

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

SPECIAL SESSION, THURSDAY, JULY 29, 2021

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, July 29, 2021, with ten members present remotely or in-person. Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. Markley, Commissioner Sixth District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Alan Howze, Emerick Cross & Melissa Sieben, Assistant County Administrator's; Bridgette Cobbins, Interim Assistant County Administrator; Brett Deichler, Interim Unified Government Clerk; Misty Brown, Chief Counsel; Juliann VanLiew, Director of the Health Department; Dr. Allen Greiner, Local Health Officer; Dr. Erin Corriveau, Deputy Health Officer; Elizabeth Groenweghe, Chief Epidemiologist; and Ashley Hand, Director of Strategic Communication.

MAYOR ALVEY said before I call the meeting to order, I want to announce that due to COVID-19, we have individuals attending remotely as well as on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is participating knows who is speaking. This is critical given the number of remote participants in his current guidance from the Kansas Attorney General.

MAYOR ALVEY called the meeting to order.

MAYOR ALVEY said I would ask the Clerk to announce the meeting and call the roll.

ROLL CALL: Townsend, McKiernan, Ramirez, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs, Alvey.

AMENDED NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, July 29, 2021, at 6:00 p.m. in the fifth floor conference room for an update from the Health Department regarding COVID.

Due to COVID-19 the public will be able to observe or listen to the meeting live on YouTube or UGTV or through Zoom for the special meeting portion only.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Alvey said we have an update from our Health Department regarding the progress of COVID. I'll turn it over to Mr. Bach.

Doug Bach, County Administrator, said things have changed in the world of COVID the past couple weeks and leading up to this we're planning an update. As we come to this meeting we've seen more changes in the variant. I'm going to go ahead and turn this over to Juliann VanLiew in the Health Department and let her offer the presentation and our update as to where we are.

Juliann VanLiew, Director of the Health Department, said thank you for having us here this evening and for your continued support throughout this entire pandemic. I have with me this evening our Health Officer, Dr. Allen Greiner; our Deputy Health Officer, Dr. Erin Corriveau; and our Chief Epidemiologist, Elizabeth Groenweghe.

What We Will Cover Tonight

- 1.COVID-19 Situational Update**
- 2.Vaccinations**
- 3.Recommendations**

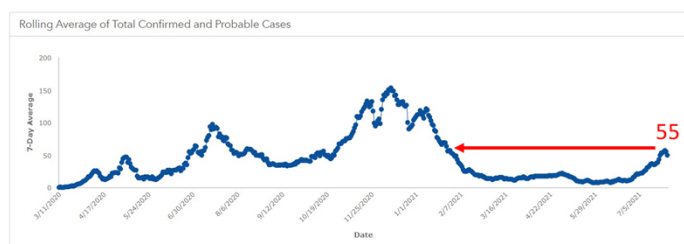


This evening we will be providing a COVID-19 Situational Update so everybody understands where we are today, speaking about our vaccination efforts and the progress that we've made, and providing some recommendations.



To lead us off with our Situational Update is our Deputy Health Officer, Dr. Erin Corriveau.

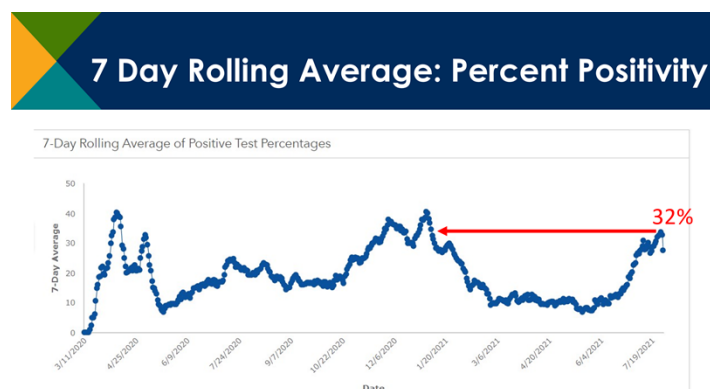
7 Day Rolling Average: COVID cases



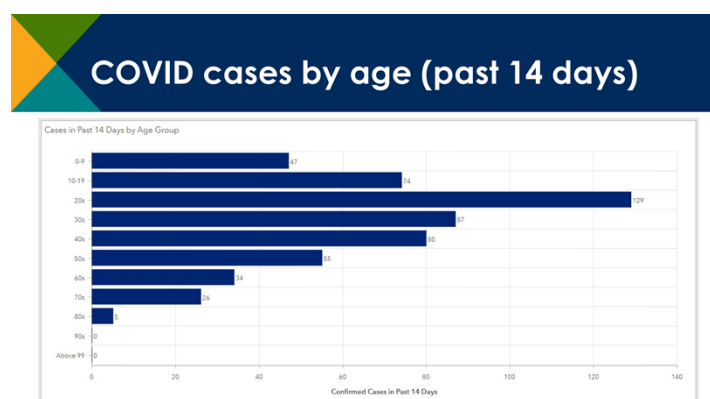
Dr. Erin Corriveau, Deputy Health Officer, said I just want to talk a little bit about what's going on in our community right now as it relates to the number of COVID cases and what we're seeing

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in our percent positivity and such. So, unfortunately, regarding the number of cases that we're seeing on a day-to-day basis, we've popped back up again. We're back where we were back in January and so on average right now we're over 50 cases. We've been hovering between 50 and 60 for the last several days, so very concerning.



Regarding our percent positivity, now to remind everyone, that is of all the cases that we perform in Wyandotte County, what percentage of those tests that we do are positive. We're seeing a very high percent positivity, so up over 30% at this point. So, for the last several days we have been just above 30% or just under 30%, but again, quite alarming. You can see that we're back where we were again in sort of mid-January on that front as well.



Regarding the COVID cases by age, we're seeing a real change here in the last couple of weeks. You can see how young people are really getting the virus and, unfortunately, spreading the virus. We think that this pandemic is now really being driven by young people and we've seen that trend over time, folks are becoming younger and younger.

You can see there that folks in their 20's, my goodness, really high numbers of cases and in that 10-19 years old category as well and even younger. This is particularly concerning I think as we look towards a new school year and also concerning because many of these young people cannot get vaccinated. We don't have vaccines approved for them.

