



MCHENRY COUNTY
BOARD OF HEALTH
MINUTES • AUGUST 24, 2020

Regular Meeting

County Board Conference Room

6:30 PM

667 Ware Rd, Administration Building, Woodstock, IL 60098

1. CALL TO ORDER

Meeting called to order at: 7:15 PM by William Stinson.

PRESENT: McCann, Lorenc, Stinson, Gaffney, Clarke, Morawski, Lin (Remote), Marcussen, Casner, Adamson, Gugle, Nomm, Karras, Howell, Buthod, Volant
ABSENT: Faccone, Amsler

2. PUBLIC COMMENT

3. PROGRAM HIGHLIGHTS

A. Retirement of Joseph Gugle - 34 Years

Dr. Stinson congratulated Mr. Gugle, Health Administration Manager on his upcoming retirement from the Department of Health after 34 years. Dr. Stinson thanked Mr. Gugle for all his assistance with the Board of Health over the years and stated his guidance and expertise were highly valued.

Ms. Nomm, Director of Environmental Health gave a brief history of Mr. Gugle's career, which started in the lab in the Environmental Health division. Ms. Nomm highlighted many of Mr. Gugle's accomplishments throughout his career and stated he was known and well-respected within the local and state Public Health field.

Dr. Stinson presented Mr. Gugle with a certificate of appreciation for his many years of service and dedication to the McHenry County Department of Health.

RESULT:	PRESENTED
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4. MINUTES APPROVAL

A. Board of Health - Regular Meeting - Jul 27, 2020 6:30 PM

Mr. Marcussen requested some additional comments be added from the last meeting regarding COVID-19 related issues, namely school closures and enforcement of non-compliant food operators.

Motion was by Mr. Marcussen, second by Ms. Morawski to amend minutes from the July 27, 2020 Board of Health meeting.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Kyle Marcussen
SECONDER:	Juliana Morawski
AYES:	McCann, Lorenc, Stinson, Gaffney, Clarke, Morawski, Lin, Marcussen, Casner
ABSENT:	Faccione, Amsler

5. DEPARTMENT & DIVISION UPDATES

Ms. Adamson has re-engaged the Strategic Planning consultant and informed board members that we will be sending out a poll to check availability for dates in October. Ms. Adamson stated due to the pandemic, some of our capabilities have been re-directed. This offers us the opportunity to have discussions about infrastructure needs, partnership needs, public health positioning and what health issues are the most critical to address.

Because of the unknown length of time of the pandemic, a shorter plan (2-3 years) may be more realistic to achieve; then host a subsequent planning session in the next few years to look at longer-term issues that may be impacting residents of the county.

As a follow-up to previous discussions pertaining to employees who have been unable to take vacation due to COVID-19, Ms. Adamson said we have been working with the County to develop a draft resolution to go first to the Board of Health, then to the County Board. It is still in the works, but Ms. Adamson said it would be approximately \$10,000 to pay people down to a sufficient level that they won't stop accruing time so quickly.

Ms. Nomm said the 2nd of four recycling events will be taking place on Saturday, August 29 at the Administration Building from 9:00 a.m.-12:00 pm. Electronics, alkaline batteries, textiles, fluorescent bulbs and styrofoam will be collected. We will also have onsite document shredding.

On September 10, there will be a tire recycling event for townships and municipalities. This will be for the tires that they have picked up along roadsides. It is hosted by Nunda Township and sponsored by the Illinois Environmental Protection Agency (IEPA).

Ms. Nomm said she was contacted by a health department in Oklahoma last week and the inspector said they had done a national search for a self-inspection checklist to help their food establishments and he thought ours was the best one and will be using it. Ms. Nomm said she's very proud of her food staff, who worked very hard on this checklist. Ms. Nomm also told board members that Lindsey Savatelli informed her that a reporter reached out to several food establishments in the county to see what their COVID-19 experiences were and those establishments provided very positive comments about the information provided to them by the Department.

Ms. Karras told board members the Department is currently interviewing for contact tracers and case investigators. It has been difficult to get applicants in from the temp agency and we are looking at different avenues to recruit from. The State has provided the Department with a list of 700 people interested in working as contact tracers and case managers within the county, so Ms. Karras said they are hopeful they will be able to recruit people from the list.

The Department is also struggling to meet the demands of the immunization clinic, because of shifting people to work in different areas of COVID-19 and some are working from home because of the demands of remote learning from schools.

Ms. Karras said flu shots are expected to be here the first week of September and the clinics are set up for the vaccines. We have not received word on when we will get our State flu supply yet. It normally comes several weeks after the private stock has been delivered.

Dr. Stinson asked Ms. Karras about the alternative housing site and why the referrals did not qualify for admission. Ms. Karras stated the referrals were for law enforcement who thought they had been exposed to COVID-19 and wanted a place to isolate/quarantine. Ms. Karras stated the COVID-19 cases could not be confirmed and the referrals had the ability to safely isolate/quarantine at home.

