

**Minutes of the Nebraska City Board of Health
April 6, 2020
Rowe Memorial Public Safety Complex**

The Nebraska City Board of Health met in regular session inside the Rowe Memorial Public Safety Complex, 1518 Central Avenue, Nebraska City, NE via Zoom at 5:00 PM on Monday, April 6, 2020. Notice of the meeting was given in advance by posting in at least three public places, the designated method for giving notice, as shown by the Certificate of Posting Notice attached to these minutes. Availability of the agenda was communicated in advance to the media, the Mayor and Board of Health members of this proceeding and said meeting was open to the public.

Mayor Bryan Bequette called the meeting to order at 5:00 PM. The Mayor publicly stated to all physically in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held. He noted this meeting is also being broadcast in accordance with Governor Ricketts Executive Order No. 20-03 (Corona Virus Public Meetings Requirement Limited Waiver as of March 13, 2020). This Executive Order allows the meeting to be conducted via teleconference and videoconference; we are using the Zoom platform as published in our meeting notification. If you are in our zoom audience, please keep your microphones muted; if you wish to comment, please make our moderator, Andrew Snodgrass, aware you would like to comment and he will let me know, then we will call on you as a virtual attendee. Please state your name and address as well. You can find Executive Order 20-03 under <https://www.nebraska.gov/>. Upon roll call the following answered present: Dr. Brad Vasa, Gregg Goebel, David Lacy, Wendy Snodgrass, and Mayor Bryan Bequette. The following City Officials were present as well: City Administrator Grayson Path, City Attorney Drew Graham, Utilities Director Jeff Kohrs, Construction and Facility Manager Marty Stovall, Library Director Donna Kruse, Paramedic Manager Andrew Snodgrass, Commissioner Gloria Glover, Commissioner Paul Davis, Commissioner Vic Johns, and Deputy Clerk-Treasurer Patricia Moore.

Mayor Bequette notes there are 2 items of business. The 1st item is the Approval of the Board of Health March 30, 2020 meeting minutes as provided. Wendy Snodgrass moved to approve the minutes as written. David Lacy seconded the motion. With no further discussion, upon roll call the following voted YES. Wendy Snodgrass, David Lacy, Gregg Goebel, Dr. Brad Vasa, and Mayor Bryan Bequette. Voting NO: None. Motion carried.

Mayor noted the 2nd item on the agenda is discussion/action regarding a status update on the CoVid-19 situation; potential tasks, logistical needs and communication. Grant Brueggemann, Director of the SE District Health Department dialed in through Zoom and provided an update. He advised as of 5 minutes prior, throughout the Country, there are 356,000 CoVid cases; 10,524 deaths. In Nebraska there are 409 cases and 8 deaths. For the SE District that includes Otoe, Nemaha, Richardson, Pawnee, and Johnson counties, there are 3 confirmed cases and 0 deaths. Throughout the State there are a few higher incidences of community spread locally; those include Douglas, Lancaster, Paul, & Sarpy County. The National Guard have a walk through/drive-in testing operation in Kearney. Potentially National Guard testing will be conducted across the State in the future. He noted they have been getting a lot of questions on the Directed Health Measure announced last Friday. They are putting together clarification guidance and hope to have released tonight or tomorrow. Mayor asked, while waiting on guidance, is there any specific steered liberties they are looking at refining or providing more information on? Brueggemann noted it's more about clearing up the language so it's more understandable versus additional information. Restaurants and Bars were required to go to takeout services only; there are a lot of questions on salons and what they can do. Right now, not required to close. They are required to follow the 10 person strict guidance rule; going to clarify that with the Directed Health Measure. The Mayor noted, part of it on the status/clarification is not necessarily the 10 person rule within the establishment but the 6' rule; social distancing aspect. Dr. Vasa asked whether Lincoln and Omaha have those places shut down? City Attorney Drew Graham introduced

himself; he addressed the question by noting there are 4 entities that currently have such restrictions... Lincoln/Lancaster County (share a health board), Sarpy/Cass County, Douglas County and the Central District Health Department. They have adopted the same as the State but included in that is language for gatherings of less than 10 where a minimum distance of 6' cannot be maintained are prohibited including but not limited to tattoo parlors, massage therapy, barber shops, beauty and nail salons. Those locations have restricted that based on the distance otherwise still the guidance. The 10 or more can still be enforced but the 6' is guidance for everybody else. Dr. Vasa asked what other States are doing? He asked the question on whether we want to be ahead of the curve and shut them down at the municipality level or wait for it to happen at the State level; he noted it's coming. He feels like it's something we should do; no way to adhere if we have those services involved. Mayor Bequette noted we have gotten a lot of emails and calls at the City having to do with this concern, especially over salons. He noted, he'd like to get everyone's situation update first and then come back to specific tasks. Brueggemann will remain online.