Delta Variant

- Delta is much more transmissible than prior types of COVID
- Cause of the surge seen in Southwest Missouri
- Vaccines still offer best protection against Delta
- Since July 1, 100% of sequenced specimens from Wyandotte are Delta
- Delta is causing significant community spread due to low vaccination rate



I want to talk a little bit about this Delta Variant. Clearly, this has been in the news a lot lately. We know that the Delta Variant first showed up in the United States just in March and now 83% of cases across the country are identified as the Delta Variant. In our region here in the Missouri, Kansas and Nebraska region, 96% of our cases are identified as Delta. In Wyandotte County, since July 1st, 100% of sequenced positive cases have been the Delta Variant, so it's really raging in our community. Unfortunately, this variant is far more transmissible than the other variants and then the wild type of the coronavirus that we initially saw and so we think that it is far more aggressive and that's why it's been able to move so quickly.

It's causing really a huge amount of community spread and, of course, we'll talk more about our vaccine rates in Wyandotte County, but we believe that it's really raging here because of our continued low vaccination rate.

Hospital Situation

- Hospital resources are becoming strained
- Vast majority of hospitalized cases are individuals NOT fully vaccinated
- Demographics of hospitalized patients are younger than in previous waves
- Breakthrough cases are often in individuals who are immunocompromised and/or advanced in age



I also want to give a quick update as to our hospital situation in and around the region. Unfortunately, our hospital resources are becoming strained. We have seen that since early June we've had a tripling in the numbers of patients in our hospitals within the region and that is certainly true within our Wyandotte County hospitals as well. Many of the people who are hospitalized and who, unfortunately, succumb to COVID have not been vaccinated. We still know that vaccine is the best protection against this new variant, against the Delta Variant.

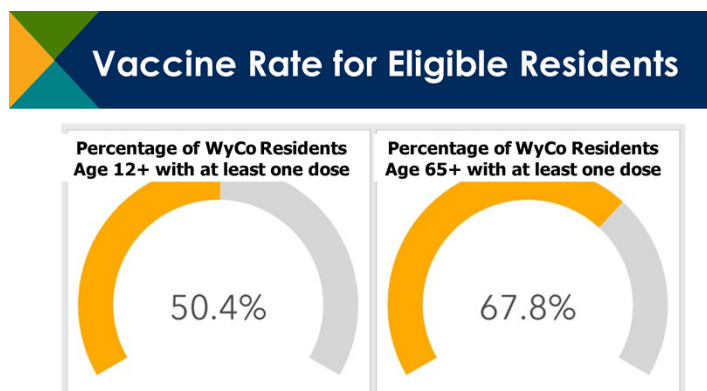
I have to say at KU Medical Center we're seeing more and more cases hospitalized. We have had approximately, in the last few days, 35 or so active cases of COVID and all around 60 or so cases hospitalized with those also who are recovering. Our ICU's are becoming full. I believe we've got approximately 16 people in the KU ICU at this point in time.

We are seeing some breakthrough cases and that is meaning cases of COVID in individuals who are fully vaccinated although it is extremely rare to see those people hospitalized. Our worry is that some of the people who have received the vaccine at this point are elderly or they have immune issues so that they can't make antibodies well despite receiving the vaccine and those people are at very high risk from this Delta Variant. We have, unfortunately, seen one death from an individual who was fully vaccinated and so that was an incredibly unfortunate case in our community, but I think it's an important lesson as well.

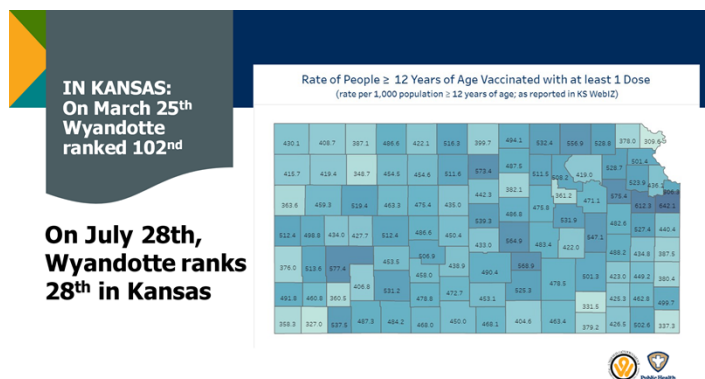
We do know that our CMO's are worried at this point in time. We've had many conversations with them over the past couple days and they're in support of any mitigation measures at this point in time that we could put forward that would put a stop to this very quickly. I do believe that they support masking at this point as well.



I'm going to turn it back to you, Juliann, and we'll go from there.



Ms. VanLiew said I'm going to provide a little update here on where we are in Wyandotte County on our vaccination efforts. A little bit of good news to lead us off here. Of those folks in our community who are eligible to receive the vaccine and, of course, those are individuals age 12 and older, we have reached the 50% threshold of those folks having at least one dose which is encouraging. Our older population which has steadily maintained kind of a stronger position than all of our other age demographics continues to improve as well. Our 65 and older population now having at least 67% of folks with at least one dose.



The other encouraging information is that we continue to improve in vaccines especially compared to other Kansas counties. Four months ago we were ranked 102nd in the state compared to all counties for our vaccination rates. As of yesterday, we ranked 28th and that really is a testament to the incredible work of your Health Department, a testament to the resources you provided us with, a testament to the ground game and the community engagement that we put in place. We're not where we want to be, but we continue to make improvements and that's because we continue to put forward a robust vaccination effort out of our Health Department and our many partners.