Ms. Howell said Animal Control is excited about having their first drive thru clinic on Tuesday, August 25th. There are 58 animals expected at the clinic. Previous clinics have served approximately 75 animals. Another clinic is scheduled for August and 2 more clinics in September. The Division is considering adding additional clinics in October and November.

The Adoption Center has just recently opened and we've had our first adoption on Saturday. Animal Control has some kittens that will soon be put up for adoption.

Ms. Howell said the Division has partnered with the Workforce Network to recruit some new employees and they are connecting us with some of their clients who are interested in working with animals and administrative work.

Ms. Howell also noted she is working on her first potential reckless owner. She stated there may be some trial and error as we go through this new process.

6. CONSENT AGENDA

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joseph Clarke
SECONDER:	Kyle Marcussen
AYES:	McCann, Lorenc, Stinson, Gaffney, Clarke, Morawski, Lin, Marcussen, Casner
ABSENT:	Faccione, Amsler

- A. Disbursements
- B. Income & Expenses
- C. Administrator Report
- D. ADM Report
- E. ENV Division Report
- F. PHN Division Report
- G. VPH Division Report

7. CONTRACTS AND AGREEMENTS - NEW

- A. Paint Recycling

Quotes were sent out to several different vendors for a paint recycling event, and Ms. Nomm said Heritage was the only vendor that provided a quote. Ms. Nomm said Heritage proposed to provide us the opportunity to recycle 2,750 gallon containers at the cost of \$29,000.

Ms. Nomm recommended that we table the paint recycling this fall and she is confident the Department will be able to offer a paint recycling event in the spring that is much more cost-effective.

Mr. Marcussen asked Ms. Nomm how municipalities and townships that offer paint recycling such as Nunda Township, handle the costs. Ms. Nomm replied that Nunda Township was in a pre-existing program prior to the IEPA's funding changes and were grandfathered in. She also stated there are 2 permanent household hazardous waste drop off sites just outside the county, but an appointment is typically required. Ms. Nomm said she is hopeful there will be a household hazardous waste event next year open to all county residents, sponsored by the Lake in the Hills Public Works Department.

RESULT:	PASSED BY VOICE
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8. OLD BUSINESS

A. COVID-19 Non-Compliance Enforcement

Ms. Nomm gave a presentation summarizing the Department's experiences regarding complaints and responses over the past 5 months since the Executive Orders were issued, how we will be handling complaints moving forward.

Ms. Nomm stated that some facilities were confused whether the Department of Commerce and Economic Opportunity (DCEO) guidelines, restrictions and limitations under the Executive Order, were required or recommended. Staff sought and received guidance from the State's Attorney's Office (SAO), who indicated that each case would be reviewed on its own merits regarding formal enforcement. Ms. Nomm stated that the current opinion of our States Attorney's office is that the Executive Orders are null and void, and the Department has no authority to enforce anything under the Executive Order.

Ms. Nomm said that staff provided over 400 one-on-one trainings for our food establishments about COVID-19 prevention according to DCEO guidelines that were established for Phase 4 during this time period. Ms. Nomm stated most operators were trying to comply, but there is a small percentage of food establishments that are resistant. Staff found that many establishments that do well during normal operations, but that there are breakdowns in the processes when they are at their busiest.

Complaints and concerns were received by all divisions. From mid-March thru August 6, 206 complaints, from 134 unique locations, were received. Most complaints were about food establishments; we also received concerns about schools, daycares and other businesses. The most frequent complaint was failure to wear face masks. However, often complaints involved more than once concern such as not wearing face masks along with lack of social distancing and/or large crowds.

The August 7th Emergency Rule Change codifies the failure to wear masks by staff or patrons unless medically exempted and the gathering of 50 or more people or 50% occupancy, whichever is less. Since the new rules have been in effect, the Division has received over 70 complaints specific to the new changes.

Ms. Nomm said that some of the enforcement challenges include facilities indicating that staff cannot wear masks due to medical reasons. The new rules don't provide a clear policy regarding medical exemptions, and the Department's expectation is that a facility must have a policy in place for medical exemptions, and the policy should include some type of documentation of the need for the exemption.

Staff was asked where the new rules originated from. Ms. Adamson said they were adopted from IDPH in response to the Executive Order, and amended the Control of Communicable Diseases code. Dr. Stinson asked if the ruling of the Executive Order is in the appeals process. Ms. Adamson said from the Illinois Department of Health's standpoint, the order is fully enforceable. The Clay County order has been stayed, which makes the Executive Order back in effect.

Environmental Health has implemented a process to receive and respond to repetitive complaints without creating duplicate files. The rules require a 3-step, escalating enforcement process: written warning, Notice to Disperse, then a Notice to Appear in Court. Any fines would be assessed by a judge. Ms. Nomm said Environmental Health has written approximately 10 notices of warning to establishments so far. She is expecting several may ultimately go through the entire enforcement process. Ms. Nomm said she has concerns regarding the expectations of Environmental Health staff to enforce violations. There will be situations that Environmental Health staff is not equipped to handle such as dispersing a large crowd. Also, the time spent on these complaints impacts other programs in the Division. Ms. Karras agreed that handling COVID-19 complaints and questions and providing education does take time and staff away from other responsibilities.

