

REGULAR SESSION OF THE MOWER COUNTY BOARD OF COMMISSIONERS

March 18, 2020

The Mower County Board of Commissioners in and for the County of Mower, Minnesota, met in Regular Session March 18, 2020 at 9:01 a.m. at the Government Center in Austin, Minnesota.

Members present, viz: Jeff Baldus, Chair
Polly Glynn
Jerry Reinartz
Tim Gabrielson (Via Phone Connection)
Trish Harren, County Administrator

Member excused: Mike Ankeny

The meeting was opened with the Pledge of Allegiance.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to approve the agenda with the following additions: 1) Resolution declaring a Peacetime State of Emergency; 2) Approve / deny amendment to Personnel Policy D235 Cell Phone Policy; 3) Approve updated contract with Reliance Telephone to offer remote inmate visitation and authorize signatures and 4) discuss employee precautionary directive related to Returning to Work Following Travel as well as to include COVID-19 updates from the Sheriff, Health & Human Services Director and the Emergency Manager. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Gabrielson aye, and Commissioner Baldus aye. Motion carried 4 – 0.

The Commissioner's discussed and considered declaring a peacetime state of emergency in response to Covid-19 emergency preparedness.

Date: March 18, 2020

Res. #26-20

RESOLUTION

On motion of Commissioner Glynn, seconded by Commissioner Reinartz, the following Resolution was passed and adopted by the Mower County Board of Commissioners at a meeting held March 18, 2020 at the Government Center, Austin, Minnesota.

WHEREAS on March 13, 2020, President Donald J. Trump, proclaimed the COVID-19 outbreak in the United States a national emergency beginning March 1, 2020; and

WHEREAS on March 13, 2020, Governor Tim Walz enacted State of Minnesota Emergency Executive Order 20-01 Declaring a Peacetime Emergency to Protect Minnesotans from COVID 19; and

Res. #26-20 amended on 3.24.20 See page XX - 68
Res. #26-20 amended on 4.7.20 See page XX - 83
Res. #26-20 amended on 4.28.20 See page XX - 105
Res. #26-20 amended on 6.2.20 See page XX - 132
Res. #26-20 amended on 7.7.20 See page XX - 177

Res. #26-20 amended on 9.1.20 See page XX - 254

WHEREAS the COVID 19 Pandemic is expected to cause a significant impact to the population of Mower County and its cities; and

WHEREAS the COVID 19 Pandemic continues to proliferate and the primary focus of Health Efforts are to stop community spread and mitigate the impacts of COVID 19; and

WHEREAS the Mower County Emergency Management requests the Mower County Board of Commissioners to declare Mower County in a STATE OF PEACETIME EMERGENCY for the COVID-19 Pandemic event of 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Mower County Board of Commissioners does hereby declares Mower County in a Peacetime Emergency for conditions resulting from the COVID 19 Pandemic effective March 18th 2020. Upon the resolution, the Mower County Board shall be authorized to take such actions and issue orders as are determined to be necessary to protect the public and property and to efficiently conduct activities that minimize or mitigate the effect of this emergency.

Passed and approved this 18th day of March, 2020 with a vote of 4 – 0. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Gabrielson aye, and Commissioner Baldus aye.

In response to a recommendation from the Finance Manager, a proposed amendment to Resolution #05-20 adopted January 7, 2020 was considered.

