH guidance regarding hygiene, public gatherings, social distancing, and healthcare use. Minnesotans should regularly check MDH's COVID-19 webpage: <https://www.health.state.mn.us/diseases/coronavirus/>
8. As circumstances require, and pursuant to relevant law, I will issue orders and rules to protect public health and safety. All state agencies are directed to submit proposals for such orders and rules to my office.

This Executive Order and declaration of peacetime emergency is effective immediately under Minnesota Statutes 2019, section 4.035, subdivision 2, and its duration is governed by Minnesota Statutes 2019, section 12.31, subdivision 2.

Signed on March 13, 2020.

  
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**Tim Walz**  
Governor

Filed According to Law:

  
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**Steve Simon**  
Secretary of State



RESOLUTION

RESOLVED, by the Executive Council of the State of Minnesota, at its emergency meeting on March 16, 2020, that it approves the following:

Extend peacetime emergency declared in State of Minnesota, Executive Department, Emergency Executive Order 20-01 Declaring a Peacetime Emergency and Coordinating Minnesota's Strategy to Protect Minnesotans from COVID-19 as required by Minnesota Statutes 9.061.

Approved by Executive Council

DATE: March 16, 2020

BY: *ARobertsDavis*

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-02

#### **Authorizing and Directing the Commissioner of Education to Temporarily Close Schools to Plan for a Safe Educational Environment**

**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. Minnesota has 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. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Since I issued Executive Order 20-01, the Minnesota Department of Health (“MDH”) has confirmed additional COVID-19 cases in Minnesota. We continue to take this pandemic seriously and are taking sensible steps to protect all Minnesotans. Our schools are places where large numbers of Minnesotans congregate. They therefore need time to plan strategies for achieving educational goals while also complying with public health guidance

Under Minnesota Statutes 2019, section 12.21, subdivision 3, I am permitted to authorize the Commissioner of Education “to alter school schedules, curtail school activities, or order schools closed.” In consultation with my Cabinet, I have concluded that such action is warranted to allow for planning to continue to provide a world-class education, while preserving the health, safety, and lives of Minnesotans.

Allowing schools and school districts time to plan without students in the classroom will benefit all of Minnesota. The Minnesota Department of Education (“MDE”) will provide guidance on these important planning efforts. I realize that schools are community hubs for children and families. School closures put burdens on children and families and create disproportionate impacts on different communities. For that reason, we must ensure that schools and school districts continue to provide support to Minnesota families, even while students are not in the classroom. We must also act to minimize disruptions caused by school closures on the state’s healthcare system and emergency workers.

In addition to schools, families with young children depend on child care providers. Center-based and family child care providers provide an essential service to our children, and they ensure that our economy and workforce can thrive. Unlike schools, these settings are smaller and do not need to plan for distance learning. We must continue to support child care providers' efforts to remain open and comply with public-health guidance as they provide essential services to Minnesota.

For these reasons, I order as follows:

1. Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(11), I authorize and direct the Commissioner of Education to close all schools to students, except as set forth below, beginning on Wednesday, March 18, 2020 through Friday, March 27, 2020 ("Closure Period").
2. This order applies to all schools as set forth in Minnesota Statutes 2019, section 12.21, subdivision 3(11). I encourage tribal and private schools to fulfill the spirit and directives of this Executive Order.
3. The Closure Period is meant to provide time for our schools to adequately plan for continuity of education during the COVID-19 pandemic for the purpose of preserving the health, safety, and lives of Minnesota's students, educators, and the broader public.
4. Recognizing that every school and school district has different circumstances and needs, MDE and MDH will provide guidance to schools on approaches to distance learning and social distancing within schools. I encourage schools and school districts to provide feedback to MDE about further steps that the State may take to ensure continuity of education.
5. Subject to paragraph 12, school employees are directed to report to work in accordance with applicable labor agreements and as required by their employers to assist with the emergency management planning activities provided in this Executive Order.
6. Upon approval by the Executive Council, during the Closure Period the Commissioner of Education will calculate membership for general education and other revenue programs based on total district enrollment, regardless of whether instruction is provided. Nothing in this provision should be construed to require districts to make-up instructional time lost during the Closure Period.
7. Upon approval by the Executive Council, for School Year 2019-2020 only, the minimum days and hours of instruction required for districts and charter schools under Minnesota Statutes 2019, section 120A.41, will be reduced by the number of days and hours of instruction during the Closure Period.

8. Subject to paragraph 12, schools and school districts, in cooperation with state agencies, are directed to support communities disproportionately impacted by inequities, including, but not limited to, low-income families and families experiencing homelessness. During the Closure Period, schools are expected to provide meals to their students. MDE will provide additional guidance to schools and school districts.
9. I direct state agencies to work together to ensure continuity of mental health services to children and their families. State agencies are directed to take action addressing this issue.
10. During the Closure Period, school districts are directed to explore options to care for, and protect the health and safety of, children in low-income families if a prolonged school closure is necessary, utilizing guidance from MDE and MDH.
11. Emergency workers (including providers of healthcare, emergency medical services, long-term and post-acute care; law enforcement personnel; personnel providing correctional services; public health employees; firefighters and other first responders; and court personnel) are critical to the State's response to COVID-19. During the Closure Period, and subject to paragraph 12, schools are directed to provide care to, at a minimum, district-enrolled students aged 12 and under who are children of emergency workers. In providing this care, schools must practice hygiene and social distancing best practices. Schools are not required to provide this care during previously scheduled breaks reflected on a school-board approved calendar. I encourage schools and school districts to also provide extended care—before and after school hours—to students who are children of emergency workers. MDE will provide further guidance to schools and school districts about this provision.
12. Nothing in this order should be construed to encourage or require Minnesotans in at-risk categories to take action inconsistent with public health recommendations or the advice of their doctors. All Minnesotans should continue to regularly check and follow the advice on MDH's COVID-19 webpage:  
<https://www.health.state.mn.us/diseases/coronavirus/>
13. To support center-based and family child care providers in staying open, supporting their employees, and remaining in business during this peacetime emergency and afterward, I direct state agencies to collaborate and align resources to support child care providers.
14. By March 20, 2020, I direct the Department of Human Services to submit to my office a proposal addressing strategies to continue supports for center-based and family child care centers, accommodate the continuation of child care providers, and

enable providers to serve new families needing care because they are assisting in emergency relief.

15. To ensure the health, safety, and wellbeing of children and maintain an adequate supply of child care, I direct state agencies to create a hotline specifically to address child care provider concerns and prioritize establishing mechanisms, to the extent possible and permitted by law, for financial, operational, and other technical assistance resources that will enable providers to adapt to the COVID-19 pandemic.

This Executive Order is effective immediately under Minnesota Statutes 2019, section 4.035, subdivision 2. It will remain in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

Signed on March 15, 2020.



**Tim Walz**  
Governor

Filed According to Law:



**Steve Simon**  
Secretary of State

RESOLUTION

RESOLVED, by the Executive Council of the State of Minnesota, at its emergency meeting on March 16, 2020, that it approves the following from Emergency Executive Order 20-02:

6. Upon approval by the Executive Council, during the Closure Period the Commissioner of Education will calculate membership for general education and other revenue programs based on total district enrollment, regardless of whether instruction is provided. Nothing in this provision should be construed to require districts to make-up instructional time lost during the Closure Period.

7. Upon approval by the Executive Council, for School Year 2019-2020 only, the minimum days and hours of instruction required for districts and charter schools under Minnesota Statutes 2019, section 120A.41, will be reduced by the number of days and hours of instruction during the Closure Period.

