

Minutes of the Nebraska City Special Board of Health
June 1, 2020
Rowe Memorial Public Safety Complex

The Nebraska City Board of Health (BOH) 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, June 1, 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 BOH members of this proceeding and said meeting was open to the public.

Mayor Bryan Bequette called the meeting to order at 5:02 PM. The Mayor publicly stated to all in attendance that he required by law to inform the public that a copy the Open Meeting act is posted on the wall to your right as you come in the door of the Rowe Building Gary White Memorial room. This meeting is being recorded. If you are present and wish to speak please come to the podium and state your name, address, and speak directly towards the microphone the entire time you are addressing the Board. We're also conducting this meeting under Governor Ricketts Executive Order Number 20-04 Coronavirus Continued Limited Waiver of Public Meeting requirements as of May 19, 2020. This executive order allows us to conduct the meeting by video conference or teleconference and to do so we are using the zoom platform as published in our meeting notification. If you're in our zoom audience, please keep your microphone muted. For those who are wanting to comment, please do the following: for those joining us via the Zoom app, or through their computer please click on the "Raise Hand" button, for those joining us through the call-in feature, please press *9 (star nine). This will notify our moderator, Andrew Snodgrass, there is a comment from one of our virtual attendees and he will let me know that you wish to speak. I will then have him unmute you. When you speak, please first state your name and address. You can find Executive Order 20-04 at Governor.Nebraska.gov.

Upon roll call the following answer present: Dr. Brad Vasa, Gregg Goebel and Wendy Snodgrass via Zoom; David Lacy and Mayor Bryan Bequette in person. The following City Officials were present as well via Zoom and in person: Interim City Administrator Marty Stovall, City Attorney Drew Graham, Library Director Donna Kruse, Utilities Director Jeff Kohrs, EMS Director Andrew Snodgrass, City Council members, Gloria Glover and Patrick Wehling as well as Deputy Clerk-Treasurer Patricia Moore.

Mayor Bequette noted there are 2 items on the agenda this afternoon. The 1st item of business is the approval of the BOH May 26, 2020 meeting minutes. Dr. Brad Vasa moved to approve the meeting minutes of May 26, 2020 as provided. Gregg Goebel seconded the motion. With no further discussion, upon roll call the following voted YES. David Lacy, Gregg Goebel, Wendy Snodgrass, 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. He noted, the director of the SE District Health Department, Grant Brueggemann is on; Grant would you please give us an update.

Brueggeman noted, currently there are 14,101 cases across the State and 170 fatalities have been reported within the Southeast Health District, which includes Otoe, Johnson, Pawnee, Nemaha, and Richardson Counties. We currently have 18 cases. We have 7 in Otoe County, 6 in Johnson County, 0 in Pawnee County, 3 in the Nemaha County, and 2 in Richardson County. We had the additional one in Otoe County confirmed Saturday afternoon and one in Nemaha County confirmed last Friday towards the end of business. In terms of testing in Otoe County, a total of 629 people have been tested; that includes anyone that's been tested outside of the district by going to Test Nebraska in

Lincoln or Omaha, so not specific to CHI testing or CHI St. Mary's testing or Syracuse hospital testing. That's all I have right now unless there's any questions.

Mayor Bryan Bequette asked of Brueggeman, we're up to 7 in Otoe County; are we still pretty confident on contact tracing. Is any of that community spread or is it pretty much contact tracing on all those?

Brueggeman replied: I don't believe right now we have any local community transmission. That's not to say that it's not possible it has occurred but we haven't found any evidence to suggest that.

Mayor Bryan Bequette further asked of Brueggeman is there any update on near term testing that'll be in our area again.

Brueggemann replied by noting starting today, the National Guard teams are 100% Test Nebraska events. So no longer the public health roving teams like we had when we first tested Nebraska City and some of the other towns. I don't see or know of any testing that's going to be within the district this week or probably even next week either. But when I do get word that we're going to have the opportunity I'll make sure I communicate with wherever the location is going to be at. In the past, we've only been given a couple of days notice so it's kind of a scramble. I've been told we were going to get a schedule for the entire month of June. What that will look like, I don't know; he reiterated I have not seen that schedule yet. So I will make sure I communicate when I know more information.

