

**MINUTES OF THE EMERGENCY MEETING  
OF THE  
COMFORT LAKE–FOREST LAKE  
WATERSHED DISTRICT  
Thursday, March 19, 2020**

**1. Call to Order**

Manager Anderson convened the March 19, 2020 emergency board meeting at 4:00 p.m. via telephone conference line.

<b>Manager</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X
Jim Dibble	X		

Present: President Jon Spence, Vice President Jackie Anderson, Treasurer Steve Schmaltz, Manager Jim Dibble.

Absent: Secretary Jen Oknich

Others: Mike Kinney, Jessica Lindemyer, Emily Heinz, Blayne Eineichner (CLFLWD staff); Chuck Holtman (Smith Partners); Karen Kill (Brown’s Creek Watershed District)

Manager Anderson moved that the urgent need to establish policies for District operations under circumstances of pandemic constitutes a basis for emergency meeting pursuant to the Open Meeting Law. Seconded by Manager Dibble. Upon a roll call vote, the motion carried 4-0.

**2. COVID-19**

Manager Anderson explained that a draft policy in response to the COVID-19 pandemic was distributed with the board packet and that Legal Counsel Holtman provided comments on the policy. Manager Anderson encouraged attendees to view the YouTube video on COVID-19 that was included in the packet distribution. She indicated that the best way to protect people is to keep them at home and the proposed policy is meant to be as protective of the District’s employees and citizens as possible. The policy includes office closure from March 20 through May 31 but could be longer. All employees will work from home to minimize person-to-person contact. The District encourages employees and citizens to follow Center for Disease Control (CDC) guidelines for isolation. Manager Anderson emphasized the intent that employee pay/benefits will stay in place during this time. Employees will continue to work remotely to maintain the services of the District. Permit site inspectors may need to visit the office periodically but should minimize this as much as

possible. The District's Technical Advisory Committee (TAC) and Citizen Advisory Committee (CAC) must meet remotely as well. Public meetings such as the State of the Watershed will be on hiatus for now. It is recommended that all paper forms be suspended, and everything be submitted electronically to minimize exposure via handling paper documents. Employees must not travel during this period to conferences etc. Manager Schmaltz suggested that the limitation on travel be clarified to convey that field work will continue. Manager Dibble suggested employees drive separately to field work destinations. Manager Spence indicated that the temporary policies drafted by staff in response to the pandemic contain a good coverage of items such as travel. He indicated that we have the right information on-hand; we just need to get it cleaned up and finalized. Manager Anderson noted that this action is also meant to authorize District Legal Counsel to produce whatever documents are necessary to express the Board's policies, for the President to sign.

Legal Counsel Holtman summarized his points on the policies:

- Recommend that the travel element be clarified, as discussed.
- Strictly speaking, the Board doesn't direct how the CAC or other committees that are not committees of the Board meet, however in its role of facilitating those meetings, the District can require that they be convened remotely.
- Public informational meetings may be conducted remotely
- The Board may wish to state its position on question of exhausted paid time off (PTO); i.e. if an employee has used all of their PTO but they are ill or should quarantine under the policy, what will be their recourse?
- Administrator Kinney and Legal Counsel Holtman reviewed the Employee Manual and identified two sections that are not aligned with the proposed temporary policy: PTO and Telecommuting. Counsel Holtman indicated that Administrator Kinney could issue stand-alone temporary policies in these two areas.

Manager Anderson indicated that the purpose is not to replace Administrator Kinney's internal memo, but to just give an official position of the Board. The District should take up a more comprehensive pandemic/emergency situation addition to the Employee Manual at a later time. President Spence suggested keeping the Board position a bit more general because the situation is changing so rapidly. Manager Anderson suggested not to rewrite the policies but have an umbrella statement about employee safety and intention to take care of salary/benefits etc.; the temporary internal policies can be incorporated by reference.

Manager Dibble suggested that the District send the statement to all of its contractors. Otherwise, he is comfortable with the way it's written. Manager Schmaltz indicated that there is enough information from the government to provide a good framework to operate within. He indicated that his only concern is to ensure field work is not shut down because it is critical to moving the District's mission forward. Manager Schmaltz indicated that people with mild or no symptoms of COVID-19 (e.g., no coughing/sneezing) are the major drivers behind the spread of the virus. He explained that this population appears to be responsible for about 2/3 of the documented infections because they are so abundant. These "stealth" transmissions underscore the importance of "social distancing" as a basic strategy.

Manager Anderson moved to:

(a) approve the March 19, 2020 Board Position on District Operations with amendments consistent with discussion as finalized by the Board President on consultation with the Vice President.

(b) direct the Administrator to develop, communicate and implement a set of District COVID-19 positions and policies consistent with the Board Position, on advice of the Board President and District counsel, and with any revisions or additions consistent with the positions stated therein;

(c) authorize the Administrator to amend the personnel policy manual to adopt paid time off and telecommuting policies consistent with the Board Position; and

(d) direct the Administrator, in consultation with the Board President, to refine and finalize the Pandemic Public Guidance in accordance with Board discussion and communicate that guidance by appropriate means.

Seconded by Manager Schmaltz.

Discussion: There was agreement that recipients should include contractors/consultants, a link to the informational YouTube video should be included, the Board President's and District Administrator's names should be added to the bottom of the bulletin, and posting should be made to the District website, office door, social media and other places with public presence, as appropriate.

Upon a roll call vote, the motion carried 4-0.

<b>Manager</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X
Jim Dibble	X		

Administrator Kinney thanked staff, including Ms. Lindemyer, for pulling together the policy. He noted that the March 26<sup>th</sup> board packet will be slightly delayed; staff is aiming to wrap up by tomorrow and have everything posted online. The packet will be electronic only, and if managers need technical support, they are encouraged to let staff know.

### **3. Adjourn**

**a) Next regular board meeting – April 9, 2020**

Manager Dibble moved to adjourn the meeting. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 4-0, and the meeting was adjourned at 4:45 p.m.

<b>Manager</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X
Jim Dibble	X		

Jen Oknich, Secretary \_\_\_\_\_