Approved by Executive Council

DATE: March 16, 2020

BY: *A Roberts Davis*

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-03

#### Protecting Residents of Minnesota Veterans Homes during the COVID-19 Peacetime Emergency

**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. Minnesota has 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. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, 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 pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

Science tells us that COVID-19 is particularly dangerous for our elderly population and those with chronic health conditions. The Minnesota Veterans Homes, owned and operated by the Minnesota Department of Veterans Affairs, are designed to ensure that our nation’s heroes and their spouses can live in a caring community that enriches their lives. The Minnesota Veterans Homes are located in Fergus Falls, Hastings, Luverne, Minneapolis, and Silver Bay.

Minnesota veterans and the Minnesota Veterans Homes face many challenges due to COVID-19. There is an increased risk of rapid spread of COVID-19 among persons who are living in congregate settings, such as long-term care and boarding care facilities, including the Minnesota Veterans Homes. The federal Centers for Medicare & Medicaid Services (“CMS”) issued memorandum entitled “Guidance for Infection Control and Prevention of Coronavirus Disease 2019 (COVID-19) in Nursing Homes (*REVISED*)” addressing the prevention and control of COVID-19 in nursing homes on March 13, 2020. CMS has recommended that “facilities should

restrict visitation of all visitors and non-essential health care personnel, except for certain compassionate care situations, such as an end-of-life situation.” Current law and regulations prevent Minnesota’s Veterans Homes from complying with this guidance.

For these reasons, I order as follows:

1. Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), to protect residents and staff of Minnesota Veterans Homes, the Commissioner of Veterans Affairs is authorized to implement a temporary visitor policy consistent with any of the guidelines contained in CMS’s March 13, 2020 “Guidance for Infection Control and Prevention of Coronavirus Disease 2019 (COVID-19) in Nursing Homes (*REVISED*)” and any subsequent revisions of that document, up to and including a ban on all visitation. Such a ban will not apply in end-of-life situations and to state and federal nursing home regulatory authorities when requesting access to Minnesota Veterans Homes. The Commissioner is encouraged to support residents during this time and find ways to replace personal visits with phone calls, video conferencing, or other methods of communicating with friends, family, and other would be visitors.
2. Minnesota Veterans Homes may deny admission or readmission to any person who meets the qualification to become a resident of a Minnesota Veterans Home unless that person has been screened prior to entry for signs or symptoms of COVID-19, including high fever, cough, or difficulty breathing, or contact with a person with a confirmed diagnosis of COVID-19 in the past 30 days, or are under investigation for COVID-19. Precautionary measures may be required for persons admitted to a Minnesota Veterans Home. Precautionary measures include, but are not limited to, isolation or quarantine, wearing personal protective equipment, social distancing, or visiting in designated locations.
3. Minnesota Veterans Homes may prohibit a person to work or volunteer in a Minnesota Veterans Home unless the person has been screened for symptoms at the start of every shift and does not show any symptoms associated with COVID-19, including high fever, cough, or difficulty breathing.
4. Residents of a Minnesota Veterans Home may be subject to isolation in their rooms away from other people when one or more residents, staff, contractors, volunteers, or visitors of that Minnesota Veterans Home are subject to MDH or local health department recommendations or order of isolation or quarantine for COVID-19. A resident can choose to be discharged from a facility at any time.
5. Because compliance with Minnesota Statutes 2019, section 144.651, subdivisions 26(a) and 27, and Minnesota Rules 2019, part 9050.1070, subparts 6 and 11, will prevent, hinder, or delay necessary action under this Executive Order, those provisions, and any other provisions in Minnesota Statutes or Rules that are inconsistent with this Executive Order, are waived and suspended during the peacetime emergency declared in Executive Order 20-01.

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 March 16, 2020.



**Tim Walz**  
Governor

Filed According to Law:



**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 16, 2020:



**Alice Roberts-Davis**  
Secretary, Executive Council

Filed on March 16, 2020  
Office of the Minnesota  
Secretary of State,  
Steve Simon

RESOLUTION

RESOLVED, by the Executive Council of the State of Minnesota, at its emergency meeting on March 16, 2020, that it approves the following:

Emergency Executive Order 20-03 Protecting Residents of Minnesota Veterans Homes during the COVID-19 Peacetime Emergency.

Approved by Executive Council

DATE: March 16, 2020

BY: *ARobertsDavis*

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-04

#### Providing for 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. Minnesota has 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.

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. This development requires Minnesota to take additional proactive measures, including enhanced community mitigation, to slow the spread of this pandemic. Slowing the spread of COVID-19 is critical to ensuring that our healthcare facilities remain able to accommodate those who require intensive medical intervention.

In this time of uncertainty and peacetime emergency, Minnesotans must continue to maintain their essential activities. I encourage supermarkets, pharmacies, and other establishments providing essential retail goods and services to remain open, subject to best practices, including social distancing, established by the Centers for Disease Control and Prevention and the Minnesota Department of Health. That said, certain other public accommodations in which Minnesotans congregate pose a threat to the public health by providing environments for the spread of COVID-19.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, 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. Any person who willfully violates

such an order or rule 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.

For these reasons, I order as follows:

1. Beginning no later than March 17, 2020 at 5:00 pm, and continuing until March 27, 2020 at 5:00 pm, the following places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:
  - a. Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food or beverage for on-premises consumption, excluding institutional or in-house food cafeterias that serve residents, employees, and clients of businesses, child care facilities, hospitals, and long-term care facilities.
  - b. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption.
  - c. Hookah bars, cigar bars, and vaping lounges offering their products for on-premises consumption.
  - d. Theaters, cinemas, indoor and outdoor performance venues, and museums.
  - e. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas.
  - f. Amusement parks, arcades, bingo halls, bowling alleys, indoor climbing facilities, skating rinks, trampoline parks, and other similar recreational or entertainment facilities.
  - g. Country clubs, golf clubs, boating or yacht clubs, sports or athletic clubs, and dining clubs.
2. Places of public accommodation subject to this Executive Order are encouraged to offer food and beverage using delivery service, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. In offering food or beverage, a place of public accommodation subject to this section may permit up to five members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as those individuals are at least six feet apart from one another while on premises.
3. This Executive Order does not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.

4. The restrictions imposed by this Executive Order do not apply to any of the following:
  - a. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than those portions of the place of public accommodation subject to the requirements of section 1;
  - b. Health care facilities, child care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities;
  - c. Crisis shelters, soup kitchens, or similar institutions; and
  - d. Restaurants and food courts inside the secured zones of airports.
5. For purposes of this Executive Order, “place of public accommodation” means a business, or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.
6. This Executive Order does not alter any of the obligations under law of an employer affected by this Executive Order to its employees or to the employees of another employer.
7. Pursuant to Minnesota Statutes 2019, section 12.45, a person who willfully violates paragraphs 1 of 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.
8. Local law enforcement and public health authorities are directed to monitor and enforce this Executive Order in accordance with the law.
9. The prohibitions set forth in paragraph 1 may be extended by a future Executive Order and with 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 March 16, 2020.



