

BEMIDJI CITY COUNCIL CITY OF BEMIDJI

NOTICE OF REGULAR MEETING PURSUANT TO MINNESOTA STATUTES SECTIONS 13D.04 AND 13D.021

NOTICE OF PUBLIC AFFAIRS COMMITTEE MEETING BY TELEPHONE OR OTHER ELECTRONIC MEANS

NOTICE IS HEREBY GIVEN that the City of Bemidji will hold a Public Affairs Committee Meeting on Monday, November 23, 2020 at 5:30 p.m. at Bemidji City Hall.

In accordance with the requirements of Minn. Stat. Sections 13D.04 and 13D.021, Mayor Rita C. Albrecht, has determined that an in person meeting is not practical or prudent because of a health pandemic and Peace Time State of Emergency, declared under Chapter 12 of the Minnesota Statutes.

Because of the health pandemic and Peace Time State of Emergency, it has been determined that attendance at the regular meeting location by members of the public is not feasible.

Because of the health pandemic and Peace Time State of Emergency, it has been determined that the physical presence at the regular meeting location by at least one member of the body, chief legal counsel or chief administrative officer is not feasible.

Therefore, some or all of the members may be participating by telephone or other electronic means.

To join by video conference, go to Cisco Webex website (www.webex.com), click on “join” in the upper right corner and enter information below (access will open at 5:15 p.m.):



- **Meeting number (access code): 126 843 6188**
- **Meeting password: 98Ym6wRwNmt (98966979 from phones & video systems)**
 - **Click Join Meeting**

To join by phone, dial: +1-408-418-9388. Follow the prompts and use the following access codes (access will open at 5:15 p.m.):

- **Password: 126 843 6188**
- **Press # for no attendee ID number**

PUBLIC AFFAIRS COMMITTEE AGENDA

***November 23, 2020 ~ 5:30 p.m.
City Hall***

(Administration, Personnel, Legal, Finance, PEG Access, Municipal Liquor, Police & Fire)

1. CALL TO ORDER
2. NEILSON REISE ARENA COVID-19 PREPAREDNESS PLAN
3. ADJOURN

MISSION STATEMENT

Provide leadership and coordination for the City Council in public policy areas related to:

- *Internal council policies and procedures*
- *External relations to other units of government and service providers*
- *Community governance and civic relations*
- *Advisory boards and commissions*



To: Public Affairs Committee
From: Marcia Larson, Parks and Recreation Director
Date: November 23, 2020
Re: Neilson Reise Arena Covid-19 Preparedness Plan

Background

The City Council met on September 14, 2020 to discuss the Neilson Reise Arena and to provide staff with direction on the operations of the arena. The Council, at that meeting, directed staff to prepare a Covid-19 Preparedness Plan for the Neilson Reise Arena for review by the Public Affairs Committee. The memo and minutes from the September 14th meeting are attached.

The Covid-19 Preparedness Plan for the Neilson Reise Arena is attached for your review. Some considerations for the operations of the Arena are included in the plan.

Based on the design/size of the areas supporting the ice sheet (lobby, entrance, access points, hallways,) the Neilson, if opened, would serve as a practice rink with group size limited to 22 or less (athletes and coaches). A layout of entrance/lobby and locker rooms is included and will assist in the plan review.

Some considerations in the development of the Covid-19 Preparedness Plan:

- The entrance is a ramped hallway shared with the curling club and is approximately 8 ft wide.
- One ADA compliant/one person restroom would be available for use. The other two restrooms could be made available, but that would decrease the space available in the lobby – thereby decreasing the group size. The Fire Chief did provide input on exits/restrooms.
- Locker rooms, due to lack of ventilation and size, will not be available.
- Chairs will be spaced in the lobby for putting on/taking off skates. Athletes and coaches would arrive/leave fully dressed.
- Ice rentals would be scheduled with approximately 30 minutes between each rental. We would increase staffing to ensure staff monitors the door to avoid rental groups intermixing. One staff would disinfect and monitor doors/lobby while the other resurfaced the ice etc.
- Practice Only – meaning no games. The Neilson Reise Arena does not meet the current separation recommendations for games per the lack of spacing/separation on the player's benches, scorer/announcer "box" or penalty "box". All of the areas are currently open with no separation between teams/areas.
- No spectators would be permitted in the arena due to the lack of spacing in the lobby and access to the extremely limited seating area. The current wood "stands" are 6'9" from the board and are 40 ft long – so could accommodate 6 spectators – assuming they could safely access the seating.

Additional discussions item:

- **Timeline.** Due to the sand floor, coordination/staff, and condition of the boards it will take 3 to 4 weeks to get skateable ice. Start-up process is unpredictable/new in 2020.
- **Staffing.**
 - Currently only one full-time employee for the Arena remains employed and is working in the Parks Department. All part-time arena/parks seasonal staff have either quit or terminated for lack of work. For installation of ice, Arena and full-time Parks staff will need to work at the Arena on a daily basis (including weekend plant/ice checks). This will affect parks service delivery – outdoor rinks flooding, snow removal, and other duties and could create overtime.
 - Once operational, full-time Arena staff will have to work afternoons/evenings to cover open hours in addition to doing ice and equipment maintenance. Additional staff will need to be hired to assist in operations, cleaning/disinfecting, monitoring and/or hours of operation will need to be limited. The full-time Arena staff is also responsible during the morning/day to plow the curling club/city parking lot, trails, boat access and liquor store lots. Additional Parks Staff will be necessary to do snow removal, if the Arena Staff is unavailable. The 2021 budget includes a full-time parks position.
- **Arena Fees for 2021.** Fee increases, as previously discussed, are included in the 2021 fee schedule. The goal of the increase of rates was to reduce the subsidy of the arena.
- **Insurance and rental agreements.** The League of MN Cities (LMC) is recommending the City require both rental agreement and liability insurance from groups renting ice from the City. The rental agreement should be updated to include a covid waiver/release (also provided by the LMC).
- **Impact/Coordination with Curling Club.** Operationally coordinating with the Curling Club on maintaining shared entryway and ensuring staggered times/usage.
- **Financial.** There is no capital budget for 2020 or 2021. Revenues and expenditures are unknown/difficult to predict due to covid, including additional cleaning/staffing and scheduling considerations. In addition, the impact of the rate increases for 2020 were not fully realized. The top four groups listed below would likely continue renting ice as outlined below. Other renters (BSU/private) are unknown but estimate a lower percentage of overall revenue.
 - Bemidji Figure Skaters are the largest users of 400 hours of ice rental per year.
 - The Bemidji Youth Hockey Association – past ice rentals of approximately 300 (November-March) hours targeted tournament games and the mite/termites (8 and under). BYHA anticipates utilizing the Neilson Reise for squirts (10 and up) practices during a similar time frame used by the mites.
 - Youth Groups/Camps – ice rentals not associated with BYHA.
 - Adult Leagues (consists of several different rental groups) are the other consistent group of renters.
 - Less Ice rentals would be scheduled due to covid-19 (more time between rentals to allow groups to exit the building) and limited by staff capacity.

COUNCIL AGENDA ITEM



Meeting Date: September 14, 2020

Action Requested: Neilson Reise Arena

Prepared By: Marcia Larson, Parks and Recreation Director

Reviewed By: Nate Mathews, City Manager

Background

The future of the Arena has been on-going discussion for many years and began prior to its recent closure. Bemidji Youth Hockey and Figure Skating parents have recently contacted the City Council to reopen the Neilson Reise during the COVID-19 pandemic. In order to aid in the discussion regarding the Neilson Reise Arena, staff provide the following general facts regarding Arena operations.

Additional information on the system, historical data and market analysis are provided in the 2018 Ice Feasibility Study facilitated by the 292 Design Group. As you recall, a key finding of this study regarding demographic and ice market analysis (page 54) was that there is not additional demand, population growth, or interest in hockey for the Bemidji community to financially sustain more than 4 sheets of ice. The size of the community and growth potential for increasing participation in hockey and figure skating is not large enough to support five sheets of ice in our service area.

2020 Operations

The facility closed March 16 due to COVID concerns regarding safety, social distancing and sanitation with ice removed in April. Expenses were kept to a minimum, staff hours cut and full-time staff transferred to Parks as a cost saving measure. Operating loss year to date is \$62,000.

Average monthly operating expense range depending on season - \$20,000-\$25,000/month.

Staff: 1 Full Time (Schedules Ice/staff/oversees general operations) and 4 part-time.

Opening/Start-up Expense

The re-opening costs include a minimum of \$5,000 for outside contractors (Commercial Refrigeration to help with the plant and R&R for ice painting). Additionally there are staff (FT Arena and Parks) costs/time. It would take approximately 3-4 weeks to put ice in and prepare the facility for opening.

When ice was removed in April, the earliest re-open date was October based on cost recovery and ability to cool the building to make ice. The floor is sand and building not insulated, thus an earlier opening would increase energy costs substantially.

There are potential unknown costs that could arise during the startup of the 50 year old plant, pipes and related equipment.

There will be costs associated with COVID requirements (installing protective shield in the office area etc) that would be identified in a preparedness plan. Other items, such as removing benches, closing locker rooms/ref rooms, signage must be identified in the preparedness plan and would need to be in place prior to opening. In addition, insurance, waivers and agreements need to be in place prior to rentals.

Revenue/Ice Rental

Subsidy

The annual General Fund subsidy for the Arena historically ranged from \$80,000 to \$120,000. For 2020, the subsidy was reduced to \$28,000 due to proposed substantial rate increases and no capital funding. Rental rates partially increased by \$25.00/hr for 2020.

Usage/rentals

Annually rent/utilization is 2,300 hours of ice. The priority is to rent to groups to generate revenue and supplement the gaps in the schedule with open skate/hockey. In 2019 – 2215 hours was rented/utilized and the breakdown is as follows:

Public Skate Total – 689 hours (2,500 participants) revenue \$10,350
 General Skate 284 hrs
 Open Hockey 300 hrs
 Parent Pre-School -105 hrs

The other 1526 hours is rented to Bemidji Figure Skating Club (BFSC), Bemidji Youth Hockey (BYHA), adult leagues, youth leagues, camps, booster clubs, BSU Intramurals, and a variety of other private rentals. BFSC and BYHA are the top two rental groups with 400 hours and 300 respectively (2019). Ice time is usually scheduled several months to a year prior to the rental.

COVID would affect our operations, as it has other businesses. As noted above, a plan would be developed to schedule ice time differently, with more time between rentals to ensure proper disinfecting/cleaning and allow each group to exit, resulting in lower ice rental hours. It would require additional staff on duty to monitor the doors and perform cleaning tasks. Shortening time allowed in the Arena before/after rental will assist; but could affect revenue.

New youth sport guidelines were release by MDH, located at:

<https://www.health.state.mn.us/diseases/coronavirus/sportsguide.pdf> Additional information by Hockey USA and MIAMA assists with signage and preparedness plans

for rinks as some arena have been operating since this summer and offering practices, games and tournaments. The age of the Neilson will create challenges implementing MDH recommendations/guidelines, as well as service delivery and expense.

Ice Rental Rates

The Ice Rental Rates increased by \$25/hr in 2020 with the capital budget reduced to zero. The Council discussed increasing rates and changing the rate structure in 2021 in an effort to continue reducing the subsidy and reliance on property taxes.

<u>Current Ice Rental Rates:</u>	<u>Proposed 2021 -</u>
Standard \$145/hr	Standard \$165/hr
BYHA \$130/hr	BYHA/BYFC \$150
BFAC \$ 48,000/400 hrs (120/hr)	

Refrigerant/Plant R-22

The plant/system is a direct R-22 system. R-22 is scheduled to phase out by 2020 due to its adverse environmental impacts (EPA). After 2020, the servicing of the plant/system will rely on recycled/reclaimed or stockpiled R-22. We do have a supply of R-22 at Neilson Reise to operate the plant. The future cost is unknown – it has fluctuated over the last 8 years. For more information on the plant/system evaluation and cost improvements please refer to the 2018 Ice Feasibility Study (Section2).

