

**SPECIAL
ENVIRONMENTAL, EDUCATION, HEALTH & WELFARE
COMMITTEE MEETING**

**Macon County Office Building
141 S. Main Street, County Board Room #514
Decatur, IL 62523**

January 12, 2021 5:30 P.M.

MEMBERS PRESENT

Linda Little, Chair
Jim Gresham
Jeff Entler
John Jackson
Kevin Greenfield
Lloyd Holman

COUNTY PERSONNEL PRESENT

Scott Reuter, State's Attorney
Kathy Wade, Health Dept
Brandi Binkley, Health Dept
Jessie Smalley, HR
Mike Baggett, State's Attorney's Office
Jeannie Durham, County Board Office

PRESENT VIA TELECONFERENCE

Helena Buckner

MEMBERS ABSENT

None

The meeting was called to order by Chair Little at the Macon County Office Building.

Chair Little announced that she would be taking the agenda items a little out of order and address the TIF district first, in case there is anyone present that is only here for that purpose.

Macon County Board Resolution Approving Intergovernmental Agreement Between the Village of Mt. Zion, Mt. Zion Community Unit School District #3, County of Macon, Illinois, Richland Community College #537, Mt. Zion Township, Mt. Zion Fire Protection District, Mt. Zion Library District, Macon County Conservation District, Decatur Sanitary District, Macon County Health and Mental Health Board, and the Board of Trustees of the University of Illinois on Behalf of Macon County Cooperative Extension

Ms. Little explained that this is a TIF District approval that has already been approved by every other entity involved. We are just the last ones to get it.

Ms. Little made a motion to approve forwarding to the full board with recommendation to approve, seconded by Mr. Gresham and roll call vote showed the motion carried 7-0.

CITIZEN'S REMARKS –

Mr. Baggett reported that there have been various public comments submitted via email, pursuant to the request on our agenda. At the Chairperson's request, he said he would read the public comments of those who specifically requested it be read. The names will be read aloud

of everyone submitting comments that did not request the comments be read during the meeting.

Mr. Baggett announced comments were received from David Hambrecht, Jon Nadler, Kathy Thompson, Nicole Russell, Mary Clune John, Steve John, & Matthew John (1 comment co-signed by all 3 people), Jen McMillin, and Barbara. All of these comments were sent in by email. They have been placed in front of the committee members and will be placed on file and recorded in the minutes of this meeting and ultimately placed on file with the County Clerk.

copies of all comments are attached to these minutes

Mr. Gresham said that the comment from the John family had a request that it be read aloud.

Mr. Baggett read the comments from the John family and from Jim Root aloud.

(copies are attached to these minutes)

Chair Little announced that the purpose of this meeting is for open discussion. She said she expects it to be polite and professional. If it is not, she said she would stop the discussion.

Ms. Little commented that a while back, the County Board had asked the State's Attorney's Office to look into the Health Department Ordinance and actions. She asked if the research had been completed on that.

Mr. Baggett said yes, they had done research into the Health Department's use of Chapter 91 of the County Code which is the Food Sanitation Ordinance which is before the board tonight. In relation to the closure of the Texas Roadhouse in Forsyth, the Health Department did issue a Notice of Closure and ultimately a temporary suspension of the establishment's food sanitation license based on their lack of compliance with the mitigation order from the Governor constituted an imminent health hazard which is defined in the ordinance as a significant threat or danger to health that exists when there is sufficient evidence to show that the product, practice, circumstance or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on the number of potential injuries and / or the nature of severity and duration of the anticipated injury. Mr. Baggett said that it is his legal opinion that the Health Department did have the authority under the County Food Sanitation Ordinance to act as they did and to suspend the license of the Texas Roadhouse. That is born out by the fact that compliance was achieved without resort to appeal of that decision to the Board of Health or any type of administrative review by the Circuit Court. He said he thought the purpose of tonight's hearing and bringing this before the County Board on Thursday is to determine whether or not that is the policy that the County Board wishes to continue driving toward. Mr. Baggett repeated that it is his legal opinion that the Health Department was within their authority under County Code to do what they did and that it is consistent with past practice and certainly is consistent with the letter of the law.

Ms. Little opened the meeting for public comment.

Sandra Lindberg said she lives in the West end of Decatur, IL, 62522

A copy of Ms. Lindberg's comments was provided by Ms. Lindberg and is attached to these minutes.

She added that yesterday a loan program opened up where restaurants could borrow money, huge sums of money, if they guaranteed to keep their employees. If they kept them, according to the guidelines of the plan, those loans would be converted to grants that they would never, ever have to pay back. We have options here. We can keep those businesses alive and we can keep people alive too.

Marc Girdler introduced himself as the people's Mayor of Decatur and he is running for City Council as the guillotine guy.

On January 6, we witnessed a group of people storm the nation's capitol. They murdered a police officer. They targeted the Vice President. One of the core tenets of the beliefs of this movement, the Qanon movement is anti-mask, minimizing COVID and reopening at any cost. That is exactly what we are seeing infiltrating our local government. We have an elected official, I can't believe I am having to say this, We have an elected official who in the middle of a global pandemic whose plan is to dismantle the Health Department. This is something you would expect to see in the Herald & Review comments section on Facebook, not brought up in a meeting. This is completely asinine that it is being even discussed. He doesn't even take it seriously. He is reading a newspaper over there. It shows you how much he really cares about public comment. This should not even be, he should not even be humored. This same guy who says they're taking away all of our freedom. Where was my freedom when you did clandestine meetings and hid your emails to keep cannabis out of Macon County? That is coming up Friday, Kevin and I am assuming that since you're pro-freedom all of a sudden . . .

Chair Little interrupted, directing to stay on topic of conversation. Mr. Girdler said it is. Ms. Little disagreed saying that we are discussing the Health Department and the COVID issues attached to that. Mr. Girdler asked if no one would be able to use the word freedom – just making sure. He said it is a precedent of whether this County Board says . . . Chair Little said she was telling him that his issues with Chairman Greenfield . . . Mr. Girdler said he doesn't even know the guy and he doesn't have issues with him. Ms. Little told him he could continue the conversation. Mr. Girdler said the point is that we have people on this County Board who are saying human lives have a price, that there is a certain price – they are willing to pay a certain number of bodies that will be ground up to fuel capitalism. That is certainly on topic. Human lives matter. 5% of our economy does not. Businesses can rebuild. If a business closes, guess what. That business owner becomes a worker. There is no shame in that. There is nothing wrong with that. There is nothing wrong with being a worker. We can rebuild. We cannot replace human lives. Think about the people who had to say good bye to their loved ones over an i-pad so that people could come here tonight and say they miss going to Sliders. That is what is at stake tonight.