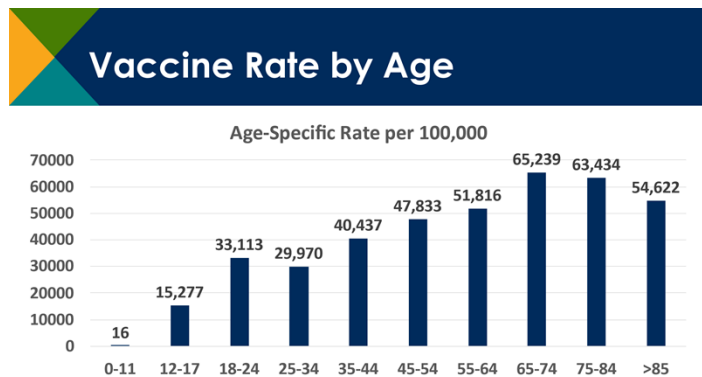
Vaccine Data Summary

- Majority of Wyandotte residents remain unvaccinated
- Our data includes residents vaccinated anywhere in the state of Kansas
 - It does not include data from those vaccinated out of state (including Missouri) or administered federally (i.e. VA)

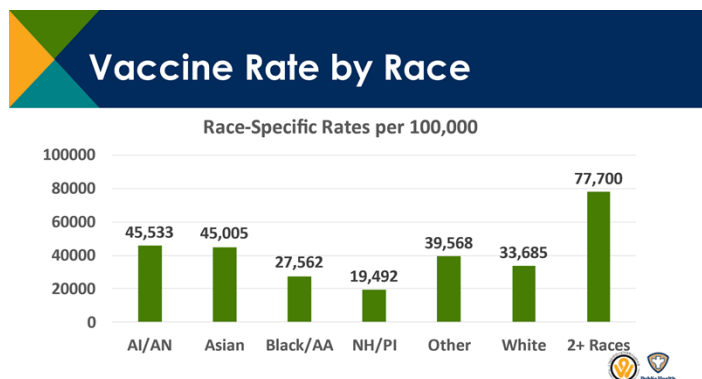
	Number	Percent
Wyandotte Residents with at least One Dose	67,716	40.9%
Wyandotte Residents with Completed Vaccine Series	58,098	35.1%

The less good news is that when you take into account our entire population, so age 0 to 100+, only 40% of our folks have at least one dose. So, this really calls back into question what Dr. Corriveau started speaking about, which is the fact that our 0 to 11-year old's cannot get vaccinated because they are not eligible. Of course, we are incredibly worried because they return to the classroom here in a few short weeks and without appropriate mitigation measures those schools are going to become hotbeds for infection.

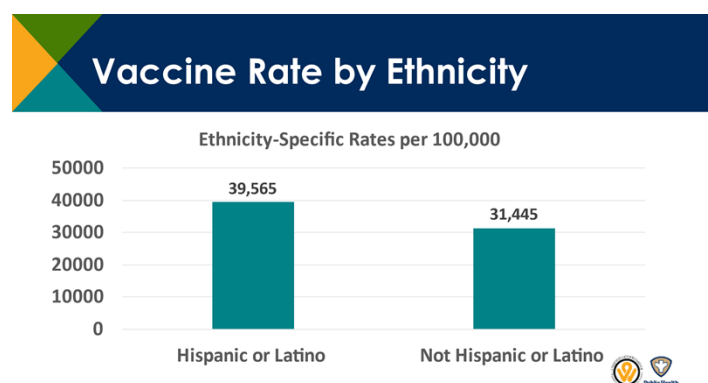
Just a reminder here as we look at this data, that this data here includes individuals who are vaccinated anywhere in the state of Kansas, but does not include individuals vaccinated in other states or administered federally like through the VA system.



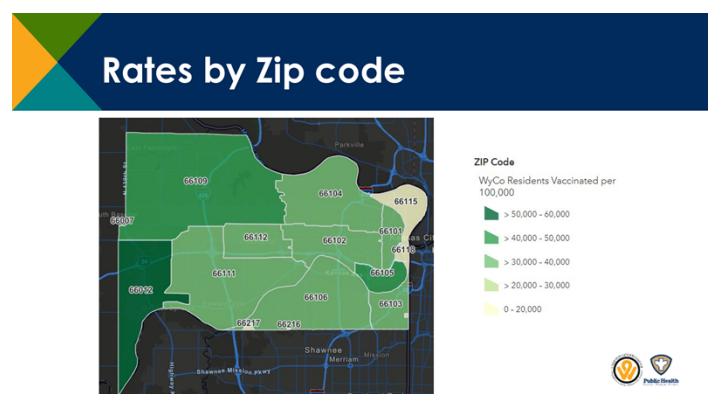
When we look at a breakdown for our vaccine rates by age, we see some real disparities here. As a reminder, in public health we use rates so that we can compare groups to one another. If we didn't use rates, we would look at these age groups and not be able to compare them because they all have a different number of population in Wyandotte County. There's not the same number of folks who are in—you know, the 18 to 24-year old age group as there are to the 55 to 64-year old age group, so we use rates so that we can see how we're doing across these different groups. Of course, this is the inverse to what you saw from Dr. Corriveau earlier. Our highest rates of cases which are among our youngest population is also the population where we have the lowest rates of vaccine and that makes sense because our less vaccinated populations are really contributing the most to that community spread.



When we look at our vaccine rates by race, we are continuing to make improvements, but we do lag behind for our Black and African-American population, our Native Hawaiian and Pacific Islander population. We're encouraged that those who identify with two or more races have high rates of vaccines as well as our Asian population, but we continue to need to especially engage our Black population to make sure that we are doing this vaccination work equitably and not adding to the disparities that already exist in our communities.



We also are very encouraged by our higher rates of Hispanic or Latinx vaccinations compared to our non-Hispanic population. Again, I think this is a testament to our partners, El Centro, JUNTOS, a number of Spanish Speaking churches who have really stepped up to the plate and worked with us. We are one of the only counties in the state of Kansas who have a higher rate of vaccine among our Latinx population than our non-Latinx population.



Lastly, on demographics here, you can see our vaccine rates by zip code. It has evened out a bit compared to where we were a few months ago, but we continue to see disparities here as well, of course. Our western zip codes are outpacing our other zip codes, some of them quite considerably.

This is why you see more of our resources dedicated to our 66101, 102, 103, 104, 106 zip codes, we really have a pretty strong ground game going in these zip codes because they are further behind and we need to, again, continue to mitigate the disparities.