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**Tim Walz**  
Governor

Filed According to Law:



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**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 16, 2020:



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**Alice Roberts-Davis**  
Secretary, Executive Council

Filed on March 16, 2020  
Office of the Minnesota  
Secretary of State,  
Steve Simon

RESOLUTION

RESOLVED, by the Executive Council of the State of Minnesota, at its emergency meeting on March 16, 2020, that it approves the following:

Emergency Executive Order 20-04 "Providing for Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation"

Approved by Executive Council

DATE: March 16, 2020

BY: *A Roberts Davis*

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-05

#### Providing Immediate Relief to Employers and Unemployed Workers During the COVID-19 Peacetime Emergency

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. Minnesota has 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. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, 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 pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

Economic insecurity because of involuntary unemployment of workers in Minnesota is a subject of general concern. The public good is promoted by providing workers who are unemployed through no fault of their own a temporary partial wage replacement to assist unemployed workers to become reemployed. Providing a temporary partial wage replacement to assist unemployed workers allows these workers to access basic necessities and safeguard the health of themselves, their families, and other Minnesotans. Current law and regulations prevent the Minnesota Unemployment Insurance Program from providing immediate relief to employers and unemployed workers during the COVID-19 pandemic.

For these reasons, I order as follows:

1. Effective immediately, strict compliance with Minnesota Statutes 2019, Chapter 268, Minnesota Unemployment Insurance Law is suspended.

2. For unemployment insurance benefit accounts established between March 1, 2020 and December 31, 2020, I am suspending the nonpayable week requirement under Minnesota Statutes 2019, section 268.085, subdivision 1, clause 6, which will allow workers to become eligible for unemployment benefits as quickly as possible.
3. To further ensure that unemployment benefits are available for workers who are not able to work directly or indirectly as a result of COVID-19, I order that suitable employment under Minnesota Statutes 2019, section 268.035, subdivisions 23a (a) and (b) does not include employment that puts the health and safety of the applicant at risk or employment that puts the health and safety of other workers and the general public at risk.
4. To further ensure that unemployment benefits are available for workers who are not able to work directly or indirectly as a result of COVID-19, I order that a leave of absence will be presumed to be involuntary in accordance with Minnesota Statutes 2019, section 268.085, subdivision 13a, when:
  - a. A determination has been made by health authorities or by a health care professional that the presence of the applicant in the workplace would jeopardize the health of others, whether or not the applicant has actually contracted a communicable disease.
  - b. A quarantine or isolation order has been issued to the applicant pursuant to Minnesota Statutes 2019, section 144.419 to section 144.4196.
  - c. There is a recommendation from health authorities or by a health care professional that the applicant should self-isolate or self-quarantine due to elevated risk from COVID-19 due to being immunocompromised.
  - d. The applicant has been instructed by their employer not to come to the employer's place of business due to an outbreak of a communicable disease.
  - e. The applicant has received a notification from a school district, daycare, or other childcare provider that either classes are canceled or the applicant's ordinary childcare is unavailable, provided that the applicant made reasonable effort to obtain other childcare and requested time off or other accommodation from the employer and no reasonable accommodation was available.
5. Notwithstanding Minnesota Statutes 2019, section 268.047, I order that the Minnesota Unemployment Insurance Program not use unemployment benefits paid as a result of the COVID-19 pandemic in computing the future unemployment tax rate of a taxpaying employer. This will provide immediate relief to employers impacted by the COVID-19 pandemic and will better allow their employees to access unemployment benefits.

6. Notwithstanding Minnesota Statutes 2019, section 268.085, subdivision 9, I order that the Minnesota Unemployment Insurance Program waive enforcement of the five-week benefit limitation for business owners.
7. Because strict compliance with Minnesota Statutes 2019, Chapter 268 and Minnesota Rules 2019, part 3310, will prevent, hinder, or delay necessary action under this Executive Order, those provisions, and any other provisions in Minnesota Statutes or Rules that are inconsistent with this Executive Order, are waived and suspended during the peacetime emergency declared in Executive Order 20-01.

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 March 16, 2020.



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**Tim Walz**  
Governor

Filed According to Law:



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**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 16, 2020:



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**Alice Roberts-Davis**  
Secretary, Executive Council

Filed on March 16, 2020  
Office of the Minnesota  
Secretary of State,  
Steve Simon

RESOLUTION

RESOLVED, by the Executive Council of the State of Minnesota, at its emergency meeting on March 16, 2020, that it approves the following:

Emergency Executive Order 20-05 "Providing Immediate Relief to Employers and Unemployed Workers During the COVID-19 Peacetime Emergency"

Approved by Executive Council

DATE: March 16, 2020

BY: *ARobertsDavis*

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-06

#### **Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota**

**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. Minnesota has 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.

In response to the COVID-19 pandemic, the Federal Motor Carrier Safety Administration issued a national emergency declaration that provides relief from certain safety regulations to carriers providing direct assistance to support emergency relief efforts. Governors of neighboring states, including Iowa, have also provided relief from certain safety regulations to assist with emergency efforts.

Minnesota Statutes 2019, sections 169.80, 169.823, 169.824, and 169.87 provide weight limitations for vehicles operating on Minnesota roadways. Minnesota Statutes 2019, section 221.0314, subdivision 9, adopts federal safety regulations, including hours of service requirements for drivers. Minnesota Statute 2019, section 221.0269, provides: "The governor may declare an emergency and grant relief from any of the regulations incorporated in section 221.0314 to carriers and drivers operating motor vehicles in Minnesota to provide emergency relief during the emergency."

Strict enforcement of certain hours of service and weight restriction regulations would prevent or hinder efforts to provide necessary and time-sensitive assistance to Minnesotans. The continued, efficient movement of essential supplies, including food, medical supplies and household items, is vital to the health and safety of all Minnesotans.

For these reasons, I order as follows:

1. A state of emergency exists in Minnesota that requires assistance from motor carriers to transport supplies to affected areas of the state. Vehicles and drivers providing direct assistance for emergency relief efforts in response to COVID-19 are exempted from certain regulations as described in this Executive Order. Direct assistance means transportation by a motor carrier or its driver(s) incident to the immediate restoration and/or delivery of essential supplies including food, medical supplies, and household items, related to the COVID-19 pandemic.
2. The weight-related regulatory provisions of Minnesota Statutes 2019, sections 169.80, 169.823, 169.824, and 169.87, are temporarily suspended, to the extent that those provisions require a special permit or restrict the overweight movement of essential supplies including food, medical supplies, and household items transported in support of direct assistance to emergency relief efforts in response to COVID-19.
3. Suspension of these weight-related provisions applies to loads transported on all roads within Minnesota. Unless the Federal Highway Administration suspends the federal weight limitations on the interstate system, vehicles over 80,000 pounds gross weight may not use the interstate system. Vehicles operating under this Executive Order may not exceed the maximum axle weight limits established under Minnesota Statutes 2019, section 169.824 by more than twelve and one-half percent (12.5%); the maximum axle weight limit of 20,000 pounds or 90,000 pounds gross weight. Additionally, vehicles operating under this Executive Order must comply with posted limits on bridges.
4. Pursuant to Minnesota Statutes 2019, section 221.0269, subdivision 1, conditions exist in Minnesota that require relief from regulations incorporated in Minnesota Statutes 2019, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles providing direct assistance to emergency relief efforts in response to COVID-19.
5. Motor carriers and drivers providing direct assistance to emergency relief efforts in response to COVID-19 by transporting essential supplies to affected areas of the state are exempted from the Code of Federal Regulations, title 49, part 395.3, which is incorporated in Minnesota Statutes 2019, section 221.0314, subdivision 9, pertaining to hours of service.
6. This Executive Order does not relieve motor carriers and drivers providing direct assistance to emergency relief efforts from regulations pertaining to driver qualifications; driving of commercial motor vehicles; commercial drivers' licenses; drug and alcohol testing for drivers; or equipment, parts, and accessories necessary for the safe operation of vehicles.
7. No motor carrier operating under the terms of this Executive Order shall require or allow a fatigued or ill driver to operate a commercial motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be relieved of all duty and responsibilities and given at least 10 consecutive hours off duty before the driver is required to return to service.