James Gentry, owner of Texas Roadhouse in Forsyth

There is a lot of passion here tonight. They are worried about their people as they should be. He said he is worried about his. He said he has 3 children. He has 130 employees. He loves all of them. He said you can go into his restaurant and ask any one of them and he guarantees they would tell you that.

He referred to the lady who spoke earlier, he said he could feel her passion too so he did not want to disregard her feelings, but she said some things that she doesn't know. One thing she said was that the death rate percentage was higher after the mitigations were added. That, right there, is a direct response of why we should be open. He said he remembers a time they shut down and had to build a patio. He said he spent \$12,000 on that so his servers could make money to take care of their children. That patio was opened and the sheriff came by one day and said he needed us to shut down the patio. When asked what was going on and if they'd done something wrong, he was told there was going to be people marching because there are protests going on. This was in June of July. At the end of March, the pandemic began. In June of July, George Floyd was murdered. It was on TV. We were already in the middle of the Pandemic and we were in one of the worst spots because we were shut down to outdoor dining only in the entire state. Then thousands of people, without masks, were seen surrounding the restaurant that had to be shut down. On the TV, there were millions upon millions in every major city in the entire country marching, rioting. There were 20,000 people on the St. Louis highway alone, not 6' apart and half had masks on – some incorrectly worn. Then, in August sometime, the numbers went down and we, as restaurant owners, were allowed to reopen. How is that possible that millions of people are so close together. How come millions of people did not die? That is one question Mr. Gentry said he has. How were we allowed to open after that? He said he cannot sit 25% of his restaurant, but we can have 20,000 people on a highway. That is not fair. He said he spent \$12,000 so that every single booth has 6' partitions in between them. Thousands of dollars are spent for the community every year. So, Mr. Gentry said his response is, he wants his people safe; he wants his children safe; he wants his wife safe; he wants his father safe. He understands the passion and concern, but the problem is not the restaurants. It is not. When you are at home, you are not regulated. When you are in my restaurant, you are regulated. When you walk in the door, your temperature is taken. There is a wellness check center. You have to fill it out. You put on your mask. You get to work. People don't wait in the lobby anymore. They get a text message when their table is ready and they go directly to their table with nobody there. They are all regulated. Then they sit in the isolated booth with 7' partitions surrounding them. We spent thousands on this to try to keep people safe and then we still get shut down. When you are at home, you are not regulated. How many of you have a temperature gun at home and when people walk in the door, you say, hold on, let me take your temperature. How many of you are sitting around your home with masks on talking to your people. You are not. That is where the real problem lies. He said he tells his children that they have to be involved in something so they are not in trouble. He doesn't matter what they do, they're going to do something because he said he is trying to keep them regulated. When you are at home, you are not regulated. When we are at work, we are. We are doing our part. We should be open. He said he walked in to Kohls before Christmas. The line was through the door with NOBODY being 6' apart. What is the difference? At Wal Mart and Target, there is no difference. We are being picked on. We care about our people too. Mr. Gentry said it isn't about him or the businesses. It is about the

employees and the service. The bartenders, the single mothers, trust me. You think those loans are out there for people who don't own businesses and they'll just hand it to you? They're not. They come with regulations. We are business owners because we read those regulations. We study them. We see what is going to affect us this way or that way and then we make a decision. We need to be open. All people are doing . . . It is not us. All people are doing is driving 2 hours this way or 2 hours that way. That is all they're doing. That is all the Governor is doing. When Biden won the election, there was a TV clip of the Governor celebrating with hundreds of people. It is unacceptable. You cannot have it both ways. Springfield is right there and they are open. We should be open too – for our people, but we should do it safe.

Mr. Gentry said he thinks it should be regulated by the Health Department. The Health Department needs to make this decision, not the Governor. We look at our Governor as if he is God. He made the decision that that is what Illinois should do even though 40 other plus states are not doing it. Are all those other Governors wrong and he is right? What if he is wrong and they are right? How do we have states that have never shut down with lower numbers than us? They never shut down. If the Health Department regulates it, they walk in and check the business. Are you taking temps? Have a different checklist when you come. It is not about safety and sanitation anymore. Well, it is too. You always have to be safe and sanitary, but it's about that and other things. Do people have their masks on? Are there people waiting in the lobby? Are they doing a wellness check? Figure out something that has guidelines and make us follow those guidelines. He said he does not mind being regulated. If there are restaurants not following them, shame on them. If we are, give us the opportunity to be safe and open.

Debbie Hill, owner of Debbie's Diner in Decatur

Ms. Hill said she has been there for 19 years and tries to be safe all the time. She said she does not want anyone to get COVID. She does not want COVID. She said she wants Macon County Health Department. It is essential for our safety and our restaurants. They do protect us, but she said she wants to know why they aren't in Menards, Wal Mart, Krogers. They were packed all weekend with people. She said she took pictures. She was shocked. Why are the restaurants get shut down when the statistics are lower on restaurants than any other. She said she does not understand. It has killed people's businesses. They aren't going to open anymore. It has killed families. Not killed, but hurt them mentally. Mental is up. They walked in the restaurant and said oh, we can't sit down? She said she thought to herself, where have they been. We don't have indoor seating and haven't for months. Oh, well they can go to Blue Mound, Dalton City, Springfield. They can go everywhere. Poor Decatur. Why do we always have to suffer? She said she did not understand. She said she agrees with all of what Mr. Gentry had said. We are protected in a restaurant. We have masks. We have partitions. We are very safe. She said she did not know how restaurants get stuck with this thing – we're the ones that spread it. She said she does not think that is the truth. We've missed out on all the holidays. She said she knows people who died and missed out on their holidays, but she truly believes restaurants are not what we are predicting them to be. We need restaurants. She said she is in the working man's district where people come and get lunch. She said she has Tate & Lyle, the RR, Ameren. During the ice storm she said she had Ameren Trucks and PAR trucks pull up. Oh, we can't come in? She said she told them she'd feed them to go boxes. They had been in their trucks for 24 hours, both Ameren & PAR, and wanted to come in and get a hot meal, but had to sit in their trucks.

They are protecting our city by keeping the heat on, but yet they could not come in. She said she has been in the restaurant business for over 50 years and has never seen anything like this. She had planned on retiring this year, but that is out. Not trying to feel sorry for herself, she said she is speaking for all of her peeps here. These are all good people who work hard. If you know restaurants, we all work hard, always have, always will. Being a boss is even harder. She said Mr. Gentry had hit every nail on the head. All she is asking from the Health Department and the Macon County, we need help. Don't hurt us. If it is 25% or 50% we're looking at, anything is better than nothing. We have people who are the help. They are starving. She said she has one girl that has two kids in college. She still has to pay for college. Where are we at? What are we going to do? This is sad all the way around, for people who have died, for people who are hungry. It is just a sad thing and she hopes we can solve it peacefully.

