

**JEFFERSON COUNTY HEALTH DEPARTMENT**  
**405 Main Street, Hillsboro, MO 63050**  
**September 24, 2020**

**CALL TO ORDER**

Chairman Diehl called the meeting of the Board of Trustees of the Jefferson County Health Department to order at 3:32pm .

**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
- Jessica Mikale, Wegmann Law Firm
- Erica Kentch-Herbek, Wegmann Law Firm
- Katelyn Mary Skaggs, Leader Publications

Others in attendance:

Guest Speakers:  
Christi Coleman, Sandberg Phoenix Law Firm

**Reading of the JCHC Mission and Vision – Dr. Amber Henry**

Mission: JCHD will champion positive health outcomes and behaviors through innovative programs and community engagement.

Vision: Advancing the health and safety of Jefferson County.

**APPROVAL OF AGENDA**

Dr. Henry made a motion to approve the revised agenda. Mr. Prater seconded. Motion carried Chairman Diehl announced the motion had passed and the agenda was approved.

### **Approval of Minutes and Expenditures**

#### **August 27, 2020 MINUTES**

Mr. Pigg made a motion to approve the 8/27/2020 minutes. Dr. Henry seconded. Motion carried Chairman Diehl announced the motion had passed and the minutes were approved.

#### **August 28, 2020 MINUTES**

Mr. Pigg motioned to approve the 8/28/2020 minutes. Dr. Henry seconded Motion carried unanimously. Chairman Diehl announced the minutes were approved.

Mrs. Davis called point of order to ensure the meeting was live on Facebook to which it was confirmed that it was.

#### **August 2020 EXPENDITURES**

Dr. Henry motioned to approve the August 2020 expenditures in the amount of \$229,173.82 for August 2020. Mr. Prater seconded. Mrs. Davis called for a discussion regarding the itemized expenditures, the billboards, and the spending of CARES Act funding. Mrs. Vollmar clarified the billboards had been preapproved and paid for with the CARES funding, while the electronic sign at the High Ridge office was paid for with JCHD's general budget. Mrs. Davis inquired about the CARES Act funding to which Mrs. Vollmar explained that the CARES Act funding is a reimbursement for the dollars JCHD spends in response to COVID-19. Mr. Pigg requested an updated report on the spending of CARES Act funding. Chairman Diehl provided further clarification about how the CARES Act may be utilized and when it must be spent. Mrs. Davis asked for more information about how much the billboards cost to which Mrs. Pinkley clarified they were purchased in September and the amount will show on the September expense report. No further discussion was requested. Motion carried unanimously and Chairman Diehl announced the motion had passed.

#### **August 2020 APPROVAL ELECTRONIC PAYMENTS**

Mr. Prater motioned to approve the electronic payments for August 2020 for \$415,781.80. Mr. Pigg seconded. Chairman Diehl provided clarification how the electronic payments worked. Motion carried unanimously and Chairman Diehl announced the motion had passed.

#### **September 2020 PRE-APPROVAL ELECTRONIC PAYMENTS**

The list of vendors for pre-approved electronic payments for September 2020 presented to the board with an estimated amount of \$453,608.25. Dr. Henry motioned to pre-approve the September 2020 Electronic Payments. Mr. Prater seconded. Motion carried unanimously and Chairman Diehl announced the motion had passed.

#### **VISITORS AND GUEST REMARKS**

None

#### **DIRECTORS REPORT – KELLEY VOLLMAR**

Mrs. Vollmar provided statistics provided by JCHD's epidemiologist:

- In the last 30 days there have been 1,802 cases.
- It took 122 days to go from 0 to 1,000 cases.
- It took 25 days to go from 1,000 to 2,000 cases.
- It took 21 days to go from 2,000 to 3,000 cases.
- It took 18 days to go from 3,000 to 2,000 cases.
- In March it took 19 days to get our first 100 cases.
- In September we have had two occasions to which there were 100+ cases reported within a single day.
- Since the last board meeting on August 27th our case numbers have increased by 60%.
- August 27<sup>th</sup> there were 2,632 positive cases.
- As of now we are at 4,214 positive cases.
- Currently JCHD continues to obtain reports from Mercy and BJC (SSM is not providing reports at this time). In the past 30 days there has been a 90% increase in total hospitalizations.
- There were 164 hospitalizations on August 24<sup>th</sup> and 312 hospitalizations on September 24<sup>th</sup>.

