



**STORY COUNTY
BOARD OF HEALTH**
STORY COUNTY ADMINISTRATION
900 6TH STREET
NEVADA, IOWA 50201

Minutes

AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE ENVIRONMENTAL HEALTH DEPARTMENT, OR BY VISITING WWW.STORYCOUNTYIOWA.GOV

DATE: August 4, 2020

CALL TO ORDER: 2:00 p.m.

PLACE: Zoom Meeting

Dr. John Paschen, Chair

Mark Speck, Vice-Chair

Dr. John Kluge

Dr. Louisa Tabatabai

Dr. Molly Lee

Lisa Heddens (Ex-officio)

*Absent

STAFF PRESENT: Stephanie Jones, Recording Secretary; Margaret Jaynes, Environmental Health Director; Cathy Bazylnski, Environmental Specialist; Matt Cory Environmental Specialist

OTHER PEOPLE PRESENT:

1. CALL TO ORDER

Dr. John Paschen called the meeting to order at 2:00 p.m.

Paschen read the special note to public: Due to recommendations to social distance in order to help slow the spread of the COVID-19 virus, public access and participation to the meeting will be provided via Zoom. Board of Health members are also present via Zoom.

2. APPROVAL OF AGENDA MCU

Motion by Kluge, Second by Speck to approve agenda with Ferrari giving a COVID-19 update before the face covering letter discussion.

Ayes: Paschen, Tabatabai, Speck, Lee, Kluge

Nays: None

3. APPROVAL OF MINUTES

June 2, 2020

June 8, 2020

June 22, 2020

June 25, 2020

Motion by Speck, Second by Tabatabai to approve minutes with amendment to June 22, 2020 minutes showing Tabatabai was present.

Ayes: Paschen, Tabatabai, Speck, Lee, Kluge

Nays: None

4. APPROVAL OF CONSENT AGENDA



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Motion by Kluge, Second by Lee to approve the consent agenda item consisting of: Personnel action for pay adjustment for merit plus longevity for Margaret Jaynes.

Ayes: Paschen, Tabatabai, Speck, Lee, Kluge

Nays: None

5. PUBLIC FORUM

Galen Wilke stated that he is concerned about contract tracing and preparedness. Wilke would like to see additional readiness taking place for contact tracing due to the number of ISU students coming back to town. Secondly, transparency issues of contact tracing being done in the county. Treasa Ferrari stated the contact tracing was turned over to Iowa Department of Public Health because Public Health only has two nurses and could no longer keep up with the responsibility. Paschen asked Ferrari if Public Health could simply re-address the issue with contact tracing even though it may not be obtainable. Kluge stated that there are many veterinary students that would make good contact tracers.

6. ADDITIONAL ITEMS:

Food Truck Inspection Presentation

Samuel Pang, Iowa Department of Inspections and Appeals gave a brief presentation of how food truck vendors obtain licensing and what to expect at a preopening inspection and food safe sanitation. Paschen asked about the water source. Pang stated that the water has to come from an approved source. If using well water, test results will need to be available to show the water supply is adequate, as well as food grade hoses are being used. Tabatabai asked who completes food truck inspections. Pang stated that the Iowa Department of Inspections and Appeals do most inspections, and a few counties are contracted to do inspections, but Story County is inspected by the state. Heddens asked how often mobile food operations are inspected. Pang stated that depends on the class of a mobile unit, and a standard mobile unit or full service restaurants are inspected yearly or immediately if a complaint is received. Speck asked if tables could be set up to allow customers to sit and eat. Pang stated they are not allowed to have seating and everything must be self-contained in the mobile unit.

Scott Wall, Ames Velo Race Director, provided information on The Crushed Rock Classic bicycle race, which consists of paved and gravel roads in Story County and trails in McFarland Park. Between 100 and 120 competitors plus another 25-50 spectators and volunteers are expected. Due to the current COVID-19 pandemic a time trial format has been adopted to allow one rider to start every 30 seconds and riders are not allowed to work together. With the 30 seconds between riders, they expect there will be no more than 8 riders in any given mile of the course at any one time. Face coverings will be required in all situations where staff and riders interact. Face coverings will not be required for riders while racing. There will be handwashing and hand sanitizer stations available. Wall stated that USA Cycling requires that race promoters have written authorization from local health authorities to hold an event.