Steven Christian is an east side resident at 62521 zip code

He said he has been to Deb's and Texas Roadhouse and he gets it. Restaurant owners are in a hard spot. The part he does not understand and the part they don't seem to understand is how when people are coming in and taking their masks off and eating, that increases the risk of a spread and people who are being responsible are not having people come into their homes. He said he has not seen his sister who lives 4 miles away, here in town, since this started. People are making sacrifices. You are talking about livelihood vs life. Chuck Kuhl, Rodney Walker, and Nancy Gregory all admitted last night at the City Council meeting that if they open, even if they tell you guys 25%, they know you're going to do 50% or if they tell you 50%, they know you're going to do 70%. That may be a little untrue, but we are talking about livelihood vs life. He told people not to take offense because he is including himself as he reads, people are stupid. We are all ignorant to things we don't know. Given proper motivation, we can be led to believe almost anything either because we want it to be true or because we are scared it is true. Our heads are all full of facts and thoughts, beliefs and 38 years of this or 50 years in the trade of this, it makes it all that much easier to fool us and be led to believe in something different. What we need to do right now is listen to the people who have dedicated their entire lives to the study of disease. This is a once in a lifetime pandemic. It is not like something that has ever happened before. We are in a situation where we are having to make decisions that no one has ever had to make in our or our grandparents' lifetimes. The only way we should be looking at throwing the doors open to any kind of businesses is when we have vaccines in place. Going to Wal Mart, Kroger and Menards, people are coming in with their masks, getting things and going home. That is completely different scenario than sitting down, eating, and that air being circulated into the rest of the restaurant. All of us sitting here with masks on today is a completely different situation than if we have 5 different tables and everybody is eating. He said he gets it; you guys didn't draw anything. It is not your fault this happened. It is not anybody's fault that the pandemic happened. Every business that has been hurt by it needs to get aid and that is what the County Board, City, the Government should be talking about. We should be talking about ways to keep the employees paid, keep the doors open, keep the power bills paid so that once this is over and we've ridden it out, we can all reopen. We are talking about livelihood vs lives. One of the people from the County Board spoke last night at the City meeting about how horrible it is for someone to have to go home and tell their significant other that they are bankrupt and have lost it all. That is horrible. He said he has had to go home two times, through no fault of his own, through downsizing and right sizing and tell his spouse that he has lost his job and it's not because of anything he did. But, if the scenario had been that

he had lost his job or died because of an infectious disease that has this asymptomatic period or it is highly contagious still, it is always better to come home broke than not to come home at all. It is livelihood vs life. Listen to the experts. Any one of us could be led to believe something that is not true because we want to believe or because we don't understand it. He said he does not speak French. So, he would not argue with two French people that they are doing it wrong. Listen to the experts. Please.

Kathy Wade, Director of Environmental Health and Emergency Preparedness for the Macon County Health Department

She said she has been with the Health Department for 17 years. She has seen H1N1, Ebola, pretty much anything you can imagine in Public Health. This is the first time she has ever seen a pandemic of this magnitude come to our county. It is not something that will be gone next week. That is what we all thought in March. We have now seen that that is not true. One of the things Ms. Wade would like for the EEHW members to think about are a few things of what would happen if the ordinance does get changed. That means we are no longer following state laws. The next step is potential loss of certification as a Certified Local Health Department in the State of Illinois. What does that mean? We could lose grant funding. We may have to pay grants back. And, we may have grants stripped from us. This is a huge thing for those in Macon County. This is not necessarily about the restaurants, right now. This is for every community member in the county. WIC could be gone. Starting Point for our seniors could be gone. Shot clinics for our babies could be gone. This affects a lot more than just the restaurants. For years, Ms. Wade said she has listened to the County Board tell them every year at budget time that they have to cut budget costs, worry about your budget costs. Ms. Wade said she had never imagined that this is what the intent was, to pull grants from the Health Department. Another concern is how this will be perceived in the community. When was the last time any of you went out on an inspection with one of the team members? Are you aware of the abuse that is given and how bad it has gotten since COVID? Are you aware that since the media articles that have come out on Friday and Saturday what the team has been put through? Ms. Wade said she has been called every name in the book. The team members have been called every name in the book. The team members who are out doing inspections are told to F__ you & F__ off. Why? Because we have an abuse of power now. That is not what we are here for. We are here to education, to make sure businesses succeed safely. Ms. Wade said she would have loved to have the committee members sit in her office over the last two days and hear the phone calls and abuse received. The biggest concern is as Ms. Wade said she had had two people just today tell her is that it is ok. You can't close us anymore so I don't care what I do. That is how this is being perceived. This is opening up a bigger issue than COVID-19 regulations. To address the abuse of power that the media referred to, here are some facts. November 20th mitigations have gone into place. Since there 112 complaints have been received regarding COVID-19 regulations. Of those 112, a total of 7 Cease & Desist Orders were issued. Five of those were outside city limits. Of that, one suspension was issued. Does that sound like an abuse of power? Of those 112, the Health Department's job is to educate. That has always been the job. We call. We make sure they know this is the mitigation we are in. The second step is going out and attempting to figure out a way for them to continue to operate. Sometimes it takes someone that is not there with blinders on. Owners will admit that

they are there so long, that sometimes it is just the norm. It takes that person to come in and say hey, have you thought of this? That is what the health department does.

One other thing Ms. Wade said she would like for the committee members to do is to look at 55ILCS5\5-20001. The Board of Health has followed the County Code since the start of this pandemic. To quote the State of Illinois; the Board fails, refuses, or neglects to promptly take the necessary measures to preserve the public health...the Department of Public Health may discharge such duties and collect from the COUNTY or township, the reasonable costs, charges, and expenses incurred... By the County Board allowing this change to the ordinance, you are in fact failing, refusing, and neglecting to take those measures to preserve public health.

Mr. Baggett interrupted with respect to what she had just recited and the legal effect whatever action they may consider. The Statute cited does not actually apply in Macon County. The Board of Health and the Department of Health in Macon County are actually governed by Division 25, not 20 of the County's Code. Ms. Wade recalled her statement.

Ms. Wade continued, saying the Board of Health also should be suppressing the disease which is exactly what they are trying to do through the work being done. She said she is very sympathetic to all the business owners, whether restaurant, a small business, a retail business. She said she is sympathetic to all of them. She said she knows there have been many restaurants that have followed the mitigations since Day 1 to the T. She thanked them. However, as everyone knows, there are plenty of other restaurants that are not following this. For those that are following, thank you. You are helping to save this community. Unfortunately, the County Board is going to be voting on something that is a no win situation for anybody. We need to think of a winning situation for the entire Macon County and remember those that cannot be here to fight for themselves.