Dr. DeFreece logged in through Zoom. He provided an update for the hospital/clinic and noted they continue to prepare for a potential surge... not necessarily our local area but also to help with overflow from Lincoln/Omaha. Internally have masking policies for employees/patients that come into facility. Last week went to zero visitor policy/allows for 1 support person. They are trying to protect not only the patient but staff as well. Through Grant, continue contact with local hospitals around the area; strive for all on same page. They continue to promote the recommendations of social distancing, limiting the numbers, etc.

Dr. Brad Vasa, City Physician, provided an update. He noted masking restrictions are in place at hospital/clinic as advised by DeFreece. Employee temperatures are taken when they walk in the door. He believes the social distancing and personal service places; if you are going to follow it you really need to shut those down. He noted, even this meeting, we are violating the 10 person rule; 13 versus 10. Going forward should we try and encourage more people to attend online; we don't want to be hypocrites and not follow through with the guidelines. The guidelines are there for a reason, if we follow it tighter up front will probably be able to get out of it sooner. He noted his concern is that we address these services now and try and prevent any spread via that mechanism.

Gregg Goebel of Emergency Management provided an update. He noted a couple of additional statistics that Grant didn't put out... Iowa is currently at 486 cases/25 deaths. Fremont County to our East is still at 0. Goebel met with the Ministerial Association; they have suspended all hotel vouchers at this time. Food pantry is still doing their procedures as normal; they do have a process in place on how people can pick their food up. Drive by service, go out to car, put in down, re-treat back, person in car gets out and loads it up and leaves... no direct contact. He noted for Easter Services ministers have unique ideas on how they are going to perform their Easter services without violating any of the contact rules that are in place.

City Administrator Grayson Path provided an update on the City departments. He noted same operations but have reviewed the latest DHM over Otoe County. He noted we are already practicing much of what was in it. City Hall adjusted front door where people are stopped, helps manage numbers inside front desk. Library continues to practice alternative measures and stop people at the foyer/front entry way. Also try and have supplies ready before they arrive to avoid contact. Also continue distances between employees and patrons as they come in; adhering to 10 people rule.

David Lacy, Chief of Police noted same rules in place. We have extended distance between public and dispatcher. He has recommended to Ministerial Association to no longer put up transients at Hotel. For Officers, no longer transport individuals to City limits, across river, or another town. They are trying to practice safe distances, cleaning vehicles, and wiping down their facility on a regular basis. Lastly, Sgt. Holman spoke to bars on Friday night; Saturday night he drove by and all were compliant.

EMS Director Andrew Snodgrass stated from the EMS side, not much has changed. They did institute that their providers, Paramedics, EMS wearing mask on all responses now regardless of the nature of the call. They have protocols in place with Dr. Vasa; kind of 2 different sets of protective equipment they can wear. 1 kind of general, 2 if respiratory based or flagged by dispatch as a potential case. Would upgrade... gown, mask, etc. By this protocol are going through more PPE, request from the health department to supplement that. Through emails back and forth with Dr. DeFreece on their visitor policy, Snodgrass sent out a memo to all staff, trying to discourage transporting other individuals with patients (case by case basis). Minor would be an exception; children having a parent ride with or very select things. Mayor Bequette asked if we've done a presumptive positive run yet? Snodgrass noted we have had some respiratory cases but to his knowledge they have not met the criteria. For the Fire Department standpoint, all the doors are locked with single access through City Hall. Chief Lacy noted they do have gloves in their vehicles, masks... is there a proper way to dispose of. Question asked of either Snodgrass or Dr. Vasa. Snodgrass noted the last guidance by the CDC was to throw away like normal. Brueggeman agreed. Snodgrass further noted the Med Center/CDC provided documents late last week on how to construct your own set up to disinfect PPE; for longevity purposes. Have not created anything at this point; plans in place but not there yet. Once there can create a box for masks, etc. so we can get greater longevity out of them. Found on social media plans others have released to share. Andrew prompted Vasa on discussion; are going to implement taking temps of employees coming on shift. Hospital is doing it; start doing with Rescue squad. If someone has a fever, idea is to catch early. Snodgrass noted it would expense their supplies at a faster rate. No touch ordered but delayed. They currently have ear models.

Utilities Director Jeff Kohrs noted same operations as in week's past. Trying to adhere to SE District recommendation on travel for employees. They and their Supervisor call prior to leaving the State; follow guidelines as far as self-quarantine.

Mayor Bequette noted in Lancaster, last week there were 8 cases, now there are 32; Mills County, North of Fremont does have 1. Atchison County MO still has 1 as well. The Otoe County case is in the Western part of the County and related to family travel.