8. Upon the expiration of this Executive Order or termination of direct assistance to emergency relief efforts, the driver must receive a minimum of 10 hours off duty.

This Executive Order is effective immediately under Minnesota Statutes 2019, section 4.035, subdivision 2, and remains in effect for 30 days, or until the direct assistance has ended, whichever occurs first. For purposes of this Executive Order, direct assistance does not include routine commercial deliveries, or transportation of mixed loads that include freight that is not being transported in support of emergency relief efforts. Additionally, direct assistance to an emergency relief effort terminates when a driver or commercial motor vehicle is used to transport cargo not destined for the emergency relief effort, or when the carrier dispatches that driver or vehicle to another location to begin operations in commerce.

Signed on March 17, 2020.



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**Tim Walz**  
Governor

Filed According to Law:



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**Steve Simon**  
Secretary of State

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-07

#### Providing for State Workforce Needs During the COVID-19 Peacetime Emergency

**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 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. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

On March 15, 2020, I issued Executive Order 20-02, authorizing and directing the Commissioner of Education to close all schools to students, with delineated exceptions, beginning Wednesday, March 18, 2020 through Friday, March 27, 2020. On March 16, 2020, I issued Executive Order 20-04, which ordered the closure of certain places of public accommodation.

This peacetime emergency places burdens on state agency employees as with all Minnesota workers. It also places special responsibilities on state agency employees. The Minnesota Constitution provides that the purpose of government is for the security, benefit and protection of the people, and confers upon the executive branch the responsibility to take care that the laws are faithfully executed. As a result, even during a peacetime emergency, it is incumbent upon state agency employees to work as effectively as possible to maintain government operations, to secure the health and safety of Minnesotans, and to take care that the laws are faithfully executed.

Under Minnesota Statutes 2019, section 12.21, subdivision 3(10), the Governor may alter or adjust the working hours, workdays and work week of, and annual and sick leave provisions and payroll laws regarding all state employees in the executive branch, as necessary to minimize the impact of the emergency, conforming the alterations or adjustments to existing state laws, rules, and collective bargaining agreements to the extent practicable. Under Minnesota Statutes 2019, section 12.21, subdivision 3(12), the Governor may transfer the direction, personnel, or functions of state agencies to perform or facilitate response and recovery programs. In addition, under Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may make, amend, and

rescind necessary orders and rules to address the peacetime emergency. 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 pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

In consultation with the Commissioner of Management and Budget and other state agencies, I have concluded that it is necessary to provide forms of paid leave and other benefits to executive branch employees, so that state agency workplaces can conform to the extent possible with guidance on how to best prevent and reduce community spread of COVID-19, while also minimizing the impact of the peacetime emergency on government operations.

I also have concluded that to protect the health and safety of Minnesotans and minimize the impact of the peacetime emergency on government operations, state agencies require the flexibility to hire staff, schedule, assign, and reassign employees without adherence to existing limitations in collective bargaining agreements, memoranda of understanding, compensation plans, statutes, administrative rules, administrative procedures, and policies that present barriers to the needs of state agencies to efficiently and effectively mobilize and deploy their workforce during this peacetime emergency. When circumstances allow, Minnesota Management and Budget will work in partnership with the labor unions affected by any adjustments to the provisions of collective bargaining agreements or memoranda of understanding.

For these reasons, I order as follows:

1. I authorize and direct the Commissioner of Management and Budget to develop and implement a policy to provide paid leave to executive branch employees who must be absent from work for reasons related to COVID-19, including but not limited to caring for their children due to school closure due to COVID-19. "Executive branch employees" for these purposes includes all employees of agencies in the executive branch, as defined in Minnesota Statutes 2019, section 43A.02, subdivision 22, except for employees of constitutional offices. "Executive branch employees" also includes all employees of the Minnesota State Retirement System, the Public Employees Retirement Association, the Teacher's Retirement Association, and the Minnesota State Colleges and Universities system. Paid COVID-19 leave pursuant to this policy must be available effective beginning March 18, 2020 and continue until the peacetime emergency is terminated. The Commissioner of Management and Budget is directed to assist constitutional offices to also adopt COVID-19 related leave for their employees.
2. I authorize and direct the Commissioner of Management and Budget to suspend the 35-day waiting period necessary for new insurance-eligible executive branch employees to receive the insurance coverage provided in the applicable collective bargaining agreement or compensation plan.
3. With respect to all collective bargaining agreements entered pursuant to Minnesota Statutes 2019, section 43A.06, subdivision 1(c) and section 179A.22, subdivision 4, and all compensation plans established pursuant to Minnesota Statutes 2019, section

43A.18, subdivisions 2, 3, 3a, 3b and 4(c), and section 62V.05, subdivision 1(b)(1), to ensure state agencies are able to timely and effectively mobilize their workforce to address the peacetime emergency, this Executive Order suspends, for the duration of the peacetime emergency, all provisions regarding: limitations on the appointing authority's ability to determine employee work schedules and hours of work; notice periods for changes in work schedules, work hours, or work locations; limitations on supervisor rescission of vacation approval; seniority requirements for filling vacancies, reassignment, or distribution of overtime or on-call work; restrictions on appointment, assignment or reassignment; and notice requirements for seasonal layoff and recall. For the duration of the peacetime emergency, executive branch employees are subject to the scheduling and assignment decisions and work direction of their appointing authority.

4. To the extent it becomes necessary to protect health and safety, perform or facilitate emergency response and recovery efforts, and minimize the impact of the peacetime emergency on government operations, I authorize and direct the Commissioner of Management and Budget, in consultation with state agencies, to transfer the direction, personnel, and/or functions of state agencies, including but not limited to redeploying executive branch employees from one state agency to another state agency, and between job classifications.
5. I direct the Commissioner of Management and Budget to review Minnesota Management and Budget's statewide policies, administrative procedures, and administrative rules, and the collective bargaining agreements, memoranda of understanding, and compensation plans, to determine whether their provisions unnecessarily impede the ability of state agencies to efficiently and effectively address this peacetime emergency. I authorize the Commissioner of Management and Budget, to the extent he deems necessary, to temporarily suspend such provisions during the peacetime emergency. Upon approval by the Executive Council, this Order suspends the requirement to comply with the rulemaking provisions of the Administrative Procedure Act for any necessary deviations from administrative rules adopted pursuant to Minnesota Statutes 2019, section 43A.04, subdivision 3. Upon approval by the Executive Council, this Order suspends the requirement to provide notice and comment prior to implementation for any necessary deviations from administrative procedures adopted pursuant to Minnesota Statutes 2019, section 43A.04, subdivision 4.
6. To further reduce barriers to timely staffing so state agencies can efficiently and effectively address this peacetime emergency, upon approval by the Executive Council, this Order suspends the 21-day posting requirement for classified managerial positions provided in Minnesota Statutes 2019, section 43A.10, subdivision 2c(b), and waives the 45-day limitation on employment in and length of emergency appointments in Minnesota Statutes 2019, section 43A.15, subdivision 2.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, this Executive Order is effective immediately. 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 March 17, 2020.