Mayor Bryan Bequette continued questions asking Mayor Bequette do you know on Test Nebraska thus far, I've been part of it and I get emails, it appears they're only going to direct you to testing if it's symptomatic. Do you see Test Nebraska shifting, where it's going to be more community tests even if you're asymptomatic, just to look at numbers or right now is Test Nebraska going to basically stay with symptomatic folks.

Brueggeman responded and added there was a conversation today that Counties that are not the Metropolitan, so not Lincoln, Omaha, those areas that the State was considering and wanted our input about opening up to more general public and not just asymptomatic but that has not been confirmed yet; we did have that conversation today and there seem to be a lot of support for letting the local health department's kind of decide what or who we test so if it were up to me, there would be no condition of symptomatic or asymptomatic on whether someone gets a test.

Mayor Bequette... moving on to Dr. DeFreece. Dr. DeFreece stated he doesn't have a whole lot of updates in regards to the hospital. We've seen certainly a return to a somewhat normal increase at the primary care clinic as well as our ER has been busy and resumption of elective procedures has gone well. Our pre op testing continues to go well, we are being mindful of the processes to be sure that were not having any positive cases prior to doing any kind of elective procedures. Probably the bigger thing this week we'll resume our ultrasound program. Again we have the pre op screening in place for those patients also as we start to do those procedures again. Right now we seem to be doing fairly well.

Mayor Bryan Bequette asked Dr. Vasa for updates. Dr. Vasa, City Physician, noted no new updates other than the new guidelines are now in place, otherwise it's status quo.

Mayor Bryan Bequette asked Gregg Goebel of Emergency Management for an update. Gregg Goebel noted currently as of this morning Iowa has 19,622 positive cases with 537 fatalities; Missouri

has 13,147 was 772 fatalities; Kansas has 9719 with 208 fatalities. As for the County, when we have our meeting in the morning, the Commissioners will discuss and approve the process for the County to start reopening the Courthouse.

Mayor Bryan Bequette asked Wendy Snodgrass if she had updates from the State; Jeff Kohrs, on updates for the Utilities office. Both were status quo. Kohrs did add we'll be addressing sometime in the future, possibly opening up our facilities, but taking protective measures to accomplish that safely.

Mayor Bryan Bequette asked Marty Stovall on City updates. Stovall added things are status quo. However, did add working towards the ballfields opening now that allowed through new DHM.

Mayor Bryan Bequette asked Andrew Snodgrass on updates for Fire/EMS. Andrew Snodgrass addressed members, he noted on the EMS standpoint, our run volume have been up and down. We started the month really busy and then kind of slowed down but this last week it's really taken off again. We've had a lot more suspected COVID transfers. I'm going to guess probably 75 or 80% of all the transfers we took out of St. Mary's last week, we delivered the patients to COVID specific areas of hospitals, whether that's in Lincoln or Omaha. He believes almost everyone they took to a COVID floor at whatever facility. We haven't gotten results as far as positive results.

Mayor Bryan Bequette asked of A. Snodgrass so you're actually transporting them under COVID protocols into the COVID protocol receiving reception.

A. Snodgrass agreed...he noted if they have any kind of infection/blood counts elevated, they took them directly to COVID floors at St. Elizabeth and Bryan West. I know they had a couple overnight for the same thing. Amazingly, today when we went to Omaha and we did not. That was one of the first few that we haven't actually had a COVID for in probably two weeks. To the best of his knowledge we have not got any positive results on anybody back here from any of those facilities that we've been informed of. On the fire side, nothing new, nothing different.

Mayor Bryan Bequette stated Chief Lacy had to step out of the meeting for a call.

