

**Minutes of the Nebraska City Board of Health
November 2, 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 at 5:00 PM on Monday, November 2, 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 5:00 PM. The Mayor publicly stated to all in attendance that he is 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. If you are listening in via the zoom platform please keep your microphone muted; if you wish to make a comment, 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 (A. Snodgrass), there is a comment from one of our virtual attendees. When you speak please state your name and address.

Upon roll call the following answered present: Wendy Snodgrass (W. Snodgrass), David Lacy, Greg Goebel, Dr. Brad Vasa and Mayor Bryan Bequette. The following City Officials were present as well via zoom and in person: Interim City Administrator Marty Stovall, City Attorney Drew Graham, Utilities General Manager Jeff Kohrs, Library Director Donna Kruse, Fire Chief Rob Schreiner, Finance Commissioner Gloria Glover 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 October 19, 2020 meeting minutes. Dr. Brad Vasa moved to approve the meeting minutes of October 19, 2020 as provided. W. Snodgrass seconded the motion. With no further discussion, upon roll call the following voted YES. Gregg Goebel, David Lacy, W. Snodgrass, Dr. Brad Vasa, Greg Goebel and Mayor Bryan Bequette. Voting NO: None. Motion carried.

Mayor Bequette 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. Mayor Bryan Bequette asked Grant Brueggeman, Director of the Southeast District Health Department for an update. Grant provided an update noting as of right now the State is at 71,666 cases and 654 deaths. He added at the district level we are at 780 cases; an additional 20 will be reported by the end of the evening. This past week we had 114 new cases; two week prior had 82 and last week we had 62. We are seeing a continued upward trend that the State is experiencing as a whole. Hospitalizations across the State continue to trend upward at a very dramatic rate. Right now the DHHS dashboard, 32% of the hospital beds are available, 30% of ICU beds, and 77% of ventilators are available. Hospital capacities are expected to continue to plummet. We will be in dire circumstances in a few weeks unless there are changes across the State.

Mayor Bequette prompted Dr. DeFreece on a hospital update. DeFreece noted he would like to echo what Grant stated. On a State level seeing a significant increase in hospitalizations that are COVID related, they are not seeing as a dramatic increase in the ICU's and Ventilators. He feels that's

because of treatment changes. He added the problem with the bed's filling up is it doesn't allow them to have beds available for our non-COVID sick people. The respective hospitals are trying to work together to mitigate the situation. Then you add the nursing shortage around the State and the Country, it just compounds the situation further. You'll see some information come out on a reduction in surgery. A lot of the hospitals on their own are reducing their surgeries that will require a bed; same day surgeries are not that big a deal as in regards to beds. Dr. Anthone with the State has been great working with the health systems; allowing hospital systems to try and manage it themselves without putting in drastic health measures that can really cripple the industry and limit their ability to take care of people. Locally we are doing well. They are definitely seeing an increase in cases; mainly outpatient cases in the clinic. We are helping our sister hospitals in Omaha and Lincoln and are willing to continue to do so. Mayor Bequette asked if TestNebraska is still Wednesday's from 10-12? Dr. DeFreece noted they just re-signed their contract with TestNebraska; so yes, they will continue that. They've put up a tent on the East side of CHI as it gets colder. All other local Cities are continuing their testing as well. They do prefer online sign ups with QR code.

Mayor Bequette asked Dr. Vasa to provide an update. Dr. Vasa noted the numbers are up, he doesn't believe there is any dispute to that. He brings up idea of having a City Policy that says if you are dealing with the public you need to wear a mask or be 6' away. It's a potential source of exposure both directions. If we put that policy in place it doesn't mean you have to wear a mask, it's one or the other. He adds he doesn't like a mask mandate for the public but as an employee for the City that's a whole different ballgame. He further noted it is his understanding we have handled it by putting up tables, barriers, etc. It just needs to be the rule; if you can't do it then wear a mask. He noted he just has a recommendation that the City Council do that. He asked do we make a motion as a Board and recommend that a policy is instituted along those lines. Mayor Bequette advised we would forward it to the Council. Grant advised he would agree what Dr. Vasa said when prompted by Mayor Bequette on 6' barrier versus mask. Dr. Vasa reiterated it's either A, B, or C. If you can't be behind a barrier or 6' away, then wear a mask. He added you want it to be open-ended and not do a policy that requires a lot of policing of it; it's a reasonable policy to entertain. Discussion is had on the impact this might cause for 1st responders. Mayor Bequette advised let's take up the issue in tasks after we have gone through situation updates via departments.

Mayor Bequette asked Gregg Goebel for an update. Goebel advised as of 3:00 today MO had 188,186 positive cases, 3,031 deaths; IA had 132,106 positive cases with 1,738 deaths; Fremont County specifically is at 229 positive cases which is a 51 increase in 2 weeks. KS had 89,227 positive cases with 1,046 deaths.

