

CITY OF POCATELLO, IDAHO
SPECIAL CITY COUNCIL MEETING
HEALTH EXPERTS/COVID-19
JULY 16, 2020

ROLL CALL The Special City Council meeting was called to order at 9:04 a.m. by Mayor Brian Blad. Council members present were Heidi Adamson, Roger Bray, Rick Cheatum, Linda Leeuwrik, Claudia Ortega and Chris Stevens. Also in attendance were Mayor Steve England, City of Chubbuck, Doug Howell, School District No. 25 Superintendent, Rex Force, Idaho State University, Dr. Jacob DelaRosa, Chief Medical Officer for Portneuf Medical Center, Kathy Olson, retired nurse, Shaun Menchaca, Portneuf Health Trust CEO, Mark Gregerson, Interim Chief Executive Officer for Portneuf Medical Center, Dr. Ron Solbrig; Dr. Luis Fernandez, Dr. Jonathan Cree, and Maggie Mann, Southeastern Idaho Public Health Director. Dr. Ken Newhouse joined the meeting via Go To Meeting. Stephen Weeg was present as moderator for the meeting.

Mayor Blad stated that the meeting was being held to receive information from local health experts to help City Council develop an emergency health plan for the City. Mayor Blad turned the meeting over to Mr. Weeg.

Mr. Weeg asked for comments regarding an Emergency Health Care Plan for Pocatello.

Dr. DelaRosa clarified he is in full support of the Public Health Emergency ordinance that was proposed on July 9, 2020. As COVID-19 cases continue to soar across the United States, he feels masks are more critical than ever. Research regarding the positive outcome of mask use was shared. Dr. DelaRosa encouraged the use of masks and also social distancing.

In response to questions from Council, Dr. Delarosa explained he has been wearing a mask every day for 25 years and it has not given him any concerns about his health. He noted that there are concerns with masks for people who have asthma. But for the most part, masks are safe to wear.

Dr. Fernandez clarified he supports wearing masks in public places. He feels masks decrease the spread of disease. The number of COVID-19 cases in Idaho are increasing. As the schools are opened there must be a well-planned process since children can bring back COVID-19 to their family.

In response to questions from Council, Dr. Fernandez clarified that masks keep droplets from spreading. He is trying to protect others by wearing his mask and feels there is a lot of misinformation out there. Social distancing and mask use provide an extra layer of protection.

Ms. Mann gave a brief overview of the District's activities as related to COVID-19. In January the District was notified of the pandemic and they have participated in a weekly call since that time. Ms. Mann noted an internal response team was created to build a response to the pandemic. In March Portneuf Medical Center staff invited local representatives to a meeting to start discussion of a unified Command Team. The Command Team was formed to bring resources together to be unified in the endeavor to curb the pandemic. Ms. Mann acknowledged Pocatello Fire Chief Dave Gates for his involvement in the Command Team planning. Publications from the Command

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Team/District Health was shared with the Council. School based groups and health care groups have also been involved.

Ms. Mann shared her concerns that the small number of COVID-19 cases in our area at this time could increase very quickly. Delivery of care in our hospitals if the number of cases increase will impact those that need other services not related to COVID-19. She noted that information is changing every day because they have only known about this virus for seven months. Ms. Mann added that her understanding of the virus has increased as more information about the virus is known. School attendance and keeping the economy going are taken into consideration when discussions are held.

Ms. Mann noted that Governor Brad Little appears to be transitioning the guidelines to the regional level. She is working with District 7 because the two areas are interconnected. Ms. Mann shared the draft COVID-19 Regional Response Plan by District 7 and hoped it will help Council with questions regarding a health plan for Pocatello. She walked the Council through the draft Plan guidelines.

Mr. Weeg mentioned if the Health District adopts their proposed Regional Response Plan and Pocatello moves from the “Green Risk Level” into the “Yellow Risk Level” category – the City would need to adhere to the Response Plan guidelines.

Ms. Mann explained that public health districts were created by the Idaho Legislature to monitor public health issues. Idaho Code 39 Chapter 4 states the district health department will provide the basic health services of public health education, physical health, environmental health, and public health administration. Ms. Mann noted this also includes quarantine, if necessary. She has always tried to work with people on a volunteer business. The last quarantine incident was a tuberculosis issue. Ms. Mann gave an overview of the uniqueness of the COVID-19 virus and how it is spread. Communication efforts and education regarding the virus have been disseminated in the community. Various ways related to how information is disseminated to notify the public was shared.

