

Summit County Board of Health Meeting Minutes

Conducted Remotely through Zoom

Monday, July 20, 2020 - DRAFT

Topic	Discussion	Action or Summary
Attendance	<p>Board Members Present: Ilyssa Golding - Chair, Doug Evans, Marc Watterson, Chris Cherniak, Chris Ure, Kim Carson, Dorothy Adams</p> <p>Staff Present: Dr. Richard Bullough – Director, Dr. Phil Bondurant, Nate Brooks, Derek Siddoway, Dave Thomas, Cindy Keyes, Katy Staley</p>	
Welcome and approval of minutes	<p>The appeal meeting was called to order at 4:00 p.m. Board Member Evans made a motion to open the meeting. Board Member Carson seconded the motion.</p>	
Appeal of Face Covering Requirement for Children	<ul style="list-style-type: none"> • Dr. Bullough shared the background for this appeal. In March there were surging cases of COVID-19, and the County acted quickly. About a month ago, the Health Department looked at the best way to protect residents without closing the economy again. It became clear that face coverings could help mitigate the risk of contracting COVID-19. The 2020-08 mask order was implemented, and it quickly became clear that the order should be reconsidered. On July 1, 2020 the mask order was amended to include face coverings which would mitigate COVID-19 risk and encourage the use of face coverings. This amended order established more options for compliance. There is evidence that youth are more comfortable with face shields. Some face coverings are more conducive to exercise than others. • Dr. Bondurant stated there have been a variety of different appeals to the mask order, and the Health Department is working to find common ground for face coverings for children in a day care setting. The Governor has drafted a document for exceptions to the mask order. Children ages 0 to 3 are exempt from wearing face coverings. Face coverings are required for children ages 4 and older. • Rachel Barnett spoke on behalf of ten childcare centers and nine providers. The way the order is written, children are treated as young adults with the expectation that they can keep face coverings on, which is flawed. The first concern for children wearing face coverings is for health and safety. There is a possible choking hazard, and with masks there is no way to see if a child is choking. Children have been observed sucking on the masks. The second concern is with liability. The childcare center could be liable if wearing a mask perpetuates existing health conditions of children in their care. The third concern is that children 4 to 5 years of age are relatively good wearing a mask up to two hours, but when a mask is taken off, the teacher has to put it back on. This requires the teacher to touch the child’s face, which could be a health risk for the teachers. The fourth concern is that the children in daycare are in their formative years. Masks are barriers to developing secure attachments. These barriers are helpful in mitigating disease, but child consent must be considered. Pushing a child to wear a face covering could be detrimental to health and safety. Exceptions need to be made. It could be wise to not require face coverings for children up to 6 years old or remove the penalties for non-compliance and recognize mitigations of the risks. The Health Department should do more to cultivate mask wearing in the community. • Natalie Pepito is the owner of Kid’s Cabin in Park City and has owned a childcare center since 2002 and worked in childcare longer than that. Children ages 2 to 4 are the greatest concern. When children are crying, 	<p><i>Summary:</i></p> <ul style="list-style-type: none"> • <i>Daycare facilities are appealing the decision to require face coverings for children.</i> • <i>Rachel Barnett and Nathalie Pepito presented the argument for not requiring children in a daycare setting to wear face coverings.</i> • <i>The Governor has drafted a document that presents exceptions to the mask order.</i> • <i>A motion was passed that denies the appeal as written and adopts the State Health Department guidelines.</i> • <i>More information can be found at www.coronavirus.utah.gov.</i>