Evaluation/Ice Study

An evaluation of the Neilson Reise Arena was conducted in 2014 with the goal of identifying and implementing improvements to the Arena for continued operations. The HVAC improvements in 2014/2015 included a new dehumidification system, e-ceiling and limited building improvements. Although all phases of improvements were not implemented, the HVAC improvements did contribute to the continued operations of the facility. An Ice Feasibility Study including updating the Evaluation of the Neilson Reise Arena was completed in 2018. The recommendations from the study were presented to Council in May of 2018. No action was taken.

The goal of both documents was to lay a foundation for the long term planning for the Nielson Reise Arena.

Bemidji Community Arena Information –

The original/1st BCA Sheet opened in August of this year to accommodate BYHA related tournaments & camp.

The new Sanford Power Rink (SPR) will be operation approximately mid-October 2020 through mid-March 2021. The BCAC is not taking ice time reservations at this time for the SPR/2nd Sheet at the BCAC complex.

The current plan for the Sanford Power Rink (SPR) is not to be open in April, May, June or July. BCAC is planning on SPR again being open in mid-August of 2021 to

accommodate BYHA related tournaments & camps – similar to 2019 and 2020 which was scheduled on their 1st sheet.

BCAC confirmed they are unable to schedule season-long “prime time ice” (3pm – 9pm) and significant ice time hours in the BCA to any non BYHA organizations due to the unknowns surrounding the Neilson Reise Arena, Nymore Arena, and the uncertainty of whether there will be MN State High School Hockey Season.

Nymore Arena

The School District has not responded to inquiries on whether the Nymore Arena will be opening this fall or not. At this time, it remains uncertain if the MN State High School League will delay or cancel the High School Hockey season due to COVID-19.

Sanford Center

Ice has now been installed at the Sanford Center. We anticipate VenuWorks will be able to work with both BSU and the local skating community during the fall and early winter. However, it remains unclear if or when a NCAA WCHA Hockey season would happen, or what a specific WCHA schedule would be.

Possible Options:

1. Arena remains closed for public safety due to COVID-19, operational challenges and lack of long term financial plan.
2. Sell Neilson Reise Arena, possibly to interested user groups.
3. Open Arena for shortened season with uncertain ice rental revenue, operational issues and financial impacts.
4. Consider opening the arena at a later date when more information is known, such as if there will be a High School or NCAA hockey season, what specific ice hours would be booked at the arena after the BCA's second sheet opens and Nymore arena opens, what community group hours will be booked at the Sanford Center, etc.

Provide staff with direction on this matter.

CITY COUNCIL PROCEEDINGS

BEMIDJI, MINNESOTA

Work Session – September 14, 2020

Pursuant to due call and notice, a special meeting of the City Council of the City of Bemidji, Beltrami County, Minnesota, was held on Monday, September 14, 2020 at 5:35 p.m. in the Council Chambers of City Hall, Mayor Albrecht presiding via video and telephone conference.

Upon roll call, the following Councilmembers were declared present: Albrecht, Meehlhause, Peterson, Johnson, Rivera, Erickson.

Staff Present: City Manager Nate Mathews, City Attorney Alan Felix, Assistant City Attorney Katie Nolting, City Engineer Craig Gray, Finance Director Ron Eischens, Police Chief Mike Mastin, Fire Chief David Hoefer, Parks and Recreation Director Marcia Larson, City Clerk Michelle Miller

Mayor Albrecht stated the purpose of the meeting was to discuss the 2021 Budget.

Amendments to Agenda

Mathews requested two items be added to the agenda:

- Consider Resolution Authorizing the City of Bemidji to enter into a Law Enforcement Mutual Aid Agreement (POTUS Visit)
- Consider Resolution Authorizing the City of Bemidji to enter into a Fire Department Mutual Aid Agreement

Motion by Peterson, seconded by Meehlhause to approve the agenda as amended. Motion carried by unanimous voice vote.

Consider Resolution Authorizing the City of Bemidji to enter into Law Enforcement Mutual Aid Agreement (POTUS Visit)

Mathews stated that due to the visit of the President of the United States the Police Chief is requesting that the City enter into a mutual aid agreement to assist the department in regards to safety and traffic control. Mastin stated that entering into this agreement will allow the Chief of Police to request and plan for assistance. Council and staff addressed questions and concerns regarding the cost to the City with regards to this event, as well as other concerns surrounding the visit.

RESOLUTION NO. 6313: Authorizing the City of Bemidji to Enter Into a Law Enforcement Mutual Aid Agreement was offered by Councilmember Peterson, who moved its adoption, and upon due second by Councilmember Johnson was passed by the following roll call vote: Yeas: Johnson, Albrecht, Erickson, Peterson, Meehlhause, Rivera.

Consider Resolution Authorizing the City of Bemidji to enter into a Fire Department Mutual Aid Agreement

Mathews stated that through the State of Minnesota Fire Marshal's office, the State of Oregon has requested assistance in battling the wildfires engulfing the Western states of the United States. Chief Hoefer stated that in order send firefighters to assist and give mutual aid to the State of Oregon, the City would need to enter into an Intergovernmental Agreement with the Minnesota Department of Public Safety Homeland Security and Emergency Management. Hoefer

stated that he has formed a team of firefighters to respond and he will be overseeing a task force team of Bemidji and other Minnesota fire departments in Oregon. Hoefler stated that all costs of the deployment will be reimbursed by the State of Minnesota. The team of Bemidji firefighters will be deployed for approximately two weeks and will be departing September 15 and returning October 3 or 4.

RESOLUTION NO. 6314: Authorizing the City of Bemidji to Enter Into a Fire Department Mutual Aid Agreement was offered by Councilmember Peterson, who moved its adoption, and upon due second by Councilmember Meehlhause was passed by the following roll call vote: Yeas: Erickson, Johnson, Peterson, Rivera, Albrecht, Meehlhause.

Neilson Reise Arena Discussion

Larson stated that due to COVID the Neilson Reise Arena closed in March and the ice was eventually taken out due to maintenance costs. Larson has been getting requests from user groups to reopen the rink and is seeking direction from council on that decision. Larson provided an estimate of operation costs to put the ice back in and allow user groups to begin renting ice time. Additionally, a COVID preparedness plan will need to be implemented which will affect the number of individuals will be allowed in the arena and how user groups can use the facility.

Dale Thompson of the Bemidji Community Arena and Bruce Hasbargen of youth hockey addressed council on the need for additional ice at the Neilson Reise Arena for youth hockey use, in particular for the Mites program, growth in programming and overflow games for tournaments.

Tiffany Vickaryous-Hubbard advised council that ice has been installed at the Sanford Center for BSU hockey and they have some open ice time for other user groups to use. Hubbard stated they are sensitive to the fixed rates of some of those user groups from the Neilson Reise Arena and will work to accommodate ice time at those rates. Hubbard also stated that they are able to accommodate user groups in a safe manner.

Council members Erickson and Rivera expressed concern of the general fund historically subsidizing operating and capital improvement costs of the Neilson Reise Arena and the need to find alternative funding sources. Erickson suggested user groups/ice managers form a committee to collaborate and coordinate scheduling available ice time.

Council and staff expressed questions and concerns surrounding the logistics and need in the community to reopen the Neilson Reise Arena. Rivera and Erickson stated they do not support reopening due to safety concerns and the costs associated with reopening and operating the arena. Peterson and Johnson stated they feel an obligation to the tenants and user groups to reopen the Neilson Reise Arena. Meehlhause and Albrecht support further discussion regarding the short term operation of the arena.

Motion by Erickson, seconded by Rivera that in concern for the taxpayer, concern for the COVID pandemic, concern for liability unknowns and concern for a deeper deficit for the arena, moves to keep the Neilson Reise Arena closed until the end of the year. Motion failed with the following roll call vote: Yeas: Rivera, Erickson. Nays: Peterson, Johnson, Albrecht, Meehlhause.

Motion by Meehlhause, seconded by Peterson directing the Parks & Recreation Director to prepare a COVID preparedness plan for the Neilson Reise Arena for review by the Public Affairs Committee. Motion carried with the following roll call vote: Yeas: Rivera, Peterson, Meehlhause, Albrecht, Johnson Nays: Erickson.

ADJOURN

There being no further business, motion by Meehlhause, seconded by Peterson, to adjourn the meeting. Motion carried. Meeting adjourned at 8:50 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michelle R. Miller".

Michelle R. Miller
City Clerk

COVID-19 Preparedness Plan for the Neilson Reise Arena **Effective _____**

The City of Bemidji is committed to providing a safe and healthy workplace for all our workers. To ensure that, we have developed the following Preparedness Plan in response to the COVID-19 pandemic. Managers and workers are all responsible for implementing this plan. Our goal is to mitigate the potential for transmission of COVID-19 in our workplaces, and that requires full cooperation among workers and management. Only through this cooperative effort can we establish and maintain the safety and health of our workers and workplaces.

Management and workers are responsible for implementing and complying with all aspects of this Preparedness Plan. Neilson Reise Arena operators and supervisors have the City's full support in enforcing the provisions of this policy.

Our workers are our most important assets. We are serious about safety and health and keeping our workers healthy and working at the Neilson Reise Arena. Worker involvement is essential in developing and implementing a successful COVID-19 Preparedness Plan. We have involved our workers in this process by providing the necessary Personal Protective Equipment (PPE), Disinfectant, Sanitizer, and training. Our Preparedness Plan follows the Centers for Disease Control and Prevention (CDC) and the Minnesota Department of Health (MDH) guidelines and federal OSHA standards related to COVID-19 and addresses:

- hygiene and respiratory etiquette;
- engineering and administrative controls for social distancing;
- housekeeping – cleaning, disinfecting and decontamination;
- prompt identification and isolation of sick persons;
- communications and training that will be provided to managers and workers; and
- management and supervision necessary to ensure effective implementation of the plan

Screening and policies for employees exhibiting signs and symptoms of Covid-19

Workers have been informed of and encouraged to self-monitor for signs and symptoms of COVID-19. The following methods are being implemented for the safety of workers' health prior to entering the workplace and while on duty for their shift. At any point should an employee show signs of illness they are to report it to the arena operator or supervisor and either not come in to work or leave work as soon as possible.

The City of Bemidji and the Neilson Reise Arena have implemented leave policies that promote workers staying at home when they are sick, when household members are sick, or when required by a health care provider to isolate or quarantine themselves or a member of their household.

In addition, under HIPAA law, department managers and supervisors shall not disclose any information that would identify an individual who has tested positive for COVID-19, has been isolated or is currently quarantined due to waiting for a COVID-19 test result.

Handwashing

Basic infection prevention measures are being implemented at our workplaces at all times. Workers are instructed to wash their hands for at least 20 seconds with soap and water frequently throughout the day, but especially at the beginning and end of their shift, prior to any mealtimes and after using the toilet. All visitors to the facility will be required to wash their hands prior to or immediately upon entering the facility. The Neilson Reise has 3 public hand sanitizer stations in the building, and there will

be additional hand sanitizer available for staff (that use sanitizers of greater than 60% alcohol) that can be used for hand hygiene in place of soap and water, as long as hands are not visibly soiled. The Neilson Reise Arena will continue to provide hand sanitizing stations in strategic locations in the facility, such as near the restroom and areas of high touch. These stations will augment our existing restroom with instructions on how to wash hands.

Respiratory etiquette: Cover your cough or sneeze

Workers and visitors are being instructed to cover their mouth and nose with their sleeve or a tissue when coughing or sneezing and to avoid touching their face, in particular their mouth, nose, and eyes, with their hands. They should dispose of tissues in the trash and wash or sanitize their hands immediately afterward. Respiratory etiquette will be demonstrated on posters and supported by making tissues and trash receptacles available to all workers and visitors. These posters will be provided electronically to all staff, volunteers and user groups, and posted in clearly visible areas around the facility.

Masks

Per Executive Order 20-81, people in Minnesota are required to wear a face covering in all public indoor spaces and indoor businesses, unless you are alone in a room. Additionally, workers are required to wear a face covering when working outdoors in situations where social distancing cannot be maintained. Research has shown that use of face coverings can greatly reduce the risk of infection when combined with other prevention efforts such as social distancing and hand hygiene.