Karl Coleman, Macon County Board Member

Mr. Coleman said he is here to speak on this matter and is sure it's debate will probably continue for the next couple of days, so he would keep it to one issue and one issue only. He thanked Ms. Wade for speaking on it as well. That issue is the legal liability which the county will incur if they move forth with this action. If the State's Attorney's Office, during this comment or after, would like to speak to this and maybe correct where wrong, he would like to hear it.

But, for instance, the federal government, during the COVID 19 discussion around the stimulus packages, one of the things that was argued was the legal liability of corporations or individuals to be sued for people contracting COVID in their businesses. That was not decided upon at the federal level. So, that means that liability is still there to some degree. At the state level, if we are not acting in accordance with state guidelines, we very well may be subjecting ourselves to legal liability on behalf of individuals who can prove they contacted COVID in certain situations. When we have openly and admittedly made a decision to move forth with this. Outside of that, the business community is the issue at hand here. He said he understands the concerns with the livelihood and lives to be lost, but we are financially strapped as the county and so is the city as well. It is going to take unprecedented levels of economic and financial

relief to sustain ourselves and get out of this hole. We, as a County or as a City Government, do not have that financial capability to pay our businesses the adequate and sufficient relief to get out of the situation. That will be coming from the State government and if we are not acting in accordance with the state government law, we very well may see a reduction and / or a stripping of that possible grant funding. The grant funds that we are currently taking advantage of now, as Ms. Wade pointed out, very well may be stripped away from us. A knowledge of business sense that I came to speak, she pointed out a very valid point of course that we may not have Baby Talk available to us anymore. We may not have Starting Point available to us anymore simply because we would be making a decision that is clearly in violation of other laws of higher authorities that were put in place upon us. So, Mr. Coleman said that this debate will more than likely continue on Thursday, so as he plans to speak on it there, the decision is clear in a lot of different manners, but we don't have the financial capability to incur the loss if we make this decision, nor do we have the financial capability to rectify our citizen's lives that have had to deal with the pandemic that is solely not their own fault – nothing at all. Mr. Coleman said he definitely feels to the highest possible degree with the business owners who are having to deal with this that it is unfair, but we, as a community, have to come together and make communal decisions and sometimes those are very difficult but we have to have the interests of the entire community at hand.

James Gentry

Mr. Gentry said he wanted to respond to Ms. Wade. Before the Pandemic started, he felt he and Ms. Wade had a great relationship. Then she shut his business down and he was extremely upset. But, she said some things that the business owners need to hear. She said we are going to lose something – grants and funding. That is what we are here fighting for. We've lost a lot. Last month alone, Mr. Gentry said he lost \$92,000. That is why he is not standing here complaining about it. They all know how busy Texas Roadhouse is. It's tough, but it's about the employees. They have lost a lot too. The Health Department is getting berated and Mr. Gentry said he is sorry for that. He said he is sorry for the way he berated them because he was upset and mad. He said he didn't call names, but he did ask a question, how many checks have you missed during the pandemic. Nobody answered. It was zero. Everybody regulated in this pandemic is getting paid, guaranteed. But, Mr. Gentry said he has a lot of employees that are not. Somebody said we're taking the grant money and spending it on ourselves. Mr. Gentry said he guarantees that is not the case. They got shut down a week before Christmas and he went home and told his wife they had to do something. So, they took \$10,000 and distributed it to their employees. Those are the things the business owners are doing to try to take care of their people because we are nothing without our people. Mr. Gentry said he cannot serve tables, host, bus, wash dishes and cook the food. Nothing happens without the people. Not one thing. If business owners don't see that, they shouldn't be owners. The employees are everything.

The next thing to be addressed is name calling. She has fought for what she believes in and is frustrated about the name calling and the letters. Mr. Gentry said he has so many letters. I'm a murderer; I'm killing people – like I invented COVID myself. It is unacceptable. You are assuming. For restaurants to be shut down, but this pandemic has still gone to the measures it has gone to. People can drive 2 hours this way or that way. So, you're never going to visit my restaurant again because I'm killing people. Are you going to visit Indiana again? Are you going to visit Missouri again? Or Iowa? Every state surrounding Illinois is open. Are they all

horrible people that don't care? So, when the young man got up earlier and talked about what we are losing, it is hard for me to have empathy for people who are standing up and talking about losing grants and funding. This administration is funded by the state. How does the state get money? Are they selling something? Do you want to see my tax bill? We fund the state. The people fund the state. We pay taxes upon taxes upon taxes. That is how we get grants for the Health Department. That is how we get grants for the City. That is how we pay their salaries. Mr. Gentry said he believes Ms. Wade is a great person and he is truly sorry for his frustrations because it did break his heart, not for him, but for his employees, but he said he gets phone calls every day. We talk about being financially strapped. You don't know what financially strapped is until you've been in our shoes during this pandemic, until you are the one generating the revenue, until you have missed a paycheck, until you have missed Christmas for your kids. Nobody at this table, on this Board, has missed a paycheck.

(discussion – away from microphones – from the public)
Chair Little brought the meeting back to order.

Mr. Gentry said he is not mad at the gentleman that made comment because it is not his fault. He said he did not want to blame him. He is frustrated. We are frustrated and we have all acted in ways that we should not have. It is the pandemic's fault. Right now, we have to make the right decision that every other state has made, except a few – very few. We have to make the same decision that Sangamon County made. They are thriving. We are not thriving. We are struggling.

Chair Little said it has been almost an hour. She would allow Mr. Girdler a few minutes to address the board as long as he has pertinent, non-personal attack comments.

Marc Girdler

Mr. Girdler said he wanted to address the chair directly. Is this Appearance of Citizens, every public meeting has to have a segment call Appearance of Citizens. Ms. Little said it is. In the agenda it says Citizens Remarks and that is where we are right now. Mr. Girdler said that according to the Public Access Counselor, Appearance of Citizens does not have to be on topic with the subject. That is for specific agenda line items. He said he has many complaints filed and they always come in his favor. Letting multiple people speak – there are no rules here tonight. He said he is the only person here tonight that the chair had enforced rules on. He said she has violated the Open Meeting Act by restricting his speech during Appearance of Citizens which is not limited to agenda items on topic. He said he has literally been told by Kwame Raoul's office that he could come and sing an opera if he wanted to and there is nothing that could be done about it. So, he said he would be filing a complaint. He said he could not believe that the chair had had the audacity to do that. Chair Little apologized and said she should have limited his speech to 5 minutes maximum per person. So, we both made mistakes. Mr. Girdler said he had not made mistakes. He walked away from the microphone and further comments could not be heard. Chair Little called the committee to attention and to be on task. She called for anyone that has not addressed the committee who would like to.