Motion made by Commissioner Reinartz, seconded by Commissioner Gabrielson, to amend Resolution #05-20 adopted January 7, 2020 by modifying the first Be It Resolved paragraph for employee reimbursements in accordance with Personnel Policy G100 by modifying the language as follows:

***BE IT RESOLVED** That the County Auditor-Treasurer be allowed to pay various incidental expenses, refunds, state agency payments, tax apportionments and Board approved appropriations. Items paid by auditor warrant include: utilities; telephone; requests by a Judge for immediate payment; postage; license fees; tax overpayments; employee benefits **and payroll deductions**; credit card payments, when necessary to avoid late penalties and charges, and costs associated with **employee** travel and conferences ~~when pre payment is required~~. All claims for **employee** reimbursement must be submitted to ~~the County Auditor Treasurer~~ **Human Resources** within ~~six (6) months~~ **sixty (60) days** of occurrence in order to qualify for payment.*

and adding another paragraph as follows:

***BE IT FURTHER RESOLVED**, that the County Administrator be allowed to approve payment via auditor warrant up to \$50,000 for emergency items, legal settlements, and disaster recovery items;*

The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Gabrielson aye, and Commissioner Baldus aye. Motion carried 4 – 0.

To address employee possible needs during the current Covid-19, the Human Resource Director presented for consideration a new policy that can be activated by the County Administrator during a public health emergency to advance employees up to 80

hours for later repayment of paid time off (sick leave) if the benefited employee has exhausted all paid time off / sick and vacation time.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, to adopt Personnel Policy D135 Paid Leave Utilization During Public Health Emergency effective March 18, 2020. The policy is as follows:

PERSONNEL POLICY D135
PAID LEAVE UTILIZATION DURING PUBLIC HEALTH EMERGENCY

Policy Statement:

Conditions may occur where a health emergency or contagious disease has been declared by the World Health Organization (WHO), Centers for Disease Control (CDC), or Minnesota Department of Health (MDH) to be a public health emergency, indicating widespread human infection. When one or more of the above declarations have been enacted, the County Administrator shall have discretion to declare this policy as active.

If the County Administrator declares this policy to be active, exceptions to the collectively bargained paid leave benefits and county-related policies would be permitted to the benefit of the employees, as follows:

1. A benefit-eligible employee who has exhausted all Paid Time Off (PTO) or paid sick leave and paid vacation would be allowed to receive an advance of the equivalent of up to 10 days of PTO or paid sick leave (up to a maximum of 80 hours, unless a greater amount is approved at the discretion of the County Administrator) for absence from work due to infection of the public health emergency; and
2. A benefit-eligible employee may use any available PTO, paid sick leave and paid vacation, in the event where a qualifying family member's school or place of care has been closed due to the public health emergency and their presence is required to provide care for the family member.
3. Employees who are not benefit eligible and do not have accrued paid leave will be allowed the same leave provisions; however, their time would be unpaid.

All other provisions of the collective bargaining agreements and Mower County Personnel Policy remain intact, including but not limited to those pertaining to paid leave benefits.

Scope

This policy applies to all benefit-eligible County employees and is only in effect upon declaration by the County Administrator and it will remain in effect until the County Administrator declares it to be inactive. In making the decision to invoke and end this policy, the County Administrator will consult with Health and Human Services and Human Resources.

Responsibilities

Employees will receive a copy of this policy at the time that a declaration is made by the County Administrator that the policy is being activated. Supervisors will be asked to discuss the policy with their employees.

Background

Among prevention strategies associated with health emergencies, some way to prevent infection is to avoid being exposed to the virus/etc. The Minnesota Department of Health strongly encourages people to stay home if they are ill or experiencing symptoms of illness, especially if they are experiencing symptoms of the health emergency in progress.

Unique circumstances may exist during a declared public health emergency that our collectively bargained agreements and policies do not provide adequate guidance. An example of this may be an immediate family member's school or care provider being closed due to a declared public health emergency.

Procedures

The equivalent of up to 10 days of paid time off will be advanced to benefit eligible employees who meet the criteria below. The actual number of paid time off hours advanced will be based on the employee's usual work schedule exclusive of overtime and may not exceed 80 hours total time used per pay period, unless a higher level is approved by the County Administrator.