At the Mayor's prompting, Commissioner Wehling provided a brief update by noting it's been a busy three weeks. We're basically ramping up to try to get baseball and softball fields open. With changes that have happened almost every day last week. Going from concession stands not being allowed to be open to now they are allowed to be open with contingencies. We're still trying to figure out the best scenario for the swimming pool. There's been some changes that have come to our attention as of today and yesterday that may change the discussion that's going to happen tonight. Other than that, Andrew has done a real good job helping us out in obtaining some sanitizing solution to be prepared for when baseball and softball games do start and also to aid in the golf course and cleaning keeping the golf carts cleaned and sanitized in between use. He added a lot going on in the parks right now trying to juggle bathrooms opening up and the ongoing discussion in terms of playgrounds and everything else. It's just been a real busy three weeks and we're just now trying to get ahead of it and start opening up tomorrow.

Per Mayor Bequette's prompt, Donna Kruse had no updates for the Library.

Mayor Bequette noted that'll move us on then that's the status update. So slowly increasing the numbers. Seems like we're tracking them and doesn't seem like community spread at this point.

Things opening up. So that moves us onto Tasks. He added, Drew, can you address the highlights of changes not that it's June 1.

Drew Graham, City Attorney, noted probably the biggest change has to do with gathering restrictions; it has moved from 10 individuals to 25. In addition to that, there are a number of types of locations or scenarios that are actually allowed to have more than 25; up to 25% of their capacity. That includes things like auditoriums, stadiums, arenas, the swimming pool, zoo's, anything that is a larger confined space. In addition, parades, carnivals, dances (except for dance recitals), and street dances. Beer gardens are also going to be prohibited. For parades, unless you do the kind of the reverse parade where everything is stationary and the cars are driving past and not exiting their car. Drive-in movie theaters are allowed. I don't know that in the County we have any venues of 1000 people or more, but there are different restrictions for even larger venues, they have to submit a plan as to how they are going to open before they're allowed to open. The same for fitness centers, gyms, high school weight rooms, health clubs, health spas; the number has again been increased to 25 patrons but they still have to maintain the six feet of social distance between patrons. So keep that in mind. Beauty Salons, barbershops, massage therapy, tattoo body art are still required to wear a mask for staff and patrons. So that restriction is still in place but their number has increased to 25 patrons or 50% of the occupancy and they too are required to still maintain the six feet of social distance. Restaurants, bars, taverns, bowling alleys, private clubs, bottle clubs, gentlemen clubs are restricted to no more than 50% of occupancy and no parties of six individuals or larger plus no food consumption at bar seating. Basically if you think about these types of restaurants or bars, no bar games such as pool darts, arcade games, etc. and nothing being shared between parties or tables, no self-service food bars. Based upon the guidelines, all food has to be served to the individual by a server. Weddings and funeral receptions are now exempt from the gathering requirement but they are still limited to the greater of 25 attendees or 50% of the venue. So for a wedding reception 50% of the venue people must still maintain the social distance. Similar to the restaurants, no self-service buffets, self-service food bars, dancing and other activities which require attendees to gather beyond their table where they're eating at are prohibited. So you can have a wedding reception but no dance, no games, no interaction aside from the meal. I don't know that the elective surgery one changed. The big change is related to team sports; it was initially proposed as a youth sports; however, by the time the DHM and some of the guidance came out, it's actually team sports characterized by contact level. The contact levels are non-contact, limited contact, and full contact. Full contact sports are still prohibited. You can read what those are in the State's guidance; however, examples included are basketball, tackle football, soccer and wrestling. Some limited and non-contact sports may begin practices on June 1, which is today, and they may begin games on June 18. That's going to include sports like baseball, softball, and volleyball. There's also some provisions relating to rodeos being allowed; they're going to be limited by the gathering requirements, which would be a, I believe a percentage of the capacity of whatever arena, the rodeo was to be held in. Graham further noted daycares increased from 15 children per room or space to 20 children per room or space. Lastly he noted, this directed health measure became effective at midnight last night and is effective through June 30, unless there's another directed health measure ordered before that.

Mayor Bequette asked Chief if he had an update for the situation? Hearing none from the Chief, Mayor Bequette asked Brueggeman since it's pretty much directed in your Health District, is there any highlights you would like to mention from the directed health measure that's now in effect.