Paschen asked if there is anything in place to stop people from congregating. Wall stated that volunteers will do their best to not allow congregating and the rules will be posted on social media prior to the race. Tabatabai stated it looks like precautions are in place. Lee said she is concerned about congregating after



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the race and suggested that there be signage indicating social distancing and where hand-sanitizing stations are located. Wall stated there will be a sound system and reminders can be given to not congregate. Heddens asked Wall specifically what he is asking of the Board of Health or Public Health.

Motion by Kluge, Second by Tabatabai that the Board of Health discussed the Crushed Rock Classic. COVID-19 mitigation procedures are acceptable as presented. MCU

Ayes: Paschen, Tabatabai, Speck, Lee, Kluge

Nays: None

Ethan Anderson agreed that a simple letter that the Board of Health was made aware of the race, informed of mitigation procedures, and are ok with the race should be sufficient.

Letter Encouraging Universal Face Covering Requirement

Paschen stated he feels that the letter is good but would like to add that the Board of Health strongly recommends that face coverings are worn, rather than recommending that municipalities adopt a face covering policy. He would like the recommendation from the Board of Health and then to have another discussion take place on a recommendation to the Board of Supervisors to mandate face coverings.

Much discussion took place on possible changes including:

- Change first paragraph to say the Story Co BOH strongly recommend... and to send to the BOS to mandate face coverings.
- The letter could serve two purposes which would include strongly encouraging the face coverings, and as the recommendation that municipalities support and adopt a mandate.
- The legal appropriateness of mandating face coverings.
- Whether the word mandate or recommend should be used.

Ethan Anderson stated that he understands making the document official, but strongly cautions going against the opinion of the Attorney General in that it would not be legal to mandate the use of face coverings. Anderson stated that a mandate without an enforcement option is not recommended.

Paschen stated to keep in mind that the Board of Health is an advice and consent board and approval needs to be made by the Board of Supervisors. Paschen stated he feels that using the language recommend or strongly encouraged should be used and then to recommend to the Board of Supervisors requesting that a mandate be approved. Paschen stated that the Board of Health does have the power to require certain things during a health emergency, but since the Governor has declared a statewide emergency, the state emergency supersedes. Paschen asked if approval from the Board of Supervisors would still be needed in this emergency. Anderson stated that the Governor can enforce the emergency proclamation and without doubting anyone's sincerity in this matter, that he is advising the Board of Health to not flaunt any legal authority which would create a potential for litigation. That would not be a situation that should be taken lightly or be encouraged by others to do. Paschen stated there is a lot of fear about students and school starting and that the caution from Anderson is very reasonable. Paschen asked



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Heddens for her thoughts. Heddens stated that her comments are limited since the next item is to decide whether to send the item to the Board of Supervisors. Heddens feels the letter is good and that further emphasizing face covering usage and social distancing is good. Heddens shares a concern with school starting and that it is a good idea to continue encouraging the public to practice safety precautions.

Discussion took place on whether or not the City of Ames has a Board of Health. Margaret Jaynes stated that the City of Ames does not have their own Board of Health so therefore the Story County Board of Health has jurisdiction for the entire county.

Ferrari stated that the daily positive total has slowed down and discussion took place about the positivity percentage within the county for daily vs weekly.

Additional discussion took place about the following changes to the letter:

- For the first paragraph to read that it is strongly recommend for face coverings to be worn in public.
- Keeping 6' distancing.
- Recommending that municipalities mandate face covering.
- The previous recommendation letter provided COVID-19 recommended guidance and the next step being targeted towards municipalities.
- Targeting the previous recommendations by the Board of Health could be added in the letter.