Mayor Bequette moves the meeting forward on tasks. He noted as discussed, the number 1 task since the State came out with its Directed Healthcare Measure, folks being concerned and wanting to know how that applies to personal service businesses. How they still adhere to guidance and to the DHM; his understanding is the 6' is still just guidance and not enforceable but he believes that portion is why 4 of the health districts have published Directed Healthcare Measures which are more stringent. He noted the Governor in all their teleconferences continues to say the State is going to support anything more stringent than a municipality or health district puts out. Governor is trying to leave it to where each local can still operate within the State DHM. The Mayor has received a number of emails/phone calls about salons, gymnasiums (equipment sanitization), park concerns.... Commissioner Wehling called in via zoom to address the parks. He noted overall we have roped off playground equipment within our parks, public restrooms remain closed, water fountains not enabled. The golf course has been doing a great job in terms of sanitizing the carts as they come in and before they go out, keeping the distance for all players the best they can, imposed 1 person per cart rule unless member of household, no more than 4 people golfing as a group at one time. Other things to consider, basketball courts on Central Avenue; it was brought to his attention a large group of young men were playing pickup basketball at the Court. Their thoughts were to originally keep the tennis courts, the skateboard court open unless someone is touching each other; contact is with the ground so minimal exposure. Groups of 10 or more for basketball need direction on how to address. Mayor Bequette noted contact with the pole, basketball/volleyball no way to keep off equipment as far as sharing. The tennis courts there is concern there as well due to large gatherings. Soccer teams have started using them for football/foot tennis whatever it is. For tasks, Mayor Bequette noted he hasn't signed an Emergency Declaration. Part of that has been monitoring CDC guidance for municipalities and governance and we haven't had the cases. He noted some of the guidance is now 45-60 days old, things are moving at a different pace. The 1st step are we at the point, it doesn't seem like closing more businesses or more

parks makes much sense if we aren't going to sign our Emergency Declaration. Goebel noted he agrees, for a municipality this size signing the declaration, it's not going to make a difference one way or the other as far as what's happening locally, it's getting that control and keeping that control from happening. But at what point do we stop, every day it's going to change, every day we are going to find more stuff. The Mayor noted it doesn't seem smart to implement anything beyond that until we have at least done that. Path noted he thought we have reached a point to where a Declaration is probably our next consideration; a lot of communities have done it and it gives us access to Federal funding if we ever do need that. If we start imposing the DHM, it only makes sense to have an Emergency Declaration; having issued that prior to a local DHM. An Emergency Declaration was signed last year for the flooding and in 2011. Expenses for the EMS Department could be reimbursed by Federal means; declaration would give us access to funding. The Mayor noted he was ready to sign if our businesses needed a Municipal Emergency Declaration to be eligible for any of the stimulus; that wasn't the case because the State and Federal Declarations met the criteria for them. Path reiterated the Emergency Declaration is for the Government purposes; it's for the City to receive funds. This doesn't open access for private sector to have funds. Mayor Bequette agreed and clarified his position. Snodgrass noted we don't have any cases confirmed here, although have been receiving phone calls and see things on social media where people are being clinically diagnosed from their physician noting they probably have it but don't meet the threshold for testing; testing is done only on subset of individuals. Do have cases where doctor asked that they stay home and self-isolate for 2-weeks but no testing due to not being high risk. His opinion we have it here just not confirmed through testing. Dr. Vasa noted we are very limited on who we can test; Defense Department has taken over testing supplies. Have to meet very specific criteria before can order a test. Agrees with Snodgrass assessment of having cases here but not diagnosed. Mayor Bequette asked question on timeline of testing if meet criteria; Vasa noted 1-2 days; however, 14 days 2 weeks ago. Believes will improve even more as time goes on. Reiterates lockdown so important due to flying blind at this stage. Mayor Bequette asked the Board of Health members about making a recommendation to Council to sign an Emergency Declaration; Goebel noted he would say yes, others agree. Mayor Bequette to bring before Council.

