

City Health Board Meeting Discussion Record March 23, 2020

Voting members in attendance: Dr. Mary Milroy, City Manager Amy Leon and Mayor Nathan Johnson.

Ex Officio members in attendance: City Attorney Ross Den Herder, Police Commander Jason Foote, Community Development Manager Brad Bies and Community and Economic Development Director Dave Mingo,

This is the first meeting of the City of Yankton Health Board. The meeting is being conducted and provided using technology platforms GoToMeeting and YouTube live streaming. This board is not subject to open meeting laws but will take measures to be transparent. All actions are recommendations to be considered at public City Commission meetings.

Leon described the structure and backup plan for the Health Board. Each voting member has a backup. The backup for Dr. Milroy is Katie Huff. The backup for Nathan Johnson is City Commissioner Dave Carda. The Backup for Amy Leon is Community and Economic Development Director Dave Mingo.

Leon continued to discuss the authority of the Health Board. The Board can make recommendations to the City Commission, but cannot adopt ordinances by itself.

Mayor Johnson gave overview:

- Time of uncertainty
- 1st Class Mayors discussed regulation with Governor Noem.
- Governor Noem said she does not have authority; it is a local decision.
- Reviewed what other communities are doing.
- No positive tests in Yankton, but many samples have not been processed.
- COVID Task Force meeting daily.
- Should we follow suit with other nearby states in closing certain businesses?
- Dr. Bryan Nielson, Director of YMC Board, would support an increased level of regulations to help deal with this.

Amy Leon stated we want to do everything in our power to help healthcare officials work through this. We need to do what we can to keep people from gathering.

Ross Den Herder discussed a draft ordinance he developed that identifies types of businesses and timelines for regulation. Initial proposed closures to target: social gathering places, restaurants, coffee houses, bars, etc.

The Board agrees that it would be best if the Governor and legislature would have taken action. A uniform approach would be best rather than local governments having to address the issue. Doing this city by city/ county by county, will not be as effective as it would be if it was statewide.

There are concerns about enforcement for many reasons, including our staffing issues. We will need the public to voluntarily comply and help with education and even peer pressure.

Ross Den Herder discussed penalties for violation. It would be a Class II misdemeanor which is the highest level of penalty a Municipal Government can apply.

There was substantial discussion about specific types of businesses and activities. The Board worked through them one by one for the recommendation. There was also discussion about the number of people considered to be a “communal gathering.” It was determined best to stick with CDC guidelines on that. It is agreed that we will all need to remember our local businesses when this is over.

The Board discussed “next steps” if they are necessary in the future. The language in the draft is good at this time, but if necessary, it may need to be expanded to all non-essential businesses as defined by the United States Department of Homeland Security.

Regarding the local election, Leon stated the Governor may make a decision, but not soon enough. Statute allows for the election to be pushed back until June. We will work to do that because it does not seem appropriate to ask people to come together to vote when they should stay apart.

Motion by Leon, seconded by Milroy to recommend the local April election be re-established in June.
All voted aye.

Motion by Milroy, seconded by Johnson to recommend approval of the ordinance with the adjustments made during the discussion.
All voted aye.

The draft ordinance and recommendation will be sent to the City Commission in the morning.

The next meeting scheduled for March 25, 2020 at 4:00PM.

Motion to Adjourn by Johnson, seconded by Milroy.
All voted aye.