

State / Local Government Collaboration Working Group Meeting Summary

Association of Minnesota Counties (AMC)
League of Minnesota Cities (LMC)
Minnesota School Boards Association (MSBA)
Minnesota Association of Townships (MAT)
State of Minnesota

Wednesday, May 31, 2006 8:30 a.m. – 10:30 a.m.
League of Minnesota Cities, 145 University Avenue West, St. Paul, MN

Attendees:

AMC: Bob Fenwick, Jim Mulder, Mary Kummer, Laurie Klupacs.

LMC: Bonnie Rietz, Marvin Johnson, Jim Miller, Kevin Frazell, Sarah Dirksen, Eric Willette.

MSBA: Dennis Halverson, Barbara Klaas, Bob Meeks.

MAT: Loren Ingebretsen, David Fricke, Dan Greensweig.

State of Minnesota: Dan McElroy.

Guests:

Jim Franklin, Minnesota State Sheriff's Association,
Aggie Leitheiser, Director of Emergency Preparedness, MN Department of Health,
Kris Eide, Director, Division of Homeland Security and Emergency Management, State of Minnesota.

The Minnesota Association of Townships chaired this meeting. Loren Ingebretsen, MAT President, called the meeting to order and welcomed the group. In honor of the recent Memorial Day holiday, Loren led the group in the pledge of allegiance and recited a flag poem.

After individual introductions, Kris Eide, Director of Division of Homeland Security and Emergency Management and Aggie Leitheiser, Director of Emergency Preparedness, Minnesota Department of Health led the group in a discussion about the Emergency Powers Act and it's application to disasters such as the Pandemic Flu scenario.

Kris Eide gave an overview of Minnesota Emergency Management Act with 2005 Amendments: Minnesota Statutes, Chapter 12; powers of the State, the Governor and Homeland Security and Emergency Management Division – the coordinating agency for all hazards and the conduit for local/state/federal for emergency management issues. The Governor determined Pandemic Flu to be an emergency management issue so Homeland Security and Emergency Management Division oversees it.

Highlighted areas during the overview and discussion:

Chapter 12; 12.21 Governor has general authority over three types of emergencies: National Security Emergency, Energy Supply Emergency, and Peacetime Emergency i.e. Pandemic Flu. Governor gives authority to Homeland Security and Emergency Management Division so decisions are thoughtfully made.

Question: Does the Governor have authority to shut down private buildings? The Governor's role is to have general authority for direction and control. Chapter 12; 12.33 Governor can force mutual aid because of an imminent emergency.

Chapter 12 was originally created years ago to support local government as a bottom-up response. Some group members questioned that it now seems to be morphing into a top-down response with Pandemic Flu; answer – disasters start at the local level.

Aggie Leitheiser added to the discussion from the Department of Health perspective. The Governor can commandeer people and places in order to implement a protective action. Sept. 2001 – Terrorism event; Oct. 2001 First wide scale bioterrorism event with anthrax situation in US. Discussed Isolation and Quarantine definitions.

Group clarified the term “facility”; Chapter 12; Subd. 4d where the Governor cannot take a private residence.

Chapter 12; 12.22 section on Volunteers; Aggie pointed out the local volunteer language was in place and in 2005 the state volunteer phrasing was added to Chapter 12. Some group members clarified the fact that if an individual volunteers to assist a local political subdivision, they are considered an employee of that local subdivision for the purposes of workers' compensation and tort claim defense and indemnification; same applies to the added state volunteer phrasing from the state employee standpoint.

A concern that Department of Health is working on: management of the healthcare limited supplies from a liability standpoint i.e. if we need more ventilators that what we have, who makes that decision?

Isolation and Quarantine of Persons – Minnesota Statutes 2005:
Group heard definitions of bioterrorism, communicable disease, isolation and quarantine as outlined in Minnesota Statutes.

SARS was easier to manage due to longer incubation period as compared to Pandemic Flu which will be harder to manage because of the shorter incubation period.

Quarantine is trickier than isolation since person feels well; enforcement issue discussed - added language to address what level of force can be used by a peace officer to isolate or quarantine a person if the person flees or forcibly resists the officer. Isolation is for one's own good i.e. sick person being kept away from other people's germs so it's easier to accomplish.