Community Engagement

- Businesses, schools, homebound, congregate living, Long-term care, special events: 2,250 doses
- Faith, Science, & Wisdom—Ambassadors in the community
- Latino Community Vaccine Initiative launched this week with JUNTOS & El Centro
- Direct door-to-door outreach to neighborhoods for testing and vaccinations



Again, just a nod to the Health Department's community engagement effort. I won't spend a lot of time here, but we continue to vaccinate every single week on-site at businesses, on-site at schools, in people's homes, in congregate living facilities. We're very proud of the partnership we've put together with a number of churches in our Black and Spanish speaking communities which have really become ambassadors not with just their own congregation, but with the community at-large. We continue to launch new initiatives to engage parts of the population we haven't before and we continue our on the ground canvassing efforts so that we have people doing that face-to-face really important education.

How to Request a Mobile Vaccine

www.wycovaccines.org



MOBILE VACCINE REQUEST
(VACCINES THAT COME TO YOU)

For Homebound Persons & Groups | For Business & Organizations



REQUEST A RIDE TO & FROM A VACCINE SITE

Group & Individual Transportation



Just as a reminder for the public, we are still here. We still want to come to your home, to your business, to your neighborhood groups to provide vaccines on-site. All of that is still available for free and really all you need to do is give us a call or fill out a form and we want to work with you.

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The last part of our presentation tonight is around recommendations, but before I hand it off to our Health Officer Dr. Greiner, I'm going to send it over to Misty Brown, our Chief Legal Counsel, to remind us all where the statutory powers currently lie in regards to the ability to issue local health orders.

 A presentation slide titled "Power to issue local Health Orders" in a bold, white font on a dark blue background. The title is preceded by a small geometric logo with orange, green, and teal triangles. Below the title is a list of bullet points:

- Senate Bill 40 signed into law by Governor Kelly on March 24, 2021
- Gave school boards jurisdiction over all actions and orders regarding the operation of schools during the Kansas State of Emergency.
- Requires the Board of Commissioners to approve a Local Health Order if the Local Health Officer determines it is necessary to issue an order which:
 - Mandated the wearing of face masks;
 - Limits the size of gatherings;
 - Curtails the operation of business;
 - Controls the movement of the population
 - Limits religious gatherings.
- Allows individuals the opportunity to challenge Local Health Orders in court

 At the bottom right of the slide is a small logo featuring a yellow circle with a 'V' and a shield with a 'P' and the text "Public Health".

Misty Brown, Chief Counsel, said this is a brief reminder of where we are statutorily. Back in March we had a discussion about Senate Bill 40 which was signed into law by the Governor and it made some changes in how we were doing things. Two of the big changes that we had is that school boards were given jurisdiction on their operations during the State of Emergency and further require the Board of Commissioners to approve a Local Health Order as the health order would mandate mask wearing, limit the size of gatherings, curtail business operations or control the population movement, and limit religious gatherings. In addition to this, it allows individuals the opportunity to challenge Local Health Orders in court.

I am sure everyone has seen in the paper there's been a lot of talk about how a Johnson County Judge has declared Senate Bill 40 to be unconstitutional and the Attorney General has

since repealed that ruling, so this matter is going to be in the court systems and we will see how it turns out.

Ms. VanLiew said we will go ahead and pass it to Dr. Allen Greiner, our Health Officer, for some recommendations for our community.

Recommendations for the public

- **Get vaccinated**

- Resume mitigation measures:
 - Mask wearing when outside of the home
 - Social distancing of 6 feet or more
 - Stay home when ill
 - Get tested if feeling symptomatic or 7-9 days from an exposure
 - Wash your hands



Dr. Allen Greiner, Local Health Officer, said we'll try to keep this pretty brief and just a few more slides here. I think as everyone knows our number one recommendation right now is get vaccinated. Juliann mentioned the ground game. That's been going on. I think many of you are aware that we really tried to move from most vaccination sites to getting out there where the community is and it is making a difference in terms of those state county rankings where we sit and we've got to keep moving because every percentage point we increase in vaccination really does make a difference. You can see that when you look at those different age categories. Where we get slightly higher numbers in those age categories of vaccinated folks, we are doing better on the cases right now.

Other mitigation measures, of course, we want to see people wearing masks. We've seen that works, we now have great evidence. Yes, we probably didn't emphasize that like we should at the beginning of the pandemic, but we know it works now. When you're outside the home, when you're around strangers, please mask. We need to social distance. We've talked about this 6 feet rule, we've made some slight changes on that for schools. As many of you are aware, our recommendations there are for 3 feet, but part of that's because we saw in school settings kids did a really great job last year wearing masks. It made a huge difference.

We were able to actually change the way we did quarantining in school settings, but 6 feet for those of us who aren't in school and aren't doing a good job minding our teachers all the

time. We've got to keep emphasizing keeping people home when they're sick. The slightest symptoms, even if you think it's just a flair of your allergies, we need people to stay at home, stay away from other people, go get tested if you have any symptoms that could be COVID, so scratchy throat, headache, fever, shortness of breath, even GI systems like diarrhea. Please keep that long list of 12, 13, 14 symptoms as something that you'll consider doing. We are seeing a huge uptick in testing and that's great. We think that's because people are very concerned about this uptick in cases, but too because we've gotten that message out. Then, other hygiene measures like washing hands, being careful around surfaces that you don't know if they're clean or not.

Recommendations for Schools

- Letter sent to school superintendents July 26 with recommendations for school year
 - Universal masking for K -12 students, teachers, staff
 - Physical distancing of at least 3 feet
 - Diagnostic and screening tests
 - Vaccination, when applicable
 - Contact tracing in combination with isolation and quarantine
- This aligns with guidance from CDC, Children's Mercy, and American Academy of Pediatrics



We've put out some recommendations for schools, we put out a press release. Just yesterday, Dr. Corriveau and our lead Epidemiologist Elizabeth Groenweghe had a great meeting with some of the superintendents of schools and school leaders earlier today. We are recommending universal masking for kids in K-12, for teachers and for staff. As I mentioned, we're recommending physical distancing of at least 3 feet. We really want them to work on diagnostic testing and screening testing. We had a representative from the Kansas Department of Health & Environment in the meeting today talking about their funding program where they provide lots and lots of money if school districts will take it up so that they can test kids that have any of these symptoms quickly. They can test teachers and they can do surveillance testing where they might do a larger group of students or others periodically. We want to work with them on vaccination and we've been doing it.

There was an amazing event at Harmon High School Tuesday night. Over 200 vaccinations administered there. Really super and there will be more. The school district has already reached out for another event and then we will be working with them on contact tracing.