**Tim Walz**  
Governor

Filed According to Law:



**Steve Simon**  
Secretary of State

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-08

#### Clarifying Public Accommodations Subject to Executive Order 20-04

**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:

On March 16, 2020, I issued Executive Order 20-04 ordering the closure of bars, restaurants, and other places of public accommodation (“Executive Order 20-04”). Under Paragraph 1(e) of Executive Order 20-04, spas were ordered to close until 5:00 pm on March 27, 2020. Questions have arisen regarding the applicability of spa closures to salons, barbershops, and similar establishments.

For these reasons, I order as follows:

1. Paragraph 1.e. of Executive Order 20-04 is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethroughs):

*Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, ~~and spas~~ tanning establishments, body art establishments, tattoo parlors, piercing parlors, businesses offering massage therapy or similar body work, spas, salons, nail salons, cosmetology salons, esthetician salons, advanced practice esthetician salons, eyelash salons, and barber shops. This includes, but is not limited to, all salons and shops licensed by the Minnesota Board of Cosmetologist Examiners and the Minnesota Board of Barber Examiners.*

2. All other provisions of Executive Order 20-04 remain in effect.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, this Executive Order is effective immediately. 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 March 18, 2020.



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**Tim Walz**  
Governor

Filed According to Law:



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**Steve Simon**  
Secretary of State

Filed on March 18, 2020  
Office of the Minnesota  
Secretary of State,  
Steve Simon

# STATE OF MINNESOTA

Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-09

#### **Directing Delay of Inpatient and Outpatient Elective Surgery and Procedural Cases during COVID-19 Peacetime Emergency**

**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. Minnesota has 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. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, 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 pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency. Any person who willfully violates such an order or rule is guilty of a misdemeanor.

COVID-19 cases in Minnesota are rapidly increasing and risk overwhelming the healthcare system. On March 17, 2020, the Centers for Disease Control and Prevention recommended delaying elective inpatient and outpatient surgeries and procedures, which include dental procedures. On March 18, 2020, the Centers for Medicare and Medicaid Services (“CMS”) issued similar guidance. CMS recognizes that conservation of critical resources such as ventilators and personal protective equipment (“PPE”) is essential to aggressively address the COVID-19 pandemic. CMS has also recognized that non-emergent or elective procedures increase patient and provider contact, which could increase the risk of COVID-19 transmission. This risk provides further reason to delay elective surgeries and procedures. To ensure the health and safety of Minnesotans, it is important to establish consistency throughout our healthcare system and ensure that our resources can be focused on responding to this pandemic.

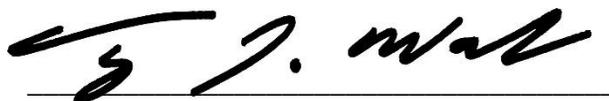
For these reasons, I order as follows:

1. Beginning no later than March 23, 2020 at 5:00 pm, and continuing for the duration of the peacetime emergency declared in Executive Order 20-01 or until this Executive Order is rescinded, all non-essential or elective surgeries and procedures, including non-emergent or elective dental care, that utilize PPE or ventilators must be postponed indefinitely.
2. A non-essential surgery or procedure is a surgery or procedure that can be delayed without undue risk to the current or future health of a patient. Examples of criteria to consider in making this determination include:
  - a. Threat to the patient's life if surgery or procedure is not performed.
  - b. Threat of permanent dysfunction of an extremity or organ system, including teeth and jaws.
  - c. Risk of metastasis or progression of staging.
3. Pursuant to Minnesota Statutes 2019, section 12.45, a person who willfully violates paragraph 1 of 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.

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 March 19, 2020.



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**Tim Walz**  
Governor

Filed According to Law:



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**Steve Simon**  
Secretary of State

Approved by the Executive Council on March \_\_\_\_, 2020:

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**Alice Roberts-Davis**  
Secretary, Executive Council

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-10

#### Combatting Price Gouging During the COVID-19 Peacetime Emergency

**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. Minnesota has 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. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, 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 pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency. Under Minnesota Statutes 2019, section 12.45, this Executive Order may specifically prescribe the penalty or punishment for violation of this Executive Order.

Minnesotans have responded to the call of public health officials and experts to prepare for and defend against the challenges confronting all of us. As Minnesotans have prepared to protect themselves and their families from this pandemic and to support loved ones and neighbors in need, we have heard reports of excessive and opportunistic pricing of basic necessities needed for public health and security. The Minnesota Attorney General’s Office has received numerous reports of price gouging from consumers throughout the State. These reports have included concerns about excessive pricing on hygiene supplies, cleaning products, personal protective equipment, food, and other essential consumer goods and services.

These concerns raise risks of immediate and irreparable injury, loss, or damage to consumers, and immediate risk to the public interest of ensuring that Minnesotans can prepare for and respond to this emergency situation. These matters implicate safety concerns and matters of public safety, personal safety, and economic security. As a result, immediate resolution of these

concerns (including but not limited to necessary and prompt court-intervention) is in the public interest and necessary to protect the public peace, health, and safety of Minnesotans during this peacetime emergency.

For these reasons, I order as follows:

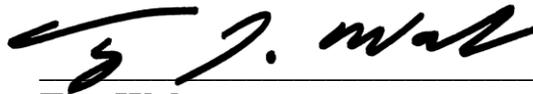
1. Beginning March 21, 2020 at 5:00 pm, and continuing for the duration of the peacetime emergency declared in Executive Order 20-01 or until this Executive Order is rescinded, all persons are prohibited from selling, offering to sell, or causing to sell in this state any essential consumer goods or services for an amount that represents an unconscionably excessive price.
2. For purposes of this Executive Order, the following terms are defined as specified below.
  - a. “Person” or “persons” has the meaning in Minnesota Statutes 2019, section 325F.68, subdivision 3.
  - b. “Essential consumer goods or services” means goods or services vital and necessary for the health, safety, and welfare of the public, including without limitation: food, water, fuel, gasoline, housing, shelter, transportation, health care goods and services, pharmaceuticals, medical supplies, and personal hygiene, sanitation, and cleaning goods.
  - c. “Unconscionably excessive” means:
    - i. The amount charged represents a gross disparity between the price of the good or service and the price of the same good or service that was sold or offered for sale in the usual course of business during the thirty (30) days immediately prior to the peacetime emergency declared by Executive Order 20-01 on March 13, 2020, unless the person demonstrates that the disparity is substantially attributable to significant additional costs outside the control of the person; or
    - ii. The amount charged for the good or service is more than twenty percent (20%) greater than the price of the same good or service that was sold or offered for sale in the usual course of business during the thirty (30) days immediately prior to the peacetime emergency declared by Executive Order 20-01 on March 13, 2020, unless the person demonstrates that the disparity is substantially attributable to significant additional costs outside the control of the person; or
    - iii. The amount charged grossly exceeds the price at which the same or similar good or service is readily obtainable by other purchasers in the trade area, unless the person demonstrates that the price increase is substantially attributable to significant additional costs outside the control of the person.

3. The Attorney General may investigate and bring an enforcement action to remediate and enjoin any alleged violation of this section. The authority of the Attorney General under this Executive Order includes but is not limited to the authority provided under Minnesota Statutes 2019, section 8.31.
4. Pursuant to Minnesota Statutes 2019, section 12.45, any person who is found to have violated this section is subject to a civil penalty of not more than \$10,000 per sale or transaction. The Attorney General may additionally seek any relief available pursuant to Minnesota Statutes 2019, section 8.31.