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	<p>they can hold their breath and pass out or throw up. Masks make it difficult to see anything in a child’s mouth or see if they are choking. Some children have undiagnosed conditions which could be exacerbated by wearing masks for eight hours. Children are conditioned to obey and may not say if they are having a problem. Children this age are learning expressions and mask wearing makes it difficult to see expressions on adults and children. The Bureau of childcare Licensing has not mandated masks. To mitigate the spread of COVID-19, parents are not allowed in the childcare center, hands are washed regularly, and temperatures are taken. The childcare centers are happy to do screening. Toddlers are gross and have drool and snot, which requires masks to be replaced regularly.</p> <ul style="list-style-type: none"> • Dr. Bondurant stated that the face covering order for public schools includes exemptions for children younger than 3 or if a caregiver cannot place the face covering safely on the face. There are also exemptions for physical distancing. Board Member Carson stated the exemptions allow for the best judgement of the parent or caregiver. Dr. Bondurant stated some exemptions include medical or mental health conditions, those who are deaf or hard of hearing, children with an IEP (Individual Education Plan), and children participating in PE (Physical Education). More information can be seen at www.coronavirus.utah.gov. • Rachel Barnett stated that it sounds like the exemptions will help quite a bit, especially the exception for the caregiver being able to safely place a face covering on a child. It is not safe for teachers to put face coverings on children. The childcare centers are trying to increase their outdoor curriculum. Kids run around a lot and it is hard to know if they are maintaining a six-foot distance from each other. Non-profit childcare centers do not have enough money to purchase masks for every teacher and child. It is not practical to wear gloves to change children’s masks because the childcare centers would go through a lot of gloves. It seems like putting a mask on a child is forcing the child to wear a mask. • Chair Golding stated that we should not let perfect be the enemy of good. We need to do the best we can to follow the face covering order, and it seems like there is a will to try. Chair Golding stated she understands the health community and the struggles with children. Following the face covering order is a process. Board Member Watterson stated that in a pandemic there is not time for people to get used to wearing a mask. • Board Member Adams stated that Salt Lake County will follow the Governor’s guidelines. Everyone needs to do their best as wearing face coverings becomes the new normal starting now. Board Member Carson stated that what the Governor has proposed seems reasonable. Board Member Evans stated that it is difficult to know what to do. Kids should all get a disability exemption if they cannot keep a mask on. Kids have to see faces for proper development. Board Member Evans is furious with the Governor for putting the responsibility on the kids. Mask wearing should be mandated for adults because if adults can do it then kids would not have to. The adults are acting irresponsibly. Board Member Carson stated that there is the option of wearing face shields for older ages, but sometimes face shields are not feasible. Kids can be carriers of COVID-19 and are sometimes asymptomatic. It is best to keep smaller groups of kids together to help with contact tracing. The responsibility for preventing the spread of COVID-19 rests on each individual of the community. Masks are one of the last resources to keep from shutting down again. 	

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	<ul style="list-style-type: none"> • Board Member Carson made a motion to deny the appeal as written and adopt the State Health Department guidelines as were shown during this meeting with the exemptions applicable to daycare centers according to the Findings of Fact and Conclusions of Law to be drafted by Dave Thomas and authorize the Chair to sign for those. Board Member Evans seconded the motion. Motion passed 7-0. • Board Member Adams stated that establishments will do the right thing because they do not want to deal with the ramifications of an outbreak. An outbreak would be the worst thing for a business. Dr. Bullough stated that school nurses are the point of contact for tracing in schools. Daycares are limiting contact by having small groups together. It is unreasonable to require the daycare facilities to do contact tracing. The daycares are not required to contact the Health Department if an outbreak occurs in their facility, but it would be in their best interest to do so. The Health Department is responsible for contact tracing. 	
Appeal of Face Covering Requirement During Exercise	<ul style="list-style-type: none"> • Dr. Bondurant introduced the appellants for the face covering requirement during exercise. Dr. Bullough shared that the mask order applies to indoor activity. We live in a community where health and fitness are taken seriously. It is clear that masks mitigate COVID-19 risks and the risks are greater indoors than outdoors. It is less clear what risk is coming from fitness facilities. There are well-documented outbreaks in fitness facilities nationally, but there have not been any significant outbreaks in Summit County or in Utah from fitness facilities – yet. The health risk of wearing a mask is low but can be significant for some individuals. COVID-19 cases are surging in the state and county, and the mask order is in place for mitigation. It is in the best interest of businesses to take precautions and have mitigating measures to keep their business open. If the mask order is eased in indoor settings, there would have to be other mitigating measures in place. • Melissa O’Brien, representing Snyderville Basin parks and Recreation stated that Basin Rec was in favor of the last joint order, and appreciates what the Health Department is doing to keep businesses open. Basin Rec would like guidance for indoor and outdoor sports. Fitness facilities can further distance and get more people coming in if they are not required to wear masks. • Matt Strader is the manager of The Fieldhouse and stated there is a constant battle against wearing masks. Strenuous exercise makes it harder to breathe with a mask on. If people can be spaced farther during cardio without masks, that would be easier. Salt Lake County has a strenuous exercise exemption for masks. • Melissa Garland represents a group of small private businesses of the Park City Exercise Coalition, which is in support of the County and is here to ensure that they live up to every requirement and want to be able to always support the County. Social distance has helped to prevent outbreaks in fitness centers. The appeal is to ask for a minor change that would allow people to remove masks during strenuous exercise. The masks would not be removed until a person was within their defined individual, socially distanced space. The person would not leave their space without a mask on. If distancing works, then it should be the first effort and best means of preventing spread. Other mitigations would include temperature testing, regular cleaning of equipment, and air filtration. The instructors would be required to wear masks. Additional cleaning materials, masks, and gloves are provided for the patrons. Additional spacing would be difficult for smaller facilities. Most fitness facilities have lost up to fifty percent of their business, and some 	<p><i>Summary:</i></p> <ul style="list-style-type: none"> • <i>The Board of Health discussed an appeal of the face covering requirement during exercise.</i> • <i>Melissa O’Brien, Melissa Garland, and Matt Strader presented an argument for the appeal on behalf of the fitness industry in Summit County.</i> • <i>The appeal for the face covering requirement during exercise was denied, but the requests 1 through 4 in the appeal were accepted and face coverings will not be required when social distance of six to ten feet is maintained.</i>

