



Title: Authorizing Certain Work Outside the Home as Determined by the District Administrator Pursuant to Executive Order 20-02

Resolution number: 20-033

Prepared by: Name: James Wisker
Phone: 952.641.4509
Jwisker@minnehahacreek.org

Recommended action: Authorize the District Administrator, in consultation with District counsel and the Board President, to determine critical sector work that must occur outside of the home under Executive Order 20-020

Past Board action: Res # 20-021 Determination of immediate critical sector work requiring work outside of the home pursuant to EO 20-020.

Summary:

On March 25, 2020, in response to the COVID-19 virus pandemic, Governor Tim Walz issued Emergency Executive Order 20-020 (EEO 20-20) – directing all Minnesotans to stay at home through April 10, 2020, except for workers and personnel engaged in specified Critical Sectors activities.

In consultation with legal counsel, the District administrator reviewed key activities and projects to evaluate MCWD work that would fall under the critical sector exemptions as detailed in the EO-20-020. At the March 26, 2020 Meeting the Board of Managers found the following projects to constitute critical sector work:

- Inspection, operation and maintenance of Gray's Bay Dam and Control Structure and carp barriers
- Arden Park Restoration Project
- Wassermann Park Boardwalk
- Minnehaha Creek Preserve Boardwalk Repair

To the extent possible, ongoing determinations regarding critical work will continue to be brought forward for consideration by the Board of Managers.

However, should the EO-20-020 remain in place after April 10, and acknowledging that from time to time urgent priority work activities of the District may require work to be performed by staff outside the home, including at the District office, the Board of Managers is asked to authorize the District Administrator to determine such work in coordination with District counsel and the Board President while conforming to guidelines from the Minnesota Department of Health.



RESOLUTION

Resolution number: 20-033

Title: Authorizing Certain Work Outside the Home as Determined by the Administrator Pursuant to Emergency Executive Order 20-20

WHEREAS, on March 25, 2020, in response to the COVID-19 virus pandemic, Governor Tim Walz issued Emergency Executive Order 20-20 (E.O. 20-20) directing Minnesotans to stay at home through April 10, 2020, except for workers and personnel engaged in specified Critical Sectors work;

WHEREAS, the District administrator, in consultation with legal counsel, has reviewed District activities to determine the scope of District work meeting the Critical Sectors exceptions in E.O. 20-20; the Board of Managers has determined based on this review that specific District projects and activities constitute Critical Sectors work under E.O. 20-20 and may occur outside the home, to the extent it cannot feasibly otherwise be performed;

WHEREAS, in addition to this determination, the Board of Managers further finds that from time to time urgent priority work activities of the District may require work to be performed by staff outside the home, including at the District office, where office equipment and supplies are necessary, and the work may be safely performed while in keeping with the Minnesota Department of Health Guidelines; the Board of Managers finds that authorization of such work activities is appropriately delegated to the prudent judgment of the administrator;

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers: that the District administrator, in consultation with District counsel and the Board President, may authorize other work to occur outside the home when there is a sound basis to determine that such work constitutes Critical Sectors work, and that the work cannot feasibly be performed within the home, and the administrator will inform the Board of such determinations made;

BE IT FURTHER RESOLVED that all such work is to be conducted, to the maximum extent possible, in a manner that conforms to the Minnesota Department of Health Guidelines related to COVID-19, including standards for social distancing.

Resolution Number 20- **033** was moved by Manager _____, seconded by Manager _____. Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: 04/09/20

Secretary Date: _____