Brueggemann added we have a template planning document regarding the excess of 500 person capacity that's going to be put on their website and distributed; event organizers can then provide

them there information. That way we have a consistent template to use when we're approving plans for reopening events or venues. So that'll be coming out here in the next day or so.

Mayor Bryan Bequette asked question, that'll be the planning document for greater than 500 in your establishment. Brueggemann replied Yes.

Mayor Bequette brought up question on how it's viewed on sports? More discussion is had on whether it's a pick-up game at parks or rec areas due to DHM saying organized or team sports (i.e. basketball, sand volleyball, etc.). Graham added they are still limited by the gathering restrictions; which is now 25.

Mayor Bequette asked question of Graham do we want to cover highlights what the Council is going to be passing as far as resolution tonight; as we talk about the decisions between Commissioner Wehling and the parks and all the different team associations. What the City is basically doing is making sure that our agreements are in place and everything is being handled in a proper manner given COVID. It's also been a good look back at all of our agreements we have in place, have they been updated/refreshed.

Drew Graham provided the update noting we have received a baseline of documents from the League of Nebraska Municipalities to help us in the process of how to best open municipal property for sports. So previously, all of the parks and everything you could not go down there to participate in sporting activities. Now that those restrictions have changed, specifically, the first one that comes to mind and comes up is youth baseball and softball. They do not own the playing fields. The City owns the playing fields; moreover, trying to figure out how to best balance notice and awareness and limitation of the risk on the City. The City is tonight proposing a resolution, which outlines the background of why or how these team sports are now allowable, and some of the restrictions that are still in place, as well as then going forward into the City's response as to how we're choosing to react to that. The proposed response is a collection of documents, including agreements between the City and the organizers of the sports or recreational activity leagues. So in this case, it would be agreements between the City and each of the baseball or softball league or organization, kind of whatever their organization looks like that provides for their use of the facility as well as providing that they are certifying that they're going to follow the State's guidance and all the rules that are in place. It provides that they have been given notice of those rules in the guidance, they're being given copies of it and that they are aware of everything that they need to follow to maintain their right or their privilege to use the municipal fields for their sports. On top of that, we are also proposing an agreement that each participant is going to sign which includes coaches, players, volunteer parents.... If you think about baseball/softball, you have umpires, people who work in concession stands, everybody who is going to physically take part in the activity is going to sign a participant's agreement, which is essentially an acknowledgement and assumption of risk as well as a release for the City. In light of the COVID-19, we just want everybody to be aware, this is still something that exists and by participating in this sport or recreational activity, you are potentially exposing yourself to that risk; moreover the City is not going to be responsible for any illness that comes with that, that these people are taking this risk, fully aware of the risk. So that's kind of the initial response to it. Baseball and softball give us a good opportunity to test out this system and see how it works. If there's changes that need to be made to the documents or the process, that'll give us a way to do that. But that's the proposal at this time.

Mayor Bequette added we're looking at this team sports idea, but... it all makes perfect sense to crush this and roll it out and all that, but it makes me wonder how about things like golf tournaments, golf

leagues. Graham added, so we've talked about it, some of it is not as applicable. For golf tournaments or golf leagues, those would be activities that are put together by the City. So we don't need that facility use agreement because it's our league run at our facility. That said, my recommendation would be that for golf league or if there's an organized golf outing, the participants of that type of setup sign participant agreements. So not necessarily everybody who goes out to golf, if I'm saying golfing individually, but if you're going to come to a golf league where there's a group of people on the course at one time organized, my recommendation would be that we have them sign this agreement. This is meant and it is worded in such a way that it is for group recreational activities. When we started down this road, the documents as originally written, were just recreational activities and made me wonder do we have to go out to everybody who's fishing and get them to sign participants agreement to fish in the park? I think it's worded in a way now that it's only for kind of the organized group activities are the ones that we're really worried about. The City is working in concert with people to use municipal property for sports or activities. Mayor Bequette added, so we're basically saying since we're allowing you to do this officially in a larger group, we're not saying the risk is no longer there. Graham agreed. Mayor Bequette further added, our assumption is people are going to use it on an individual basis or using things throughout the City, it's there to be aware.