Facial coverings are required for visitors when not on the ice and for staff. Staff will be provided with cloth facial coverings as well as surgical-type masks as available. Please see the state of Minnesota page on facial coverings and <https://www.health.state.mn.us/diseases/coronavirus/facecover.html>

Social Distancing

Social distancing is being implemented in the workplace through the following engineering and administrative controls:

Groups and teams will be limited to 22 people (coaches and athletes) or less in the building/on the ice. Start times for all activities will be staggered to prevent overlap in arrival and departure. Groups are asked to have and submit their own internal policy regarding social distancing to the Parks and Recreation Department for review.

When working in the facility, workers are required to wear a mask, additional PPE as deemed necessary, and to adhere to the social distancing policy whenever possible.

Workers and visitors are prohibited from gathering in groups, confined areas and from using other workers' personal protective equipment and other personal work tools and equipment.

Housekeeping

Regular housekeeping practices are being implemented, including routine cleaning and disinfecting of work surfaces, equipment, tools and machinery, and areas in the work environment. Frequent cleaning and disinfecting will be conducted in high-touch areas, such as phones, keyboards, touch screens, controls, door handles, copy machines, etc. Locker rooms will be disinfected after each use, when use is allowed.

Communications and Training

This Preparedness Plan (will be/was communicated) via zoom/email and posted in the arena office to all workers on _____, 2020. Additional Communication and training will be on-going and provided to all workers who did not receive the initial training. Operators and supervisors are to monitor how effective the program has been implemented by conducting weekly check-ins with staff and following the State of MN and CDC Guidance and communication with user groups. Management and worker groups are to work through this new program together and update the training as necessary. The Parks and Recreation Department – Neilson Reise Arena will provide a copy of this plan and the State of MN Guidance on demand.

Certified by:

Marcia Larson, Parks and Recreation Director

DRAFT

Ice Arena Operations/Business Specific Policies

Groups are required to follow the MDH Stay Safe MN Guidance for Social Distancing in Organized Sports: <https://staysafe.mn.gov/individuals-families/athletic-activity.jsp>

For Staff

- Health screening before shift starts. Staff will be asked not to come in or sent home at any sign of illness.
- Training in proper decontamination, hand washing, and safety communication protocols.
- Required to wear masks and PPE when necessary. Masks and additional PPE will be provided by the Bemidji Parks and Recreation Department. Staff will have the option to bring their own mask.
- To follow social distancing practices when applicable.

For the Facility

- Shared spaces are disinfected several times per day.
- Chairs/benches in the lobby are disinfected by arena staff after use.
- Public hand sanitizing stations are placed in clearly marked strategic locations in the facility.
- Handwashing and sanitizing instructions are posted.
- **Due to limited spacing/adequate distancing in the lobby, groups utilizing the Neilson Reise Ice Arena will be limited to 22 or less attendees including coaches or instructors**
- **No games will be permitted. Practices only.**
- Lockers rooms will not be available.
- Accurate rosters of groups and PODs are required to be able to support local public health contact tracing efforts practices. Rosters must be made available upon request.
- Events are scheduled ahead of time with the facility. Agreement/waivers in place per policy.
- Participants should arrive fully dressed including skates (with skate guards) if possible. If not, exceptions for skates and helmets will be allowed. Participants/athletes should leave dressed, having removed only their helmet and skates. Exceptions may be made for goalies, who may need to put on additional equipment at the rink.
- Participants should arrive no earlier than 10 minutes prior to the start of their ice time, if the exiting participants are in the walkway, arriving participants should move to the side and wait until they can pass with at least 6 feet in distance (entrance hallway is shared and less than 8ft wide).

- All Clubs, Groups and Organizations, along with participants, will be responsible for their own health screening prior to entering the facility. Any participant showing signs of illness will be asked to leave the facility.
- Athletes and Coaches are asked to leave the premises within 10 minutes after ice time is complete.
- No parents/spectators are allowed in the facility for practices/events. Minor athlete(s) age 10 and under are allowed one adult chaperone to help with equipment needs. During practice the adult chaperone must wait outside the facility; returning at the end of practice to assist with equipment.
- Coaches are asked to follow social distancing practices during the event.
- All visitors/chaperones are required to wear a mask while in the facility.
- Participants/athletes are required to wear a mask walking into the facility and walking out of the facility. Participants/athletes are required to wear a mask at all times unless they are wearing their helmet, and it has been fastened in place
- Participants/athletes are not required to wear a mask while on ice for their activity.
- Practice Social Distancing with each other – stay 6’ or more away from others.
- There will be No use of public drinking fountains – bring water bottles from home.
- The concession stand will not be available.
- Failure to comply with posted rules will result in additional education and/ or loss of ice time.

CONDUCT HEALTH SCREENING EACH TIME EMPLOYEES OR VISITORS ENTER THE FACILITY.

You may also opt to conduct temperature screening if it can be done with proper social distancing, protection, and hygiene protocols. However, temperature screening is not required.

If a worker or visitor answers "Yes" to any of the screening questions or has a measured temperature above 100.4°F, they should be advised to go home, stay away from other people, and contact their health care provider.



Visitor and Employee Health Screening Checklist

Have you had any of the following symptoms since your last day at work or the last time you were here that you cannot attribute to another health condition?

Please answer "Yes" or "No" to each question. Do you have:

- Fever (100.4 F or higher), or feeling feverish?**
- Chills?**
- A new cough?**
- Shortness of breath?**
- A new sore throat?**
- New muscle aches?**
- New headache?**
- New loss of smell or taste?**





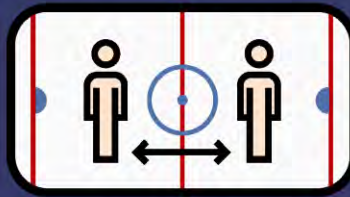
COVID-19 BEST PRACTICES FOR ICE RINKS

1)



Wash and Sanitize Hands Often

2)



Maintain 6' of Social Distance

3)



Cover Coughs and Sneezes

4)



If You are Not Feeling Well, Stay Home

5)



Modified, Limited or No Locker Room Access

6)



Handshakes Discouraged

7)



No Spitting or Sharing of Water Bottles

8)



Do Not Gather Before, During or After Ice Times

9)



Keep Gloves on During Ice Times

STOP THE SPREAD OF GERMS

Help prevent the spread of respiratory diseases like COVID-19.

**Cover your cough
or sneeze with
a tissue, then
throw the tissue
in the trash and
wash your hands.**



cdc.gov/coronavirus

CS319178 May 12, 2020 4:01 PM



MASKS REQUIRED INSIDE

Masks are not required for those with disabilities or special health needs.

MASK UP, MINNESOTA

STAY SAFE MN

m MINNESOTA

staysafe.mn.gov

Do not forget to wash your hands!



1

WET YOUR HANDS



2

APPLY SOAP



3

WASH YOUR HANDS
FOR 20 SECONDS



Need a timer?
Sing the ABC song!



4

RINSE WELL



5

DRY YOUR HANDS

Remember to scrub between your fingers, under your nails, and the top of your hands.

m MINNESOTA

STAY SAFE MN health.mn.gov

Minnesota Department of Health | health.mn.gov | 651-201-5000 | Contact health.communications@state.mn.us to request an alternate format. | 8/24/2020

Covid-19 Sports Guidance for Youth and Adults

<https://www.health.state.mn.us/diseases/coronavirus/sportsguide.pdf>

Minnesota Hockey Return to Play Guidelines

<https://miama.org/members/wp-content/uploads/2020/08/Minnesota-Hockey-Return-to-Play-Phase-3-FINAL.pdf>

Covid-19 Prevention Guidance for youth and Student Programs

<https://www.health.state.mn.us/diseases/coronavirus/schools/socialdistance.pdf>

MN Department of Health Materials and Resources for Covid-19 Response

<https://www.health.state.mn.us/diseases/coronavirus/materials/index.html#business>

Preparedness Plan Requirements Guidance – Recreational Entertainment and Meetings

http://dli.mn.gov/sites/default/files/pdf/COVID_19_preparedness_plan_requirements_guidelines_recreational_entertainment.pdf

Face Coverings

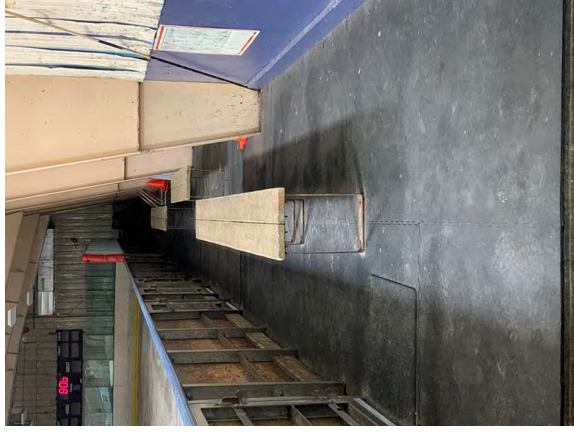
<https://www.leg.mn.gov/archive/execorders/20-81.pdf>

https://miama.org/members/wp-content/uploads/2020/07/Guidance.Masks_.07.21.20.pdf

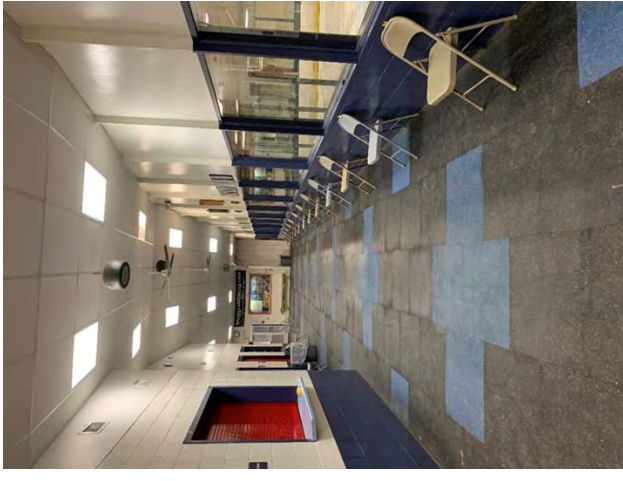
Neilson Reise Arena



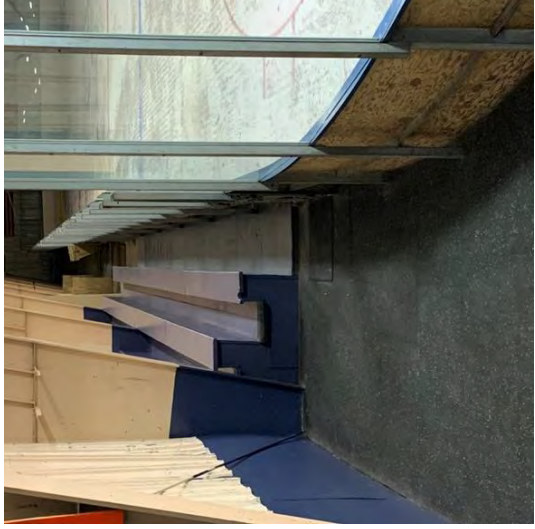
Lobby – view from entrance



Players benches/box



Lobby – view from far end facing the entrance



STAY SAFE MN



Outdoor Recreation and Facilities under Executive Order 20-99

Background

The following guidelines from the Minnesota Department of Natural Resources (DNR) and Minnesota Department of Health (MDH) are for outdoor recreational activities during the four-week period specified in Executive Order (EO) 20-99 (from Friday, November 20, 2020 at 11:59 pm through Friday, December 18, 2020 at 11:59 pm). During this period:

- **Outdoor recreational activities** identified in EO 20-99 may be enjoyed in accordance with the EO and the guidelines below.
- **Authorized outdoor recreational facilities** referenced in EO 20-99 may be open in accordance with the EO and the guidelines below.

These guidelines do not address:

- Organized youth and adult sports/athletics and nonmotorized recreational, competitive, and non-competitive races and similar events, which are subject to the [COVID-19 Sports Guidance for Youth and Adults](#).
- Youth programming, subject to [COVID-19 Prevention Guidance for Youth and Student Programs](#) and [Centers for Disease Control \(CDC\) guidance](#).