We hope they are able to keep up with that. We've had trouble keeping up in recent weeks, but we brought on more people and we'll get back on top of it, but we'll work with the schools on that and we really want to encourage them to use those CDC guidelines on isolation and quarantine.

All this guidance for schools really comes from the CDC guidance as well as input from experts at Children's Mercy and the American Academy of Pediatrics.

Long Term Care Facility Requirements

- Federal regulations for long term care (i.e. nursing homes, assisted living facilities)
- Wyandotte is in a "red zone" for percent positivity → requires restrictions:
 - Test unvaccinated staff twice weekly
 - If less than 70% of residents are vaccinated, no indoor visits
 - 3 out 10 WyCo facilities
- 8 out of 10 facilities have less than 70% of staff vaccinated; the majority have less than 50% of staff vaccinated



So, what about long-term care facility requirements. We have seen a lot of uptick of vaccine there among residents, so that's good, but we're still worried about them. One of the reasons we're worried is our county is now a red zone. We've got the percent positivity that has gone way up, the number of daily cases on average has gone way up, and we've got to keep testing, especially keep testing staff. A lot of this comes down from the federal level and there are requirements that the feds, especially the center for Medicare and Medicaid Services, CMS requires in relation to their funding, they've got to test staff weekly and if less than 70% of residents are vaccinating, they can't do indoor visits. That's only 3 out of 10 in our county, so 7 out of 10 of our facilities in Wyandotte have got over 70% of the residents vaccinated which is great and so they will be able to have indoor visits, but they're going to have to do that staff testing.

The last bullet you see there, the reason why staff testing is so important, we're not doing as well as we should on vaccination among staff, 8 out of 10 of the facilities have less than 70% of their staff vaccinated and the majority have less than 50% of staff vaccinated. So, we've seen a lot of resistance in that group. It's a younger group. It's the same theme. We continue to see this issue where in younger and younger individuals for a variety of reasons, they're not getting vaccinated and we're trying to attack that in every way that we can.

Recommendation to Commission

- The UGPHD recommends that the Unified Government Board of Commissioners issues a health order requiring mask wearing:
 - Indoors in public spaces
 - For vaccinated and unvaccinated individuals
 - For a six-week time period
- This aligns with newest CDC guidance from July 27th that counties with substantial or high transmission require masks for vaccinated and unvaccinated people



What are our recommendations to the commissioners? From the Public Health Department, we're bringing these for two primary reasons, we're following science and we're trying to protect the vulnerable. That's what public health is about. We have a lot of vulnerable people in this county as all of you know.

We're recommending that a mask wearing mandate or ordinance, just like we've seen adopted in Kansas City, Missouri, be deployed for indoor public spaces for both vaccinated and unvaccinated individuals and for a six-week time period. As you are all aware, I'm sure the CDC came out with guidance for this as well for areas that have substantial high transmission which we have and for both vaccinated and unvaccinated individuals.



Thank you

That's really it. Again, I think we're willing to take questions and hear comments, but we think this needs to happen now. As you saw, the number of cases are going up really fast. It's going to keep going up if we don't do something before school starts and you look at how Delta has affected other countries, we are going to have the same problem we had last winter. I'll stop there and we'll be happy to take questions, hear comments and we've got Elizabeth as well.

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Mayor Alvey said thank you. Commission, questions or comments.

Commissioner Johnson said thank you to our medical staff, Dr. Greiner, Dr. Corriveau and Juliann. Can you talk about, and maybe a little bit more specific, how we come about making the decision here locally. I know we have the recommendation from the CDC nationally that has come out. Can you kind of talk about the process as it relates to what you all—the dialogue that you all have with hospital staff and things of that nature that brings you to this conclusion and to this recommendation. Can you kind of give a little bit more specifics on that and particularly for our listening audience, which I know is very, very interested in this?

Dr. Greiner said I can jump in first and the others may have comments too. I think, Commissioner, it's primarily the rising case rate, so the average number of cases per day, as well as the percent positivity increase. If you look at those changes, the case rate is now about six times what it was at our low period in April. Then, if you look at hospital data, it's actually about the same. We have about six times the number of hospitalized patients right now as we had at that low point in April and it's a really fast rise. If you look at India and Britain where this Delta hit before us, they had the same fast rise and they went way higher than we are right now. So, those rates put us in a high transmission category for the CDC and the hospitals are concerned.

One of the Chief Medical Officers called me Tuesday night and had had a previous meeting with all the Chief Medical Officers from across the metro just to call and say we need help now. We see worse things coming, we're already turning away transfers from Southwestern Missouri where the hospitals are full and so we're reaching out to public health to see if you guys can get back on some of the things that you were doing last winter that we know made a difference, so that's where it's coming from, Commissioner. Other comments from our group?

Ms. VanLiew said I would just add in that the reason why we're going for mask mandates specifically is because we need something very urgently. If 20,000 people came to us to get vaccinated tomorrow, that would be marvelous and yet they wouldn't reach their full potential for their response to those vaccines for four weeks. That doesn't help the situation right now. What masks do is add this extra layer of protection immediately. If we started doing this tomorrow, it would drive down spread very quickly and so it can do that actually quicker than the vaccine and that's why the mitigation measure now is our call.

Ms. Groenweghe, Chief Epidemiologist, said I was just going to add, you know, Juliann talked about how this is an important measure to take now to drive down case numbers and it's important to take that action now because we're foreseeing 60 cases a day. So, within the next week if we're seeing 60 cases a day, we can expect in the next week to have 420 new cases. If, say 5% of those cases need hospitalization, that's an additional 20 hospitalizations in one week that's going to be put on our already strained hospital system and an additional six deaths unfortunately in one weeks period of time if we don't take action now to try curb to the spread as much as we can.

Commissioner Johnson said I know I have other hands behind me. I will make one comment and that is even with a—I think you all are recommending six weeks, if I'm not mistaken. Are you at all looking into the winter and do you all expect for us, regardless of what we're doing now, do you expect for us to have the same problems that we had last winter? Then, I'll yield the floor, Mayor.

