

The Board of Supervisors met on 9/10/20 at 10:00 a.m. in the Story County Administration Building. Members present: Linda Murken, Lisa Heddens, and Lauris Olson, with Murken presiding. (all audio of meetings available at storycountyiowa.gov). Murken read the special note to the public: due to recommendations to limit gatherings in order to help slow the spread of the COVID-19 virus, public access to the meeting will be provided via Zoom meeting originating from the Story County Administration Building.

**ADOPTION OF AGENDA:** Heddens moved, Olson seconded adopting the agenda as presented. Motion carried unanimously (MCU) on a roll call vote.

**PUBLIC COMMENT #1:** Wayne Clinton, Ames, reported on the importance, and is in support of the face coverings Resolution. Maryann Ryan supports the Resolution. Murken reported on emails received from the public.

**TENTATIVE REFERRAL FROM THE STORY COUNTY BOARD OF HEALTH FOR COUNTYWIDE MANDATORY FACE COVER REGULATIONS AND CONSIDERATION OF RESOLUTION #21-18, MANDATING THE USE OF FACE COVERINGS IN STORY COUNTY TO MITIGATE THE TRANSMISSION OF COVID-19** –

Murken reported that the Board of Health approved the regulation and asked the Board of Supervisors to approve the Resolution. The Board members reported on public input received via email, phone, and various publications. Heddens reported on the ongoing public health crisis and the latest statistics; the medical community recommends face coverings. The ongoing crisis impacts businesses, schools, long-term care facilities, and medical facilities as well as our families and friends. The Resolution would help address all these factors. Olson reported on conflicting medical information confusing the public. Murken thanked the Board of Health, spoke about the state failing to follow federal recommendations, and the concerns of law enforcement. Discussion took place. Olson asked Civil Attorney Ethan Anderson what happens if the County is sued. Anderson stated the Attorney's Office would turn the case over to the Iowa Communities Assurance Pool (ICAP). He further stated it is the legal opinion of the Attorney's Office that the Board lacks the authority mandate face coverings in Story County. He stated no valid argument has been made for local mandates for face coverings; no legal challenge has yet been made. Additional discussion took place. Murken read suggested changes in wording and timing. Additional discussion took place. Olson moved, to ask the Attorney's Office and the Director of Internal Operations to ask ICAP about the insurance coverage for the County should the Supervisors mandate face coverings before the Governor's proclamation expires or is removed, and return to the Board on Tuesday. Heddens seconded for discussion. Discussion took place. Murken asked Anderson if another public hearing is required if the Board of Health language is changed. Anderson stated yes. Roll call vote. (MCU)

**RESOLUTION #21-13 REQUESTING REIMBURSEMENT FROM THE IOWA COVID-19 GOVERNMENT RELIEF FUND** – Sandra King, Director of External Operations and County Services, reported on the submission and the time period covered. Heddens moved, Olson seconded the approval of Resolution #21-13, Requesting Reimbursement from the Iowa COVID-19 Government Relief Fund. Roll call vote. (MCU)

**ALLOCATING \$24,000.00 TO STORY COUNTY PUBLIC HEALTH FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR ONGOING CARE AND RESPONSE TO THE COVID-19 PANDEMIC** – Leanne Harter, County Outreach and Special Projects Manager, reported on expenditure for a 60-day supply, allocation guidelines, FEMA guidelines, and matching funds at 25% from the CARES Act. Discussion took place. Olson moved, Heddens seconded the approval of Allocating \$24,000.00 to Story County Public Health for the Purchase of Personal Protective Equipment (PPE) for Ongoing Care and Response to the COVID-19 Pandemic. Roll call vote. (MCU).

Heddens moved, Olson seconded to adjourn at 11:21 a.m. Roll call vote. (MCU)

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Linda Murken  
Board of Supervisors

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Lucinda J. Martin  
Auditor

Story County  
Board of Supervisors Meeting  
Tentative Special Agenda  
9/10/20

1. Originating From Administration Building, Story County Public Access Provided Via "Zoom" Meeting (Thursday)

SPECIAL NOTE TO THE PUBLIC: Due to recommendations to social distance in order to help slow the spread of the COVID-19 virus, public access to the meeting will be provided via Zoom.