- Recreational entertainment occurring at outdoor venues (e.g., movies, concerts in the park, horse shows, mini- golf, amusement parks, etc.), which is subject to the [Stay Safe Guidance for Entertainment](#).
- Operation of public swimming pools, which are subject to the [Stay Safe Guidance for Reopening Swimming Pools and Aquatic Facilities](#).
- Food and beverage operations at outdoor recreation facilities, which are limited to take-out only. Please see the [Stay Safe Guidance for Safely Reopening Restaurants and Bars](#) for more information.

Please refer to EO 20-99 in addition to the referenced guidance documents for requirements regarding the above.

These DNR/MDH Outdoor Recreation Guidelines will be updated periodically, as needed.

GUIDELINES FOR OUTDOOR RECREATIONAL FACILITIES

General Considerations

1. All outdoor recreational facilities that are authorized to be open must develop and implement a COVID-19 Preparedness Plan to manage exposure to the virus. Facilities must ensure the Plan is evaluated, monitored, executed, and updated under the supervision of a designated Plan Administrator. Employers must ensure the Plan is posted at all workplaces in readily accessible locations that will allow for the Plan to be readily reviewed by all workers, as required. Please see the [Stay Safe Guidance for All Business Entities](#).
2. Minnesotans are discouraged from engaging in unnecessary travel; further, EO 20- 99 recommends no out-of-state travel at this time. Facilities should do their part to help patrons limit their travel— such as by providing basic supplies on site.
3. Facilities should regularly review the [Stay Safe Guidance for Businesses & Organizations](#), and [Stay Safe Guidance for Outdoor Recreation Entities](#) to ensure they are up-to-date on implementing safe workplace practices.
4. Place appropriate signage and other messaging on site at locations that can be easily seen by customers and visitors. Print materials are available online at [MDH Materials and Resources](#) and at [CDC Communication Resources](#).

Examples of messages:

- Maintain social distancing of at least 6 feet at all times from others, except for members of the same household.
 - Wash hands often with soap and water for at least 20 seconds; if soap and water are not readily available, use a hand sanitizer containing at least 60% alcohol.
 - Avoid touching eyes, nose, and mouth with unwashed hands.
 - Anyone with symptoms consistent with COVID-19 (including fever, cough, or difficulty breathing) should stay home and not engage in outdoor activities. For more information, see [CDC's What to Do If You Are Sick](#) and the State of Minnesota's [Self-Screening Tool](#).
5. Remind patrons about social distancing and to refrain from gathering in outdoor common space.
 6. Adapt practices to ensure physical distancing of at least 6 feet between people from different households. For example:
 - Only allow people from the same household to share a chair lift or gondola at a ski hill and ensure social distancing at tow-ropes and "magic carpets". This may require reducing the overall capacity of the facility to avoid over-long lines.
 - Space pre-drilled outdoor ice-fishing holes 10 feet or more apart for anglers from different households, and only allow people from the same household to share an ice-fishing shelter.
 - Limit the use of outdoor heaters or warming stations to only people from the same household or discontinue their use.
 7. Follow Minnesota's face covering requirements. As of July 25, 2020, people in Minnesota are required to wear a face covering in all indoor businesses and public indoor spaces in accordance with Executive Order 20-81. Additionally, workers are required to wear a face covering when working outdoors in situations where social distancing cannot be maintained.
 - The Executive Order includes exemptions for people who are unable to wear or tolerate a face covering due to a medical or mental health condition or other reasons. There are also situations in which a face covering may be temporarily removed or where face coverings are not required. For example, a person may temporarily remove their face covering when presenting, eating, or communicating with an individual who is deaf or hearing impaired.
 - Face coverings are strongly encouraged, but not required, for people participating in outdoor recreational activities when social distancing is not possible or is difficult to maintain.
 - Face coverings **are NOT a replacement for social distancing**.
 - For more information see [Face Covering Requirements and Recommendations under Executive Order 20-81](#) and [MDH Facemasks and Personal Protective Equipment \(PPE\)](#).
 8. Outdoor recreation facilities may only provide food and beverage as take-out, curb side, delivery, or other similar methods provided such offerings are consistent with applicable licensing requirements and the [Stay Safe Guidance for Restaurants and Bars](#). Onsite consumption is prohibited.

Employees

1. Safe workplace practices include actively encouraging ill employees to notify their supervisor and stay home according to public health guidance.
2. Employees should use proper handwashing, observe respiratory etiquette, and avoid using other employees' phones, desks, offices, or other work tools or equipment.
3. Just as facilities need to ensure that customers are following social distancing while on the premises, employees of the facilities also need to follow social distancing. This means maintaining a physical distance of at least 6 feet between individuals. **This distancing for employees should occur both inside buildings and outside, such as at trails, ski and sledding hills, ice-fishing areas, and other outdoor settings.**
4. Minimize face-to-face employee and customer interaction. Implement online or other contactless/ socially distanced measures to take reservations and payments, provide instruction, or sell supplies such as gas or bait.

Facility Access and Cleaning

1. Outdoor recreational facilities should only allow public access to any associated indoor facilities as allowed by EO 20-99. See also the applicable [Stay Safe Guidance for Businesses & Organizations](#) for more information.
2. Ensure that employees and customers have access to handwashing/hand sanitizing facilities and supplies.
3. Surfaces such as doorknobs, counters, and other items that are high-touch should be regularly cleaned and sanitized. Follow [CDC's Guidance on Cleaning and Disinfecting Your Facility](#) and [CDC's Reopening Guidance for Cleaning and Disinfecting Public Spaces](#).
4. **Clean and disinfect bathrooms regularly**, particularly high-touch surfaces, and ensure they have handwashing supplies. These [EPA-registered household disinfectants](#) are recommended by the CDC for cleaning.

Events, Guiding and Instruction

1. Postpone or cancel indoor or outdoor social gatherings and events that involve people from more than one household between 11:59 pm on November 20, 2020 to 11:59 pm on December 18, 2020.
2. Guided or instructional services (e.g., ice fishing or birding guides) are allowed if the service is provided entirely outside, social distancing is maintained throughout the activity, any client group only includes members of the same household, there is



not shared transportation to/from or during the activity, and any shared equipment is sanitized between uses. Service providers and clients must follow face-covering requirements (see [Face Covering Requirements and Recommendations under Executive Order 20-81](#)).

Charter and Launch Boats

1. Charter and launch boats must adopt a COVID-19 Preparedness Plan in accordance with the [Guidance for Charter and Launch Boats](#) in order to operate.

Equipment Rental and Transportation Services

1. Rental of outdoor recreational equipment is allowed. Facilities must implement clear check-in and check-out procedures that minimize contact between customers and workers, and reservation or other procedures that help avoid people from multiple households congregating while waiting for rental equipment.
 - When renting an item that can typically be used by more than one person at a time, such as an ice shelter or a two seat (i.e., 2-up) snowmobile, only rent to people from the same household.
 - Follow the [MDH Interim Guidance for Hotel Managers and Owners](#) for cleaning live-aboard rental equipment such as ice houses, houseboats or RVs. Only rent such equipment to members of the same household.
 - Any instruction on the operation or use of rental equipment must be provided in a manner that complies with face covering and social distancing requirements.
2. Transportation services to and from authorized outdoor recreational activities, such as on-ice transport to an ice-fishing area, must follow the [COVID-19 Transportation, Distribution, and Delivery Services](#) guidelines and adhere to the following additional requirements:
 - Per EO 20-99 only allow one household per passenger vehicle, excluding the driver, and ensure 6 feet of physical distance between the driver and passengers.
 - Remind passengers to wear a face covering while in the vehicle.
 - Use the vehicle's ventilation system and windows to exchange fresh-air in from outside the vehicle.
 - Do not allow people from different households to share a two-person vehicle, such as a 2-up snowmobile or all-terrain vehicle (ATV).

Marinas and Docks

1. Public and private marinas and docks may provide storage, docking, and mooring services to slip owners, seasonal renters or the general public. This includes the ability for boaters to purchase fuel, use access ramps, or purchase/receive services otherwise authorized by the [Stay Safe MN Plan](#). Any food and beverage offerings must be limited to offsite consumption.

Camping

1. Private and public developed campgrounds may be open for recreational camping if they develop and implement a COVID-19 Preparedness Plan consistent with the [Guidance for Safely Reopening Campgrounds](#). Dispersed or remote camping sites may also be open for recreational camping.
 - A dispersed campsite is a single campsite, not in a developed campground, used for overnight camping.
 - A remote campsite is a designated backpack or watercraft campsite, not in a developed campground, used for overnight camping.
2. Campgrounds should advise patrons that only people from the same household are allowed to share a campsite at this time.

For More Information

If you have questions about what outdoor recreational facilities are currently authorized or the information in these guidelines, please [email us](#). Please note: we will not be responding to inquiries or requests about potential future changes to restrictions and requirements for outdoor recreation and facilities during the COVID-19 pandemic. Also, please see [Stay Safe MN](#) for information about reopening various business and social settings not addressed here.

GUIDELINES FOR THE PUBLIC

Time spent outside provides many benefits. We encourage outdoor recreation as a good way to stay healthy, reduce stress, and enjoy time with family. However, it is essential to follow the guidelines from the Minnesota Department of Health (see [Protecting Yourself and Your Family](#) and [Strategies to Slow the Spread](#)) and the Centers for Disease Control (see [Visiting Parks and Recreational Facilities](#)) and observe the following practices while recreating outdoors to protect yourself and others and slow the spread of COVID-19:



General Considerations

1. Consistent with state and federal guidance to limit the spread of COVID-19 and protect our neighbors, Minnesotans are discouraged from unnecessary travel; in particular, EO 20-99 recommends no out-of-state travel at this time. If in-state travel is necessary to engage in authorized outdoor recreation, the following will help you minimize potential points of virus transmission:
 - Travel as directly to your destination as possible and minimize stops along the way.
 - Attempt to bring all needed supplies with you.

OUTDOOR RECREATION, FACILITIES AND PUBLIC GUIDELINES

- If you do need to stop for gas or supplies, wear a manufactured or homemade cloth face covering.
 - Wash your hands or use hand sanitizer after touching common surfaces (gas pumps, door handles, shared bathrooms, etc.).
 - Do not travel if sick.
2. Explore the range of nearby public lands available to you. If you arrive at a park, playground, ski trail, lake or other public recreation land and see that it is busy, choose a different option. This will allow you to maintain social distancing and reduce impacts on staff and resources. Also, consider visiting at off-peak times, such as mid-week, or early or late in the day on a weekend.
 3. Respect signs limiting access or providing temporary direction regarding trail or site usage.
 4. Be aware that facilities you may have used in the past – including warming houses and visitor centers – may not be open at this time. Be sure to dress appropriately for the weather, call ahead or visit applicable websites so you are aware of what to expect, and be as self-sufficient as possible. For DNR-managed parks and lands, consult the [DNR website](#) or call the DNR information center (651-296-6157 or 888-MINNDNR (888-646-6367)).
 - Keep in mind that you likely will need to rely on your vehicle for warming, putting on outdoor gear/equipment, and gear storage.
 - Consider bringing snacks and water with you, as food-service (other than take-out) will not be open.
 5. If you rent recreational equipment – such as a bicycle or snowboard – consider bringing your own protective gear like a helmet. Only share equipment – including ride-aboard equipment like a snowmobile – with people from your household.
 6. Wash your hands often with soap and water for at least 20 seconds. If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol. Cover all surfaces of your hands and rub them together until they feel dry. Do not touch your eyes, nose, and mouth with unwashed hands.
 7. Anyone with symptoms consistent with COVID-19 (including fever, cough, or difficulty breathing) should stay home and not engage in outdoor activities. For more information see [CDC's What to Do If You Are Sick](#) and the State of Minnesota's [Self-Screening Tool](#).
 8. Follow Minnesota's face covering requirements. As of July 25, 2020, people in Minnesota are required to wear a face covering in all public indoor spaces and indoor businesses in accordance with [Executive Order 20-81](#). Additionally, workers are required to wear a face covering when working outdoors in situations where social distancing cannot be maintained.
 - The Executive Order includes exemptions for people who are unable to wear or tolerate a face covering due to a medical or mental health condition or other reasons. There are also situations in which a face covering may be temporarily removed or where face coverings are not required. For example, a person may temporarily remove their face covering when presenting, eating, or communicating with an individual who is deaf or hearing impaired.