Mr. Clarke asked why this hasn't gone through legislature to get passed as statute. Ms. Adamson answered that it was attempted earlier for an emergency rule but was not upheld. Ms. Adamson added that some objected to how the process was conducted rather than the rules themselves. It is very clear in the rules that law enforcement and any employee of a local jurisdiction can be given the authority to enforce these rules.

Mr. Marcussen asked why we can't use the same type of enforcement that we use in ordinance violations because the virus is a public health risk. Ms. Nomm responded that the Public Health Administrator has the authority to suspend food establishment permits for a variety of reasons, but ultimately we rely on the State's Attorney's office if we need to follow through with formal enforcement, such as if a facility disregarded a permit suspension. Mr. Marcussen stated the Department should still proceed with the enforcement.

Ms. McCann stated we need to find a balance and staff still has a large amount of complaints to deal with, not just COVID-related. Ms. McCann added that it's important to have compliance and most people try to do the right thing to protect the community.

There was discussion among board members regarding the restrictions that have been made due to COVID-19 and the reasons why many people object to these restrictions. Board members discussed different practices that have been restricted over the years such as smoking and other types of laws that have been put in place for to protect the public's health.

It was suggested that a special meeting be called to discuss the adjudication process and a proposed resolution. Ms. Adamson stated Ms. Howell and Ms. Nomm will need some time to get their information together to present to board members. Ms. Adamson stated a poll would be taken to check board members availability.

RESULT:	DISCUSSION
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9. NEW BUSINESS

A. Community Farms

Ms. Nomm provided some information on the Department's involvement with Community Farms. This is a proposal to construct a butcher shop in Marengo and would be set up for a customer to purchase

a live animal to be processed specifically for that customer. It would be regulated and inspected by the Department of Agriculture. Environmental Health has reviewed and approved the septic system that would serve the facility. The facility will be served by community water. Staff met with the engineer and architect throughout the design process to ensure that proper handling of the wastewater. There are other facilities of this type, in rural areas, that have been operating for years.

Ms. Nomm was asked if, and what type of, live animals would be kept on the property. Ms. Nomm said the animals would include poultry, sheep and goats.

RESULT:	PRESENTED
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B. Compensation for Vacation During COVID-19

Ms. Adamson said she did not have the exact amounts available but she stated Human Resources came up with a preliminary amounts of approximately \$10,000.00. Ms. Adamson said there are a few scenarios she would like board members to review and will add this to the agenda for further discussion next month.

RESULT:	DISCUSSION
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10. BOARD ISSUES

Dr. Stinson read a communication from Cal Skinner to board members regarding the regulation of long term care facilities. Mr. Skinner would like the board to ask the General Assembly for concurrent regulatory power over the county's long term care facilities.

Mr. Skinner believes that if the McHenry County Department of Health and the leadership of Valley Hi were more involved, 90 lives of long term care facility residents would not have been lost. Mr. Skinner also included a copy of a press release sent out by Governor Pritzker's office regarding review of IDPH delays of complaint investigations at long term care facilities.

Ms. Karras said the Department's role with long term care facilities are to be consultants. We have no regulatory authority and IDPH states the Department should be consulted for infectious disease control. Ms. Karras stated we have had a good relationship with Valley Hi. A few years ago, Ms. Karras arranged through a grant to get some Valley Hi employees trained in infection control during a scabies outbreak. They now have 3 employees trained and there are facilities that don't have any trained personnel. IDPH requires facilities to have designated personnel trained in infection control. The failure was that IDPH did not make sure the state's requirements were in place at the facilities and if they were aware of the lack of preparedness, didn't help them to get prepared. Ms. Karras also noted when the COVID-19 outbreak began, the facilities that were unprepared were the ones that had the highest amounts of deaths.

It was recommended that the Department speak with other counties and state representatives to hear their views of this suggestion.

Ms. Adamson confirmed the meeting date of September 23, 2020 for a Special meeting for residents of 300 West. A time has not been determined yet. Ms. McCann offered to send board members a map of the area.

Ms. McCann also informed members and staff of a special meeting of the Committee of the Whole (COW) to hear stories of how COVID-19 has impacted residents. This will be at 9:30 am on Wednesday, August 26, 2020.

11. INFORMATION AND COMMUNICATIONS

12. EXECUTIVE SESSION (AS NECESSARY)

13. APPENDIX

A. Media Detail

RESULT:	PRESENTED
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B. Webstat

RESULT:	PRESENTED
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C. ENV Well/Septic Report

RESULT:	PRESENTED
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D. ENV Lab Report

RESULT:	PRESENTED
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E. PHN Reports

RESULT:	PRESENTED
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F. VPH Reports

RESULT:	PRESENTED
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14. ADJOURNMENT

A motion was made by Mr. Marcussen, second by Ms. Gaffney to adjourn meeting at 9:36 pm. Motion was passed unanimously by a voice vote.