Gary Haines, owner of 11 Subways in Decatur, Sparetime Lanes and the Sonic

He said he does not envy the committee members at all. It is a bad situation. He said he thought he had a good relationship with the Health Department. Ms. Wade has always been helpful whenever he has questions. He said they have done the face mask enforcement, the plexiglass, spray & sanitizing so they are on board with every guideline they can find. But, it is getting to the point where we have to get open. The Subways are at 7%. Probably 5 of the 11 stores will be closed. They are on life support. The bowling alley has been closed since Tier 2. It is dropping about \$45,000 a month that he said he cannot afford. Sonic is one of the few businesses that is doing decent because of the nature of it being drive up and outdoor seating. It is actually ok, but it does not support the businesses that are failing or the ones that are closed. There are probably 150 or 175 people normally employed, but it's running between 75 & 80 now. Dr. Fauci says one thing one day and something else the next. Governor Cuomo said today that they should have left everyone open and should not have closed them. Should have just taken care of the elderly and protected them. Anybody that feels like they shouldn't go outside, shouldn't go outside, but if you feel you are fairly safe and want to go to a restaurant, you're taking the mask, you're taking precautions, there is no reason why not. He said he does not think we are in position to allow full opening. 25% would at least help get our feet wet. We do need to follow the state guidelines as much as possible, but we do need to be consistent with what everybody else is doing. We can't be afraid of COVID all our lives. He said he has had COVID about a month and a half ago. He said his wife has had it. He said they didn't get it from the bowling alley or restaurant. They probably got it from Wal Mart or somewhere. Who knows? It can go anywhere. He said he wears the mask, but still got it. So, what did he do wrong? He said he lived. They say 1 ½ % die. Out of that 1 ½% would have died anyway without COVID? He said he didn't want to sound unsympathetic, but a lot of them were elderly age 70 and up. We are not going to live forever and we can't live in fear afraid to go out. Right now, people are suffering from depression. We can't get out, go anywhere, do anything. It's killing people because they are feeling so trapped. We all know what is going on in Illinois. There is a mass exodus to Texas, Tennessee, Arizona & Florida. Why? They are leaving like crazy. The tax base in Decatur is shrinking. We've lost all the gaming. We were making – The City of Decatur was pulling \$150,000 a month off of gaming and has just lost every dime. How bright is that. There is \$150,000 a month that the City never had prior to gaming. He said they have gaming in the bowling alley, but that is the only place he has it. It is not a great big earner, but it helps pay the bills. He said if he doesn't have it, he is out of business. Just like with liquor. He said they don't sell much liquor. In the old days, 3 years ago, there was a lot of liquor sold. Today with the DUI laws, it maybe makes up 5% to 10%. Food makes another 10% to 15%. Gaming is about 3% to 5%. It all adds together to keep us in business. None of us here are rich. We are struggling and we need help. He said he understands the dilemma and does not envy the decision that the board is going to have to make. But, we have to do something and we cannot live in fear. Anyone that bad mouths the Health Department should not be doing it. We are all in business together. It 's like national politics. They can take the same thing you're watching and can twist it this way and that way no matter what side you're on. We just need to get back to having a good time, feeding our families, taking care, and see your friends. When was the last time you saw your friends? He said his son's wife is a nurse and won't let anybody in the house because she's in a nursing home. Thank God the vaccine is coming so I can go see my grandkids. I don't want to live in fear. We can't be afraid to go out. He said he has been doing this for 55 years and does understand people that are really afraid. If you are vulnerable and you don't feel comfortable, don't go out. Don't go to Wal Mart or

Kroger. Stay home. But the rest of us are going to get the COVID. He said he had gotten it. It wasn't fun. There are lingering effects. There's some weird stuff going on with it, but it did not kill him. It doesn't kill most people. Unfortunately, it does kill some. He said he had a friend that died in the hospital. It was very, very sad, but he can't live in fear because one or two persons died. It is a bad situation and we all have to get through it.

Chair Little opened the conversation up to the committee if they would like to propose a resolution to send to the full board. She reminded everyone in the room that any action taken by this committee only forwards the discussion to the County Board on Thursday night. Nothing done tonight is definitive. There are 21 votes to be cast before anything changes one way or the other.

Chairman Greenfield commented that he knew there were a couple of (comments could not be heard or understood) looked at & voted on that way, tabled or tweaked or whatever, but thinks we are all aware that there are certain stands on both sides and pick (inaudible) like or don't like and . . .

Mr. Baggett said he did not know if these drafts he had been requested by a County Board member to come up with draft language potential, some directions, basically that the committee or the board may choose to pursue. Given the impetus for the meeting, given the idea that there would be some requested change to the Sanitation Ordinance. One option would be to add language to the Food Sanitation Ordinance which would modify the definition of the term Imminent Health Hazard as follows: Imminent Health Hazard shall not be interpreted in such a manner as to allow a health authority to suspend or revoke a license on the basis that a license holder has failed to comply with the gubernatorial executive order, IDPH regulation, CDC Guideline or other law or regulation related to the COVID 19 pandemic that prohibits patrons from dining indoors. The idea there would be that the Governor's executive order and the regulations of the State as promulgated in line with the executive order which entirely prohibits indoor dining that the Health Department would not be able to consider such a violation to constitute an imminent health hazard which Mr. Baggett said he believed they currently can under the ordinance. This would define imminent health hazard in such a way as to effectively exclude that definition and prohibit them from enforcing indoor dining restrictions by the Governor's office.

Another option, Mr. Baggett continued, that he was asked to draft, and he asked that it be kept in mind that these are very much in the form of drafts. Neither he nor the State's Attorney has had any specific direction from this committee or the board in terms of what exactly the board wants to adopt. This is more of a starting out point. The State's Attorney's Office obviously takes no position with respect with what the board should or should not do in terms of amending the ordinance. That is not the role. But, in terms of drafting language which accomplishes whatever direction the board votes to go, that is where they come in and can help.

Option 2 would be to not allow the Health Department to enforce imminent health hazard authority in situations where dining, as it is currently entirely restricted and you cannot dine indoors at any restaurant in Macon County, it would basically say that the Health Department could not enforce that. However, in the event that the nature of the Governor's mitigation order

is that dining capacity must be reduced to a particular threshold, whether 25% or 50% or whatever, that the Health Department could enforce violations of that threshold. So, if the Governor imposes an order, like we currently have, like where indoor dining is entirely prohibited, the Health Department could not consider that a violation. However, if the Governor imposes an order that says that indoor dining is permitted, but only at 25% capacity, then the Health Department received a complaint that someone was opening their restaurant and had more than 25% capacity, they could enforce the imminent health hazard against that.