Public Comments:

David Martin provided a suggestion about wording. If the last paragraph were saying that in the event that sub delegation of authority to implement a mandate is communicated from the Attorney General's office then the resolution in the appendix would be an available legal option to municipalities. Currently the understanding by the City of Ames is that there is not a legal authority to pass a mandate. Martin asked if the letter is asking municipalities to pass a resolution for face coverings and that if the idea is for municipalities to pass a resolution it would be helpful to provide a template to be used.

Lauris Olson provided guidance on the job of the Board of Health being to provide health advice. Olson feels that the Board of Health should not worry about legality issues, and rather leave that to the Board of Supervisors and city councils.

Additional discussion took place on the following:

- Wording being changed from resolution to something else.
- Language used was modeled from Johnson County.
- Determining if the the meaning of the language is for municipalities to take action immediately or only when the Attorney General has advised an appropriateness for mandates by municipalities.
- Keeping the word resolution and appendix in place or removing the last paragraph and using resolution instead of mandate.



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Appendix Discussion

David Martin stated that he feels keeping the appendix would create confusion since it is being used as a sample resolution that sounds like a mandate.

Lauris Olson again stated that suggestions are fine, but is concerned that the Board of Health is trying to jump ahead of the process and do things that the City Councils and the Board of Supervisors should be handling. Olson urged the Board of Health to say what is recommended from a health standpoint.

Lisa Heddens agreed that suggestions could be made for municipalities to do resolutions but to leave that up to the individual municipalities.

Much discussion took place on keeping the letter as written and taking out the last paragraph and appendix.

Lee stated she is ok with taking out the last paragraph but feels the appendix is an important part of the health guidance and suggested rewording to allow more clarity that it is meant as guidelines from the Board of Health as to what jurisdictions could consider.

Tabatabai asked if appendix 1 is verbatim from the Attorney General's office. Lee stated that she created it using CDC recommendations, and from Johnson County.

Paschen asked Lee if she could update the letter and work on the changes to the appendix with Tabatabai, leaving out the last paragraph and changing title to recommended guidance to local officials. Once the changes have been made, then additional discussion could take place at a future special meeting. Kluge stated that the wording does need to be strong enough to let municipalities know what the Board of Health feels they should do.

Recommendation To The Board Of Supervisors To Require Universal Face Coverings In Public

Paschen asked if the Board of Health should ask the Board of Supervisors to require face coverings.

Paschen stated it is important to keep in mind that the Board of Supervisors might not be able to legally mandate face coverings, but the Board of Health strongly feels it is important for this to be done.

Motion by Kluge, Second by Lee to recommend the Board of Supervisors to mandate face covering in public. MCU

Voting Aye: Paschen, Tabatabai, Speck, Lee, Kluge

Voting Nay: None



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Supplementing And/Or Changing The Iowa Department Of Public Health And Iowa Department Of Education Guidelines For Returning To School

Paschen stated that he would like the Board of Health to make a statement that face coverings should be worn by all staff and required in children junior high and up, and encouraged strongly in the younger aged children. Discussion took place about the following:

- Some school districts are not requiring face coverings.
- Supporting the teachers by asking schools to require face coverings.
- Whether or not the age for face coverings should be required for younger than junior high.
- How the recommendation would be passed on to school districts.
- Allowing flexibility for younger children.
- Families helping to teach children about the importance of wearing face coverings.
- Face shields as an option for younger children.

**Motion by Tabatabai, Second by Kluge to supplement the Iowa Department of Public Health's recommendations for return to learn with the requirement of face coverings for all staff and children in junior high or above, and to be encouraged strongly for younger children. MCU Voting Aye: Paschen, Tabatabai, Speck, Lee, Kluge
Voting Nay: None**

Septic System Ordinance

Margaret Jaynes stated the last time this was brought to the Board of Health; it was approved and recommended to go before the Board of Supervisors. However, right before it was scheduled for public hearing, the pandemic started so it was decided to place it on hold at that time. Discussions have begun about placing the ordinance on the Board of Supervisor agenda again for public hearing, but Jaynes first would like to change a few additional issues consisting of:

- 65.08 Edge of drainage district ditch setbacks increased to match stream setbacks.
- 65.12 Renamed repair permit to alteration permit to allow a new house to hook up to an existing system.
- 65.17 Sanitarian to continue to do site evaluations due to insufficient number of soil professionals in the area.
- 65.18 Site evaluation report.
- 65.21 Number of lots required in a major subdivision to require a paid professional evaluator.
- 65.21 Requirement for septic location to be identified.
- 65.35 Requirements for discharging systems.



