

BENTON COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
JANUARY 11, 2022

The Benton County Board of Commissioners met for a special meeting on Tuesday, January 11, 2022 in the Benton County Board Room in Foley, MN with Commissioners Beth Schlangen, Scott Johnson, Ed Popp, Jared Gapinski and Steve Heinen present. Call to order by Chair Heinen was at 9:00 AM followed by the Pledge of Allegiance to the flag.

Chair Heinen had requested this meeting after having a meeting with CentraCare officials to have the County Board consider a County employee face covering requirement and policy, a Resolution to consider requirements by members of the public to wear face coverings while in County facilities, and to consider being a signatory on the letter that the City of St. Cloud, Waite Park, Sartell, and Sauk Rapids have signed that encourages members of the public to wear masks indoors to help slow the spread of COVID-19. Heinen also stated that this was a not pertaining to the OSHA Emergency Temporary Standard (ETS), and that this was a separate request exclusively for Benton County.

There are two possible face covering policies to be considered:

- 1) A policy to mirror the face covering policy in the recently adopted OSHA (ETS) Policy
- 2) A policy to match the face covering policy in the County's COVID preparedness Plan that was in effect with State of MN Executive Orders and the now-rescinded statewide mask mandate (updated to reflect current MN Department of Health mask guidance)

Headley stated Policy #2 is somewhat more permissive and allows employees in cubicles with high cube walls and six feet of separation to avoid masks. Also, employees with private offices can avoid masks. The OSHA ETS does not allow for either exception. CentraCare Family Physician Kimberly Tjaden, MD, provided a presentation to the County Board regarding the current status of COVID-19 and stated that there is a Statewide lack of ICU bed availability with 70% of the beds being taken by COVID-19 patients and there is a lack of outpatient treatment options due to the high demand. Tjaden stated that quality masking is what we need to be doing now in order to flatten the curve of the Omicron surge and other COVID activity, and that vaccination will not help now, but vaccination will help with future outbreaks. Tjaden stated that with quality masking, we could save approximately 1,100 lives in Minnesota. Tjaden reported that as of last Friday, CentraCare had over 800 employees out due to COVID-19 and new treatments are being rationed. Thus, CentraCare is reinstating policies such as everyone who enters must wear medical grade masks (N95 or KN95 masks or a mask with two or more layers of tightly woven fabric); no visitors allowed; they are on the verge of limiting care; and to keep employees and constituents safe, cloth masks such as loosely woven or single layer fabrics found in certain masks, scarves, neck gaiters or bandanas are no longer acceptable face coverings. Tjaden stated at this point, we need to slow the spread. County Administrator Montgomery Headley stated that he has been communicating with Assistant County Attorney Michelle Meyer regarding the legality of enforcing a masking policy to the public and Meyer stated this would be permissible under the law. Headley stated that this policy would follow the Governor's mask mandate with the exception that the masks should now be 2 layers of tightly woven fabric or medical grade masks instead of the cloth masks such as loosely woven or single layer fabrics, scarves, neck gaiters or bandanas that were worn before. You would not need to wear a mask in a private office, and this policy would mirror what we were doing

months ago. Headley stated that Benton County has ordered 500 more of the compliant masks and anticipates they will be here within a few weeks for all Benton County employees. Public Health Supervisor Jaclyn Litfin provided an update on Benton County's current COVID situation and reported that there are 360 active cases, there have been 10,604 positive cases total reported, 500 cases total were hospitalized, 91 cases total in ICU, and there were 125 deaths since the beginning of COVID-19. Litfin reported that our county is in the "high risk" category, as are all of the other counties in Minnesota. Litfin recommends getting vaccinated, wearing face masks that are 2 layers of tightly woven fabric or medical grade face masks, getting tested for COVID-19, staying home when sick, washing hands frequently, avoiding large crowds and avoiding exposure to help slow the spread of COVID-19. Litfin provided resources for COVID-19 vaccination and testing. Benton County's Emergency Management Director Jim McDermott added that even though he is not in favor of mandates, he feels it is our personal responsibility to support our medical community and stated that the unvaccinated are the ones at risk. Johnson has concerns about adopting a policy but having no one to enforce it. Gapinski shared the same concern and added that wearing a mask while working in dispatch could make their voices more muffled when trying to communicate through their systems. Headley stated that the policy would allow employees to wear face shields or provide other accommodations for those working in public safety. Gapinski stated he would be for this if there was an end date set in place for the policy. Motion by Gapinski to adopt the policy to match the face covering policy in the County's COVID-19 Preparedness Plan that was in effect with State of MN Executive Orders and now-rescinded statewide mask mandate and to add an end date of February 22, 2022. Seconded by Heinen. Motion carried with a three to two vote with Commissioner Popp, Heinen and Gapinski voting "aye" and Commissioner Johnson and Schlangen voting "no".

Next, Popp made a motion to adopt a Resolution to require members of the public to wear face coverings while in County facilities and to make changes to #5 to take out the word "must" and replace it with "recommend", and to have the same end date of February 22, 2022. Seconded by Gapinski. Motion failed with a two to three vote with Commissioner Johnson, Schlangen and Popp voting "no" and Commissioner Heinen and Gapinski voting "aye"

Last, Johnson made a motion to be a signatory on the letter that St. Cloud, Waite Park, Sartell and Sauk Rapids signed that encourages members of the public to wear masks indoors to help slow the spread of the COVID-19 virus. Seconded by Popp. Motion carried with a four to one vote with Commissioner Johnson, Heinen, Gapinski and Popp voting "aye" and Commissioner Schlangen voting "no".

The Motion by Johnson and seconded by Gapinski to adjourn the special meeting at 10:30 AM. Motion carried unanimously.

Steven J. Heinen, Chair
Benton County Board of Commissioners

ATTEST:

Montgomery Headley
Benton County Administrator