Again, these are some ideas that Mr. Baggett said he had been asked to put into certain language that would amend the ordinance. He said that it is his opinion that to accomplish what he was originally tasked with. The only thing that would need to be done is amending the definition of imminent health hazard. Of course, the board has the authority to take a different approach and adopt something more in line with what Sangamon County or Springfield have done which is probably more of a technical amendment to their policies. He said he has not personally read those, but that would always be an option. He said he thought the representatives from the Health Department probably know more about what Sangamon County is doing. That is also a direction and if he is directed to draft that language, they could. Chairman Greenfield asked if anyone present had any idea of what Sangamon County was doing.

Ms. Wade said that the amendment to the Sangamon County ordinance gives 3 different portions of the mitigations that if any of these numbers, one being the 7 day positivity rate, one is ICU. She could not remember the other, but said there are three different percentages or positivity rates that if any one of those becomes more positive, then they go back to no indoor dining. As long as those three stay within current target levels, they can. They limit to 25% indoor capacity, no bar service so if you have a restaurant with a bar, you cannot use the bar area. Outdoor service can be at 50%. Names and phone numbers are taken from every party that comes in. The restaurant would also know which table each party sat at, what date they were there and who their hostess was. They have hand sanitizer throughout the entire facility for customers to use. The staff is to use handwashing means. There was quite a list. Indoor service has to close at 9 p.m. Outdoor service has to be done by 11 p.m. Karaoke and dancing are not allowed. No standing room only or lobby use to wait for tables.

Chair Little asked how what Sangamon County has now put in place differs from the previous tier we were in when we could do limited indoor dining. Ms. Wade said they are asking for more information such as contact info and are limiting capacities more and making sure it is being followed. Ms. Wade said that prior to the no indoor dining in Macon County, we said 25% capacity and they were at 100% easily. With Sangamon County, they are actually enforcing it.

Mr. Gresham asked for clarification on the 3 criteria. Ms. Wade said that if you were to look at the regional metrics for the Illinois Department of Public Health, there is different criteria. One of them is the percentage of ICU beds available, percentage of positive cases per 100,000, the 7 days positivity rate, and several others. That is what Sangamon County has in their amended ordinance for this. Mr. Gresham said he was curious as to how our current statistics stack up against what Sangamon County has established as the threshold. Ms. Wade said that we are in

Region 6. Sangamon County is in Region 3. Based on the current mitigations that Governor Pritzker has announced right now regarding his current plan to reopen the different regions, we, as region 6 would still not be allowed to open because we do not have a low enough 7 day positivity average. She said she did not know about Region 3. Mr. Gresham asked if they established their own or are they using the ones for their region. Ms. Wade did not know.

Chair Little asked the committee if they decided to send something to the full board, what would the committee's opinion on putting a time limit on it for reevaluation. Ms. Buckner said she thought it would be a great idea. Mr. Holman said that considerable opinion has been heard from both sides. There is a lot of brain activity in the room. He said he did not see any reason why the committee couldn't come up with something that works better for everybody involved. It is obvious that the restaurant owners can't keep doing this. The people that are working for them cannot keep doing this. That is an impact on the county. He said he did not like seeing it. He does not like not seeing them all open, but understands it cannot be. But, if we have other counties, even if they are in different districts, and they have slightly different criteria than we've got right now, and the figures are all floating. If something changes, things are going to change for us. How do we make that better. For one, start paying attention to what the health officials are saying. Masks, social distancing, that is the key. If we cannot stay within those, we lose. If restaurant owners see someone coming through the door with the attitude that they don't need to wear the mask, sorry, but you're going to have to go. That is what is going to have to happen. If something happens in Wal Mart or Krogers where people are not wearing masks, we are going to have to get these people to understand that they do not have the right to override my rights to keep on living, my right to keep from getting sick, from having to suffer and have my family suffer because of your infractions. That is plain and simple. We've got the ability to do something here and he said he thinks we need to do it. (applause)

Chair Little said she would like to see the restaurants and bars (not liking to use those two words as two different things, but since that is the way it is worded, that is the way it is worded) to be able to open back up at 25% with the distancing of the tables & chairs and with masks on customers and patrons when not seated at their own table. An earlier curfew would also be fine. No one in this room thinks the smart thing to do is live bands and massive crowds. She said she doesn't know of anyone that even wants that. A lot of people miss it, but everyone completely understands that not right now. However it would need to be worded, Ms. Little said she would like to see the bars and restaurants opened at 25% capacity with proper distancing of seating and tables and masks required when not seated at your table. She went on to say that she would also like to see in the resolution coming out of this committee a three month review.

Mr. Jackson said he likes it.

Mr. Gresham said he shares a lot of her sentiment, but in anticipation of this meeting tonight, he had had a nightmare that he was still in the food and beverage industry. He said he had not realized that the board had any control over what the health department did. He has always had the greatest confidence in them, even though he probably had had a few disagreements with inspectors over the years. He said he does not see what they are doing as an abuse of power at all. They are doing the job as they see it needs to be done according to the guidelines that are put forth. However, he said he does feel that the industry has been singled out unfairly. What Chair Little alluded to was that anything we do would include the protocol as far as masks,

distancing, etc... and throughout some of the stuff he has read, the term reasonable effort keeps coming up. That is, as proprietors or managers or whatever, you're going to make the effort to observe and follow these guidelines. Most importantly, what was said tonight was that the employees are so important to these people because they are like a family and they are suffering. But, that is the group that is the easiest to control. If you walk into a place and the employees are all following the rules, that obviously means the proprietor cares. Granted, there will be some anti-maskers there will be problems with. But, there is no reason to have a problem with an employee. That part is pretty easy to control. Choice is an issue. You can tell when you walk into a place if they're trying to play by the rules. Once inside the door, you know if you want to be there or you don't. He said he is in agreement with what Ms. Little suggested, but does not want to take any power away from the Health Department but does think restaurants are being unreasonably singled out and not by our Health Department, but by the Governor and the regulations that have come forth.

Chairman Greenfield agreed that restaurants and bars have been singled out, but there are some other businesses that have as well. The theaters come to mind. The one in Forsyth has shut down permanently. The gentleman is allowed to separate people and he is one that is actually doing that, but yet he does not have the opportunity to open because of the situation. He said he thinks places like that should also be considered. Things like that should also be included because now we are separating the bars and restaurants and forgetting the other people. Between now and Thursday maybe we can get an idea of what we are missing and include them as well.

Chair Little agreed saying that facilities that are doing what they are supposed to should not be nailed, but she doesn't know how to change her suggestion to accommodate that because she's just not sure who is doing the right thing and who is not. She said she couldn't suggest anything additional to her suggestion for a resolution, but anything can be amended on the board floor.

Mr. Baggett said the board needs to keep in mind that they are talking about amending the Food Sanitation Ordinance. The theater is subject to the Food Sanitation Ordinance because they sell soda pop & candy & popcorn. They are a particular category, but not like a restaurant. They have to get a permit from the Health Department the same as a restaurant would, however, their enforcement of the ordinance may not be what is keeping the theater from opening its doors. Even if the board amends that, it would impact the theater the same as it would impact the restaurants because they are both subject to the ordinance, but he cautioned that it may not necessarily have the effect desired.