Mayor Blad noted the City has put out over 1,000 posts in the media regarding the pandemic. The City’s Public Information Officer has released information to the public regarding COVID-19 issues.

Mr. Force reported a student living in one of the dormitories at Idaho State University (ISU) has been diagnosed with COVID-19. The student appears to have contracted the virus while visiting Lava Hot Springs.

Dr. Cree stated that he represents a majority of family physicians. They would like the City to recommend mask use in public spaces, etc. Dr. Cree feels the community needs the help of the City Council to help keep things open. He agreed the most challenging tools are social distancing, handwashing and masks. Dr. Cree mentioned he does not feel safe from those that do not wear masks.

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Dr. Solbrig shared a medical study involving animals and mask use. The study's outcomes show that animals using masks were less likely to be infected. Dr. Solbrig explained the more virus you are exposed to the more likely you will be infected. He wears a mask indoors whenever he is in contact with individuals. Individuals in other countries have been wearing masks for years. There has not been a safety issue with wearing masks for long periods of time. Dr. Solbrig feels wearing any type of mask is better than not wearing a mask at all.

General discussion regarding concerns with mask usage and the effectiveness of masks followed.

In response to questions from Council, Dr. Solbrig explained he is still running data to see if COVID-19 can be detected through a city's sanitary sewage system. He mentioned a study that took place in a city that detected the virus in sewage six days before there was an outbreak.

Dr. Newhouse explained he has been a surgeon for 27 years. However, this is everybody's first time to deal with a pandemic of this type. He agrees that wearing masks does help prevent the spread since everyone who gets the disease has the opportunity to spread it to other people. Dr. Newhouse noted that 25 states in the union are requiring mask use. Wastewater is one indicator that may help predict where the virus is coming from. Dr. Newhouse hopes by identifying an increase of the virus through the wastewater system, the information could be used as a public warning system.

Mr. Weeg mentioned the wastewater testing could be another tool in the box to help with the health plan.

Mr. Gregerson shared a brief history of the virus' impact to hospital facilities in other areas and he feels there is an amazing group of resources in Pocatello to manage COVID-19. Mr. Gregerson has discussed these issues with other hospitals and the hospitals are doing everything possible to be prepared for the community's needs. Testing challenges for COVID-19 was shared. Mr. Gregerson mentioned the hospital is in support of mandating masks and are preparing for a surge of patients at the hospital if necessary.

In response to questions from Council, Ms. Mann explained the Board of Health must vote to adopt the plan and they are currently working within the parameters of open meeting laws. Since all members of the Board need to participate in the vote it may be the last week of July before a decision will be made. Ms. Mann noted that Pocatello is in the "minimal risk/green" level in the draft Regional Response Plan at this time.

In response to questions from Council, Mr. Gregerson explained the hospital is getting full because summer is typically a busy time. He noted hospital staff keep COVID-19 patients and other patients separate during their stay at the hospital.

Mr. Weeg noted there are a couple of levels in the draft Regional Response Plan. He suggested the community be directed to follow the items outlined in the minimal risk/green area of the Plan. How to accomplish that and the roles of various players in the community will need to be

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established. Mr. Weeg suggested that the City could model their plan from the Regional Response Plan. Pocatello can be more restrictive if they choose to and requiring masks can be one of the restrictions.

Mayor Blad called for a recess at 11:17 a.m.

Mayor Blad reconvened the meeting at 11:39 a.m.

Mr. Weeg asked for further comments regarding an Emergency Health Care Plan for Pocatello.

Ms. Olson explained that she was a nurse for 44 years. It has been her career to help people to do things to stay well that they often do not want to do. She feels masks are a very important issue for the community and if businesses require customers to wear masks it will help keep the virus limited. Ms. Olson also feels if students get used to wearing masks now, once school starts in August it will help make the transition easier.

Mr. Howell explained the School District's plan closely aligns with the Health District's draft plan. He noted the School Board will meet next week to consider adoption of the plan. Mr. Howell mentioned they have a survey out to the community and school staff regarding guidelines to open the schools. Personal protective equipment for staff has been purchased. Mr. Howell explained teachers try to build a relationship with children and it is difficult with a face mask covering. That is why they have opted to use face shields. Schools are not meant to be physical distancing. However, they are making arrangements to make the learning areas more friendly for distancing. Athletics in the school (indoor and outdoor) was also discussed. Difficulty to enforce measures identified in the plan will be a challenge. Mr. Howell noted the next 6 weeks will determine what the District will implement when school returns.