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 March 20, 2020.



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**Tim Walz**  
Governor

Filed According to Law:

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**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 20, 2020:

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**Alice Roberts-Davis**  
Secretary, Executive Council

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-11

#### Securing Federal Authority to Continue Human Services Programs During the COVID-19 Peacetime Emergency

**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. Minnesota has 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. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, 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 pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

Minnesotans served by the Minnesota Department of Human Services (“DHS”) face many challenges due to COVID-19. The common good and public health are promoted by timely and safe access to, and delivery of, programs and services administered by DHS. Strict compliance with laws related to these programs and services during the peacetime emergency will limit the availability of essential programs and services for Minnesotans and increase the risk for spread of COVID-19. Securing temporary waiver or modification of certain federal requirements will allow DHS and its human services partners to continue to provide essential programs and services to Minnesotans safely and without undue delay during the peacetime emergency.

For these reasons, I order as follows:

1. Effective immediately, the Commissioner of the Department of Human Services may seek federal authority to change or waive all federal requirements applicable to its programs and services, including but not limited to, the Minnesota Family Investment

Program, Medical Assistance, and MinnesotaCare, as necessary in order to ensure maximum federal funding, maintain enrollee coverage and provider participation, and otherwise protect and preserve public health and safety. The requests for federal approval shall include any waivers or amendments necessary to comply with and implement changes to state or federal law resulting from existing and forthcoming COVID-19 related Executive Orders or legislative enactments.

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 March 20, 2020.



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**Tim Walz**  
Governor

Filed According to Law:

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**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 20, 2020:

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**Alice Roberts-Davis**  
Secretary, Executive Council

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Emergency Executive Order 20-12

#### Preserving Access to Human Services Programs During the COVID-19 Peacetime Emergency

**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. Minnesota has 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. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, 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 pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

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. This development requires Minnesota to take additional proactive measures, including enhanced community mitigation, to slow the spread of this pandemic. Slowing the spread of COVID-19 is critical to ensuring that our healthcare facilities remain able to accommodate those who require intensive medical intervention.

The Minnesota Department of Human Services (“DHS”) serves Minnesotans across the state. DHS provides health care coverage, programs, and services for over 1 million Minnesotans, including groups likely to be significantly impacted by COVID-19 such as older adults, individuals who have disabilities, families with children, and individuals with mental illness.

Tribal Nations, counties, and Minnesotans served by DHS face many challenges due to COVID-19. The public good is promoted by timely and safe access to, and delivery of, programs and

services administered by DHS. Strict compliance with laws and regulations related to these programs and services during the peacetime emergency will limit the availability of essential programs and services for Minnesotans and increase the risk for spread of COVID-19. Providing for temporary waiver or modification of these requirements will allow DHS and its human services partners to continue to provide essential programs and services to Minnesotans safely and without undue delay during the peacetime emergency. Current law and regulations prevent the temporary modification or waiver of laws related to programs and services administered by DHS.

For these reasons, I order as follows:

1. Effective immediately, the Commissioner of the Department of Human Services may temporarily waive or modify any of the following provisions, and applicable rules:
  - a. The Human Services Licensing Act in Minnesota Statutes 2019, chapter 245A, and accompanying program standards governed under Minnesota Statutes, chapters 245D through 245H;
  - b. The Human Services Background Study Act in Minnesota Statutes 2019, chapter 245C, except that the commissioner shall not waive or modify:
    - i. Disqualification standards in Minnesota Statutes 2019, section 245C.14 or 245C.15; or
    - ii. Any provision regarding the scope of individuals required to be subject to a background study conducted under Minnesota Statutes 2019, chapter 245C;
  - c. Provisions with respect to the use, licensing, certification, evaluation, or approval of facilities or programs within the commissioner's jurisdiction;
  - d. Provisions related to appeals;
  - e. Provisions with respect to background studies required to be conducted by the Department of Human Services; and
  - f. Provisions relating to the Minnesota state-operated community services ("MSOCS") program in Minnesota Statutes 2019, chapters 245D, 246, and 252.
2. Effective immediately, the Commissioner of the Department of Human Services may, upon finding that waiver will not endanger the public health, welfare, or safety, temporarily waive or modify any provisions of Minnesota Statutes 2019, chapters 119B, 245, 245A, 245D, 245E, 245F, 245G, 245H, 246, 252, 253, 254A, 254B, 256, 256B, 256D, 256E, 256I, 256J, 256K, 256L, 256M, 256P, 256R, 256S, 260C, 260D, 518A, and 626, and applicable rules, that govern:

- a. Requirement of in-person assessment, application for services, or case management;
  - b. Application for eligibility and eligibility renewal time frames, processes, and verification, except that the commissioner shall establish processes to verify a client's eligibility as soon as practicable;
  - c. Reporting and verification requirements;
  - d. Assessment renewal timeframes, verifications, and processes;
  - e. Work or community engagement activity requirements for eligibility;
  - f. Limits on the use of telehealth or other restrictions on electronic communication with providers;
  - g. Service delivery standards, locations, settings, or staff ratios;
  - h. Provider standards, including staffing ratios;
  - i. Timing of provider reporting requirements;
  - j. Payment procedures, including but not limited to the use of prepayments, partial payment for additional absent days, and payment for closed days;
  - k. Service agreement length; and
  - l. Provisions related to appeals.
3. Effective immediately, the Commissioner of the Department of Human Services may waive or modify any statutes or rules within the department's exclusive jurisdiction to comply with federal law, or obtain federal resources, related to the peacetime emergency.
  4. This Executive Order suspends the requirements for the Commissioner of the Department of Human Services to comply with Minnesota Statutes 2019, Chapter 14.
  5. The Commissioner of the Department of Human Services shall not issue any waiver or modification pursuant to paragraphs 1, 2, or 3 of this Executive Order that affects statutory provisions or requirements regarding matters outside the department's exclusive jurisdiction.
  6. Any waiver or modification issued pursuant to paragraphs 1, 2, or 3 of this Executive Order shall be posted on the department's website within 48 hours and shall include a plain language description of the waiver or modifications made and the rationale for the action.
  7. For any waiver or modification of Minnesota Statutes 2019, section 245D.04, or any other provision relating to long-term care services and supports under Minnesota

Statutes 2019, chapter 256B, the Commissioner of the Department of Human Services shall communicate the waiver or modification and the corresponding plain language description in writing to:

- a. Any provider affected by the waiver or modification; and
  - b. Any individual whose rights under Minnesota Statutes 2019, section 245D.04, are affected by the waiver or modification, or their legal representative, if applicable.
8. No more than 48 hours after a waiver or modification under paragraphs 1, 2, or 3 of this Executive Order goes into effect, the Commissioner of the Department of Human Services shall provide written notice of the waiver or modification to the ombudsman for long-term care; the ombudsman for mental health and developmental disabilities; and the chairs and ranking minority members of the house of representatives and senate committees overseeing the Department of Human Services. If two or more of the chairs submit a written objection to a waiver or modification within seven days of receiving the notice, the Commissioner of the Department of Human Services shall cease all activities to implement the waiver or modification and it shall no longer be in effect. A chair submitting an objection under this paragraph may withdraw the objection.
  9. Beginning 60 days after the declaration of a peacetime emergency, and every 60 days thereafter while the peacetime emergency is in effect, the Commissioner of the Department of Human Services shall submit a report to the chairs and ranking minority members of the house of representatives and senate committees overseeing the Department of Human Services describing the waivers and modifications made under this Executive Order.
  10. The Commissioner of the Department of Human Services shall submit a final report to the chairs and ranking minority members of the house of representatives and senate committees overseeing the Department of Human Services by January 15, 2021, with specific details about state statutes and rules waived or modified as authorized in this Executive Order in response to a COVID-19 outbreak, and the cost to the Department of Human Services and to lead agencies to implement the waivers and modifications.