**Members of the public can participate by using the information below:**

**Due to limited access at the Story County Administration Building, meetings of the Story County Board of Supervisors are held via Zoom Web/ Teleconference.**

To join the zoom meeting by computer, table, smartphone:  
visit: [HTTPS://ZOOM.US/J/95500458625](https://zoom.us/j/95500458625)

Meeting ID: 955 0045 8625

One tap mobile

+19292056099,,95500458625# US (New York) 13017158592,,95500458625# US

+(Germantown)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 955 0045 8625

Find your local number: [HTTPS://ZOOM.US/U/ADXTCCPR9](https://zoom.us/j/ADXTCCPR9)

2. CALL TO ORDER: 10:00 A.M.
3. STATEMENT EXPLAINING WHY A MEETING IN PERSON IS IMPOSSIBLE OR IMPRACTICAL, PER CODE SECTION 21.8.1
4. ADOPTION OF AGENDA:
5. PUBLIC COMMENT #1:

This comment period is for the public to address topics on today's agenda

6. ADDITIONAL ITEMS:

- I. Discussion And Consideration Of Tentative Referral From The Story County Board Of Health For Countywide Mandatory Face Cover Regulations And Consideration Of Resolution #21-18, Mandating The Use Of Face Coverings In Story County To Mitigate The Transmission Of Covid-19

Department Submitting Board of Supervisors

Documents:

FACE COVERING RESOLUTION DRAFT.PDF  
REGULATION.PDF

- II. Consideration Of Resolution #21-13 Requesting Reimbursement From The Iowa COVID-19 Government Relief Fund - Sandra King

Department Submitting Board of Supervisors

Documents:

RESOLUTION LGRF SEP 2020.PDF

- III. Discussion And Consideration Of Allocating \$24,000 To Story County Public Health For The Purchase Of Personal Protective Equipment (PPE) For Ongoing Care And Response To The COVID-19 Pandemic - Leanne Harter

Department Submitting Board of Supervisors

Documents:

PPE PURCHASE MEMO.PDF

7. PUBLIC FORUM #2:

Comments from the Public on Items not on this Agenda. The Board may not take any Action on the Comments due to the Requirements of the Open Meetings Law, but May Do So In the Future.

8. ADJOURNMENT:

Story County strives to ensure that its programs and activities do not discriminate on the basis of race, color, national origin, sex, age or disability. Persons requiring assistance, auxiliary aids or services, or accommodation because of a disability may contact the county's ADA coordinator at (515) 382-7204.



**RESOLUTION # 21-18**  
**RESOLUTION TO APPROVE THE**  
**STORY COUNTY BOARD OF HEALTH FACE COVERING REGULATION**

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a national public health emergency related to the dangers posed by COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States signed an emergency disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act authorizing emergency response measures in all fifty states in response to COVID-19; and

WHEREAS, on March 17, 2020, the Governor of Iowa issued a Proclamation of Public Health Disaster Emergency after multiple cases of COVID-19 had been confirmed in Iowa and the Iowa Department of Public Health determined that community spread was occurring within the state; and

WHEREAS, Iowa Code Section 135.140 defines a public health disaster as a disaster which specifically involves an imminent threat of an illness that poses a high probability of widespread exposure to an infectious agent that poses a significant risk of future harm to a large number of the affected population; and

WHEREAS, all available information indicates that COVID-19 continues to pose a substantial widespread risk of infection leading to a significant risk of harm to the population of Story County; and

WHEREAS, August has brought the return to Story County thousands of students to attend the Iowa State University, and the return of children to school which will further increase the risk of spread of the virus within our community; and

WHEREAS, the Centers for Disease Control (CDC) has determined that face coverings are a critical tool in the fight against COVID-19 that could reduce the spread of the virus, particularly when used universally within communities; and

WHEREAS, the Governor's current proclamation requires that businesses and gatherings ensure social distancing of employees, customers, and attendees, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with the guidance of the Iowa Department of Public Health (IDPH); and

WHEREAS, the IDPH's reopening guidance advises that members of the public consider the use of face coverings when distancing is not possible because wearing face coverings in public settings where social distancing measures are difficult (e.g. grocery stores and pharmacies) can help slow the spread of COVID-19, and refers the public to the "local public health agency, the appropriate regulating agency or professional association" with questions about how to implement its guidance; and

WHEREAS, a requirement that persons wear face coverings is consistent with the Governor's proclamation, the guidance of the IDPH and the CDC; and

WHEREAS, a requirement that persons in Story County wear face coverings is essential to reducing the risk of transmission of COVID-19, and necessary to protect the health, welfare and safety of residents and visitors and accelerate local recovery efforts; and

WHEREAS, the Story County Board of Health enacted a face covering regulation on September 9, 2020, and has submitted such regulation to the Story County Board of Supervisors for approval pursuant to Iowa Code 137.104 (1)(b)(2); now

THEREFORE, BE IT RESOLVED, the Story County Board of Supervisors in response to this ongoing public health emergency approves the following Story County Board of Health regulation to mandate the wearing of face coverings in public settings:

Dated this 10th day of September, 2020.