- Face coverings are strongly encouraged, but not required, for people participating in outdoor recreational activities when social distancing is not possible or is difficult to maintain.
 - As we head into the colder months, be sure to bring an extra face covering with you so you have a dry one if yours gets wet or icy during outdoor recreation.
 - Face coverings **are NOT a replacement for social distancing**.
 - For more information about face covering requirements and exemptions see [Face Covering Requirements and Recommendations under Executive Order 20-81](#) and [MDH Facemasks and Personal Protective Equipment \(PPE\)](#).
9. Please note that while outdoor activities consistent with the Stay Safe MN Plan and these guidelines are allowed, associated outdoor recreation facilities are not required to open, nor are there restrictions on the ability for local authorities to limit activities or close facilities within their purview. Many associated indoor recreation facilities are required to be closed for the next four weeks under EO 20-99. Before visiting an outdoor recreational facility, be sure to check with the owner/operator to confirm it is open and your intended activity is allowed.

Social Distancing while Recreating Outdoors

1. Practice social distancing (stay at least 6 feet from people from other households). This isn't just for parks and trails – it is also essential at sledding hills, ski areas (including chair lifts and gondolas) hunting lands, and anytime you leave your home.
2. “Household” means all the people living in the same home or residence, including a shared rental unit or other similar living space. This includes college-aged children who return home over a weekend, holiday or break. Students returning home for school breaks are strongly encouraged to follow the recommendations available at [MDH's Institutes of Higher Education website](#).
3. If it is not possible to maintain social distancing throughout an outdoor recreational activity then you may only participate in that activity with members of your household.
4. Social gatherings with people who are not members of the same household are prohibited for four weeks by EO 20-99. Social gatherings are groups of people who are not members of the same household, congregated together for a common or coordinated social, community, or leisure purpose – even if social distancing can be maintained.
5. Do not carpool to outdoor recreational activities with people other than those in your household.
6. Avoid congregating in common areas like trailheads, parking areas, overlooks, playgrounds or fueling stations.
7. Avoid gathering around heaters, bonfires, trail shelters, or other warming stations with people from other households. Also keep in mind that single household-adapted warming facilities may not be available, so dress for the weather and be prepared with your own warming strategy.

Outdoor Competitions, Gatherings and Guiding

1. Outdoor recreation events, group classes, competitions, and gatherings of any size that involve people from different households are not allowed at this time. This includes gatherings like outdoor bonfires and cookouts, because those types of gatherings could spread COVID-19.
2. Guided or instructional services (e.g., ice fishing or birding guides) are allowed if the service is provided entirely outside, social distancing is maintained throughout the activity, any client group only includes members of the same household, and there is not shared transportation to/from or during the activity.
3. Organized youth and adult sports/athletics and nonmotorized recreational races/non-competitive similar events are not allowed at this time. These events are not addressed in these guidelines; please see the [COVID-19 Sports Guidance for Youth and Adults](#) for further details. Professional and collegiate sports are also not addressed in these guidelines.

Ice Fishing

1. When ice fishing:
 - Only share an ice house, ice shelter or fishing hole with those in your household.
 - Maintain a minimum six-foot distance between people from different households at all times.



Skating, Skiing, Sledding/Tubing, Snowmobiling

1. Portions of indoor facilities used as warming spaces, such as trail centers, chalets, and warming houses, are closed at this time. Be sure to dress for the weather, and be prepared to meet your own warming needs (e.g., proper gear, using your vehicle as a warming station, etc.).
2. Take care to maintain social distancing when waiting in areas such as a sledding hill or ski lift. This includes taking turns to avoid congestion at the bottom of the hill, as well as maintaining social distance on a tow rope or “magic carpet” on the way up the hill.
3. Only share a chair lift, gondola or two-person snowmobile with someone from your own household.

Camping

1. While campgrounds and camping sites are allowed to be open, they might not actually be open due to staffing limitations or other considerations. Be sure to check if a specific facility is actually open before heading there to camp.
2. Know before you go. Some bathrooms or shower buildings may not be open; visitor centers, ranger stations and trailhead buildings are closed at this time. Check online resources or call ahead so you know what to expect when you arrive.
3. Only share a campsite or campfire with people from your household.

4. To help ensure a safe and enjoyable camping experience for you and others:
 - Plan ahead. When you are able, make reservations and purchase permits, firewood, and other items online or by phone before you arrive on site.
 - Be self-sufficient. For example, arrive prepared for the weather you may encounter, and bring your own disinfectant supplies, hand sanitizer, face covering, paper towels/hand towels and toilet paper, in case these necessities are not available onsite.
 - Maintain social distancing and avoid gathering with people from different households. Set up your campsite—sleeping, campfire and eating areas— to maximize distance from adjacent campsites that host people from different households. Social distancing is also important at bathrooms, trails and any other areas where you may encounter people from different households.
 - Follow all campground rules and instructions, whether given in writing or verbally.

Summary

We all have a role to play in protecting ourselves and fellow Minnesotans from the COVID-19 health threat. By following the Stay Safe MN Plan and these guidelines, we can enjoy the many benefits of the outdoors while providing for public health, slowing the spread of COVID-19, and decreasing the strain on local communities and health care systems in Minnesota.

For More Information

Do you have questions about the information provided here? [Email us](#). Please see [Stay Safe MN](#) for information about reopening various business and social settings not addressed here.

Resources

EPA-approved Cleaning and Disinfecting Supplies and Procedures – [epa.gov/coronavirus/guidance-cleaning-and-disinfecting-public-spaces-workplaces-businesses-schools-and-homes](https://www.epa.gov/coronavirus/guidance-cleaning-and-disinfecting-public-spaces-workplaces-businesses-schools-and-homes)

Interim Guidance for Hotel Managers and Owners – health.state.mn.us/diseases/coronavirus/lodgingcleaning.pdf

Minnesota Department of Health – health.state.mn.us/diseases/coronavirus/index.html

National Park Service Coronavirus Updates – [nps.gov/aboutus/news/public-health-update.htm](https://www.nps.gov/aboutus/news/public-health-update.htm)

National Recreation and Park Association – [nrpa.org/our-work/Three-Pillars/health-wellness/coronavirus-disease-2019](https://www.nrpa.org/our-work/Three-Pillars/health-wellness/coronavirus-disease-2019)

State of Minnesota Executive Orders – [mn.gov/governor/news/executiveorders.jsp](https://www.mn.gov/governor/news/executiveorders.jsp)

State of Minnesota Symptom Screener – [mn.gov/covid19/for-minnesotans/if-sick/is-it-covid](https://www.mn.gov/covid19/for-minnesotans/if-sick/is-it-covid)

Stay Safe MN – <https://staysafe.mn.gov/>

OUTDOOR RECREATION, FACILITIES AND PUBLIC GUIDELINES

Information for Individuals and Families – <https://staysafe.mn.gov/individuals-families/index.jsp>

Information for Businesses and Organizations – <https://staysafe.mn.gov/industry-guidance/index.jsp>

U.S. Forest Service Coronavirus Updates – fs.usda.gov/about-agency/covid19-updates

CDC Communication Resources – www.cdc.gov/coronavirus/2019-ncov/communication/factsheets.html

CDC's Guidance on Cleaning and Disinfecting Your Facility – www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html

US Coast Guard COVID-19 Information – www.uscg.mil/coronavirus



Minnesota Department of Natural Resources | mndnr.gov | 651-296-6157
500 Lafayette Road, St. Paul, MN 55155

Minnesota Department of Health | health.mn.gov | 651-201-5000
625 Robert Street North PO Box 64975, St. Paul, MN 55164-0975

Contact info.dnr@state.mn.us to request an alternate format.

11/18/2020

STATE OF MINNESOTA

Executive Department



Governor Tim Walz

Emergency Executive Order 20-99

Implementing a Four Week Dial Back on Certain Activities to Slow the Spread of COVID-19

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

The COVID-19 pandemic continues to present an unprecedented and rapidly evolving challenge to our State. Minnesota has taken extraordinary steps to prevent and respond to the pandemic. 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. Since declaring the peacetime emergency, I have extended it every 30 days, with the most recent extension occurring on November 12, 2020.

Throughout the month of November, the data has made clear with each passing day that we need to take decisive and aggressive action to contain the most recent phase of the pandemic. Minnesota recently topped 240,000 total confirmed COVID-19 cases. It took Minnesota over 6 months to record 100,000 COVID-19 cases, but only 42 days to add an additional 100,000 new cases. We averaged a state record of over 6,000 cases per day over the previous week, and on November 14 we witnessed a record number of new cases (8,689). Today we mark another grim milestone, grieving the loss of 67 of our neighbors, the highest number of deaths in a single day. The Minnesota Department of Health's ("MDH") most recent weekly COVID-19 report found that the current average rate of new COVID-19 cases, hospitalizations and intensive care unit admissions, and deaths are the highest they have been since the start of the pandemic, far exceeding the numbers we saw in the worst points of our surges in April and May.

Minnesota's rate of "community spread"—meaning those cases that MDH cannot link to another case or a source of exposure—is particularly concerning. At least one third of all new COVID-19 infections in Minnesota have no known source. According to metrics developed by the White House Coronavirus Task Force ("Task Force"), Minnesota is officially in the "Red Zone"—the most critical level of concern—for two main indicators of uncontrolled spread: test positivity rate and new COVID-19 cases. MDH reports that the statewide percentage of positive COVID-19 tests has been steadily rising for the last four weeks, exceeding the 10% "Red Zone" threshold

for the first time since early May. Further, the Task Force considers a state to be in the “Red Zone” for new cases when it reaches 100 cases per 100,000 residents over the course of a full week. Minnesota is currently averaging over 100 cases per 100,000 residents *each day*. These numbers tell a troubling story. The virus is everywhere, meaning that every interaction we have with people outside of our households poses a risk of transmission. When we cannot effectively trace infections due to community spread, we cannot keep COVID-19 out of our businesses, our schools, or the congregate care facilities that house our most vulnerable residents. For the benefit of our economy and all Minnesotans, we need to buckle down.

I recently issued Executive Order 20-96, which placed limits on the social gatherings and establishments that posed the most serious concern according to MDH data. In the week since, MDH has confirmed over 30 additional outbreaks connected to the gatherings, bars, and restaurants that were encompassed by Executive Order 20-96. Unfortunately, these numbers, our statewide cases, hospitalization rates, and our levels of community spread demonstrate that a temporary dial back on in-person social activity and restrictions on certain businesses are necessary.

Without question, these restrictions are significant and difficult, but this is not the “Stay-at-Home” Order that Minnesotans saw in March and April. As we noted in Executive Order 20-96, we have learned important lessons during this pandemic and must take thoughtful action when we can to prevent the worst projected outcomes. To effectively address a mounting healthcare crisis, we need to go beyond the measures taken in Executive Order 20-96. Accordingly, this Executive Order will also impact the entertainment venues, event spaces, and similar establishments that facilitate risky social interactions. In addition, as a former high school football coach, I recognize the positive health impacts and unique developmental and social benefits of sports. But the 192 outbreaks connected to sports are too concerning to let these activities continue during this dial back. Sports-related cases are nearly twice as prevalent among high school-age children as any other age group, and they increasingly play a key role in the need to move schools to distance learning. Gyms, fitness centers, and exercise studios also need to dial back their operations for similar reasons. The science shows us that exercise leads to higher levels of exertion and exhalation—often by individuals who are not wearing masks—greatly increasing the amount of airborne respiratory aerosol droplets that can carry COVID-19.

Finally, MDH has traced over 16,000 cases to out-of-state travel since the outset of this pandemic. The Centers for Disease Control and Prevention (“CDC”) warns that travel increases our chances of getting and spreading COVID-19 and that avoiding travel is the best way for us to protect ourselves and others. Our nearest neighbors—North Dakota, South Dakota, Iowa, and Wisconsin—are experiencing some of the highest nationwide per capita increases in COVID-19 cases, and 48 states are now in the Task Force “Red Zone” for new COVID-19 cases. It is simply not a good time for out-of-state travel that is anything short of essential, so this Order clarifies my recommendation that Minnesotans refrain from unnecessary out-of-state travel for the next four weeks and self-quarantine upon their return if they do decide to travel.