1. County Administrator has declared activation of this policy consistent with a public health emergency declaration; and
2. Employee has a qualifying family member affected as a result when a school or place of care has been closed due to public health emergency and their presence is required to provide care for the family member; or
3. Employee is experiencing symptoms consistent with the public health emergency, or is caring for an immediate family member experiencing these symptoms; and
4. Employee is within the time period the County Administrator has declared this policy to be active; and
5. Employee has exhausted all of his/her accumulated sick leave, vacation time, PTO, and compensatory time; and
6. Employee has not already received the maximum accrual advance allowed under this policy; and
7. Employee is not receiving another form of compensation such as Short Term Disability and
8. Employee has requested the advance of PTO (or sick) hours in writing via email to their Supervisor and the County Administrator.

The advanced hours will automatically be reduced from the employee's future accruals. Once the advanced hours are paid back, PTO or sick leave accruals will again be credited to the employee's balance at their full accrual rate. In the event the employee separates from Mower County before the advanced hours have been repaid, the County will deduct the value of the remaining hours (number of hours owed times the employee's hourly rate of pay at separation) from the employee's last pay check.

The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Gabrielson aye, and Commissioner Baldus aye. Motion carried 4 – 0.

In addressing COVID-19 preparedness by modifying work schedules and designating employees that can telecommute, the cell phone policy was reviewed and recommended modifications were presented by Human Resources.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to amend Personnel Policy B235 Cell Phone Policy effective March 18, 2020 by modifying the language in various Sections of the policy as follows:

CELL PHONE POLICY

Policy Statement:

The purpose of this policy is to establish rules and guidelines for cell phone usage for Mower County. The rapidly changing world of wireless communications provides an opportunity for County Departments to ensure efficient, safe, and high-quality customer service to the citizens of Mower County. Based on identified needs in providing service, designated staff will either be provided with a cellular phone (hereinafter referred to as a cell phone) for County business purposes or a cell phone allowance toward the cost of the purchase/lease of an employee's personal cell phone, which will also be used for County business purposes. The users of check out cell phones must follow the same guidelines and responsibilities outlined in this policy. The provision of a cell phone or cell phone allowance serves a public service in providing employees the ability to perform job-related duties, which are directly related to the governmental purposes for which the County was established.

Employees are expected to follow security measures, including using a password, to limit access to their phone in order to ensure the privacy of data that can be accessed with their cell phone.

Goals:

~~This policy is intended to cover the use of telephones, telephone lines, long distance services, and cellular phones that are owned by the County.~~

Definitions:

Cell Phone: The phone, adapter, battery pack, and other equipment specific to the phone used for County business purposes.

Business Use: Work-related communications, which are required due to the nature of an employee's position.

Personal Use:

~~Personal long distance calls and personal directory assistance calls should not be made from County telephones as these services generate charges that are billed to the county. Should an employee need to make a personal long distance call, they should use their personal calling card to do so. Personal long distance calls cannot be made from County telephones and reimbursed to the County by the employee.~~

County provided cell phones should ~~never~~ not be used to make personal calls except in emergency situations. All calls made using these services generate charges that are billed to the County. Personal calls cannot be made from County telephones and reimbursed to the County by the employee.

~~The only exceptions to this rule are based on an extended or changed assignment for the County's convenience or personal emergencies. Examples: 1) A Sheriff's deputy that is held past his or her normal work hours due to work related issues may make a call using a cell phone to alert a family member or appointment that he or she will be late. 2) A County staff member who is at a meeting conducting County business and finds that the meeting will be extended may make a call to alert people to expect that he or she will be late. 3) Personal emergencies including unexpected illness, car trouble, inclement weather, etc., for self and others. In all of these cases, we expect the staff person to use the most cost effective means of placing the call and to limit the call to only what is necessary to alert the person they are calling.~~

Procedures:

~~Based strictly on business need, the County Board shall approve a list of positions that are authorized to use a county cell phone or receive a cell phone allowance. Any changes to the list require County Board approval.~~

