



MINUTES from the EMERGENCY MEETING OF THE BOARD OF HEALTH

November 27, 2020 - 8:00 AM.

Fremont Municipal Building, 2nd Floor Conference Room
400 East Military, Fremont, Nebraska (attendance is limited) and Zoom

EMERGENCY MEETING MINUTES:

1. Meeting called to order – Open Meetings Law. The Emergency meeting of the Board of Health Board was called to order by the Mayor and it was stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.
2. Roll call. Roll call showed Mayor Getzschman, Council President Jacobus, Doctor Seitz, and Chief Elliott present. Four members present.
3. Consider COVID-19 control measures, including mandates, directives, and enforcement actions. Council President Jacobus handed out a document and made a motion to have it received into the public record; Elliott seconded the motion. Ayes: Getzschman, Jacobus, Seitz, and Elliott. Motion carried 4-0. The board discussed the number of COVID-19 cases, hospitalizations, and deaths and debated the use of face coverings. City Administrator Newton passed out a draft Community Health Directive that required face coverings in premises open to the general public for the Board to consider. City Attorney Travis Jacott said the reference to City Code needed to be amended. Council President Jacobus made a motion to have the draft received into the public record; Seitz seconded the motion. Ayes: Getzschman, Jacobus, Seitz, and Elliott. Motion carried 4-0. Council President Jacobus made a motion to amend the Community Health Directive to strike the following sentence, "unless the person can maintain a minimum of six (6) feet of separation or social distance at all times from anyone who is not a member of the person's household," to change the effective date from December 1, 2020 to November 28, 2020, and to change the reference to Fremont Municipal Code from Chapter 6, Article 6, Section 6-501 to Section 4, Section 4-601; Seitz seconded the motion. Ayes: Getzschman, Jacobus, and Seitz. Nays: Elliott. Motion carried 3-1. Seitz made a motion to approve the amended Community Health Directive; Jacobus seconded the motion. Ayes: Getzschman, Jacobus, and Seitz. Nays: Elliott. Motion carried 3-1.

The Board agreed to meet in one week (December 4, 2020) to see how the Community Health Directive was working and if they should consider recommending additional mandates or enforcement actions to City Council.

4. Adjournment. Motion made by Jacobus; seconded by Elliott to adjourn at 8:56 AM. Ayes: Ayes: Getzschman, Jacobus, Seitz, and Elliott. Motion carried 4-0.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA BOARD OF HEALTH FOR NOVEMBER 27, 2020.

Mayor Scott Getzschman, Chair

CITY OF FREMONT, NEBRASKA
COMMUNITY DIRECTED HEALTH MEASURE #2
November 28, 2020

WHEREAS, The Novel Coronavirus (COVID-19, also known as severe acute respiratory syndrome coronavirus 2, or "SARS-Cov-2") has dramatically impacted the citizens of Fremont, Nebraska; and

WHEREAS, Pursuant to Nebraska Revised Statute Section 16-238 and Fremont Municipal Code Chapter 4, Article 1, Section 4-101, the Board of Health is authorized to promulgate rules and regulations concerning infections and contagious diseases in the city; and

WHEREAS, The Chief Medical Officer and Director of Public Health for the State of Nebraska, Gary Anthone, MD, issued Directed Health Measure Order 2020-3RHD-015 on November 24, 2020 concerning COVID-19, which includes Dodge County; and

WHEREAS, The Fremont Board of Health makes the following findings:

We have received information from the Center for Disease Control and Prevention (CDC), the Nebraska Department of Health and Human Services (DHHS), and the Three Rivers Public Health Department that the general public is at risk to exposure to COVID-19.

We find that Community Directed Health Measures exist to effectively prevent, limit or slow the spread of communicable disease in the community.

We further find that COVID-19 presents a risk of death to any person; and that the exposure is widespread and poses a significant risk of harm to people in the community; and that there is a particular subset of the population that is more vulnerable to the threat and thus at increased risk.

In assessing the nature of the risk presented, we further find that the threat from COVID-19 is eminent and that any delay in the imposition of a Community Directed Health Measure significantly jeopardizes the ability to prevent or limit the transmission of COVID-19 and poses unacceptable risks to the community.

That hospital capacity and health resources including health care personnel hours and/or medical supplies, such as personal protective equipment, are being depleted by elective surgeries and elective procedures and that a shortage of hospital capacity or health care resources will hinder efforts of health care personnel and health care facilities to treat persons who test positive for COVID-19.

That a delay in the imposition of an effective Health Measure would significantly jeopardize the ability to prevent or limit the transmission of COVID-19 or pose unacceptable risks to any person or persons.

NOW THEREFORE BE IT RESOLVED, that based on conditions in the City of Fremont, Community Directive Health Measures are hereby ordered for the City of Fremont effective 12:01 AM, November 28, 2020 and continuing through 11:59 PM, January 31, 2021; unless renewed, extended, or terminated by subsequent order, that all persons in the City of Fremont are ordered to comply with all of the Nebraska Department of Health and Human Services Health Directive Measures as well as the following Community Directive Health Measure:

Require people age 5 or older to wear a face covering over the mouth and nose while indoors in premises open to the general public, except face coverings will not be required for:

People seeking medical, federal, state, or county services; or

People who cannot otherwise wear a face covering because of a medical condition, a mental health condition, or a disability that makes it unreasonable for the individual to wear a face covering; or

People sitting at a bar or restaurant or while immediately consuming food or beverages, or obtaining a service or purchasing goods or services that requires the temporary removal of the face covering; or

People officiating at religious services or providing a speech, lecture, or broadcast to an audience so long as a minimum of six feet or more of distance from other people is maintained; or

People who are alone in an office, room, vehicle, or equipment cab; or

People communicating with someone who is deaf, hard of hearing or has a mental or physical health condition that makes communication difficult wearing a face covering; or

People who are swimming or showering (where the face covering will get wet), exercising at a gym or similar facility or playing in a sporting event where the level of exertion makes it difficult to wear a face covering, or while playing a musical instrument; or

People asked to remove a face covering to verify identity for lawful purposes; or

Employees at their workplace where wearing a face covering would create a safety hazard, employees working at a workstation with a plexiglass barrier, or those engaged in an occupation where the employer prevents them from wearing of a face covering.

Nothing in this directive shall prohibit the owner or person in charge of a premises that is open to the general public from requiring a person to wear a face covering during any of the circumstances enumerated above or from implementing a more restrictive face covering policy.

To the extent necessary, the Mayor requests that the Chief of Police ensure compliance with and enforcement of this Community Directed Health Measure pursuant to Fremont Municipal Code Chapter 4, Section 4-601, any person violating this order may be subject to a Misdemeanor for each offense.

Date: November 27, 2020

Mayor Scott Getzschman,
Chairman, Fremont Board of Health