Mr. Jackson asked Mr. Baggett about option A, where it strikes down anything that is an executive order from the Governor related to COVID, wouldn't that cover it? Mr. Baggett explained that Option A would basically say that if the state has ordered that no indoor dining, and that is specific – ONLY when the state has said no indoor dining is permitted, at that time the Health Department could not see a violation of that state order as constituting an imminent health hazard which would subject them to closure under the ordinance.

He said he wanted to make it very, very clear. Mr. Reuter and he had kind of hit on this at the County Board meeting last month. With respect to the County ordinance, the Board has the authority to amend that and to basically control the scope in which it is enforced or applied with in the County, but keep in mind that nothing the board can do will change the effect of state law or Governor's orders or regulations that have been adopted by the State Department of Public Health. Actions by local businesses that would no longer be in violation of the County Ordinance, but which would still constitute a violation of state law would still subject them to enforcement by state authorities. So, they would continue to run the risk of having the State Department of Public Health, the State Police that have been involved in enforcement actions of these orders – they would still run the risk of that. Nothing this board can do would prevent that possibility. He said he would leave it to the individual restaurant owners to consult with their own legal counsel as to the advisability of acting in violation of the Governor's orders or state regulations. He said he wanted to make it clear and he thinks it was understood by the board, but just to be safe, your abilities here are somewhat limited and ultimately could prove fruitless if the state were to take a harsher stance in this county or others.

Mr. Gresham said he knows they've worked very hard on tracing and keeping this under control, and if we were to reopen at whatever level it might be and there was a pretty good spike in the number of cases in Macon County, would the tracing be able to affirm or disaffirm that the restaurants & bars were primarily or a major contributor to that?

Brandi Binkley

Ms. Binkley explained that in the contact tracing process, they do ask about potential locations of exposure. Right now, that is something you can find online through IDPH's website. It breaks down with a nice pie chart that shows where people have said that they are potentially exposed. It does include places like hospitals, schools, retail, restaurants, bars, etc... You can see that right now for Region 6. The limitation to that is that contact tracing is only as strong as what people say. If they don't say they went to dinner with their friends and everyone had masks off and then someone ended up being sick, then it can't be shown. Locally, even early on in the contact tracing processes, we were able to show that this was one source of spread. Whether it was in the household or outside of the household, together at someone else's home or at a bar or restaurant or at a park or wherever it might be. We have been able to trace, even early on. There is a program that the state has implemented that we do all of our contact tracing through. So, we are able to see more specifically what the region is doing.

Mr. Gresham asked, if the spike did occur, and restaurants and bars were a major contributor to that, somebody has to pull the plug and that would be the Health Department. He said he did not think it would be something that the board would be qualified to do or have the information. It wouldn't wait till the next meeting. It would just have to be done. There are some complicated issues here that we are really going to have to address.

Ms. Binkley continued, saying thank you for the opportunity to give this short presentation about this topic this evening. She said she realizes that this is not a winners and losers type of thing. Everyone is losing in this pandemic. We are all suffering in different ways, physically and mentally, emotionally, economically. She said she is definitely empathetic to the restaurant owners as well as the families that may have lost someone and couldn't be with them

at the hospital and to those who have not touched or hugged their loved one in a long term care facility maybe this entire time. The Health Department has never been an us against them thing. We try to be a partner and be supportive and to build the collaborations with businesses, restaurants & bars and other social service agencies, the rest of the health care system and everyone that is served in Macon County. This is not a fight. Ms. Binkley said her job and commitment to this community is public health and protecting lives. She said she never wants it to be perceived as the Health Department against anybody else. That is not why they are there or why they have committed their careers to public health and why they do everything they do. They do it because they want to save lives and help people have the best quality of life possible.

Last Thursday, the Health Department was made aware by County Board Chairman Kevin Greenfield that this proposed edit was going to be made to the ordinance. This is an upsetting matter. Ms. Binkley said she does not support it. The Board of Health is supportive as far as us saying we are against this change. It can be dangerous for many reasons, not only because of bars and restaurants, but because of the precedent that will be set with so much more in the community. As of November 16, a press conference was held. There have been several of them. We stood with Mr. Greenfield and talked about these things. We stood with our other health care system partners and begged the community to please do everything you can with these upcoming holidays just in your personal and professional lives to help curb these numbers. Our numbers were spiraling out of control at that time. We had a very high positivity rate. We were more than double the target positivity rate. We were having to report deaths nearly every single day and sometimes multiple per day. We also saw some very scary things at our hospitals. You may not have heard it, but we certainly heard it and that is why you saw all of us united as the hospitals, the Health Department, the City & the County begging all of you to do everything you could because no matter how much capacity the hospital was able to expand, there are only so many health care workers in our entire country, let alone Macon County. It was getting crucial. There were people, your constituents, your neighbors, your friends, your customers, people you don't know but should still care about who were on carts in hallways and couldn't even get an emergency room bed. Then they were stuck in an emergency room bed because they could not get an admit bed because there just wasn't enough. That is not a ding to our hospitals. They have done everything they can and have been working incredibly hard all hours and stepping up in ways that we cannot even imagine unless we've done it. It is not a ding to them, but it is a reality. When you overburden a health care system, it can only do what it can do. That is where we were on November 16th. At that time, we were very close to having additional mitigation measures put on our region which would have included Macon County. We, as the Health Department, asked the schools to consider going virtual between Thanksgiving and January 15th to allow that incubation period after the most commonly celebrated holidays. We did an ask to people to do everything they could to be safe and help protect the lives of their fellow Macon County residents and visitors. We asked faith based organizations to go completely virtual at least during this time so we could get these numbers down. We also asked food establishments to please continue to be compliant with all the rules that have been put in place on them in addition to everything they have to do on a normal day. We were scared. The health care systems were scared. To everyone that did everything they could, including all of the establishment owners present tonight and to those that are not here, thank you. We are incredibly grateful because every single sacrifice and choice that everyone

has made has helped protect lives whether you know the life of the person or not. You have saved lives.

Ms. Binkley said she wanted to give some clarification to a comment that was made earlier about the Health Department not sharing statistics. The Health Department has, throughout the entire pandemic, been the leader on the Crisis Communications Team. We regularly share, not only data, but also refer people to the IDPH website which gives much more specific data because they are able to staff epidemiologists that are able to provide that information. We directed the community to that and that information. You can find any of it and our staff is more than happy to help direct you to that if you cannot find it.