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Tabatabai asked about annual sampling not being required. Jaynes stated it is not a change and samples can be suggested. Speck asked what counties require pumping every 5 years. Jaynes stated no other counties in Iowa require pumping, but other states do. Speck asked why Jaynes feels it should be required. Jaynes stated the maintenance requirement to pump is an added security to not pollute ground water. Speck asked about tracking and informing the community. Jaynes stated an education campaign would be started, and Matt will develop a way for the pumpers to report to Environmental Health and the information to be added to software for the department to track.

Motion Kluge, Second by Speck to approve changes as presented. MCU

Voting Aye: Paschen, Tabatabai, Speck, Lee, Kluge

Voting Nay: None

AGENCY AND DEPARTMENTAL REPORTS

a. Story County Public Health

Treasa Ferrari provided an update about COVID-19 testing and hospitalizations. Fit testing for school nurses will be taking place for N95 masks and Ferrari plans to mention the face covering recommendation to the school nurses. To date there has only been a need to house one homeless individual in a motel due to COVID-19. The contract with Microtel has expired and due to their business picking up, the motel decided not to renew the contract. Test Iowa location details are still being worked on. One possibility is the ISU Research Park and hiring staff has begun. ISU began testing last week for students in the dorms, and out of 50 the first day there were three positives, and 300 did not show up to be tested. There are currently three active TB cases in the county. The school districts will be conducting contact tracing. Paschen asked about the possibility to lower the social distancing spacing amount in schools. Ferrari stated it is being discussed, but no decisions have been made. Ferrari stated that flu shot clinic locations are beginning to be discussed, with a possibility of a drive up location. There will be 350 flu shots available this year for those without insurance.

b. YSS

Denis Denton talked about alternatives to opioids being prescribed when leaving hospitals. Denton provided an example about how important it is for the Board of Health to set expectations with face coverings even when it cannot be enforced. Denton announced she is leaving YSS in September and Ryan Doyle will replace her. Denton applauded the BOH for what they do.

c. Story County Environmental Health

Margaret Jaynes stated that she would not take up any additional time, but that she had provided a written report and asked if there were any questions. The written report provided department information that the Environmental Health staff had returned to the office on June 3, 2020. The administration building continues to be closed to the public until at least after August, as per the Board of Supervisors. Business has remained as usual except for walk-in customers who are now calling or emailing instead. The offices are equipped with partitions and cleaning



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supplies. Face coverings are mandatory unless in own office by self. Fieldwork has continued and it has been noted that very few construction workers and developers wear face coverings and sometimes encroach the 6' recommended distancing. Jaynes report also included a summary of the following main programs:

- 61 applications, 57 permits issued to date.
- 52 TOT inspections/binding agreements
- 8 repair permits
- Pumper inspections completed.
- 7 water wells permitted for calendar year
- 23 water samples for calendar year.
- 17 wells plugged for calendar year.
- FY 2021 Grants to Counties contract for \$30,300 is in the process of being reviewed and signed.
- 6 pool inspections. Most pools closed due to the COVID-19 pandemic.
- Complaints.
- CAFO – Maxwell North Master Matrix and assisting with preparing an ISAC legislative request to evaluation and strengthen the master matrix process.

7. COMMENTS

Kluge stated that a former Board of Health member, Kristin Obbink is now the Iowa State University Public Health Coordinator for COVID-19, and that it might be helpful to invite her to a future meeting.

8. ADJOURNMENT 4:56 p.m.

John J. Paschen
Approval of Minutes

Chairman, 9/30/20
Title and Date