MDH case numbers show that extending this dial back to certain settings and businesses is not necessary at this time. For example, we see relatively fewer outbreaks in retail settings, which generally involve brief, masked, transient interactions that pose lower transmission risk. According to the CDC, an individual is not considered a “close contact” of someone with COVID-19 unless they were within 6 feet of the individual for 15 or more minutes. These extended interactions can be limited in retail environments, and MDH will provide further guidance on how to do so. Similarly, professional athletes and collegiate athletic programs have developed strong protocols to protect their athletes, coaches, and staff, including regular testing and self-imposed restrictions when COVID-19 cases reach certain thresholds.

Outbreaks and cases traced to personal care establishments have also been minimal since those establishments reopened. Personal care typically involves one-on-one interactions (as opposed to interactions with multiple persons) and healthcare-like precautions (like the requirement to wear a face shield over a face covering in many situations), reducing the need to restrict these settings during this dial back. Finally, outdoor recreation is an essential outlet for Minnesotans during these challenging times. We discovered in the early stages of our spring reopening that these activities can occur safely, so I encourage Minnesotans to continue to pursue outdoor recreation with members of their household and in compliance with guidance from Department of Natural Resources.

In dialing back on social activities, in-person dining, sports, and fitness establishments, Minnesota joins an increasing number of states imposing similar measures, including California, Colorado, Illinois, Michigan, New Mexico, Oregon, Washington, and Vermont. Certain establishments and businesses can continue to offer goods and services in a safe manner in accordance with applicable guidance available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>), but many will again have to weather the challenge of adjusting their operations to “to-go” or virtual means. In the near term, we know that this will be a hardship. In the long term, I hope that this significant step will prove beneficial to Minnesotans, our schools, and our economy, and safely bridge the gap to more permanent solutions to this pandemic.

In Minnesota Statutes 2020, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers to “(1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2020, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act.

Minnesota Statutes 2020, section 12.21, subdivision 3(7), authorizes the Governor to cooperate with federal and state agencies in “matters pertaining to the emergency management of the state and nation.” This includes “the direction or control of . . . the conduct of persons in the state, including entrance or exit from any stricken or threatened public place, occupancy of facilities, and . . . public meetings or gatherings.” Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2020, Chapter 12. When approved by the Executive Council

and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

For these reasons, I order as follows:

1. Executive Orders 20-74, 20-85, and 20-96 are rescinded as of Friday, November 20, 2020 at 11:59 pm.
2. Paragraphs 6 and 7 of this Executive Order are effective from Friday, November 20, 2020 at 11:59 pm through Friday, December 18, 2020 at 11:59 pm.
3. **Masks and face coverings required.** Executive Order 20-81, requiring face coverings in certain settings, remains in full force and effect.
4. **At-risk persons.** All persons currently living within the State of Minnesota who are at risk of severe illness from COVID-19, as defined by Executive Order 20-55, are strongly urged to stay at home or in their place of residence and follow the provisions of Executive Order 20-55.
5. **Definitions.**
 - a. “Home,” “homes,” “residence,” and “residences” are broadly defined to include mobile homes, hotels, motels, shared rental units, shelters, and similar facilities, to the extent they are used for lodging.
 - b. “Worker” and “workers” are broadly defined to include owners, proprietors, employees, contractors, vendors, volunteers, and interns.
 - c. “Business” and “businesses” are broadly defined to include entities that employ or engage workers, including private-sector entities, public-sector entities, non-profit entities, and state, county, and local governments.
 - d. “Critical Businesses” are all businesses whose workers qualified for a Critical Sector exemption under paragraph 6 of Executive Order 20-48.
 - e. “Non-Critical Businesses” are all businesses that are not Critical Businesses or Places of Public Accommodation.
 - f. “Place of Public Accommodation” means a business, or an educational, refreshment, entertainment, 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. This definition also includes those businesses, facilities, and institutions that offer or provide shared or communal goods, services, facilities, privileges, advantages, or accommodations to members of more than a single household, regardless of whether they are made available

to the public. Places of Public Accommodation include, but are not limited to, the businesses identified in paragraph 7.c of this Executive Order.

- g. “Establishments Providing Personal Care Services” are broadly defined to include 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.
- h. “Organizers” are businesses or individuals who plan, organize, host, or disseminate information encouraging people to attend prohibited social gatherings.

6. **Activities outside of the home.** Mindful that we must continue to limit social interactions to protect public health, individual activities outside of the home are subject to the limitations and guidelines set forth below. These requirements may be clarified, as deemed necessary by the Governor, to ensure the health, safety, and security of all Minnesotans. Clarifications will be available for public review at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).

- a. **Social gatherings prohibited.** Except as specifically permitted in this Executive Order, social gatherings are prohibited. Social gatherings are groups of individuals, who are not members of the same household, congregated together for a common or coordinated social, community, or leisure purpose—even if social distancing can be maintained. This prohibition includes indoor and outdoor gatherings, planned and spontaneous gatherings, and public and private gatherings. Organizers of prohibited social gatherings may be subject to appropriate enforcement action by city, county, and/or state authorities pursuant to paragraph 10 of this Executive Order.
 - i. **Activity by workers or customers.** Prohibited social gatherings do not include activity by workers or customers of businesses permitted to remain open under this Executive Order, providing that those businesses follow the requirements and limitations set forth in this Executive Order.
 - ii. **Places of Public Accommodation permitted to be open.** Prohibited social gatherings do not include persons in Places of Public Accommodation that are permitted to be open to members of the public under this Executive Order, provided that those Places of Public Accommodation follow the requirements and limitations set forth in this Executive Order.
 - iii. **Educational and care services for children and youth.** Prohibited social gatherings do not include educational and care services for

children and youth, including child care, educational support services for distance and hybrid learners, and other educational services. Prohibited social gatherings do not include services in a personal home, such as family, friend, and neighbor care necessary for workers to continue to perform their duties. Individuals and programs providing educational support services must follow the applicable guidance available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).

- iv. **Care of others.** Individuals may care for a family member, friend, or pet in another household, and may transport family members, friends, or pets, including the transport of children pursuant to existing parenting time schedules or other visitation schedules pertaining to a child in need of protective services (CHIPS) proceeding.
- v. **Relocation to ensure safety.** Nothing in this Executive Order should be construed to prevent individuals whose homes or residences are unsafe or become unsafe, including individuals who have suffered or are at risk of domestic violence or for whom the safety, sanitation, or essential operations of their home or residence cannot be maintained, from leaving their home or residence, or relocating to a safe alternative home or residence.
- vi. **Health and safety activities.** Nothing in this Executive Order should be construed to prevent individuals from seeking emergency services; obtaining medical services, supplies, or medications; donating blood; or visiting a healthcare or dental professional or facility, or a veterinarian.
- vii. **Sobriety and mental health support groups.** Prohibited social gatherings do not include sobriety or other mental health support groups. Remote meetings are encouraged whenever possible. When remote meetings are not possible, smaller meetings of shorter duration are encouraged. Any in-person meetings must comply with applicable public health guidance, including relevant MDH guidance.
- viii. **Health care and residential facilities.** Prohibited social gatherings do not include gatherings of persons in health care facilities, long-term care facilities, residential treatment facilities, residential and in-home programs licensed by the Minnesota Department of Human Services, correctional facilities, juvenile justice facilities, and shelters or drop-in centers. These facilities and settings must continue to follow applicable state and federal guidance, including guidance related to visitation. In-person visitation may not be possible under that guidance, and individuals are strongly encouraged to visit with loved ones virtually.

- ix. **Displacement.** Individuals without a home are exempt from the restrictions on gatherings in this Executive Order, but they are strongly encouraged to avoid gatherings whenever possible. Executive Order 20-55, which includes provisions related to encampments, remains in full force and effect.
- x. **Moving or relocation.** Individuals are permitted to move to a new home or place of residence, provided that they follow MDH and CDC guidelines to the maximum extent possible.
- xi. **Legislative and other governmental meetings.** The limits on gatherings in this Executive Order do not apply to legislative and other governmental meetings. Remote meetings are strongly encouraged whenever possible as permitted by state or local authority.
- xii. **The Judicial Branch.** The limits on gatherings in this Executive Order do not apply to proceedings held by the Minnesota Judicial Branch. Proceedings held by the Judicial Branch are subject to the policies established by the chief justice and will occur as directed by court order. Individuals may appear as directed by a Minnesota state court, including to serve as a juror, appear as a party, as a witness, or as legal counsel on behalf of a party, or otherwise to comply as directed by a court order, subpoena, or summons.
- xiii. **Federal activities.** Nothing in this Executive Order will be construed to limit, prohibit, or restrict in any way the operations of the federal government or the movement of federal officials in Minnesota while acting in their official capacity, including federal judicial, legislative, and executive staff and personnel.
- xiv. **Drive-in gatherings.** To enable safe congregation of people, drive-in gatherings are permitted, provided that all participants remain within their own vehicles and follow the applicable guidance available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
- xv. **Weddings, funerals, and services.** Places of worship, funeral homes, and other venues that offer gathering space for wedding ceremonies, funeral services, or other planned services such as worship, rituals, prayer meetings, or scripture studies are strongly encouraged to offer virtual alternatives to the maximum extent possible. Places of worship, funeral homes, and other venues that offer gathering space for wedding services, funeral services, or other planned services such as worship, rituals, prayer meetings, or scripture studies, may host such wedding ceremonies, funeral services, or other services, provided that they adhere to the following requirements:

- A. In all settings, ensure a minimum of 6 feet of physical distancing between households.
 - B. In indoor settings, occupancy must not exceed 50 percent of the normal occupant capacity as determined by the fire marshal, with a maximum of 250 people in a single self-contained space.
 - C. In outdoor settings, gatherings must not exceed 250 individuals.
 - D. Develop and implement a COVID-19 Preparedness Plan in accordance with applicable guidance available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
- xvi. **Celebrations and receptions.** Individuals, venues, and businesses **must not** host celebrations, receptions, private parties, or other social gatherings, including but not limited to those connected to weddings, funerals, life milestones (such as birthdays or retirements), family reunions, planned religious services, and other similar occasions.
- b. **Outdoor recreational activity.** Individuals **must not** engage in outdoor recreational activities where they will come into close proximity with others from different households. Individuals may engage in the activities listed below, provided that they follow the Minnesota Department of Natural Resources (“DNR”) and MDH guidelines on outdoor recreation and guidelines for facilities and the public (“Outdoor Recreation Guidelines”), available at DNR’s COVID-19 website (<https://www.dnr.state.mn.us/covid-19.html>):
- i. Individuals may engage in any outdoor activity that is dependent upon or derives its principal benefit from natural surroundings and open space, including but not limited to hunting, fishing, trapping, boating, hiking, biking, golfing, picnicking, skiing, skating, and snowshoeing for the purposes of pleasure, rest, exercise, or relaxation, provided that the activity can be engaged in accordance with the Outdoor Recreation Guidelines, including maintaining at least six feet of separation between participants from different households. Groups **within a single household** may engage in outdoor activities or sports that do not allow for social distancing (*e.g.*, soccer or basketball) but must not engage in such activities with members of other households.
 - ii. Outdoor recreational activities allowed by this Executive Order **do not include** performances, competitions, team events, tournaments, races, rallies, organized sports, organized group classes, spectator events, fairs, or any other events that involve the gathering of individuals from

more than one household. This paragraph does not impact professional or intercollegiate sports activities permitted under paragraph 7.h.ii.

- iii. All persons participating in outdoor recreational activities under this Executive Order must follow the Outdoor Recreation Guidelines available at DNR's COVID-19 website (<https://www.dnr.state.mn.us/covid-19.html>).
 - iv. Nothing in this paragraph permits trespass upon private property, and all activities undertaken pursuant to this paragraph must be undertaken in accordance with Minnesota law, including but not limited to license and permit requirements, invasive species regulations, and park rules. Nothing in this paragraph should be construed to abrogate existing local authority to limit or restrict activities or close facilities.
- c. **Voting.** Individuals are permitted and encouraged to vote in all state and local elections. Voters are also encouraged to vote by mail using an absentee ballot where feasible. Additional information is available at the Secretary of State's website (<https://www.sos.state.mn.us/election-administration-campaigns/elections-calendar/2020-elections-and-covid-19/>).
- d. **Unnecessary travel strongly discouraged.** Consistent with federal guidance and to protect our neighbors, Minnesotans are encouraged to stay close to home and are strongly discouraged from engaging in unnecessary travel, particularly to other states or countries.
- e. **Travel advisory.** Persons arriving in Minnesota from other states or countries, including returning Minnesota residents, are strongly encouraged to practice self-quarantine for 14 days after arrival by limiting their interactions to their immediate household. This recommendation does not apply to individuals who must cross state or country borders for work, study, medical care, or personal safety and security. Students returning home for school breaks are strongly encouraged to follow the recommendations available at MDH's Institutes of Higher Education website (<https://www.health.state.mn.us/diseases/coronavirus/schools/ihe.html>).
- f. **Guidelines.** Individuals engaging in activities outside of the home must follow the requirements of this Executive Order, Executive Order 20-81 (face coverings), and MDH and CDC Guidelines. Individuals engaging in outdoor recreational activities must follow the Outdoor Recreation Guidelines available at DNR's COVID-19 website (<https://www.dnr.state.mn.us/covid-19.html>).
- g. **Tribal activities and lands.**
- i. Activities by tribal members within the boundaries of their tribal reservations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.

- ii. Activities within the boundaries of federal land held in trust for one of the 11 Minnesota Tribal Nations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.
 - iii. Activities by tribal members to exercise their federal treaty rights within the boundaries of their treaty territory (also known as “ceded territory”) are exempt from the restrictions in this Executive Order but may be subject to restrictions by applicable tribal authorities.
 - iv. Tribal members may travel to and from their tribal reservations in accordance with applicable tribal law.
7. **Workers and businesses.** Workers and businesses are subject to the requirements set forth below. These requirements may be clarified, as deemed necessary by the Governor, to ensure the health, safety, and security of all Minnesotans. Clarifications will be available for public review at the State’s COVID-19 website (<https://mn.gov/covid19/>).
- a. **Continue to work from home whenever possible.** Any worker who can work from home must do so.
 - b. **Safe work.** The protections noted in Executive Order 20-54 (Protecting Workers from Unsafe Working Conditions and Retaliation) remain in full force and effect. All work must be conducted in a manner that adheres to Minnesota OSHA Standards and MDH and CDC Guidelines, including social distancing and hygiene practices. Under existing law and authority, DLI may issue citations, civil penalties, or closure orders to places of employment with unsafe or unhealthy conditions, and DLI may penalize businesses that retaliate against employees who raise safety and health concerns.
 - c. **Places of Public Accommodation.** Places of Public Accommodation are subject to the following requirements and limitations:
 - i. **All Places of Public Accommodation open under this Executive Order must adhere to the requirements set forth in paragraph 7.d of this order**, including development and implementation of a COVID-19 Preparedness Plan in accordance with applicable guidance available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
 - ii. For the purposes of this Executive Order, the following establishments and facilities are not Places of Public Accommodation:
 - A. Establishments and facilities 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 otherwise subject to the requirements of this paragraph 7.c.

- B. Health care facilities, child care facilities, residential care facilities, congregate care facilities, correctional facilities, and juvenile justice facilities.
- C. Crisis shelters, soup kitchens, or similar institutions.
- D. Restaurants and food courts inside the secured zones of airports.

iii. **Certain Places of Public Accommodation Closed to Members of the Public.** The following Places of Public Accommodation are closed to members of the public as set forth below. “Members of the public” means people who are not workers affiliated with the Place of Public Accommodation.

A. Restaurants, food courts, cafes, coffeehouses, bars, taverns, breweries, microbreweries, distilleries, brewer taprooms, micro distiller cocktail rooms, tasting rooms, wineries, cideries, clubhouses, dining clubs, tobacco product shops, hookah bars, cigar bars, vaping lounges, and other Places of Public Accommodation offering food, beverages (including alcoholic beverages), or tobacco products for on-premises consumption are closed to ingress, egress, use, and occupancy by members of the public, except as set forth below.

1. The above establishments may, and are encouraged to, offer food and beverage using delivery services, window service, walk-up service, drive-through service, or drive-up service. In offering food or beverage service under this paragraph, a Place of Public Accommodation 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. All such establishments must follow the requirements for all businesses set forth below and industry-specific guidance available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
2. Because indoor dine-in service is prohibited at restaurants, for the purposes of Minnesota Laws 2020, Chapter 75, Limited Off-Sale for Restaurants Closed by Executive Order, nothing in this Executive Order constitutes, prescribes, or should be deemed as, the expiration, termination, or rescission of the closure of

restaurants as set forth in Executive Order 20-04, as modified and extended by Executive Orders 20-18 and 20-33, or any subsequent order. As set forth in Minnesota Laws 2020, Chapter 75, limited off-sale of alcoholic beverages is authorized only for take-out service with a prepared take-out food order, and delivery is not authorized.

- B. Public pools, as defined in Minnesota Statutes 2020, Section 144.1222, subdivision 4(d), are closed to ingress, egress, use, and occupancy.
- C. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor climbing facilities, trampoline parks, indoor and outdoor exercise facilities, martial arts facilities, and dance and exercise studios are closed to ingress, egress, use, and occupancy by members of the public. This includes shared or communal facilities serving more than a single household, regardless of whether such facilities are open to the public, including but not limited to those facilities located in an apartment building, condominium, or housing complex. Outdoor sports and recreation facilities may be open to members of the public only as permitted under paragraph 7.c.iv. These establishments may, and are encouraged to, use their facilities to provide virtual or remote programming. These establishments may also remain open to exclusively provide services permitted under paragraphs 7.e and 7.f.
- D. Venues providing indoor events and entertainment such as theaters, cinemas, concert halls, festivals, fairs, vendor fairs, museums, performance venues, stadiums, arcades, and bowling alleys are closed to ingress, egress, use, and occupancy by members of the public. Such establishments may, and are encouraged to, use their facilities to provide virtual or remote programming.
- E. Venues providing outdoor events and entertainment such as racetracks, paintball, go-karts, mini-golf, performance venues, festivals, fairs, vendor fairs, and amusement parks are closed to ingress, egress, use, and occupancy by members of the public. Such venues may offer “drive-in” or “drive-through” experiences, provided that all participants remain within their own vehicles and follow the applicable guidance available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
- F. For professional and intercollegiate athletes and teams authorized to practice and compete under paragraph 7.h.ii.B

and C, this closure of event and entertainment venues to members of the public means that only athletes, coaches, and other essential staff are authorized to be present in venues hosting these activities. Spectators, including family and friends of participants and staff, are not permitted to attend permitted sporting events or practices.

- iv. **Outdoor recreational facilities.** The below facilities are permitted to be open and do business, provided that they adhere to paragraphs 6 and 7 of this Executive Order and the Outdoor Recreation Guidelines available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>). Businesses and Places of Public Accommodation associated with outdoor recreational facilities must comply with paragraphs 6 and 7 of this Executive Order, as applicable, including closure to members of the public pursuant to paragraph 7.c. I encourage public outdoor recreational facilities to be open for all Minnesotans, including families and children, and direct all individuals utilizing such facilities to follow the Outdoor Recreation Guidelines. All outdoor recreational activities and facilities must also comply with Minnesota law, including but not limited to license and permit requirements, invasive species regulations, and park rules.
- A. Minnesota State Parks, Trails, State Forests, State Recreation Areas, Wildlife Management Areas, Scientific and Natural Areas, and other State managed recreational lands.
 - B. Locally, regionally, publicly, and privately managed outdoor parks, trails, arboretums, and gardens.
 - C. State, regional, or local public water accesses.
 - D. Public and private marinas and docks that provide storage, docking, and mooring services to slip owners, seasonal renters, and the general public, as well as facilities that provide safety-related services including fueling, emergency dockage, and sanitary pump-out stations.
 - E. Public and private golf courses and outdoor driving ranges.
 - F. Ski areas, Nordic trails, snow tubing hills, sledding hills, and outdoor skating rinks.
 - G. Lake service providers to install, repair, and remove docks, boatlifts, and other water related equipment or deliver boats.
 - H. Outdoor shooting ranges and game farms.

- I. Outdoor recreational equipment rental outlets. Equipment may be rented but only if the equipment can be effectively sanitized between uses. Such outlets must implement clear check-in and check-out procedures that minimize contact between customers and workers. Any rentals must be conducted in accordance with the Outdoor Recreation Guidelines.
 - J. Dispersed and remote camping sites in accordance with the Outdoor Recreation Guidelines. A dispersed campsite is a single campsite, not in a developed campground, used for overnight camping. A remote campsite is a designated backpack or watercraft campsite, not in a developed campground, used for overnight camping.
 - K. Public and private campgrounds that have adopted a COVID-19 Preparedness Plan in accordance with the Guidance for Campgrounds website (<https://www.dnr.state.mn.us/aboutdnr/safely-opening-outdoor-recreation.html>).
 - L. Charter boats and launches that have adopted a COVID-19 Preparedness Plan in accordance with Guidance for Charter and Launch Boats website (<https://www.dnr.state.mn.us/aboutdnr/safely-opening-outdoor-recreation.html>).
 - M. Guided and instructional activities such as guided fishing or birding that do not require gatherings prohibited by paragraph 6.c, adhere to social distancing requirements, involve persons from the same household, and are conducted in accordance with the Outdoor Recreation Guidelines. This paragraph does not apply to activities covered by paragraphs 7.c.vii or 7.f.
 - N. Any other outdoor recreation activities and facilities that may be designated in the Outdoor Recreation Guidelines.
- v. Barbershops, salons, and other Establishments Providing Personal Care Services may remain open. Occupancy must not exceed 50 percent of the normal occupant capacity as determined by the fire marshal, with a maximum of 250 people in a single self-contained space. Workers, customers, and clients must follow all requirements, including face-covering requirements, as set forth in the applicable guidance available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).

- vi. This Executive Order does not prohibit a worker or supplier of a Place of Public Accommodation from entering, exiting, using, or occupying that Place of Public Accommodation in their professional capacity.
 - vii. Places of Public Accommodation not within the categories set forth in paragraph 7.c.iii may be open to members of the public, provided that they follow the requirements for all businesses set forth below and any applicable industry-specific guidance available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
- d. **Requirements for all businesses.** Since June 29, 2020, all businesses in Minnesota (whether Critical or Non-Critical) have been required to have a COVID-19 Preparedness Plan (“Plan”) and implement that plan. All businesses must continue to follow the same requirements. Each Plan must provide for the business’s implementation of guidance for their specific industry or, if there is no specific guidance, general guidance for all businesses, as well as Minnesota OSHA Standards and MDH and CDC Guidelines in their workplaces. These requirements are set forth in guidance (“Plan Guidance”) available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
- i. **Required Plan content.** As set forth in the Plan Guidance, at a minimum, each Plan must adequately address the following areas:
 - A. **Require work from home whenever possible.** All Plans must ensure that all workers who can work from home continue to do so.
 - B. **Ensure that sick workers stay home.** All Plans must establish policies and procedures, including health screenings, that prevent sick workers from entering the workplace.
 - C. **Social distancing.** All Plans must establish social distancing policies and procedures.
 - D. **Worker hygiene and source control.** All Plans must establish hygiene and source control policies for workers.
 - E. **Cleaning, disinfection, and ventilation protocols.** All Plans must establish cleaning, disinfection, and ventilation protocols for areas within the workplace.
 - ii. **Customer facing businesses.** All businesses that are customer facing (*i.e.*, businesses that have in-person customer interactions) must include additional Plan provisions to keep the public and workers safe as set forth in the applicable guidance available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>). This includes requirements that workers and customers must maintain physical

distancing of 6 feet and that store occupancy must not exceed limits set forth in the guidance. In customer facing businesses that share common areas, such as malls, all Plans must similarly include a facility occupancy that must not exceed the limits set forth in the guidance and provide an enhanced sanitizing, cleaning, and disinfecting regimen consistent with Minnesota OSHA Standards and MDH and CDC Guidelines for those common areas. All Plans must also include signage in common areas to discourage congregating.

- iii. **Household services businesses.** All businesses that provide household services (*e.g.*, housecleaning, maid services, and piano tuners) must also develop Plan provisions intended to keep customers and workers safe as set forth in the applicable guidance available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
- iv. **Optional template.** A template COVID-19 Preparedness Plan, which covers the above requirements, is available as part of the Plan Guidance, available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
- v. **Certification and signature.** Senior management responsible for implementing the Plan must sign and certify the Plan, affirming their commitment to implement and follow the Plan.
- vi. **Dissemination and posting.** Each business must provide its Plan, in writing, to all workers, and the Plan must be posted at all of the business's workplaces in locations that will allow for the Plan to be readily reviewed by all workers. Where physical posting is impracticable, the Plan can be posted electronically, provided that the Plan is received by all workers and remains available for their review.
- vii. **Training.** Each business must ensure that training is provided to workers on the contents of its Plan and required procedures, so that all workers understand and are able to perform the precautions necessary to protect themselves and their co-workers. This training should be easy to understand and available in the appropriate language and literacy level for all workers. Businesses should also take steps to supervise workers and ensure that workers understand and adhere to necessary precautions to prevent COVID-19 transmission. Documentation demonstrating compliance with this training requirement must be maintained and made available to regulatory authorities and public safety officers, including DLI, upon request.
- viii. **Compliance.** Workers and management must work together to ensure compliance with the Plan, implement all protocols, policies, and procedures, and create a safe and healthy work environment.

- ix. **Exposure notification protocol.** As set forth in the general industry guidance available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>), businesses must establish a protocol for identifying and communicating with workers who may have been exposed to a person with COVID-19 symptoms or who has tested positive for COVID-19 while at work.
 - x. **Availability to regulatory authorities and public safety officers.** Businesses do not need to submit their Plans for preapproval. Upon request, businesses must make their Plans available to regulatory authorities and public safety officers, including DLI, MDH, the Minnesota Attorney General’s Office, and city and county attorneys.
 - xi. In the event of a complaint or dispute related to a business’s Plan, DLI is authorized to determine whether the Plan adequately implements the applicable guidance, Minnesota OSHA Standards and MDH and CDC Guidelines in its workplaces.
- e. **Child care.** Licensed child care providers, including child care centers, certified child care centers, family and group day care homes, and license exempt child care, may continue to operate and serve families. Child care providers continuing to operate must do so in accordance with the following requirements:
- i. Child care providers other than family, friends, or neighbors providing license exempt care to children from only one household must adhere to the requirements set forth in paragraph 7.d of this Executive Order, including development and implementation of a COVID-19 Preparedness Plan in accordance with applicable guidance for schools and child care available on the Stay Safe Minnesota website (<https://staysafe.mn.gov/>).
 - ii. Child care providers must comply with any public restrictions implemented by the manager or owner of property or facilities used by the program, including any restrictions set by schools or school districts on use of their facilities.
- f. **Youth Programs.** Youth programs that provide care or supervision of children can continue to operate if they can do so safely in accordance with the COVID-19 Prevention Guidance for Youth and Student Programs available on the Stay Safe Minnesota website (<https://staysafemn.gov/>).
- i. “Youth Programs” means programs providing care or enrichment to children or adolescents that require registration and have on-site supervision. This includes certified child care centers, youth enrichment programs, programs exempt from licensure, community education classes, community center based programs, school age care

programs operated by public and private schools, parks and recreation programs, art programs, and day camps (but not overnight camps). “Youth Programs” does not include:

- A. Licensed child care facilities or school-district summer learning programs; or
 - B. Organized Youth Sports organizations and programs, described in paragraph 7.g, unless the primary purpose of the program is to provide care or supervision to children or youth, and not provide sports instruction or competition.
- ii. Youth Programs must adhere to the requirements set forth in paragraph 7.d of this Executive Order, including development and implementation of a COVID-19 Preparedness Plan in accordance with guidance for youth and student programs available on the Stay Safe Minnesota website (<https://staysafemn.gov/>). COVID-19 Preparedness Plans must be distributed, available for review, and followed by participants and their parents or guardians.
 - iii. Youth Programs must comply with any public health restrictions implemented by the manager or owner of property or facilities used by the program, including any restrictions set by schools or school districts on the use of their facilities.
- g. **Organized Youth Sports.** Organized Youth Sports organizations and programs must stop all in-person activities—including practices, group workouts, games, and tournaments.
- i. “Organized Youth Sports” means any sports activity, where participants are children or adolescents, organized by an entity, association, club, or organization providing for registration of participants and oversight on a regular basis for a defined period of time. Sports activities within this definition include all sports offered by schools (public and nonpublic), the Minnesota State High School League, or similar organizations, as well as dance, cheerleading, and other sports traditionally offered by supplemental associations or organizations.
 - ii. The requirement in this paragraph, 7.g, that Organized Youth Sports organizations and programs stop in-person activities does not apply to:
 - A. Child care providers and Youth Programs as set forth in paragraphs 7.e and 7.f that have as their primary purpose to provide care and supervision to children or youth.
 - B. Physical education instruction that meets academic requirements as part of the school day.

- C. Participation in outdoor recreational activities or sports by an individual or individuals within a single household as allowed by paragraph 6.b.
- h. **Organized Adult Sports.** Organized Adult Sports organizations and programs must stop all in-person activities—including practices, group workouts, games, and tournaments.
- i. “Organized Adult Sports” means any sports activity, where participants are adults, organized by an entity, association, club, or organization providing for registration of participants and oversight on a regular basis for a defined period of time.
 - ii. The requirement in this paragraph, 7.h, that Organized Adult Sports stop in-person activities does not apply to:
 - A. Participation in outdoor recreational activities or sports by an individual or individuals within a single household as allowed by paragraph 6.b of this Executive Order.
 - B. Professional sports, meaning sports in which the athletes receive non-de minimis payment for performance.
 - C. Any collegiate or university institution team or athlete participating in intercollegiate athletics, provided that the team or athlete follows guidance for sports activities as listed in *Recommendations for Different Levels of COVID-19 Transmission Among Higher Education Institutions*, available at MDH’s Institutes of Higher Education website (<https://www.health.state.mn.us/diseases/coronavirus/schools/ihe.html>).
 - i. **Higher education institutions.** Higher education institutions, in consultation with their governing boards, may offer in-person classes or activities consistent with MDH guidelines for offering in-person or on-site activities and programming at higher education institutions. Higher education institutions must follow guidelines available at MDH’s Institutes of Higher Education website (<https://www.health.state.mn.us/diseases/coronavirus/schools/ihe.html>). This includes following parameters set forth in *Recommendations for Different Levels of COVID-19 Transmission Among Higher Education Institutions*, available at MDH’s Institutes of Higher Education website. Education and training programs not registered or licensed with OHE or part of the Minnesota State Colleges and Universities or University of Minnesota systems must follow the guidance provided by the state agency or governing board under which they are authorized to operate. In the absence of an

applicable state agency or governing board, higher education institutions must follow MDH guidelines.

- i. **Higher education definitions.** For the purposes of paragraph 7.i of this Executive Order:
 - A. “Higher education institution” means the Minnesota State Colleges and Universities, the University of Minnesota, private colleges and universities and all other post-secondary institutions, including but not limited to institutions licensed and registered with the OHE, with a physical campus in the State.
 - B. “Staff and instructors” means all employees, contractors, and volunteers of a higher education institution, including but not limited to janitorial and cleaning professionals, secretarial and administrative professionals, instructors, instructor assistants, researchers, research assistants, graduate assistants, faculty, and administrators.
 - C. “Students” means any person enrolled at a higher education institution.
 - D. “Activities” includes, but is not limited to, testing, short-term training programs, student services, advising, clinical rotations or placements, customized training, internships, campus visits, programs, credit and non-credit classes, and all research activities and functions.
- ii. **Requirements for higher education institutions.** Higher education institutions must continue to establish and implement a higher education institution COVID-19 Preparedness Plan (“Higher Ed Plan”). Each Higher Ed Plan must provide for implementation of Minnesota OSHA Standards and MDH and CDC Guidelines in classrooms, labs, or other areas that students and staff may visit. Such requirements, which are adaptable to higher education institutions, are set forth in the general guidance available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>) and other applicable guidelines.
 - A. **Required Higher Ed Plan content.** At a minimum, each Higher Ed Plan must adequately address the following areas:
 1. **Follow OHE and MDH guidance.** All in-person activities must be subject to limitations set forth in relevant OHE and MDH guidance.
 2. **Ensure that sick students and institution staff and instructors stay home.** Each Higher Ed Plan must

establish policies and procedures, including health screenings, that prevent sick students or institution staff and instructors from entering the institution for in-person or on-site activities.

3. **Require social distancing and face-coverings.** Each Higher Ed Plan must implement social distancing policies and procedures set forth by the CDC and MDH. Higher Ed Plans must also include signage in common areas to discourage gathering. Each Higher Ed Plan must ensure compliance with the applicable face-covering requirements set forth in Executive Order 20-81.
 4. **Implement cleaning and disinfection protocols.** Each Higher Ed Plan must establish cleaning and disinfection protocols for areas within the institution where students, staff, and instructors may visit and provide an enhanced sanitizing, cleaning, and disinfecting regimen consistent with Minnesota OSHA Standards and MDH and CDC Guidelines for common areas.
 - B. **Certification and signature.** Institutional leadership responsible for implementing the Higher Ed Plan must sign and certify such Higher Ed Plan, affirming their commitment to implement and follow the Higher Ed Plan.
 - C. **Dissemination and posting.** A higher education institution must make its Higher Ed Plan available according to applicable guidance.
 - D. **Training.** Higher education institutions must ensure that staff and instructors are trained on the contents of their Higher Ed Plan according to applicable guidance.
8. **Respect for workers.** Minnesotans must respect the efforts of employers and businesses to protect the safety of their workers and customers by complying with those businesses' social distancing and hygiene instructions. Employers and businesses must post social distancing and hygiene instructions at entrances and in locations that can be easily seen by customers and visitors.
 9. **Enhanced local measures permitted.** Nothing in this Executive Order or previous Executive Orders should be construed to prohibit or prevent political subdivisions from implementing, within their jurisdictions and pursuant to applicable law and authority, restrictions beyond the restrictions contained in this Executive Order, as long as those additional restrictions have a real or substantial relation to the public health crisis caused by COVID-19. Pursuant to Minnesota Statutes 2020, section

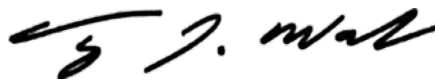
12.32, political subdivisions may not relax or reduce this Executive Order's restrictions. In other words, to the extent that they have authority to do so, cities and other political subdivisions may take actions that are more protective of the public health but may not take actions that are less protective of the public health.

10. Enforcement. I urge all Minnesotans to voluntarily comply with this Executive Order. Pursuant to Minnesota Statutes 2020, section 12.45, an individual who willfully violates this Executive Order is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000 or by imprisonment for not more than 90 days. Any business owner, manager, or supervisor who requires or encourages any of their employees, contractors, vendors, volunteers, or interns to violate this Executive Order is guilty of a gross misdemeanor and upon conviction must be punished by a fine not to exceed \$3,000 or by imprisonment for not more than a year. In addition to those criminal penalties, the Attorney General, as well as city and county attorneys, may investigate and seek any civil relief available pursuant to Minnesota Statutes 2020, section 8.31, for violations or threatened violations of this Executive Order, including but not limited to injunctive relief, civil penalties in an amount to be determined by the court, up to \$25,000 per occurrence, costs of investigation and reasonable attorney's fees and costs, and other equitable relief as determined by the court in accordance with section 8.31. State and local licensing and regulatory entities that inspect businesses for compliance with rules and codes to protect the public are encouraged to assess regulated businesses' compliance with this Executive Order and use existing enforcement tools to bring businesses into compliance. Nothing in this Executive Order is intended to encourage or allow law enforcement to transgress individual constitutional rights

Pursuant to Minnesota Statutes 2020, 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 November 18, 2020.



Tim Walz
Governor

Filed According to Law:



Steve Simon
Secretary of State

Approved by the Executive Council on November 19, 2020:



Alice Roberts-Davis
Secretary, Executive Council