Mayor Bequette asked W. Snodgrass if she has an update from the State. Wendy noted DHHS urges all Nebraskans to avoid the three C's to help slow the spread of the virus (i.e. crowded spaces if you can't maintain 6' of social distancing; close contact wear a mask or maintain 6' of distance from people not in your household; and confined spaces – avoid spaces with poor ventilation). She added Governor Ricketts gave an update on the Vaccine. She noted they are going to roll that out in a couple of phases (healthcare and at risk groups is phase 1; 2nd phase will roll out to the wider population whenever vaccine doses are available). There is no date on arrival yet; however, would like to roll it out at no cost or perhaps just an administration fee. With winter coming up, DHHS to deploy COVID-19 testing pods. Round 2 of the CARES Grant funding is going out; eligible organizations that didn't receive funding in round 1. You can go online to find the guidelines on how to apply for that. She further advised that Governor Ricketts has a new Executive Order on the Open Meetings Act; Drew can advise. She reiterated what Dr. Vasa noted on maintaining distance, etc.

Mayor Bequette asked Chief Lacy if he has anything new to report. David Lacy reiterated they are continuing status quo. He did compile his records for monthly calls; they are still around 1,000. COVID is not slowing down the public for their need for law enforcement. They are still dealing with the same numbers as they were prior to COVID.

Mayor Bequette asked Marty Stovall for an update from the City. Marty advised all departments are operating as they have been. He added we do have one employee who was had a close contact so is quarantining for 14 days. As of the last BOH meeting we discussed a need for plexiglass for patrons at the golf course pro shop; they have set up a table for distancing and installed a shield.

Mayor Bequette asked Jeff Kohrs to provide an update for Utilities. He noted procedures continue as they have been. They do have 1 confirmed positive employee and 1 employee who had close contact so he is under quarantine.

Mayor Bequette prompted Rob Schreiner for an update with the Fire Department. Rob noted if the City does go to mandated masks they will have some obstacles they will have to overcome. They will need fire rated masks. He advised he will get with Andrew to discuss no mask hoods. They did have a fire yesterday; as he was looking around they did have some close contact with other communities so he will have to figure something out. Per question from Mayor Bequette, Rob noted they have a no mask hood that will probably work but they will have to get some new masks because carcinogens are still in the hoods themselves; they are going to have to step up their cleaning procedures. Nomex Hoods is the term for the no mask hood; they are fire resistant.

Mayor Bequette asked A. Snodgrass if he wished to add anything for Rescue. A. Snodgrass noted from the City side of things as all medical individuals have alluded, hospitals are getting full so they have definitely seen a rapid decline in intercity transfers over the last few weeks due to lack of beds. He is also seeing people released and having recurrences and back in the hospital. Creative solutions will be needed in the future between hospitals.

Per prompt of Mayor Bequette, Donna Kruse advised the Library is status quo and are still serving the public. She encouraged all to renew their Library cards.

Mayor Bequette moved the meeting to tasks. He prompted Drew to provide an update. Drew noted there is no change with the DHM but the Governor did issue Executive Order 20-34 which is a much more limited waiver for Open Meetings participation. He went over item number 2 under the declaration of the Order. <https://govdocs.nebraska.gov/docs/pilot/pubs/eofiles/20-34.pdf>. For those who are quarantining the minutes must note the manner of vote that takes place. Mayor Bequette asked Graham question; you said if they were directed by their local health department, does that have to be documented. So it can't be a Board member or elected official that says my son or daughter is home with it so I'm supposed to quarantine per the DHM. I'm just doing it. Does there have to be an email or documentation? Graham advised and reiterated noting what number 2 of the Executive order states "Elected officials who have been ordered to quarantine or isolate by the local public health agency due to exposure to COVID-19, in conformance with guidance from the Nebraska Department of Health and Human Services". In Graham's estimation that reads somebody who is quarantined or isolated under the DHM so that would include close contact. So if you are quarantining due to close contact then this waiver would be available to you. This would be all public bodies under all public meetings (i.e. all committees of the City, sub-committees, etc.). The Executive Order took effect October 30 and runs through December 31, 2020.

Mayor Bequette prompted Dr. Vasa on his task item discussed earlier. Dr. Vasa reiterated he believes we should have some City policy that says when you are dealing with the public you will need to follow A,B, or C. But will have to allow for emergencies, etc. If a Police officer is dealing with an acute situation they would act first and put mask on later. That should be the exception instead of the rule. He worries about a large fire and 1 tests positive are you going to have to quarantine all 45 of them. Put masks on or be 6' apart. More discussion is had by Dr. Vasa on same concerns. He asks Chief Lacy if he'll get push back. Lacy advised he didn't believe so but added a few believe it's intrusive. Greg Goebel agreed with Dr. Vasa on what they are seeing in the County and the overall district. He added the numbers are going up. Chief Lacy asked Mayor Bequette his thoughts on this Board or the City itself on cross training employees between departments; noting specifically more of our City clerical work. For Fire Department, he knows they have several good volunteers. Moore advises she doesn't believe it's a good idea to be cross training between departments; she adds we are already cross trained in our own department and set up to work from home if need be. Lacy noted he didn't mean specific to our duties but a face to answer to the public.