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 March 20, 2020.



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**Tim Walz**  
Governor

Filed According to Law:

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**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 20, 2020:

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**Alice Roberts-Davis**  
Secretary, Executive Council



CITY OF BLACKDUCK

PUBLIC FUNDS REQUEST FORM

PO BOX 380 BLACKDUCK, MN 56630

Organization or Group Requesting Public Funding:

Blackduck After Prom

What type of project will the Public Funds used for:

Prizes for After Prom students

Describe IN DETAIL the overall benefits this will provide to the City of Blackduck as a body and what public purpose will the project provide to the residents of the City of Blackduck:

After Prom is for students to play games and win prizes and to keep them safe, instead of going out and partying! After Prom is from 12:30 am-5:00 am

Outline specifically WHAT PORTION of the project these funds will be used for:

All of the donation is used for prizes for After Prom students

What other Organization has your group contacted for funding? Please list names of other organizations and the dollar amounts requested and or grants requested:

Bldk Fire Relief Assoc, Timberline, Bogart's, Bldk Coop, Tri Sigma, Northwoods Lumber, Juelson Plumbing, Kendrick plumbing, J & L Oil, Bldk Garden Club, Realt, Experts

Date Funds are being requested:

2-28-2020

Date the project starts and completes:

May 2 - May 3

See opposite side of form for Conditions for Requesting Public Funds

January 14, 2020

Dear Area Business Owners, Suppliers and Organizations:

**Nineteen years of safety-** the reason parents of juniors at Blackduck High School plan, host and organize the After-Prom party scheduled for May 2, 2020. Statistics indicate that alcohol-related peer pressure is strongest at prom time. A 2000 study by the National Highway Traffic Safety Administration shows the percent of traffic fatalities that were alcohol-related ranged between 58% and 70% (Source: Parent Wise, Spring 2003).

The community of Blackduck chooses not to be a part of these statistics. Thanks to generous donations from community members like you, this event has proven to be successful, fun, and safe for our teenagers. One hundred plus students typically attend the After-Prom party leaving in the morning with fabulous prizes and a lifetime of memories. The event has become a highlight for prom participants.

Our goal of \$6,000 provides entertainment, prizes, food and lots of giveaways for the students. Please consider being a generous After-Prom party contributor keeping Blackduck teens safe.

Please make checks payable to **Blackduck High School After-Prom**. Please send donations to:

Sandy Lien  
Blackduck High School After-Prom  
P.O.Box 550  
Blackduck, MN 56630

If you choose to donate prizes please call for prize(s) pick up:  
Sandy Lien: (218) 766-3733

We would appreciate a response by Thursday, April 1, 2020.  
Thank you for your consideration.

Sincerely,

The After-Prom Committee  
Blackduck High School

**From:** [Tyler Roth](#)  
**To:** [Christina Regas](#)  
**Date:** Monday, March 23, 2020 9:09:03 AM

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hello with great regret i must resign. I have had a few setbacks with my health so I am unable to continue holding the council seat and take care of my family at this point .

I must be a father before any other. with that being said I must bid the council fare-thee-well and as soon as my health will allow. I will be back in some way so thank you for giving me this opportunity that you have.

3/23/2020 Tylor.M.Roth



CITY OF BLACKDUCK  
CONFLICT OF INTEREST / CODE OF ETHICS POLICY  
FOR ELECTED OFFICIALS, MEMBERS OF CITY BOARDS,  
COMMISSIONS, AND COMMITTEES  
ADOPTED: APRIL xx 2020

**A. POLICY:**

The residents and businesses of Blackduck are entitled to have fair, ethical, and accountable local government. Such a government requires that public officials of Blackduck:

- Comply with both the letter and the spirit of the laws and policies affecting operations of the city government.
- Be independent, impartial, and fair in their judgment and actions.
- Use their public office for the public good, not for personal or familial gain.
- Conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civil service.

City Council-members shall review and sign this Conflict of Interest/Code of Ethics policy in January of each year.

**B. CODE OF ETHICS:**

To this end, the Blackduck City Council has adopted this Conflict of Interest / Code of Ethics policy to encourage public confidence in the integrity of local government and in its fair and effective operation.

**1. Act in the Public Interest**

Recognizing the stewardship of the public interest must be the councilmember's primary concern. Councilmember's shall work for the common good of the people of Blackduck and not for any private or personal interest, and they will endeavor to treat all persons, claims, and transactions in a fair and equitable manner.

**2. Comply with both the spirit and the letter of the Law and City Policy**

Councilmember's shall comply with the laws of the nation, the State of Minnesota, and the City of Blackduck in the performance of their public duties. These laws include, but are not limited to: the United States and Minnesota constitutions; City of Blackduck ordinances and policies; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities and open processes of government. Councilmember's shall inform themselves of the laws and policies to which they are held accountable.

**3. Conduct of Members**

The professional and personal conduct of a member must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of any other members of Council, boards, commissions, or the public. Treat each other, staff or member of the public in a manner that is respectful and does not foster a hostile and unprofessional environment, whether in the workplace or at a city approved social event.



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CONFLICT OF INTEREST / CODE OF ETHICS POLICY  
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**4. Respect for Process**

A Member shall perform his or her duties in accordance with the processes and rules of order established by the City Council and board and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

**5. Conduct of Public Meetings**

A Member shall prepare themselves for public issues; listen courteously and attentively to all public discussion before the body; and focus on the business at hand. Each member shall refrain from interrupting a speaker; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

**6. Decisions Based on Merit**

Council decision shall be based upon the merits and substance of the matter at hand.

**7. Communication**

It is the responsibility of Councilmember's to publicly share substantive information that is relevant to a matter under consideration that they have received from sources outside of the public decision-making process with all other Councilmember's.

**8. Disclosure of Corruption**

All City officials shall take an oath upon assuming office, pledging to uphold the constitution and laws of the City, the State and the Federal government. As part of this oath, officials commit to disclosing to the appropriate authorities and/or to the City Council any behavior or activity that may qualify as corruption, abuse, fraud, bribery, or other violation of the law.

**9. Confidential Information**

Councilmember's shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the City. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial, or private interests.

**10. Use of Public Resources**

Public resources not available to the general public (e.g. City staff time, equipment, supplies, or facilities) shall not be used by Councilmember's for private gain or personal purposes.

**11. Representation of Private Interests**

In keeping with their role as stewards of the public trust, Councilmember's shall not appear on behalf of the private interests of a third-party before the City Council or any board or committee of the City.



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**12. Advocacy**

Each member shall represent the official policies or positions of the City Council, board or commission to the best of his or her ability when designated for this purpose. When presenting individual opinions or positions, a member shall explicitly state the opinion or positions do not represent the opinion or position his/her body, or the City of Blackduck, nor will he or she allow the inference that he or she does councilmembers or board and or commission member and each city employees has the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention or display endorsements during any Council meeting, board or commission meetings, or any official City meeting.

**13. Policy Role of Members** - Each member shall respect and adhere to the council-manager structure of Blackduck City government as outlined by the Blackduck City Ordinance. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, commissions, and City staff. Except as provided by the City Ordinance, no members shall interfere with the administrative functions of the City or the professional duties of City staff; nor shall any member impair the ability of staff to implement Council policy decisions.