Mayor Bequette brought up the next task for locality/municipality DHM. City Attorney Drew Graham provided legal aspects on how to implement. It can be called a Directed Health Measure from either the Board of Health or the City Council; both have authority to implement. Through State law statutes and case law you can't do anything to roll back the Governance of the State but can add more restrictive regulations on top of that. He addressed Dr. Vasa's question earlier; looked at surrounding States, i.e. Kansas, Colorado, Iowa, Missouri have all issued Stay at Home orders. Individuals are order to stay at home except for a variety of reasons (i.e. grocery shopping). A piece of that there are a list of necessary businesses allowed to stay open; non-necessary to close. For us we would need to address as well. Would look to the State on what those businesses would be; could be more selective than the State. He noted he would caution against language on pointing out specific type of businesses. Vasa/Graham agree businesses by their nature that can't adhere to social distancing. Graham reiterates the 10 or less aspect as well as social distancing aspect on the requirement. The language is pretty standard across the 4-5 jurisdictions that have already implemented that. Mayor Bequette addressed concerns of other localities going outside their area to look for salons, etc. who don't have more stringent DHM's in place. He communicated with local salons; they are aware this is happening and noted they aren't taking on new customers, only scheduling current customers due to their concerns as well. All are implementing high standards on keeping things sanitized by adding extra steps via CDC. He noted every meeting will probably be looking at next steps on essential/non-essential type of businesses. With new State DHM it now comes down to the 6' rule; how can someone hand you change at a convenience store and still be doing the 6'. Next step might be card only. Will be a balancing act on what we've seen/expect and what out-weighs what. Dr. Vasa doesn't believe we should wait; need to be proactive. Nationwide unsure on percentage. Graham would have to do more research. Language probably pretty standard; last week 9 States had not implemented stay at home order. This week down to 4 States. The Mayor reiterates the job of the Board of Health is to protect Nebraska City residents. Mayor Bequette asks of Brueggeman if the District is working on a DHM?

Brueggeman provides processes on how works. They do have a draft but a lot of public hearings, etc. have to take place first. Their next meeting is April 20. For Nebraska City to add on to their DHM would have to sign an agreement. Putting something in place now could be beneficial down the road. Vasa noted if we do this and the State turns around and does, it's a wash basically. Mayor Bequette/Graham agreed if worded the same. Graham noted if there is an overlap the State's DHM would take precedence. Obviously if still more restrictive would maintain that. Mayor Bequette noted as along as ours are same in nature, even if ours is published, if our Police Department cites somebody, it's a class 3 misdemeanor, if State class 5 misdemeanor. Class 3 is higher fines and possibly jail time enforced by Nebraska City police department. For Otoe County, would be enforced by the Sheriff. Lincoln/Omaha citations have been issued for not maintaining the distancing in certain type of businesses. Gathering concern hesitation by law enforcement; more of a warning at this point. Graham points out he doesn't have a Directed Healthcare Measure drafted so not sure what that looks like on implementing at this point. Omaha/Douglas County have put in their measures March 20; Sarpy was the 31st; Lincoln was March 26. Grand Island a week to 10 days behind others. Vasa noted do we want to be proactive or wait for State to implement. Mayor Bequette again noted a balancing act. Emergency Management is doing some modeling based on so many days behind this area, etc. Grand Island issue was basically from 2 businesses who had a number of employee cases. Dr. Vasa reiterated the language of the surrounding metro areas of Lincoln/Omaha. Mayor Bequette noted the measures we are talking about wouldn't have stopped the two incidences in Grand Island. 1 of the cases an employee didn't self-quarantine after visiting a hot spot. For personal services businesses that have come up (i.e. salons, barbers, tattoo shops, etc), not going to stop this type of event happening with our potential health measure. Snodgrass noted through chat site on Zoom have a few questions... 1. Explain further Grand Island event. Mayor Bequette doesn't have exact specifics but Hall County is up to 18 cases; 6-8 cases came from 1 employer; 6-8 from different employer. 2. What was the type of business question asked through zoom chat, 1 was a meat packing plant which employed a large number of individuals.

Mayor Bequette advised Council meeting soon... Graham stated thinking about it, the other DHM's are signed by one individual, director of health, health department director or designee; worded in that manner. Hesitation of approving something without having language with the Board not having the opportunity to read it prior to implementation. Strong reservations about that. He noted would have same reservations about the City Council during their meeting without having the document in hand. Mayor Bequette did add that we could have a motion to direct the City Attorney to draft it. Dr. Vasa stated he makes a motion to draft up similar language to what the municipalities of Lincoln, Omaha, Sarpy & Lancaster, Douglas County are doing. Gregg Goebel seconded the motion. With no further discussion, upon roll call the following voted YES. David Lacy, Wendy Snodgrass, Dr. Brad Vasa, Gregg Goebel, and Mayor Bryan Bequette. Voting NO: None. Motion carried.

Mayor Bequette asked with only a few minutes left, any hot tasks/logistics/needs we need to address. Communication ideas are welcome on how we can communicate more effectively with the public. Auburn did a resolution on playgrounds/parks being closed. Nebraska City posted signage.

Gregg Goebel noted they are working through Emergency Management on an addition to Everbridge Emergency Notification system, he doesn't have details on it but can report in the next few days on what that is to help put that information out.

There being no further business, the meeting was adjourned at 5:58 PM.



Patricia Moore, Deputy City Clerk-Treasurer