Department heads will use the following list as a guide for determining which positions in their department should be issued a county cell phone. An employee can opt to utilize the cell phone allowance method with the understanding that their phone is subject to data practices requests. In the event of a data request an employee's phone would be subject to search and retrieval of County data. ~~the employee will then be required to provide reliable cell phone service for all work related needs. Some of the work-related needs include, but are not limited to:~~

1. Safety of self or others that may be at risk.
2. Providing immediate communication with staff in the department and other agencies as required to coordinate programs or to provide customer service.
3. Flexibility when schedule changes occur.
4. Retrieving messages from voice mail while working in the community.
5. Making telephone calls to clients and customers.
6. When the employee's main work location is in the field where landlines and other primary radio/telephone communications are not available.

Accessing e-mails, text messages and voicemail is considered a work activity. This work activity is to occur during scheduled work hours unless responding to an emergency.

County Purchased/Leased Cell Phones

~~Employees whose work requires the use of a cell phone, which is provided by the County, can use the cell phone for County business only. Employees will turn in any County-purchased/leased cell phones in working condition or technologically capable when they are in an unpaid leave status and/or when no longer required for their job.~~

Employee Owned Phones

Employees whose work requires the use of a cell phone and who have opted to receive a cell phone allowance will receive a monthly allowance in the amount determined by the County Board. Employees receiving an allowance are responsible for:

1. Providing **the cell number to their supervisor and Human Resources.** ~~proof of purchase/lease of cell service at intervals to be determined by the County.~~
2. ~~Providing information in a manner prescribed by the Finance Department to activate and maintain monthly allowance payments.~~
3. Replacement or repair of the phone will be the responsibility of the employee.

All costs related to the cell phone, including but not limited to, the initial purchase of the cell phone, accessory equipment, monthly phone fees and activation fees will be the responsibility of the employee. The employee will pay any and all costs exceeding the amount of the cell phone allowance. No allowance will be paid when an employee is in an unpaid leave status. The allowance will be prorated for unpaid leaves of less than one month.

Responsibilities

Employees receiving a County-purchased/leased cell phone or a cell phone allowance will be responsible for the following:

1. Retrieving messages on voice mail if telephone calls are missed on the cell phone.
2. Having the cell phone available for use during all hours of work and when the employee is subject to call.
3. Ensuring that use of the phone does not provide a distraction to the employee during work hours. This includes limiting the use to work related activities except emergencies as previously stated and setting the cell phone to a "silent alert" mode during meetings and other times that an interruption is undesirable.
4. Mower County does not endorse the practice of County employees using hand-held cell phones while driving for work related purposes. Therefore, all employees are required to use the cell phone in an appropriate and safe manner, especially while driving.
5. Caring for the phone in a responsible manner, minimizing the chance of loss or damage.
6. Safeguarding any County information or conversations discussed on his or her cell phone and maintaining any County data stored or accessible on the cell phone according to its classification under the Minnesota Government Data Practices Act (MGDPA). This includes providing adequate security for the phone to prevent unauthorized users from finding client/work-related telephone numbers stored in the cell phone memory. Confidential or non-published numbers should not be stored in any "speed dial" function of the cell phone.

Allowance Activation

For an employee to receive a cell phone allowance, the allowance amount must be authorized by the County Board. A completed Cell Phone Allowance Authorization Form, the Cell Phone Allowance Agreement, and a copy of the employee's service agreement must be sent to the Finance Department for allowance activation.

Employees receiving a cell phone allowance must notify their Department Head and the Finance Department immediately if they terminate their phone service. Likewise, if the County Board or a Department Head determines that an employee no longer needs a cell phone, he/she must immediately notify the Finance Department to make the necessary change (See Allowance Change/Cancellation section).

Allowance Change/Cancellation

To change or discontinue a cell phone allowance, a new Cell Phone Allowance Authorization form must be sent to the Finance Department. If changes result in a new or revised service agreement, a copy of the agreement must also be attached.

The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Gabrielson aye, and Commissioner Baldus aye. Motion carried 4 – 0.

In response to the COVID-19 threat, the Sheriff and the Jail Administrator recommended to the Board that the Reliance Telephone Contract be amended to establish remote inmate video visitation and temporarily stop inmate visitation at the Justice Center. This will be a video call location feature offered by Reliance at no cost to the County.

Motion made by Commissioner Reinartz, seconded by Commissioner Glynn, approving the amendment with Reliance Telephone to provide remote inmate visitation and authorize the County Administrator to sign the amendment when it has been received. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Gabrielson aye, and Commissioner Baldus aye. Motion carried 4 – 0.

Sheriff Sandvik informed the Board that all non-essential training has been suspended and essential training has been moved to on-line. The Sheriff also updated the Board on the status of the 9-1-1 system currently provided by Century Link. The system has reached the end of its life expectancy and there have been continuing problems with the 9-1-1 system. Century Link has been attempting to address the issues with a new system it is estimated that the new system will not be operational for at least 18 months or more. There are available possible Federal and State grants for the purchase of equipment to up to 100% of the equipment purchase price. The application deadline for the grants is April 2.

Motion made by Commissioner Glynn, seconded by Commissioner Gabrielson, authorizing the Sheriff to apply for grant(s) available from the federal and state governments for 9-1-1 equipment. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Gabrielson aye, and Commissioner Baldus aye. Motion carried 4 – 0.

Sheriff Sandvik provided an update on the challenges of the pandemic trying to decrease the number of inmates housed in the jail and attempting to find solutions for juvenile defenders because regional juvenile facilities are reducing the number of beds available to other counties. The jail staff and the deputies have received personal protective equipment for their safety. The Courts are reducing the number of hearings and the court traffic into the Justice Center will be limited. Court cases that can wait will be delayed. If the Justice Center is to be closed the Sheriff would like to direct Courts to close to all but the highest priority of cases. Persons with court business would be escorted to and from court room.

Motion made by Commissioner Glynn and seconded by Commissioner Reinartz, to allow the County Administrator to authorize the Sheriff to limit court access in the event of community spread of COVID-19. The Commissioners voted as follows: Commissioner Glynn aye, Commissioner Reinartz aye, Commissioner Gabrielson aye, and Commissioner Baldus aye. Motion carried 4 – 0.

County Administrator Trish Harren informed the Board that there are employees concerned with co-workers returning to work from other areas where COVID-19 has been present. An interim policy/guideline has been prepared to give guidance following the CDC guidelines that employees that have traveled to Level 3 and Level 2 locations. The guidelines are on file in the office of County Administration.

Health & Human Services Director Lisa Kocer gave the Board a COVID-19 health update. The virus is now in all 50 states but as of 4:00 p.m. on March 17, 2020 there were no cases reported in Mower County. The report is updated every day at 11:00 a.m. The

Minnesota Department of Health will contact Ms. Kocer prior to that time if there are any cases in Mower County. The Governor has now recommended the closing of schools, bars and restaurants. Schools are to provide day care for essential services employees. Staff is moving as many services as possible to "business over the phone".

Emergency Manager Amy Lammey provided the Board with the Continuation of Operations Plan and the priority list of services. Ms. Lammey informed the Board that the departments have been working collaboratively to meet this challenge. Hand sanitizer and cleaning products have been distributed. New procedures have been established with the deputies for cleaning/disinfecting their squads. And, as mentioned by the Sheriff, Personal Protective Equipment has been obtained and distributed to jail staff and deputies. The CodeRed system for internal communications has been updated to be able to notify staff of changes.

Motion made by Commissioner Glynn, seconded by Commissioner Reinartz, to adjourn the meeting at 10:38 a.m. Motion carried. The next meeting is scheduled for March 24, 2020 at 9:00 a.m.

THE MOWER COUNTY BOARD OF COMMISSIONERS

BY: _____
Chairperson

Attest:

By: _____
Clerk/Administrator

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