In response to questions from Council, Mr. Howell reviewed the School District's recommendation to open up the schools. Teachers are considered essential workers and the District will look at the best measures to protect teachers and students while allowing learning to continue. Mr. Howell noted they are trying to work cooperatively with parents and students.

In response to questions from Council, Mr. Force explained ISU campus guidelines for athletes and students. He noted they are working on a process for professors if a student refuses to wear a mask to class. Mr. Force shared that ISU has been dealing with COVID-19 cases since the first case was diagnosed on their Meridian campus in March. Staff has analyzed the full campus footprint to determine how to move forward during the pandemic. Mr. Force mentioned he appreciates the City Council allowing discussion from health experts. Pocatello's citizens will be directly affected by any decision the Council makes regarding a plan to deal with pandemics in our community.

General discussion regarding testing for students and measures to help limit exposure of the virus when students return to the community was held. Education efforts for the community as accurate information regarding COVID-19 becomes available was also discussed.

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Mr. Weeg encouraged the conversation to move from the education component to the action component of a plan. The following suggestions were given by Mr. Weeg: 1) Implement mandatory mask use; 2) follow the draft Regional Response Plan developed; or 3) develop a City Emergency Health Plan using the District Health plan as a model. He mentioned coordination among entities has been an important component of the discussion and the City's Public Information Officer can be utilized to provide information for the public and help create a structure for the leadership to continue the discussion. Mr. Weeg added that what we know about COVID-19 today may be different than what is known in two weeks. He suggested a smaller group be used to put ideas together and bring their ideas back for discussion. Mr. Weeg encouraged Council members to thoughtfully consider the options he has given.

Council debate regarding mandating masks in private businesses in addition to public places followed. It was noted that some retailers have announced that their customers must wear masks to shop at their store. Debate regarding government mandate vs. a business owner's requirement for customers to wear masks continued.

In response to questions from Council, Jim McCoy, Police Major, explained a mandate to wear masks will be unenforceable since a person can just say they have a breathing problem. Mr. McCoy shared his concerns regarding officers getting into a use of force situation over someone wearing a mask. His officers always try to work toward volunteer compliance when enforcing other laws such as wearing seatbelts, cell phone use, etc. Mr. McCoy feels the mandate will disable their 911 dispatch with calls regarding mask use. They do not have the staff or manpower to monitor these types of calls. He noted that Officers will focus on mask use education if a mandate is passed.

In response to questions from Council, Jared Johnson, City Attorney, clarified that this meeting is to discuss an Emergency Health Plan for Pocatello and it is not appropriate to adopt a plan at this time. A resolution is for guidance purposes only and does not have enforcement capabilities like an ordinance does. He also noted that since the City does not have Business Licenses, the criteria of what constitutes as a business would be have to be identified.

General Council discussion followed with suggestions for appropriate resolution wording for an Emergency Health Plan for Pocatello continued.

A motion was made by Ms. Adamson, seconded by Mr. Cheatum, to instruct Legal Department staff to prepare a resolution encouraging the community to review the Southeast Idaho District Health Regional Response Plan and to consider the recommendations outlined in the Plan.

Council discussion asking for clarification of the motion to recommend that the public simply review the Health Plan and not mandating the public to follow the Health Plan followed.

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Ms. Adamson's motion was voted upon at this time. Upon roll call those voting in favor were Adamson and Cheatum. Those voting in opposition to the motion were Bray, Leeuwrik, Ortega and Stevens. The motion failed.

A motion was made by Mr. Bray directing Legal Department staff to develop a resolution that demonstrates the urgency to wear masks and that the resolution include: a) the Southeast Idaho Regional Response Plan, if approved, and b) indicate that the City Council has the power to mandate masks if the health indicators say we should.

Ms. Stevens seconded Mr. Bray's motion and asked the motion be amended to include – that the resolution wording be based upon the guidelines as outlined in the Southeast Idaho Regional Response Plan based upon bullet points in the "draft" Health District's Regional Response Plan and that City Council reserves the right to enact an ordinance.

Mr. Bray feels Council does not need all of the wording for the resolution in the motion. The wording related to the Southeast Idaho Regional Response Plan will be included in the resolution when drafted by staff. However, he does want to have the word "urgency" in relation to the situation included.