Dr. Greiner said I think that's a great question, Commissioner, and we don't really know. Again, we do have the interesting data from India and Britain with the Delta Variant and their case loads went up sky high, almost 75-80% in Britain of what they had at their peak last winter and they are already on the way back down. Their vaccination situation is kind of similar to ours. It's likely this will go way up high and we will see a lot of bad things and then it will come back down before we get into any risk related to wintertime, but we've got to keep working on vaccine because, as Juliann said, the masking kind of helps us immediately, the vaccination helps us a month, six weeks, eight weeks out. If we can get that vaccination rate up by the time we get to cold weather and everybody comes indoors, that's really going to be key, but we don't know, there could be another variant on the horizon as well.

I think we do know that Delta is going to be a big challenge for the short period for all of us.

Commissioner Ramirez said as always, Juliann, Dr. Greiner, Dr. Corriveau, the Health Department, and all our frontline workers, these past 16 months you guys have been the true definition of public servants, so I thank you very much for all that you have done, you continue to do. You work under very, very stressful timelines and I thank you as always for everything that you do.

I do have one question and some comments to make. On the vaccine data summary, it says that the data is not included from out-of-state or federally administered. Why is that? **Ms. VanLiew** said we have worked our tail off, Commissioner, to try to get our hands on that data, specifically the Missouri data, which we know would be our highest out-of-state numbers. We have tried to work locally with Health Departments on that side. They're not able to give it to us directly. We have tried to work with their State Health Department, they're not able to get it cleaned up. We have pushed our State Health Department more times than I care to admit on this data and we're really just hitting dead ends everywhere. It is just, quite frankly, out of our hands. It's not accessible in our state database and we're not able to get anyone on the Missouri side to provide it to us.

Commissioner Ramirez said it's kind of discouraging that we can't—you know, our partner next door we're trying to work together and the state is not—I don't know if they're not willing or is it their system is not compatible with ours? Is that what you're essentially saying? **Ms. VanLiew** said this is the result of two decades of defunding public health. There is no appropriate technology infrastructure in the field of public health because we've been under resourced for decades and so our systems, quite frankly, weren't built for a pandemic.

Commissioner Ramirez said it's known that the last time we had this discussion, I was for maintaining the mandate and that's the same stance I take tonight. I'm going to speak open and frankly, last night I was at a small business social put on by the Rosedale Development Association and I made it a point to go around and talk to some of our local—my local small businessowners about this to get their perspective. All of them support it. One made a very good point and it stuck with me. I can't say what he said word for word, but in essence of what he said is, our inaction is hurting his business because the uncertainty of everything happening, he doesn't know if he is going to have to close or stay open. He can't get employees and that's why he supports the mask mandate because that gives him some certainty that we're all working together for a final end.

That point stuck with me because that's something I hadn't heard from a small businessowner was us not doing something, hurting them more than us doing something. Us closing down, yes, hurts small businesses but even the small thing of wearing a mask can help his business continue moving forward where in the future he doesn't have to worry about another shutdown.

We're at the point where I believe I and some other commissioners and the Health Department in the past, two months ago, said we would be at. We talked about—we didn't know what variants are going to show up, how effective, how transmittable those variants would be and now we are faced with one that is worse than the actual—the virus itself. It's a variant and now it's worse and I've heard and I've seen that's there's another one in Florida, a new one, and so this is going to be an ongoing thing.

So, I think, in my mind, we have two choices as a governing body. One is to do what's right and what's best for our community. I understand we're part of a metro and we're part of the CORE4, but let's not forget that when we started the CORE4, KCMO broke away because they wanted to do what's best for their city and I think that's what we need to do for Wyandotte and for KCK. We're elected to be in charge, not in charge, it's the wrong word, we're here to serve and protect this community, not Johnson County, not KCMO, not Jackson County; Wyandotte County and KCK.

The one choice I said was do what's right and let's reinstate the mandate for six weeks, a six week period. They're not giving an indefinite timeline, it's six weeks, so that we can get this under control or the other choice is we allow politics, the politicization of this topic to dictate our policy choices as a governing body. Politics affects everything in our life from our housing to the food we get to what grocery store comes into our neighborhood. When are we going to say, for me, enough is enough when allowing politics and the politicization of topics to rule what we do.

Let's get back to what we're meant to be here for and that's to create good public policy to bring our community, which was hit the hardest in this state, and we've seen through ARPA funding how many disparities we have in this county. This is only going to further that if we don't do what's right, so I ask this body that we really think about come winter, come spring, come summer of next year, what is Wyandotte going to look like if we don't take steps now.

Again, to end my statement, Juliann, Dr. Greiner, Dr. Corriveau, Health Department, the frontline workers, thank you for all you do. We can say it as many times as we want, but it needs to be heard. You have done everything based on the data, based on the science and left the politics out of it and so I thank you for that.

Commissioner Townsend said just a couple of questions. Dr. Greiner, you mentioned when you talked about the long-term care facility requirements that Wyandotte is in a red zone. Is that only

with relationship to our long-term care facilities, what gets us out of the red zone. Are you talking generally about all of Wyandotte County, not just people who are in the long-term care facilities as residents or workers? That's the first question. **Dr. Greiner** said yeah, so that criteria is actually set, I believe, by CMS, so the Center for Medicare and Medicaid Services, which primarily funds nursing home care, but it's based on similar things to where we were talking before about being a county that's designated as a high transmission rate by the CDC. It's similar things like the total daily rate of cases and the percent positivity of our total numbers of tests. So, that red zone is a CMS thing. It only applies to nursing homes and the policies in nursing homes, but it's based on data for the whole county that shows a high rate of infections and a high rate of percent positivity. **Commissioner Townsend** said okay, it's based on stats for the county. It doesn't necessarily mean that the nursing homes themselves are over the top. **Dr. Greiner** said correct.

Commissioner Townsend said with regard to the recommendation to the Commission, the recommendation basically has three prongs; indoor use of masks in public spaces for vaccinated and unvaccinated individuals and for a six-week period. Are these the same three prongs, or maybe counsel can tell us, whoever can tell me, are these the same three prongs used for the mandate that went into effect or will soon go into effect with Kansas City, Missouri? **Ms. VanLiew** said I can speak to that to the extent that I know. We believe it is going to be along those lines. We have requested to see the actual language and have not actually been able to review it ourselves yet. It is our understanding though that the intent on that side is that it is for vaccinated and unvaccinated and it is indoor and public spaces. I cannot speak to the length of their intent.

Commissioner Townsend said those are the questions that I have for right now. I do agree with Commissioner Ramirez that wearing masks is a less restrictive alternative than, heaven forbid, our businesses or any aspect of our population have to go into a lockdown situation again. So, I'll continue to consider this. I want to hear from constituents, but I too support it. Back in April, the continuation of the mask mandate we had then for another month or so, basically, because COVID has never gone anywhere. We've had high and low periods, but vaccination rates were still extremely low.

Commissioner Burroughs said if I may, just to ask a few questions to get some clarification. I believe it was stated about Judge Hauber's ruling on Senate Bill 40 and I'm just asking for some clarification. Did he not—he did not issue the stay. Is that correct? **Ms. Brown** said that's correct.

Commissioner Burroughs said so by not issuing the stay, the Senate Bill 40 is not in effect? **Ms. Brown** said I don't know that I would agree with that. I would say in Johnson County it is not in effect, but this is persuasive authority, but it's not necessarily binding throughout the state. There are some questions to it and if we get into further analysis, I would like to discuss that more offline to preserve our attorney/client privilege. **Commissioner Burroughs** said thank you for that. I think it's important that we know. If I may, we have incentivized populations in this community, we have made facilities available, we have continued to offer contact tracing and testing and we are still below, in the metropolitan area, below the vaccination rate that we were trying for.

So, I guess my question would be, is that we can mandate but if we're not going to enforce, then all we're doing is sending the message that you do not have to fall into compliance. If we're putting a mandate with no enforcement, it's nothing more than a strong suggestion. I mean that's just how I'm reading it.

The indoor public spaces that I would have a question on, is that government buildings or is that places such as Memorial Hall, churches, shopping centers? I'm just trying to get an understanding to what extent it means public places just for those that may be listening this evening.

Dr. Greiner said I don't know if counsel has any comments on that. I know that when this came up with our prior orders and things in the past, we compared it to what we do with tuberculosis cases, for example, at the Public Health Department we've had forever. We've had active tuberculosis cases that we follow and our nurses at the Health Department take care of and those people cannot go somewhere and not be on medication to be treated for their tuberculosis whether it's a church or a private business or whatever it is. If they're going to put other people at risk, we have the authority to get them on medication or to put them in the hospital and get them treated. It's the same thing here, from our understanding, again, counsel may have other thoughts on it, but as long as people are going to be around other people and not able to maintain six feet of social distancing, and we put various clauses in the prior orders and had exemptions when people can maintain six feet of social distance or in a business setting where people can be in an office—a private office, they don't need to wear masks. It's basically the idea that if you're going to be around other people in a space, you have to have a mask on.

Commissioner Burroughs said if I may, Dr. Greiner, and please this is no attack on and doesn't reflect on the information you've provided us. I have a tremendous amount of respect for

the work that you all committed to the public. My questions are just to clear up some of the questions that are being posed to individual commissioners and a community as a whole, so is a public place a small business? **Ms. Brown** said I would say yes, a public space would be a small business where the public had access to. **Commissioner Burroughs** said we will be mandating the wearing of a mask inside the small businesses in our community. **Ms. Brown** said if that is the order the Commission passed, yes.

Commissioner Burroughs said nowhere did I hear in the presentation there was a compliance piece to this and so that's my point. This, to me, is just nothing more than a strong recommendation because without compliance, that's exactly what we're doing, is making a strong recommendation and I'm not so sure that even with compliance, we would still get 100% compliance.

Dr. Greiner, I'm trying to help here, I'm just trying to send the message that if people don't want a mandatory mask mandate, then at least comply with a strongly suggested or recommended mask wearing so that we don't have to go into a complete lockdown and a mandatory mask with a compliance measure that could issue fines and/or jail time, whatever position we end up having to take to get the higher compliance level that we need for the vaccination rate. If we are incentivizing, even with dollars and gift cards, and we're still not getting compliance, I'm very concerned about the other rights of those that have taken the time to care about this community and wear their mask and get vaccinated and participate in the overall health of our community versus those that have chosen not to.

Ms. VanLiew said, if I may Commissioner, the Commission could determine that they wanted the Health Department to enforce this in partnership with the Police Department. That is an option that I would put out there. The second thing that I would say is that there are a lot of folks in this community who want to do the right thing and putting this mask mandate into place, a lot of them would do so. In fact, a third-party evaluator last year looked at our mask wearing uptake among our community at-large and found that we had higher uptake than the vast majority of communities in the country last summer. I just don't think we should dismiss that a lot of people will follow a mask order if we put it into place, of course, not everyone. We're not under that illusion, but just because we don't go out with police to every business and enforcement doesn't mean it's not going to be up taken by a lot of our community members.

Commissioner Kane said as always I bounce things off the people in the district, I've got a weird deal going now, 40% say no, 40% say yes, 20% say I don't care. I'm also disappointed and I know it's not the Health Department's fault, but I know somewhere between 150 and 200 people from my district went to Missouri to get shots, so those numbers are actually higher than what you're showing and that's not counting some of my family members that live out in Johnson County that went over there as well. This is a big deal and I called the state doctor and he said you guys and he has no control over it, so I think those numbers are a lot larger than what you're showing and you know that.

It would be better if you said highly recommended than saying that's it's being forced and I have a little bit of frustration here because I have two churches that I've already told staff that are willing to use their churches to get the shots. I've got one on standby. Two of them are in the urban core and they came to me and said would you do this. I contacted staff and staff hasn't got back with me. Is it because it's Commissioner Mike Kane? Here's the deal, I want to help the community, but staff has to say, okay Kane, where are they at, and I asked again today. Juliann, I've called you a couple times this week and it says you're out of office or wherever you're at, somebody should answer that phone and say, Kane, we're working on it.

I am not willing to completely shut things down and before we take a vote I want to know what Johnson County is doing, what Leavenworth County is doing, because I don't want to be in the same boat that we were in the last time where people had to leave Wyandotte County to get something. I want an answer in the next couple of days about whose going to contact these churches, where they're going to go, when they're going to do it, because if you've got two churches for sure and another one that wants to do it, you will get a large group. Don't just focus on one, let's move it around so the community doesn't have that much trouble getting to the shots.

Ms. VanLiew said thank you, Commissioner, and my sincerest apologies if there are partners out there who have not heard from us. We're really trying to funnel everyone through the same process, so there's a form online to fill out to signal your intent and our team tries to return a phone call within two business days. If there were surveys that were completed by partners that were missed by staff, I will absolutely address that as soon as I'm back in the office, so I will make sure to connect with you next week. It is not our intent to leave you or your district behind, believe me, we want to partner with anyone who is willing, so my apologies if there has been an oversight on our end.

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Commissioner Kane said neither one of these churches are in my district. They just reached out to me to get help. **Ms. VanLiew** said I don't care where they are. We'll come wherever, but it really does bother me if there's been a call that we haven't responded to. I take that very seriously, please know, so I will make sure that we do so.

Regarding Leavenworth and Johnson County, I can't speak to Leavenworth. I don't believe there's anything in the works. I did speak to the Director of the Johnson County Health Department this morning and they had a Commission meeting this morning where this topic was floated kind of just very briefly or not in-depth, I should say, but they did commit to holding a Commission meeting to address this specific topic of potential mask wearing. I believe it's on an upcoming agenda for them but there's nothing that's happening imminently in Johnson County this week.

Commissioner Philbrook said as I understand it, basically, we're just asking everybody to put a mask back on. We're not going down into the extreme requirements that we had the last time. We're just saying, please everybody just put a mask on when you're around other people and that's basically what it comes down to. Do I understand that right? **Dr. Corriveau** said correct. **Commissioner Philbrook** said that's just it, just put a mask on. If you're out in the public, just put a mask on, that's all we're asking. I don't think that's too hard to do, even I can do that, and so I would ask for that. I would ask that we respect other people's lives and please just put a mask on, that's all and if you can get a shot, please do get a shot to help protect a lot of other folks and that's my stand on that.

Commissioner Ramirez said I will just be very, very brief. I don't see where the difference between the order that we're trying to pass now and the order we passed last year minus all of the other restrictions that we have put into the first order that we made. I think Commissioner Philbrook put it perfectly. We're not shutting anything down, we're not restricting how many people you can have in your business, we're not restricting the hours of your business, we just ask that you put a mask on. I don't see how that is—it's even better than the last order that we gave honestly. All we're asking is just a mask and so, again, I ask that we, as a Commission, think about the two choices. One, do what's right for the best—what's right for our community or two, follow the politics of the issue.

Mayor Alvey asked, any further comments or questions from the Commission.

Commissioner Townsend said just so I'm clear, we're talking about a requirement, is that correct, Health Department? **Ms. VanLiew** said our recommendation is that the Commission adopts a mask mandate, so yes, it would be a requirement, correct. **Commissioner Townsend** said what I would like to see while we contemplate this, to refresh my recollection, what enforcement mechanisms were in place the last time there was a mandate because Commissioner Burroughs does raise a good point. You know if you're mandating something, there should be some follow-up, not that we're trying to be heavy-handed, but certainly to impress upon the seriousness of this if it were to go forward. So, I would like to have my recollection refreshed as to what we did the last time in terms of enforcement assistance.

Ms. VanLiew said we do have statutory authority to penalize people with fines for not complying with the health order. We would follow the Commission's directive as to whether or not we would want to do that. The last time around, last winter for example, we never imposed a fine on anyone, but we did have COVID inspectors that we sent to hundreds of businesses and community places and they had a 95% rate in terms of when they returned a second time, the order was complied with. So, really we just did a tremendous amount of education when we received complaints on businesses or other locations. We sent out educated staff, we provided them, if they needed it, with masks, with materials, etc. and we got really positive feedback and good compliance from those businesses.

The enforcement mechanism is there if we wanted to use it, but in my perspective at least, the education and working with community partners is infinitely more effective.

Commissioner Burroughs said, Juliann, I just had a constituent text me to see what we've done in addressing our homeless population and wanted to know if our pets can transmit the COVID virus. **Ms. VanLiew** said when you say in regards to our homeless population in terms of working with them to mitigate the spread of COVID? **Commissioner Burroughs** said yes. The vaccinations are available to our homelessness. Have we gone into the homeless community and houseless community to ensure that they have had an opportunity to receive the vaccine? **Ms. VanLiew** said yes. We've worked with a number of agencies that serve that population. We've been out to provide vaccines on-site with our mobile unit, I believe, three times in three different

locations and then we return for second doses. So, we have made a good faith effort. There's always the opportunity for repeating some of those efforts. We've also worked closely with Care Beyond the Boulevard that routinely provides care to the homeless to make sure that they're doing the education, offering testing, those sort of things, so absolutely. The homeless population also has the ability to take advantage of our isolation and quarantine hotel program if they have an exposure or have tested positive to make sure that we don't have outbreaks among that population. There's a number of measures in place to serve that population.

I'm going to throw the pet question to Dr. Greiner or Dr. Corriveau. **Dr. Greiner** said Dr. Corriveau is probably the expert on this. I do know that there has been some studies looking at pets and that virus has been isolated on them, but I don't know of any documented cases where pets have actually transmitted to you humans. I think the risk, if it's even there, is extremely low.

Dr. Corriveau said I agree. I think that Dr. Greiner threw it to me because I have a dog. There have been cases, I believe, of fomites on fur of animals, but that does not mean that that has been transmitted to humans and so I think that is a very, very low risk and we're not seeing cases of that.

Commissioner Bynum said I have a quick question about the legality portion. When we speak about Senate Bill 40 and the authority that it has given to school boards, Boards of Education, what about the Community College, Donnelly College, the higher learning institutions, what's their authority in determining their own policies? **Ms. VanLiew** said I would have to refresh on that, but my understanding was that they would be also governing their own selves in the portion of higher learning. I will refresh on it and get back to you.

Mayor Alvey said this has been for information and discussion, no action taken at this meeting. Thank you for your time and your concern. We're going to continue to study this.

MAYOR ALVEY ADJOURNED
THE MEETING AT 6:58 p.m.

Brett A. Deichler
Unified Government Clerk

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