\_\_\_\_\_  
Chairperson, Board of Supervisors

Attest:

\_\_\_\_\_  
County Auditor

ROLL CALL	Lauris Olson	Yea__	Nay__	Absent__
FOR ALLOWANCE	Lisa Heddens	Yea__	Nay__	Absent__
	Linda Murken	Yea__	Nay__	Absent__

ALLOWED BY VOTE  
OF BOARD                      Yea\_\_ Nay\_\_ Absent\_\_

\_\_\_\_\_  
CHAIRPERSON                      Above tabulation made by \_\_\_\_

# FACE COVERING REGULATION

## Section 1. Authority and Applicability

- 1.1. Iowa Code 137.104 provides that, "a local board of health shall... make and enforce such reasonable rules and regulations not inconsistent with law and the rules of the state board as may be necessary for the protection and improvement of the public health."
- 1.2. The novel coronavirus, SARS-CoV-2, also referred to as COVID-19, is a virus that primarily spreads from person to person and can result in serious illness, long-term negative health impacts or death.
- 1.3. The Story County Board of Health finds that COVID-19 poses a continuing and immediate threat to the public health of Story County, Iowa residents and visitors.

## Section 2. Definitions

- 2.1. "ADMINISTRATIVE AUTHORITY" means the local board of health as authorized by Iowa Code Chapter 137, or its appointed representative.
- 2.2. "THE BOARD" means the Story County Board of Health.
- 2.3. "THE COUNTY" means Story County, Iowa.
- 2.4. "FACE COVERING" means a particulate mask or cloth covering that securely covers a person's nose and mouth and is secured to the face with ties, loops, or elastic, or a clear plastic shield that extends from a headpiece above the eyes to below the chin and curves around to the ears, and does not include masks, coverings, or shields with openings, holes, visible gaps in the design or material, exhalation valves or vents.
- 2.5. "HOUSEHOLD MEMBER" means a person who lives a majority of time with the person in their apartment, house, mobile home, or other structure intended for residential occupancy.
- 2.6. "PUBLIC SETTING" means an indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, but not a place when used exclusively by one or more individuals for a private gathering or other personal purpose.

## Section 3. General Regulations

Therefore, pursuant to Iowa Code 137.104, be it hereby ordered and enforced by the Board as the Administrative Authority, as follows:

- 3.1. Every person in Story County shall wear a face covering when:
  - A. In public as opposed to being in one's place of residence, when one cannot stay six (6) feet away from others.

- B. Inside of any indoor public settings, for example, but not limited to:
    - 1. Grocery stores.
    - 2. Pharmacies.
    - 3. Hardware stores.
    - 4. Retail stores.
    - 5. Schools.
    - 6. Other public settings that are not one's place of residence and when you are with persons who do not live in the household.
  - C. Outside, if keeping six (6) feet away from others is not possible.
  - D. Using public transportation or private car service (including taxis, ride share or carpooling).
- 3.2. Exemptions. Places and times where persons are exempt from wearing a face covering:
- A. While traveling in a personal vehicle alone or with household members.
  - B. While a person is alone or is in the presence of only household members.
  - C. While exercising at moderate or high intensity e.g. jogging or biking.
  - D. While seated at a bar or food establishment in the process of eating or drinking.
  - E. While obtaining a service that would require temporary removal of the persons face covering.
  - F. When federal or state law prohibits wearing a face covering or requires the removal of the face covering
- 3.3. Exemptions. Persons who are exempt from wearing a face covering:
- A. Persons younger than two (2) years old due to the risk of suffocation.
  - B. Anyone who has trouble breathing, on oxygen therapy or ventilator.
  - C. Anyone who is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance.
  - D. Anyone who has been told by a medical, legal or behavioral health professional not to wear face coverings.
- 3.4. Appropriate Use. If a cloth face covering is chosen, appropriate use of a cloth face covering includes:
- A. A snug fit, but comfortable against the side of the face.
  - B. Completely covers the nose and mouth.
  - C. Is secured with ties or ear loops.

#### **Section 4. Enforcement, Penalties and Implementation**

- 4.1. The following regulation is not intended to be punitive or stigmatizing and is in the best interest of health, safety, and economic recovery. A violation shall constitute a simple misdemeanor.
- 4.2. The first offense shall be punishable by the minimum fine for a simple misdemeanor.
- 4.3. The second or subsequent offense shall be punishable by a fine up to the maximum fine for a simple misdemeanor.

- 4.4. This regulation shall become effective upon approval of the Board of Supervisors and publication in the local paper of record as described in Iowa Code section 137.104(I)(b)(2).
- 4.5. This regulation shall be lifted by resolution of the Board of Supervisors at the request of the Board of Health at the earliest date as determined by the Board of Health using data and statistics available.

BE IT FURTHER RESOLVED that Sections 4.1, 4.2 and 4.3 of the regulation, establishing penalties, shall not go into effect until the Governor allows local units of government to enact an ordinance or regulation requiring the wearing of face coverings, or until the expiration of the Governor's most recent public health proclamation regarding the COVID-19 pandemic.