Dr. Brad Vasa added let's try to talk about the difference between organized sports and unorganized sports. If it's a contact sport, it still should be prohibited whether it's organized or not.

Mayor Bequette added my view is on the flip side of that if it's a limited contact or non-contact, allow it as a pickup basis because it's the same amount of contact. However, you do not have the coaches, parents, and the umpires helping control it; however, smaller groups in pickup sports anyway.

Dr. Vasa added he agreed with that. It's the non-contact stuff should be the same restrictions. But the contact stuff should still be doesn't matter whether you're playing pickup or not.

Bequette asked if there are any other tasks we need to discuss? Hearing none referred to A. Snodgrass on logistics.

A. Snodgrass noted he had mentioned last week that we're scheduled to get our masks in; they're actually supposed to be here on Thursday. He has been working closely with the vendor. Something happened with one of the terminals. Vendor emailed me actually just a couple hours ago and stated UPS is working on it. They don't know it's some kind of delay outside of their control. They don't know if it was a protest related delay or what. He was hoping to have another email back before the meeting. Vendor is trying to get it to us as soon as possible; it's in US, in Kansas actually so just waiting on delivery.

Mayor Bequette asked of Snodgrass if any of the departments or is anybody critically short on anything? Snodgrass replied not that he is aware; he received a shipment of hand sanitizer on Friday. He added he got a couple of extra jugs just in case any of the department's run low prior to the next delivery.

Mayor Bequette noted, kind of under logistics, I know a lot came out from the State last week. They're still trying to digest it on the financial front. Trying to figure out all the money on how it's going to come through the State; all the many different pots it's going to go into in different categories in the distribution and disbursement. I think we're doing a good job tracking and they're putting out more guidance as to what some of that gray area is and what is a relatable COVID expense and that stuff.

A. Snodgrass stated Marty received an email. I don't recall what day it was last week. We talked about it briefly but we're still kind of waiting, I can't remember exactly. Marty interjected noting there is more guidance coming on how that was going to be handled. It wasn't quite passed just yet.

Mayor Bequette asked if there were more questions from anybody on logistics? Then moved on to communications. He added we'll keep meeting; he recommends we'll see how the DHM goes this week being implemented across the City so we can meet next Monday night again. He continues to have discussions with Marcus at 9 on B 103. I know the County is still doing the Otoe Unified Command meeting Tuesday mornings at 9:00. This week should be the Mayor's week with the Governor on Wednesday afternoon, as well. Any other communications or things that we should get out? Wendy? I didn't get to Patty. Sorry. I didn't see it and didn't forward the issue about gloves and putting that up on the website. Mayor Bequette asked anything else from the board on logistics or communications? Anything in general from the board.

David Lacy asked of Mayor Bequette, on that resolution, he understands the guidelines from the State, but we're asked to go above and beyond that is that that's something that the local Health Board should put our blessings on before it becomes a resolution. He has a feeling we are putting a few more restrictions as to what the State has allowed. I mean, I don't know if this is done Statewide now through the League.

Drew Graham added, the only restrictions that we're placing that the State doesn't is the signing of the documents as far as the activities and the manner in which they are going to operate on municipal property that all comes directly from the State guidance which is reflected in here and included as a part of the DHM so it is order. Due to them referencing it in the DHM and attached it, the newest DHM actually includes the sports reopening guidelines. On the back of it, it is considered a part of the DHM document.

Mayor Bequette added the resolution is not going to publish anything more restrictive or change the procedures that the State has put out except for adding bureaucracy to it; the City needs to make sure liability wise because we are sanctioning saying yes, you can start using our facilities for team sports. The risk is 100% still the same. He asked anything else for the board or virtual attendees.

There being no further business, the meeting was adjourned at 5:42 PM.


Patricia Moore, Deputy City Clerk-Treasurer