Mrs. Vollmar asked for the board to schedule a special meeting to discuss strategies to slow the spread of COVID-19. She noted that Jefferson County is level red, meaning that the rolling average of positive cases for the last seven days has been over 25 per 100,000 people. Jefferson County is at 31.97.

Mrs. Davis requested Chairman Diehl open the floor for discussion to which he did. Mrs. Davis called into question the accuracy of how positive cases were counted stating the reports were not accurate enough on which to base decisions. Mrs. Vollmar requested the floor to which Mrs. Davis yielded the floor to her. Mrs. Vollmar explained the process for confirming positive cases as well as how people are counted. Staff combs through the lab reports to ensure only the positive cases are being counted, and that there are no duplicated counts. This means "one body, one count—a person may test positive 6 times; however, the person will only be counted one time." The tests that are counted are the PCR tests which are the most accurate tests available at

this time. "To say that the tests are faulty, or that the count is duplicated is inaccurate."

Mrs. Davis then questioned the accuracy of the hospitalizations stating that the numbers are decreasing. Mrs. Vollmar highlighted that the hospitals are covering two regions (St. Louis County and City) that have mandated masking, and that the numbers have begun to decrease among their residents since the mask mandate (as well as other mitigation strategies) went into effect. Regarding Jefferson County hospitalizations they have increased by 90%. Mrs. Davis then referenced information from a specific hospital to which Mrs. Vollmar cautioned her from doing as it is in violation of HIPPA. She further explained in order to protect people's privacy the area hospitals have agreed to report their data to the St. Louis Pandemic Task Force. Mr. Pigg provided additional clarification regarding HIPPA to which Chairman Diehl concurred. Mrs. Davis went on to argue her point stating the information Mrs. Vollmar reported was inaccurate. Chairman Diehl clarified that this meeting was to determine if a special meeting should be held to further discuss these points. Mrs. Davis motioned to table the discussion of red status and mitigation strategies until the next scheduled monthly meeting. Mr. Prater asked for clarification as to if this motion meant that no special meetings could be called for any reason before the next scheduled monthly meeting, to which Mrs. Davis stated the motion is calling for COVID-19 related topics be tabled until the regularly schedule October meeting. Mr. Prater seconded the motion. Chairman Diehl asked if discussion was needed. Mrs. Vollmar asked for the floor which Chairman Diehl granted. Mrs. Davis called point of order stating Mrs. Vollmar was not a board member and had already presented on the matter. Chairman Diehl allowed for Mrs. Vollmar to continue. Mrs. Vollmar reiterated that between the August and September meeting the positive cases increased by 60%. Mrs. Vollmar challenged Mrs. Davis' meeting manners to which Mr. Pigg instructed Mrs. Vollmar not to reprimand board members. Mrs. Vollmar continued to address the board explaining how challenging the situation had become for staff both due to the increase in cases as well as due to the ongoing debate and uncertainty pertaining to the mitigation strategies. She requested they hold a special meeting and not delay making a plan or decision until the next meeting. Mrs. Davis then called a point of order and requested further discussion from Mrs. Vollmar be limited. Chairman Diehl put to vote the motion to table all COVID-19 related discussions until the next regularly scheduled board meeting. The motion died with Mr. Pigg, Dr. Henry, and Chairman Diehl's dissenting votes. Chairman Diehl announce the motioned failed.

Chairman Diehl explained for the purpose of transparency they needed to have a meeting dedicated to JCHD's COVID response. Mr. Pigg requested:

- A time limit be set for the meeting.
- The meeting be open for public comment with restrictions on the length of time each person has available to speak their mind.
- The meeting be held at a location large enough to accommodate the public.

Chairman Diehl provided documentation of the Sunshine Law, per his discussion with the Missouri Attorney General's office that the board has been following the Sunshine Law appropriately. However, he agrees with Mr. Pigg's terms. Mrs. Vollmar stated staff is already looking for a larger venue for the meeting, and encouraged they set a meeting date so that there is plenty of time to properly notify the public. Mrs. Davis moved to table the special meeting for a minimum of two weeks to see how the numbers fluctuate within that time. A discussion ensued regarding the necessity of waiting for more information. Mr. Pigg called a point of order noting that a second had not been made on the motion on the floor. Mr. Prater motioned to postpone the motion on the floor indefinitely since they already voted on a similar motion. Chairman Diehl announced Mrs. Davis' motion died because there was no second. Mr. Prater withdrew his motion. Dr. Henry moved to hold a meeting with the stipulations in place that Mr. Pigg outlined earlier. Mr. Pigg seconded. Mrs. Davis moved to amend the motion to wait one week to see if the numbers decrease. Mr. Pigg called point of order stating that the motion could only be amended by its originator. A discussion ensued regarding the rules to amending a motion on the floor to which Ms. Mikale clarified that only the originator of the motion could amend it. However, if the motion is not seconded it dies on the floor; otherwise it can be voted down and a new motion with the amendments may be made. Chairman Diehl restated the motion on the floor and put it to vote. The motion carried with three in favor and Mr. Prater and Mrs. Davis dissenting. Chairman Diehl announced the motion passed.