**RESOLUTION #21-13  
REQUESTING REIMBURSEMENT FROM THE IOWA COVID-19 GOVERNMENT  
RELIEF FUND**

A resolution by Story County to request reimbursement for eligible costs related to the COVID-19 public health emergency from the Iowa COVID-19 Government Relief Fund.

**WHEREAS**, the United States Congress approved the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide economic relief related to the COVID-19 pandemic.

**WHEREAS**, Governor Kim Reynolds allocated \$125 million of the State of Iowa's CARES Act funding to local governments for direct expenses incurred in response to the COVID-19 emergency.

**WHEREAS**, local government funding reimbursements may only be used for necessary expenditures incurred due to the COVID-19 pandemic, were not accounted for in the current fiscal year county budget, were incurred during the time period of March 1, 2020 through December 30, 2020 and have not been reimbursed from other sources.

**NOW, THEREFORE BE IT RESOLVED**, Story County requests reimbursement of \$ 1,231,250.02 in eligible expenditures in response to the COVID-19 public health emergency.

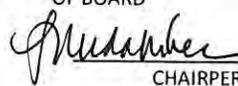
**BE IT FURTHER RESOLVED**, Story County affirms that the above requests for reimbursement follow all formal published Federal and State of Iowa guidance on how the funds should be spent, and understand if the reimbursements are misrepresented, the local government will be liable for any applicable penalty and interest.

HEREBY RESOLVED but the Board of Supervisors for Story County on this 10th day of September, 2020.

  
Chairperson, Board of Supervisors

Attest:   
County Auditor

ROLL CALL	Lauris Olson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
FOR ALLOWANCE	Lisa Heddens	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>
	Linda Murken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>	Absent <input type="checkbox"/>

ALLOWED BY VOTE  
OF BOARD                      Yea 3 Nay 0 Absent 0  
 Above tabulation made by   
CHAIRPERSON

Mary Greeley Medical Center

Story County Public Health

## **ALLOCATION GUIDELINE FOR PERSONAL PROTECTIVE EQUIPMENT (PPE) AND DISTRIBUTION IN STORY COUNTY PUBLIC HEALTH**

### **PURPOSE:**

Story County Public Health (SCPH) works with Story County Emergency Management Agency (SCEMA) to address requests for medical-grade and non-medical grade personal protective equipment (PPE). This includes items but is not limited to medical face masks, non-medical face masks, N95 respirators, face shields, gowns, gloves and hand sanitizer. The funding of these supplies is acquired through resource request to Iowa Homeland Security, donations, and grant opportunities as determined by SCPH and SCEMA. We all have a shared responsibility to protect our communities and these supplies are normally provided to organizations at no cost.

### **PROCESS:**

1. Story County Public Health sets the priority for allocation of publicly procured PPE by following a Tier system for distribution. This system places those frontline healthcare workers that have the most risk of exposure to infectious disease and work with the patients at the highest risk for severe health outcomes as the highest priority. Providing PPE to these individuals may also help to prevent shortages of healthcare staff due to illness and preserve the healthcare system. Once Tier 1 orders are filled then SCPH moves to Tier 2 and then Tier 3.
  - Tier 1- Hospitals, First Responders, Long Term Care Facilities
  - Tier 2- Essential jurisdictional public workers (city clerks, public works, etc)
  - Tier 3- Other essential services as defined by state and federal government
2. Organizations that fit into the three prioritization tiers may ask for supplies from SCPH via a supply request form provided by SCPH. Requesting organizations must confirm the following:
  1. They implemented applicable Centers for Disease Control and Prevention's (CDC) PPE conservation guidance.
  2. They exhausted all other potential sources, including the regular supply chain of commercial vendors. Increased cost of supplies is not a reason for SCPH to provide PPE.
  3. They have less than a 14 day supply remaining.

3. Once the above information is obtained and reviewed by SCPH and SCEMA a recommendation of how much of each item to distribute to each requester based upon priorities as defined in paragraph 1, the quantity ordered, estimated burn rate, estimated infectious disease cases in that setting, available supply, and the population served by the requesting agency, among other factors. SCPH and SCEMA may not always have complete information available for every request and tries to make reasonable inferences in our calculations. It is important for organizations to understand that this process should not be relied upon as the sole source for PPE and even if receiving resources through this process, the agency should continue to acquire PPE through other channels.
4. Once the PPE allocation is determined, the organization will arrange a pick-up date and time with SCPH.
5. SCPH continuously updates their supply inventory and replaces products as they are able through various funding opportunities. Supplies are stored in the basement of the Mary Greeley Medical Center's building, located at 1114 Duff Avenue and at the Iowa State University South Campus Storage Facility located at 2699 Mortensen Rd, Ames.

New: 9/2020

Reviewed:

Revised:

