

JEFFERSON COUNTY HEALTH DEPARTMENT
405 Main Street, Hillsboro, MO 63050
November 25, 2020

CALL TO ORDER

Chairman Diehl called the annual meeting of the Board of Trustees of the Jefferson County Health Department to order at 4:00 pm .

ROLL CALL

- Dennis Diehl, Chairman - Present
- Dr. Amber Henry, Vice-Chairman – Present
- James Prater, Secretary-Treasurer – Present
- Tim Pigg, Member – Present
- Susan (Suzy) Davis, Member – Present

OTHERS ATTENDING (x indicates present)

- Kelley Vollmar, Director
- Richard Tufts, Assistant Director
- Steve Sikes, Operations Manager
- Jennifer Pinkly, Admin. Services Mgr.
- Steve Heinle, IT Manager
- Christi Coleman, Sandberg Phoenix
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Others in attendance:

APPROVAL OF AGENDA

Mr. Pigg motioned for the agenda to be amended to reflect under New Business Chairman Diehl instead of Mrs. Vollmar. Dr. Henry seconded. No discussion requested. The motion carried unanimously. Chairman Diehl announced the motion passed.

Chairman Diehl made a motion for the agenda to be amended to reflect the deletion of item 6, the closed session as it was not needed at the time. Mr. Prater seconded the motion. No discussion requested. The motion carried unanimously.

Mr. Prater motioned for the agenda to be amended to reflect the deletion of Section 7 part 2, Act on Director recommendation to support a Joint Order requiring face masks be worn by residents in order to slow the spread of COVID-19. Mrs. Davis seconded. The motion died with Chairman Diehl, Mr. Pigg, and Dr. Henry voting against the motion, and Mr. Prater and Mrs. Davis voting in favor of the motion. Mrs. Davis called point of order stating a discussion needed to be held before the vote was taken. Mrs. Davis reported she had a recording of an expert that she wanted to play for the Board. Mr. Pigg called point of order stating the recording was not on the agenda and did not pertain directly to the document that was to be discussed. Mrs. Davis requested that she be allowed to share the recording at another time, to which Chairman Diehl stated it would be discussed at a later time. Chairman Diehl asked if there was additional discussion needed to which no one replied. Chairman Diehl asked for a revote on removing Section 7 part 2 from the agenda. The motion failed with Chairman Diehl, Mr. Pigg, and Dr. Henry voting against the motion, and Mr. Prater and Mrs. Davis voting in favor of the motion. Chairman Diehl announced the motion failed.

Mr. Pigg made a motion to approve the amended agenda. Dr. Henry seconded. Chairman Diehl asked if a discussion was needed. Mrs. Davis asked if the agenda being approved was from the previous meeting. Mr. Pigg clarified the motion was to approve this meeting's amended agenda to reflect the closed session was deleted from the agenda and Chairman Diehl (instead of Mrs. Vollmar) would present the New Business items. Mrs. Davis seconded the motion also. Chairman Diehl asked if further discussion was needed to which no one replied. The motion unanimously carried. Chairman Diehl announced the motion had passed and the agenda was approved.

Chairman Diehl stated the board members had received numerous emails all of which will be retained by the custodian of records, and any specific questions would be responded to. Additionally, it was noted that complaints had been made that the meeting was inconvenient for people to attend to which Chairman Diehl stated there had been commentary on social media, opportunities for guest speakers at multiple meetings, and that the meetings were aired live virtually in which people could post questions and comments. It was also noted that during a meeting that was held at the Hillsboro Civic Center Mrs. Vollmar had stated at that time she was not requesting for a mask mandate and that other mitigation measures would be tried. At this time those mitigation measures have not been effective, and there is greater support from the community, including local businesses, to pursue additional mitigation measures.

Chairman Diehl asked if anyone had additional comments that they would like to make. Mrs. Davis motioned that the board have an unlimited amount of time to have an open discussion regarding ideas and the reasoning and logic behind them. Mr. Pigg called point of order that a motion needed to be on the table in order for there to be a discussion and that a motion to hold a discussion was not a valid motion. Counsel

noted Mr. Pigg was correct. Mrs. Davis requested Chairman Diehl open the floor for discussion, to which Chairman Diehl stated her request was too broad. Counsel provided clarification that it was on the agenda to discuss procedures for future meetings under New Business. Chairman Diehl opened the floor for discussion on that agenda item.

NEW BUSINESS

1. Discussion of procedures for future meetings during the pandemic, act on recommendations regarding same.

Mr. Prater stated he supported allowing special meetings to be held virtually, but felt the monthly meetings needed to be held in person. Mr. Pigg mostly agreed with that providing the caveat that when meeting in person everyone needed to wear masks to protect employees and those at higher risk with which they may come into contact. Mrs. Davis requested that meetings be held in a larger space so that community members could attend, and then questioned why there was no time allotted for guest speakers at this meeting. Chairman Diehl restated that the public has had multiple opportunities to speak as well as multiple ways in which to express their opinions.

Mr. Pigg motioned for New Business item 1 (the current discussion) be tabled until the next scheduled meeting. Mrs. Davis seconded. Chairman Diehl asked if there was any discussion to which no one replied. The motion carried unanimously. Chairman Diehl stated the motion passed and moved on to the next agenda item.

2. Act on Director recommendation to support a Joint Order requiring face masks be worn by residents in order to slow the spread of COVID-19

Mrs. Davis motioned to make an amendment. Chairman Diehl asked for clarification if the amendment was to the agenda item or the Joint Order. Mrs. Davis indicated the Joint Order. Mr. Pigg called point of order stating Mrs. Davis needed to state the amendments she wanted to make to the Joint order within the motion. Mrs. Davis withdrew her motion to amend item 2 and the Joint Order and instead motioned to table this item until further research was gathered and discussed. Mr. Pigg called point of order that this was a second attempt to remove this item from the agenda. Counsel provided guidance that Mrs. Davis could motion to table this agenda item. Mr. Prater seconded the motion. Chairman Diehl asked if there was any discussion to which Mrs. Davis stated further discussion was needed and proceeded to play the recording from earlier in the meeting. Chairman Diehl stated Mrs. Davis was out of order. Mrs. Davis questioned why she could not play the recording if she had the floor. Chairman Diehl explained that the discussion had to be directly related to the motion that had been made and the recording was irrelevant to tabling item 2 of the New Business. Mr. Prater asked if counsel had reviewed the Joint Order to

which counsel stated it had been reviewed. Chairman Diehl asked if the board members had read the Order to which they each replied they had. Mr. Pigg called point of order that there was a motion on the floor that needed a vote. Chairman Diehl restated the motion as tabling the 2nd item of New Business until next meeting. Mrs. Davis requested the motion be amended to also state that the motion be tabled until further research and discussion occurred. Mr. Prater seconded the motion. Chairman Diehl asked if there was any discussion. Mrs. Davis responded she had concerns about the language in the Order that could be detrimental to local businesses if the positivity rate did not decrease. Mr. Pigg called point of order stating the board needed to move on with the agenda items. Mrs. Davis stated that there was no way to control the spread of COVID. Chairman Diehl clarified Mrs. Davis was proposing that nothing be done, to which Mrs. Davis stated she was proposing this be delayed for a month to see how it progresses. Mr. Pigg objected stating this had been delayed for 6 months. Chairman Diehl called for a vote on the amended motion. Mr. Prater voted in favor of the amended motion. Mrs. Davis objected requesting further discussion. Chairman Diehl stated she needed to vote. Mrs. Davis requested the amended motion be restated. Chairman Diehl requested she needed to cast her vote. Mrs. Davis continued explaining why she felt the item needed to be tabled. Chairman Diehl gave Mrs. Davis another chance to vote before moving on to capture the votes of those opposed to the amended motion. Mr. Pigg, Dr. Henry, and Chairman Diehl voted against the amended motion.

Mr. Pigg called point of order advising the original motion to table the agenda item still needed to be put to vote. Clarification was requested to which Counsel stated since the amended motion failed the original motion needed to be put to vote. Mrs. Davis clarified the original motion was for the agenda item be tabled indefinitely. Mr. Prater seconded the motion. Mr. Prater and Mrs. Davis voted in favor of the motion. Chairman Diehl, Dr. Henry, and Mr. Pigg voted against the motion to table this agenda item indefinitely. The motion failed.

Mr. Prater requested a discussion on wording within the Joint Order pertaining to the authority to order stricter restrictions. Mr. Prater questioned if potential restrictions would require the board's approval before going into effect. Clarification was provided by Counsel and summarized by Mr. Pigg in which it was stated any changes to the Joint Order would require a majority vote by the board.

Chairman Diehl asked for a motion to approve the order. Mrs. Davis asked to strike a line from the order (page 7, number 4) as well as the 21-day limit. Chairman Diehl clarified that removing the 21-day limit would allow the order to stand indefinitely. Mrs. Davis moved to strike the whole section, which was

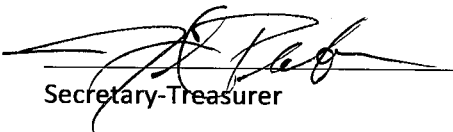
clarified to be line 4 to 14. Chairman Diehl asked if there was a second. Hearing none, Chairman Diehl announced the motion died.

Dr. Henry motioned to authorize the director to sign this Joint Order in collaboration with the County Executive. Dr. Henry noted this was not an ordinance but an order which is not enforceable by law. Instead, the order is a show of support of the recommendation to wear masks while in public as a last effort to slow the spread of the virus. Chairman Diehl asked for the order number which is 20-11-25-01. Chairman Diehl requested Dr. Henry restate her motion, which was to authorize the director to sign the Joint Order number 20-11-25-01 in collaboration with the County Executive. Chairman Diehl seconded the motion and asked if there was any discussion. Mrs. Davis stated she would like for there to be a discussion and asked for permission to play the recording she brought to the meeting. Mr. Pigg stated that Counsel already advised against playing the recording. Counsel clarified that the recording did not pertain directly to the approval of the Joint Order. Mrs. Davis expressed her objection to voting on the order and requested clarification regarding whether fines or any other consequence would be enforced if a person did not wear a mask. Mr. Pigg questioned if Mrs. Davis had read the order to which she stated she had. Mr. Pigg questioned if she saw anything in the document that stated there would be an enforced consequence to which Mrs. Davis replied there was not. Counsel confirmed that there were no consequences associated with the order. Chairman Diehl asked if there was any further discussion, hearing none he put the motion to vote. The motion carried with a vote of three to two with Chairman Diehl, Dr. Henry, and Mr. Pigg voting in favor of the Joint Order, and Mrs. Davis and Mr. Prater voting against the Joint Order. Chairman Diehl announced the motion passed.

ADJOURN

Mr. Prater motioned to adjourn the meeting. Mr. Pigg seconded. Motion carried unanimously and Chairman Diehl announced the motion had passed. Mrs. Davis requested additional discussion to which Mr. Pigg stated it would need to be in direct relation to the motion to adjourn. Mrs. Davis stated she felt further discussion was needed regarding the necessity of the order and its potential impact. Mr. Pigg stated all of that had already been discussed. Chairman Diehl put the motion to adjourn to vote. The motion carried four to one with Mrs. Davis as the only dissenting vote.

Meeting adjourned at 4:36 PM


Secretary-Treasurer