Ms. Mikale clarified whether a meeting date would be set during this meeting or at a later date. It was determined it would be set at a later time when everyone had access to their calendars.

#### **OLD BUSINESS**

There was no old business on the agenda for this meeting.

#### **NEW BUSINESS**

Mrs. Vollmar addressed the requirement for the board of directors to attend board training in order for JCHD to maintain accreditation through the National Association of County and City Health Officials (NACCHO). University of Missouri Extension is providing a board training November 7<sup>th</sup> from 8am to 4:30pm at Rock Township that Mrs. Vollmar is requesting they attend. JCHD will assume the costs of the training for each of the board members. Mr. Pigg questioned if all of the board members attending the training together would be subject to the Sunshine Law. It was determined that as long as no board business is discussed, and it is for training purposes only there would be no violation. Further discussion ensued regarding the necessity of training and the scheduling of training. Mr. Prater made a motion for the board members to make every effort to attend the board training on November 7<sup>th</sup>. Mr. Pigg seconded the

motion. The motion passed unanimously, and Chairman Diehl announced the motion passed.

Mrs. Vollmar stated JCHD's legal council had given their 30-day notice at the end of last month's meeting, and a subcommittee was formed to complete the public bidding procedure and provide a recommendation for new representation. Christi Coleman introduced herself and provided information and answered questions about her experience and her law firm, Sandberg Phoenix:

- They have 170 attorneys in their firm.
- They have experience representing different county boards and handle all of their labor disputes and issues.
- Ms. Coleman is experience is in labor and employment.
- She is a licensed attorney in both Missouri and Illinois.
- Her firm has attorneys that cover real estate, contracts, tax appeals—anything that JCHD may need they will have a team assembled specializing in the areas needed.
  - If this were to occur Ms. Coleman would continue to be JCHD's point of contact, and she would consult with or bring in a colleague best suited for the situation.
- Ms. Coleman is a resident of Jefferson County.
- She assured the board that she or an attorney from her firm would be available to attend all of JCHD's board meetings.
- Ms. Coleman graduated in 2001 from St. Louis University.
- Ms. Coleman stated she represents school boards and is very familiar with Robert's Rules of Order.
- She also has experience facilitating board trainings which includes topics such as the Sunshine Laws.
- They do not put a time limit on their contracts. Should either party choose to end the partnership they are ethically obligated to continue to represent their client until all loose ends are tied up and new representation has been acquired.

Mrs. Davis made a motion to contract with Sandberg Phoenix Law Firm. Mr. Prater seconded. Mrs. Davis amended the motion to include the start date of September 28, 2020. Mr. Prater seconded the motion. Chairman Diehl put the motion to vote to which it passed unanimously.

Mr. Pigg moved to go into a closed session citing, 6505021, Sections 1, 2, and 13. Mr. Prater seconded the motion. Chairman Diehl reiterated and Ms. Mikale clarified, votes can be taken on closed session business only; however, those votes become public after three days. A roll call vote was taken to go into closed session the responses were as follows:

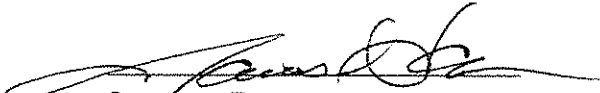
Chairman Diehl: Aye  
Dr. Henry: Aye  
Mr. Pigg: Aye  
Mr. Prater: Aye  
Mrs. Davis: Aye

Chairman Diehl announced the motion passed unanimously.

The board returned from closed session and having no additional items on the agenda proceeded to end the meeting.

**ADJOURN**

Dr. Henry motioned to adjourn the meeting. Mr. Pigg seconded. Motion carried unanimously and Chairman Diehl announced the motion had passed. Meeting adjourned at 5:37pm.



Secretary-Treasurer