Mayor Bequette stated on the City policy if you are interacting with the public are we going to have a time limit on that and by a, b, c do you mean you've got to be able to maintain social distancing of 6' and nothing else is required, or you've got to have a barrier. If you can't social distance or the barrier then you need to have a mask on. He asked is there a duration on that or not. Dr. Vasa added you've got to put an exemption in there for emergency type situations. You want to try and change the behavior. Dr. Vasa asked Graham if other Cities have these policies in place? Graham advised from our standpoint as an employer, he doesn't know. He would imagine there are Cities that have a policy to address their employees; they have looked at it more on the public side. Mayor Bequette brings up the Courthouse policy. Greg advised it's not mandated that patrons coming in wear a mask, they are asked to wear a mask. The employees inside the facility have been asked on their own accord to mask if they come within 6' of a customer coming into the building if they cannot social distance or stay behind the barriers. For the most part they have been doing that. Mayor Bequette brings up the point with it already being guidance in the DHM and it already being well known and wide spread, us putting another policy on top of it then the question becomes if they choose not to then it's a disciplinary action. Dr. Vasa believes it's a reasonable expectation since you represent the City when you are interacting with the public. Mayor Bequette asked question of Marty and Jeff on whether there are instances that employees interact with the public that don't have a barrier. Stovall advised the golf course was the last one but a barrier has since been put up; he added can I say we are totally 6' away, no. He added in the daily routine of the office, EMS folks, fire staff moving from one station to the next. Mayor Bequette advised but that's for short duration. More discussion is had by Vasa on liability side and reasonable expectations. Mayor Bequette discusses emergency responders and not wanting masks to hinder their roles but if they are rolling hose etc. then yes if can't social distance they should wear masks. Building inspector position brought up; Stovall advised he carries a mask with him. Dr. Vasa added so you are saying a policy wouldn't improve anything because it is already being done. Mayor Bequette advised he believes it is already being done; he doesn't know if instances where a policy would necessarily make it be done even more. W. Snodgrass brought up is it more just to reinforce between employee to employee within a department if we are maintaining distance with the public. Just a reinforcement of the guidelines; it's not mandatory but it's good practice. Mayor Bequette advised we could definitely put something out like that. If we make it a hard fast policy then you have to look at 2nd and 3rd order effect. This Board could recommend to the Council to have City Manager, Utilities Director, and City Attorney draft something. Dr. Vasa added right now it's an expectation not a requirement, right. More discussion is had on numbers increasing, reminders being put out, complacency, etc. Mayor Bequette asked

Graham what is short of a policy? Graham advised a motion to recommend to the Council to take additional action on this front short of a policy; put out a reminder to make a concerted effort to publicize; to be sure to follow these recommendations and these guidelines for these reasons; best practices. In the legal field you have guidance or best practices; something along that terminology. Dr. Vasa stated an expectation versus a policy. Mayor Bequette noted publish a letter to City employees; Graham advised that's fine. Goebel advised as far as information to put out to employees on the proper standards and what's needed, etc., Grant and his team at the SE Health District have been putting out updates daily with that exact information. Dr. DeFreece asked would the BOH consider putting out a similar statement in conjunction with the health department and CHI St. Mary's encouraging our whole population to follow what Dr. Vasa has said. It would be a co-produced collaboration. Brueggeman advised he could help create that message.

Mayor Bequette made a motion to recommend to the Council to publish a letter to the City population as well as to the employees highlighting the need to follow guidelines to hopefully slow down the spread. Consider a co-published statement with the Southeast District Health Department and CHI St. Mary's as cases are up in the Southeast District. Dr. Brad Vasa seconded the motion. With no further discussion, upon roll call the following voted YES. Gregg Goebel, David Lacy, W. Snodgrass, Dr. Brad Vasa, and Mayor Bryan Bequette. Voting NO: None. Motion carried.

Mayor Bequette asked if there are any other tasks or logistics. For logistics Andrew advised we submitted the reimbursement for the presumptive pay; we received the notification they have everything and rep has advised all looks good. For communications, Goebel advised their Unified Command meeting will be on Friday at 9:00 a.m. due to the events that are happening this week. The next Board of Health meeting will be two weeks from tonight, Monday, November 16, at 5:00 p.m. Mayor Bequette recalled he had another task, per the DHM, if you have essential personnel, and they need to quarantine because of close contact, and you can't afford to not have them do their job, they're essential, they can come to work and perform those duties. He advised right now the City doesn't have a published policy that allows us to have that essential person come in and perform that duty even though they should be under quarantine. Andrew is going to draft the policy and have it available for review at the next BOH meeting prior to forwarding to the Council.

There being no further business, the meeting was adjourned at 5:49 PM.



Patricia Moore, Deputy City Clerk-Treasurer