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	<p>businesses have closed. Many people have explicitly said that the mask requirement is the reason they will not come to the fitness facility.</p> <ul style="list-style-type: none"> • Board Member Adams stated that Salt Lake County is watching the numbers and not seeing COVID-19 cases from fitness centers. Salt Lake County is following the State’s guidelines and social distancing is working. Outdoor and indoor sports are a concern but should be okay with social distancing and wearing masks on the sidelines. The concern is with sideline behavior, not play. Board Member Evans stated that active participants in sports get temperature checks, have spacing on the sidelines and prohibit bottle sharing. • Dr. Bullough stated that duration of exposure is important. Limiting the duration of exercise could be a mitigating factor, but it could not be enforced. The CDC (Center for Disease Control) has identified fifteen minutes or more of exposure increases the risk of contracting COVID-19. Schools have mitigating factors for the length of exposure. • Dr. Bondurant stated that even hospital grade filters do not filter out all viral particles. Only UV treatment removes all viral particles, but UV units are very expensive. Filtration units are encouraged but will not get the level of filtration that is anticipated. Board Member Evans stated that proper ventilation is more effective, exhausting more air and bringing in fresh air. Melissa Garland stated that most facilities can increase their ventilation and some already have. Limits to aerobic activity can be made, with only part being high intensity. Chair Golding stated her worry about classes in an enclosed space without windows. It is better to err on the side of caution. It is arbitrary if exercise facilities are allowed to have masks off. Maybe classes could be held outdoors while the weather is nice. • Melissa Garland stated that if things stay at their current level then it would be more cost effective to close the facilities and request financial support from the County. Many facilities do not wish to shut down, but the mask order brings up the question of survival. With no indications that fitness centers are causing COVID-19 outbreaks, it seems reasonable to ask for an exemption. Revenues have dropped fifty percent from COVID-19 and an additional fifty percent from the mask order. There needs to be a balance between financial and physical health. • Board Member Adams suggested that if the request is granted then cases need to be watched to see if there are links to fitness centers. If there are links shown, then the issue can be revisited. The key could be keeping the numbers of guests down. • Board Member Ure stated that older people in Kamas are going early to work out and have notes from doctors saying that masks are detrimental to their health. People are given disinfectant for exercise machines to clean before and after use, and wear masks to and from the machines. Indoor and contact sports are being treated as a priority when they are a luxury. • Dr. Bullough stated that it would be weeks before an effect would be seen in granting the appeal. It would be realistic to have a time limit to revisit the issue. If there is an outbreak, then it would be traced to the business and individuals will be isolated. The business that had the outbreak would probably be put out of business. Chair Golding stated that she would like to not approve the appeal and then revisit the request at a later date. Dr. Bullough argued that it has been almost five months without an outbreak linked to fitness centers, and it is not clear what a delay would accomplish. Health Officers do have the ability to close businesses if they have a significant outbreak. 	

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	<ul style="list-style-type: none"> • The specific appeal requests were clarified. • Board Member Adams made a motion to deny the appeal but accept the requirements one through four and not require face coverings when social distancing of six to ten feet is in place as proposed. The language of “when social distance cannot be maintained will be removed from section 3b and 4c of the proposal. This motion is subject to the Findings of Fact and Conclusions of Law to be drafted by Dave Thomas and approved and signed by Chair Golding. Board Member Carson seconded the motion. Motion passed 7-0. • Chair Golding suggested that a modification be made to increase the distancing to ten feet. Board Member Adams stated she is not open to that change and would like to keep with six-foot distancing for consistency. • Melissa Garland asked that the County Order be amended in Section 3 to add an exempted group to include individuals engaged in strenuous physical activity. Board Member Adams stated that face coverings will not be required when people are six to ten feet apart, so there should not be an issue. • Board Member Cherniak proposed that there be a review period. Dave Thomas stated that the appeal cannot be subject to reviews, but the Health Department can be directed to review and see if there is a change separate from the official motion. 	
Adjourn	<ul style="list-style-type: none"> • The meeting adjourned at 6:55 p.m. • Board Members Watterson and Cherniak made a motion to adjourn. Motion passed 7-0. 	<p><i>Summary:</i></p> <ul style="list-style-type: none"> • <i>The next regular meeting will be scheduled as a Zoom conference on Monday, September 14, 2020.</i>