Quarantine – don't need 100% compliance, need 80-90% agreeing to comply to make a big difference.

Group quarantine can be ordered; likely to shut down a school but not a city; instead social distancing would be recommendation. Isolation/quarantine applies to person-by-person or group i.e. airplane or dormitory.

Question: Who ends up making isolation and quarantine decisions? Commissioner of Health has authority. Legislature gives Dept of Health 36 hours to act then court takes over with a court order.

Another challenge: Indian Lands and casinos.

Suggestion: Need to develop a strategy of informed consent. This will minimize the uninformed local official acting contrary to the cause.

Suggestions: wash hands, reduce close contact with others, adjust work schedule, and analyze who are essential workers; one concern is that we are in a “just in time” society so important to stock up on food.

Group discussed the definition of Public Place; facility; occupation.

Aggie Leitheiser emphasized that extensive planning is going on at state level; not necessarily at local level yet. Key part is education of local public officials. A current activity: regional meetings with info to go back to their own county boards.

A couple members of group commented that the education seems reactionary; local level should have authority (local units of government) or empowerment; feeling is disjointed. Aggie pointed out that most of the day’s discussion has centered on the state level however section 12.29 of Chapter 12 deals with local level. The local plan is important to have accurate, up-to-date and comprehensive. Local Public Health has been tasked to review their local plan to make sure Pandemic Flu is addressed in the plan.

Suggestion: Have a community dialog with businesses, school and local officials.

Question: How do we get everyone involved who needs to be involved? State has laid the groundwork and now regional workshops with emergency management and local health invited and then local conversations and exercises.

Suggestion: Do scenario discussions now in groups like Collaboration Working Group.

Clarification = schools cannot be closed by County Commissioners but by the Superintendents.

Suggestion: Get a local discussion going now to get an agreement by school superintendent and school board on what the plan will be from their perspective. Dept of Health’s Emergency Preparedness is getting calls from many groups i.e. faith-based groups on what they can do to help.

Question: Is there a Best Practice to guide county board, mayor, police chief, sheriff on how is in charge? Practice now to establish that locally.

Suggestion: play it out in an exercise now so no surprises in an emergency.

Challenge: when Governor declares emergency, how does that trickle down to multi-jurisdictional areas?

Suggestions:

- 1. Have one big meeting and invite all community heads; downside to that is a statewide meeting could become controversial and looked as a political.**
- 2. Have regional meetings; regional meetings are less controversial, easier to do and get folks involved.**

Question: How do we inform and involve the media that there is no “secret plan”; that they help spread the word accurately? The plan is such a living document that it’s constantly changing; need to go with 80% effective not 100% perfection and try to communicate that to media.

Question: Is there a way for the four Associations and State to help set up regional meetings etc. regarding Emergency Management and the plan for scenarios such as Pandemic Flu? Dept. of Health said that would be helpful; that will help increase public awareness of the scale of what’s happening with preparations and executions. This issue transcends politics; do dialogue to take politics out of it so we can meet before the elections not wait until after November.

Key: set up the right framework locally – the right people are involved and making the decisions; no matter what the disaster, get public confidence with message of preparedness. Many things are in place in MN so we are situated pretty well.

Suggestion: Do what you do best. Policy and tone setters should do that and those that carry out the actions do that.

ECHO (Emergency Community Health Outreach) Project – cooperative effort originally designed around emergency issues; DVD distributed on 7 languages of Bird Flu episode that appeared on Channel 17.

Suggestion: The four Association Executives and State (McElroy) will meet to plan the next steps of regional meetings on scenarios such as Pandemic Flu.

Suggestion: Get Frequently Asked Questions to bring home from those meetings; perhaps a PowerPoint presentation or video too.

Next meeting: Thursday, June 22 from 8:30 a.m. to 10:30 a.m. at MCIT (Minnesota Counties Insurance Trust Building, 100 Empire Drive in St. Paul. The League of Minnesota Cities will chair the meeting.

Group agreed to eliminate the meeting in July.

Group adjourned.