**14. Improper Influence**

Councilmember's shall refrain from using their position to improperly influence the deliberations or decisions of City staff, Council, or committees.

**15. Positive Work Environment**

Each member shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Each member shall recognize his or her special role in dealings with City employees so as not to create the perception of inappropriate direction to staff.

**16. Compliance and Enforcement**

Councilmember's themselves have the primary responsibility to assure that ethical standards are understood and met and that the public can continue to have full confidence in the integrity of City government.

**C. CONFLICT OF INTEREST:**

1. In order to assure their independence and impartiality on behalf of the public good, Councilmember's shall not use their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a conflict of interest under applicable State law.
2. In accordance with the law, members shall file written disclosures of their economic interest and if they have a conflict of interest regarding a particular decision. They shall refrain from participating in that decision unless otherwise permitted by law.



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CONFLICT OF INTEREST / CODE OF ETHICS POLICY  
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3. A councilmember may leave the meeting room during a discussion where a conflict of interest arises because of family relationships. The Councilmember will abstain from voting on an issue where a conflict of interest arises because of family relationships. These actions will be duly noted in the minutes of the meeting.
4. Councilmember's shall not take advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They shall refrain from accepting gifts, favors or promises of future benefits that might compromise their independence of judgment or action or give the appearance of being compromised

#### **D. SANCTIONS:**

##### **Model of Excellence**

Any City Councilmember, Board and Commission Member or Council appointee who does not review the City Conflict of Interest / Code of Ethics Policy and sign the Model of Excellence (*Appendix A*) shall be ineligible for intergovernmental assignments or Council subcommittees.

##### **Ethics and Conduct Training for Local Officials**

Any City Councilmember, Board and Commission Member, Council appointee who is out of compliance with State- or City-mandated requirements for ethics training shall not represent the City regarding intergovernmental assignments or Council sub-committees, and may be subject to sanction.

##### **Public Disruption**

Members of the public who do not follow proper conduct after a warning in a public meeting may be barred from attending or speaking at that meeting and removed from the meeting.

##### **Inappropriate Staff Behavior**

Councilmembers should refer, to the City Administrator, or Mayor, or to the city attorney, any staff who does not follow proper conduct in their dealings with Councilmembers, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions.

##### **Councilmembers Behavior and Conduct**

Compliance and Enforcement. The Blackduck Conflict of Interest / Code of Ethics Policy expresses standards of ethical conduct expected from each member of the Blackduck City Council, or any board, commissions, or city appointee. Each member has the primary responsibility to assure the standards are understood and met, and that the public can continue to have full confidence in the integrity and conduct of Blackduck's government.

The chair of each board and commission as well as the Mayor and Council have the additional responsibility to intervene when any actions of a member which appears to be in violation of the Conflict of Interest / Code of Ethics Policy is brought to his or her attention.



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Any City Councilmembers who intentionally and repeatedly do not follow the provisions of the Conflict of Interest / Code of Ethics Policy may be sanctioned and reprimanded or formally censured by the Council, lose seniority or committee assignments (*both within the City of Blackduck or with inter-government agencies*) or have official travel restricted. Serious infractions of the Conflict of Interest / Code of Ethics Policy could lead to other sanctions as deemed appropriate by the Council.

Councilmembers should point out to the offending Councilmember any infractions of the Conflict of Interest / Code of Ethics Policy. If the infraction(s) continue, then the matter should be referred to the Mayor for action. If the Mayor is the individual whose action(s) are being challenged, the matter shall be referred to the Vice Mayor. It is the responsibility of the Mayor to initiate action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought to the full Council in a public meeting.

**Board & Commission Members Behavior and Conduct**

Counseling, verbal reprimand and written warning may be administered by the Mayor to any board, commission member failing to comply with City policy. Such sanctions shall be private consistent with Minnesota law. If followed by Minnesota law copies of written reprimand administered by the Mayor shall be distributed in memo format to any chair of the appropriate board or commission, the city clerk, the city attorney, the City Administrator, and the City Council.

C(1) Any written reprimand administered by the Mayor shall not be distributed to any member of the public and shall not be publicized except as required pursuant to the Public Records Act.

C(2) The City Council may impose sanctions on a board or commission member, and city appointee whose conduct does not comply with the city policy, including but not limited to removal from office, position or job.

C(3) Any form of discipline imposed by Council shall be determined by a majority vote of at least a quorum of the Council at a noticed public meeting and such action shall be preceded by a Report to the Council with supporting documentation. The Report to Council shall be distributed in accordance with Minnesota Public Records Act normal procedures, including hard copies and posting online. Any Report to Council addressing alleged misconduct by a board or commission member shall be routed through the Office of the city attorney for review as to whether any information within the report is exempt from disclosure pursuant to the Minnesota Public Records Act.

C (4) If in the opinion the City Administrator or city attorney an investigation is warranted, the city administrator or city attorney shall confer with the Mayor or Council. If in the opinion of the Mayor or Council shall direct the City Administrator and/or the city attorney to investigate the allegation and report the findings.

C(5) The results of any such investigation shall be provided to the full Council in the form of a Report to Council, and shall be placed on the agenda of a noticed public meeting as "Information Only". Any such



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CONFLICT OF INTEREST / CODE OF ETHICS POLICY  
FOR ELECTED OFFICIALS, MEMBERS OF CITY BOARDS,  
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report shall be made public and distributed in accordance with the Minnesota Public Records Act. Including hard copies to numerous public locations and posted online. Any report to the Council addressing an investigation of any board or commission member shall be directed to the Office of the City Attorney for review whether any information is exempt from disclosure pursuant to the Minnesota Public Records Act.

C(6) It shall be the Mayor’s and/or the Council’s responsibility to determine the appropriate action. Any action taken by Council (*with the exception of “take no further action”*) shall be conducted at a noticed public hearing. Actions which the council may undertake include, but are not limited to: discussing and counseling the individual with respect to the violation(s); placing the matter on a future public hearing agenda to consider sanctions; forming an ad hoc subcommittee of council members to review the allegation, the investigation and its findings, as well as to recommend options for Council consideration.

C(7) Under the City Ordinance, the City Council also may remove any member of boards and commissions from office. A violation of this Code of Ethics and Conduct shall not be considered a basis for challenging the validity of the Council, boards or commission’s decision.

This policy adopted on April XX, 2020

\_\_\_\_\_  
Mayor Rudy Patch

\_\_\_\_\_  
Council Member Jason Kolb

\_\_\_\_\_  
Council Member Paige Moore

\_\_\_\_\_  
Council Member Maxwell Gullette

\_\_\_\_\_  
Council Member Tylor Roth

\_\_\_\_\_  
Attest: Christina Regas – City Administrator

\_\_\_\_\_  
Date signed



CITY OF BLACKDUCK  
CONFLICT OF INTEREST / CODE OF ETHICS POLICY  
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**APPENDIX A**  
**MODEL OF EXCELLENCE**  
Blackduck City Council Elected Officials,  
Members of Boards, Commissions, and Committees

I certify that the individual named below was provided a copy of the City of Blackduck Conflict of Interest / Code of Ethics and copy of this form on the date indicated below.

Name \_\_\_\_\_

Signed this day of \_\_\_\_\_ 20\_\_\_\_

Department \_\_\_\_\_

Position \_\_\_\_\_

DRAFT

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Date