

Barton County Board of Health Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email clerk@bartoncounty.org

Meetings Live Streamed through **Microsoft Teams®**

March 22, 2021

The Board of Barton County Commissioners met as the Board of Health on this 22nd day of March 2021, at the Barton County Courthouse.

Members present:

Kirby Krier, Commissioner, 1st District
Barb Esfeld, Commissioner, 2nd District
Shawn Hutchinson, Commissioner, 3rd District (*Chairman Pro-Tem*)
James R. Daily, Commissioner, 4th District, Chairman
Jennifer Schartz, Commissioner, 5th District
Donna Zimmerman, County Clerk
Phil Hathcock, County Administrator
Karen Winkelman, Public Health Director

Members absent:

Patrick Hoffman, County Counselor

I. OPENING BUSINESS:

Commissioner Daily called the meeting to order at 9:42 A.M.

Commissioner Schartz moved to approve the agenda with one item on the face mask mandate.

Commissioner Krier seconded the motion.

All voted aye. Motion passed.

Minutes of November 24, 2020, Board of Health Meeting were not presented ahead of time for review.

II. OLD BUSINESS:

There was no old business.

III. NEW BUSINESS:

A. COVID 19 Mask Mandate:

Commissioner Krier made a motion to eliminate the mask mandate in Barton County as written November 24, 2020 and would like to have discussion.

Commissioner Hutchinson seconded the motion.

Commissioner Krier said he would like to remove the word "mandate" from the mask mandate and let people and businesses make a mask mandate if they want. Krier said he does not want a mandate but wants to encourage people to social distance and wear masks. Krier said the CDC provided statistics that said 500,000 people died from COVID related symptoms and 625,000 people died from obesity. Krier said he is also not in favor of mandating obese people's diet and exercise plans.

Commissioner Schartz said in light of the Governor's announcement to repeal the mask mandate at the end of the month, would like to wait.

Commissioner Krier said we could repeal the mandate, which is basically a perpetual motion, and would then welcome a motion from Commissioner Schartz that would extend the mandate to March 31st. Krier said our mandate goes perpetually with no end.

Commissioner Hutchinson said, as a governing board, we do not have any more right to require people to wear a mask than we do to tell them they cannot wear a mask. Hutchinson asked Commissioner Schartz if it is a fact that the mandate will be lifted at the end of the month. Commissioner Schartz

Barton County Board of Health Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email clerk@bartoncounty.org

Meetings Live Streamed through **Microsoft Teams®**

asked Karen Winkelman to respond. Karen Winkelman said the mask mandate would be part of the discussion.

Commissioner Krier said he would like to lift the mandate and if we are going to have a mandate, it needs to have a deadline. Krier said he does not trust what is happening in Washington DC or the state and said at this time would like to lift the mandate. Krier said the Sheriff is not able to enforce the mandate.

Commissioner Daily asked how many vaccinations have been administered currently. Winkelman said over 6,000 first and booster doses. Phil Hathcock said 4,065 first doses and approximately 2,000 booster doses have been administered. Of the population over 19 years this works out to be 20.9% of the population has been vaccinated.

Commissioner Daily asked if we have seen a reduction in active cases being reported in Barton County. Winkelman said yes, as of last Friday we had seven active cases and noted there were no new cases reported over the weekend with no hospitalizations.

Commissioner Daily said since we are not really following the state mandate, based on the numbers we saw when we put this in place, we have a real slow down right now. We are seeing different strains of this virus and said it is a mobile virus. Daily said if we have a potential stop by the Governor, his recommendation is to repeal Resolution 2020-05 at the end of the month.

Commissioner Schartz said she would like to revisit the mandate at the end of the month.

Commissioner Krier said we could make another motion to extend the mandate to the end of the month and noted his constituents are overwhelming against the mask mandate. If one of the cities wants the mask mandate, they could ask their city council to vote on it.

Phil Hathcock said number one, we were forced into passing a resolution so the Governor's mandate would not become effective in Barton County. Since the Governor's mandate is still in effect, Barton County would still be under the Governor's mandate. In order to get out of the mandate, you would then have to opt out of the Governor's mandate. We need to do both of those items if you do not want a mask mandate in Barton County.

Commissioner Esfeld ask what is Senate Bill 40 that was passed last week. Hathcock said SB 40 is the new Kansas Emergency Management Act. It relates to the powers of the Local Health Officer. Those powers would now have to be approved by the Board of Health. It would also limit the Governor's powers. This bill has passed both houses.

Commissioner Schartz said she is not in favor since this came up suddenly. The mandate has served us well, the numbers are going down. Schartz said we are so close to the end of the pandemic and said there are no penalties for not following the mandate. Those who do not want to wear it do not anyway. We need to be together with the entire state.

Commissioner Krier said he is all for Great Bend passing a mandate if they want to.

Commissioner Hutchinson said he has not seen anything divide friends like COVID has. Our constituents have elected to them to decide.

Commissioner Esfeld asked what Dr. Pike's position is. Karen Winkelman said she has not had that conversation with him recently.

Commissioner Daily said Dr. Pike said earlier that masks and social distancing are an effective tool.

Barton County Board of Health Agenda Meeting Minutes

Recorded audio is available on compact disk upon KORA request to the Barton County Clerk's Office, 1400 Main – Room 202, Great Bend, Kansas 67530.

Phone (620) 793-1835 \ Fax (620) 793-1990 \ Email clerk@bartoncounty.org

Meetings Live Streamed through **Microsoft Teams®**

Commissioner Krier restated his motion and said this motion is to repeal the mask mandate that was given out by the Commissioners on November 24th, 2020 Resolution No. 2020-05.

Donna Zimmerman, County Clerk, said it is the Board of Health Resolution.

Commissioner Hutchinson clarified this would be effective today.

Commissioner Krier and Commissioner Hutchison voted aye.
Commissioner Daily, Commissioner Schartz and Commissioner Esfeld voted nay.
Motion failed 2 – 3.

Commissioner Hutchinson said he would like to add to the agenda next week on the 29th to revisit this for the 31st as the Board of Health. Hutchinson said if the state lifts the mandate on the 31st, ours would still be in place.

Commissioner Hutchinson moved to dissolve Resolution 2020-05 on March 31st, 2021.
Commissioner Krier seconded the motion.

Commissioner Schartz said she just thinks we need to discuss it on the 29th as she would like to have some input.

Commissioner Krier and Commissioner Hutchison voted aye.
Commissioner Daily, Commissioner Schartz and Commissioner Esfeld voted nay.
Motion failed 2 – 3.

Commissioner Krier thanked the commissioners for the discussion.

Commissioner Daily said this will be revisited on the 29th.

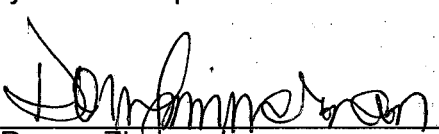
IV. OTHER BUSINESS:

There was no other business.

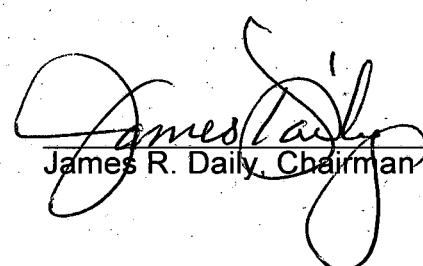
V. ADJOURN:

Commissioner Krier moved to adjourn at 10:09 A.M.
Commissioner Hutchinson seconded the motion.
All voted aye. Motion passed.

ATTEST:



Donna Zimmerman
Barton County Clerk



James R. Daily, Chairman