Council debate regarding a resolution vs. an ordinance in order to enact an emergency plan that may require masks be worn followed. It was noted if Pocatello moves into the "yellow area" as outlined in the Southeast Idaho Regional Response Plan, the listed requirements in the Plan to will go into effect.

A motion was made by Mr. Bray, seconded by Ms. Stevens, to instruct Legal Department staff to create a resolution that demonstrates the urgency to wear face masks, educate the population about face coverings and the negative impacts that may come by not wearing a mask and stress to the public that Council is doing a resolution to stave off more stringent restrictions requiring individuals to wear masks.

Council discussion regarding businesses in the community that are requiring mask use in their facilities and the challenge to implement mask use throughout the community continued. It was mentioned that healthy habits could also be an important aspect of staying healthy and not the use of masks only. Health officials in attendance support mask use and several businesses in the community have announced that masks must be worn in their facilities.

Mr. Bray clarified that his motion will give latitude and longitude to create a resolution that should include the draft Southeast Idaho Regional Response Plan and comments received from medical officials today. He would like Legal staff to draw from these comments when drafting the resolution. Mr. Bray noted that he is only asking for two things – 1) demonstrate that an emergency exists and 2) there is a follow-up plan that can be taken if necessary.

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Mr. Weeg clarified the actual resolution wording is not being determined at this time. A vote by the City Council will be on the creation of a resolution only.

Council continued to debate the wording of the resolution and what direction they would like Legal staff to include while preparing the resolution. It was suggested that bullet points outlined in the Southeast Idaho District Health Regional Response Plan could be included in the resolution.

Mr. Weeg reviewed the discussion and reminded Council the meeting is to receive information from local health care experts to help the Council develop an emergency health plan for the City. 1) there is in front of Council a serious health and economic risk in our community that requires action on everyone's part; 2) there are five or six actions in the "draft" Plan and if everyone takes these actions including businesses, individuals, etc., these actions can reduce the risk in our community and economy. 3) Wearing masks is a very important component and we can minimize the risk in our community by working with the Health District, School District, ISU and Bannock County to move toward recovery from the pandemic.

Council continued to discuss additional wording for the resolution. Council would like the resolution to be considered on August 6, 2020.

Mr. Bray withdrew his motion.

A motion was made by Mr. Bray, seconded by Mr. Cheatum, to direct Legal Department staff to create a resolution communicating the urgency to use face masks as part of the components listed in the Southeastern Idaho District Health Regional Response Plan and empower the City Attorney to create a resolution based upon the conversation Council has had in this meeting.

A motion was made by Ms. Stevens, seconded by Ms. Adamson, to direct Legal Department staff to create a resolution that conveys the urgent need for individuals and businesses to follow the Southeast Idaho Health District Regional Response Plan with the measures as outlined in the Plan which include mitigation strategies.

Mr. Bray withdrew his motion.

Ms. Stevens' motion was voted upon at this time. Upon roll call, those voting in favor were Stevens, Adamson, Bray, Cheatum, Leeuwrik and Ortega.

Mr. Johnson clarified the resolution wording will rely heavily on the adoption of the Southeast Idaho Health District Regional Response District Plan by their Board.

Mr. Weeg mentioned communication with the community through the full Health Plan process will be critical. He feels discussion at this meeting was a step forward in making a positive statement for the community.

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General discussion to designate who is going to be the contact point was held. Mayor Blad is already on the weekly phone call with Health Department officials. It was mentioned the individuals in attendance today could be invited to a future meeting for additional discussion. It was noted that Mr. Gates helped the group in the initial stages and perhaps he could be instrumental to bring the players back together for future meetings.

General discussion was held regarding meetings going forward to share information. It was noted that it is essential to keep key players discussing the topic. These key players include: County Commissioners, School District No. 25 representatives, ISU representatives, Mayors, Chamber of Commerce representatives and Fort Hall representatives. Working toward a consistent message in the community is an important component.

A Special Council meeting will be held August 6, 2020 at 2:00 p.m. to allow City Council to discuss appropriate wording for the proposed resolution.

The “DRAFT” Southeastern Idaho Public Health COVID-19 Regional Response Plan is attached as a permanent part of the minutes (see Attachment “A”).

ADJOURN Mayor Blad adjourned the meeting at 2:22 p.m.

APPROVED BY:

BRIAN C. BLAD, MAYOR

ATTEST AND PREPARED BY:

RUTH NEWSOM, CITY CLERK, C.C.