Another point that was made by someone tonight is that the death rate is so low. That so seriously discounts the people who have had someone die because of COVID. Yes, some of them are older and maybe were close to passing away anyway, but did they have to be lost sooner? Did they have to die alone in a hospital with nobody to be with them except for a hospital chaplain or nurse? It is not ok, but these are things that happen in pandemics. It is heartbreaking. It wreaks havoc on everything and everyone. On November 23rd, Ms. Binkley said she had done a deep dive of the data because again, they were begging people to take precautions. In just that previous month, we had had more deaths, it had more than doubled, in one month than in the 7 prior combined months. There were more cases in the past month, and they had more than doubled in just the month before. The Board of Health, around this time, gave the Health Department the green light to start being more stringent. Complaints have been followed up during this entire time, since day 1 in March. Education has been provided. The Health Department has done everything they can to get businesses safe and compliant and be their partner. But, not until that Board meeting, when those numbers were out of control, did we start saying that we would suspend some permits. At that time, our partners were begging us to do everything we could do to help. On November 20, mitigation measures were implemented for the entire state. That plan, as a reminder, did not just put restrictions on bars and restaurants. There were a lot of other businesses that had restrictions placed upon them whether that is theaters, recreation facilities, meeting spaces, hotels, conference centers, etc. This has certainly affected a lot of other businesses as well. On November 20th, we had a 16% positivity rate which is double the 8% target. It dropped to 9.4% in just one week. Over the course of time, by December 25th, we were down in the 6% range. The deaths and the positivity rates dropped significantly in December after the mitigation measures were put into place. Now, we are starting to see an uptick. A lot of people are asking the question, if bars and restaurants are closed, which we know that not all are, how are the numbers going up? Well, we fear, that this is the surge that we have been afraid of that is following some of these holidays. We did not see the one after Thanksgiving, thank goodness, but this could very well be the start of a surge, which makes it an even scarier time to stop enforcing some of these mitigations. As the Governor has stated, after January 15th, we would be able to move out of Tier 3 mitigation measures if our metrics qualify. Our metrics do not. When the metrics do not qualify, it is specific to hospital capacities and hospitalizations for public illness. Ms. Binkley asked everyone to think about this. If there is not a hospital for you or your loved ones if you have COVID or a heart attack or a car accident or having a baby, it is very important that we have that capacity here in Macon County and in our entire region.

Throughout this entire pandemic, the Health Department has followed up on complaints. Ms. Binkley said she would like to advocate for some people that could not be there tonight to speak for themselves. Countless complaints are received from employees of businesses of all kinds that are terrified to come to work because their employers are not following COVID 19 guidelines or because the customers are not following the guidelines. They are asking us and begging us, what can they do to help protect themselves because then they have to go home to their children, families and elderly they take care of. People want a safe place to go, including to work.

The question of who hasn't missed a paycheck also came up. Yes, while the Health Department employees have been working the entire time and have not missed a paycheck, we have missed 317 days of time with families because we are so committed to doing everything we can to protect all of the people we do not know in Macon County. To clarify, just because we may not have missed a paycheck, that doesn't mean we haven't been through things in our lives where we have been broken, we have had nothing. We can be empathetic to that. Even though, right now we are working and getting paid, we can still be empathetic to that. There is a several step complaint process that is to be followed. There are several steps that have to be followed before we even get to a cease and desist order. Then, only one food permit has had to be suspended and that business got back open within a matter of days. We do everything we can in Macon County to partner with businesses because we want you to be open too. We want our community to be somewhere that people want to live and visit. This is not something we want to punish anyone in any way. We are not the only county enforcing this. Everybody always says no other county around us is doing this. That is not true. Champagne / Urbana Public Health has been very strict on these mitigations and enforcing them. Their State's Attorney's office has partnered with them and they've gone to court many times. Their numbers are reflective of that.

There was a question at the last County Board meeting if the Health Department should have done what they did or if they had legal right. Mr. Baggett has clarified that they did. Ms. Binkley assured the EEHW oversight committee that she is there or on the phone with them every month. She said she does not do things without speaking to legal. Whether that is the State's Attorney's Office's liaison, Mike Baggett or Ed Flynn if it is a human resources issue. She said she does not do things without consulting legal because she wants to mitigate risk to the Health Department and to the entire county. She said she wants to do the right thing. She asked them to please not think that they are just hurrying up and doing whatever they want to do without talking to legal first. She said she has had an excellent rapport with Mike Baggett for years and he has been the Health Department's liaison for years. She said she did talk to Mr. Baggett about this question that came up at the last County Board meeting both when Mr. Scott was State's Attorney and when Mr. Reuter was getting ready to come in and she knew what both of their stances was. She said they chose, because they had promised the community that they would do due diligence. She said she could not not enforce mitigations at the Health Department that have saved lives undoubtedly because she knew someone else might not follow through on it. If that didn't happen, that was out of her hands just like this ordinance now is. But, she said she has to look everyone in the face as the Public Health Administrator and know that she did everything she could to protect lives because that is her job.

There are questions about how restaurants are different than grocery stores. That has been touched on, but she would like to reiterate. The activity participated in in a grocery store, which there have been cases linked to retail, but they are totally different situations when you are walking through a store versus sitting in a restaurant. We have had situations of both, for sure. But, the restaurant interactions are different. The Health Department is not trying to target food establishments. She said they call everybody they get a complaint about and ask and beg them and go do tours. Ms. Wade has been to countless sites to look and see what they are doing for infection control, to try to give them advice on what they can do to be better. The Health Department is not trying to target anyone. They are trying to target saving lives.

Another thing, people say, this should be freedom of choice. If the restaurant owners want to be open, it is their choice. But, Ms. Binkley reminded everyone that there are employees that feel that they don't have a choice to go to work. They are terrified to go to work if they're going to get sick if all these people are in there and there are not enough hospital beds at that given time. Also, keep in mind the schools. If we have substantial community transmission, schools may have to close. Some of them have not even been able to open yet. Long term care facilities may have to lose their ability to have visitors if numbers rise. There are a lot of implications in addition to the health care systems and what happens to them if the numbers go up.

Ms. Binkley said that when she found out about this possible ordinance revision, she had called an emergency Board of Health meeting. Usually, the process of the Health Department is that they propose an ordinance after working with legal and the Board of Health. They talk through it, approve it and then it goes to committees and finally to the County Board. Obviously, that is not the process that was followed this time. She said she wanted her board to be informed and she wanted to go through the processes that are always followed to make sure that they had a say. They did give input. The Board of Health stated that they are supportive of Ms. Binkley when she says she does not support it and does not back the change in the ordinance that is being proposed that revokes the Health Department's opportunity to enforce if and when it is needed. What they did say is that they feel as if one of the options were to be implemented, they feel the safer option is the one that allows some of the ability to enforce. She said she had told them that she would share that with the County Board. Chairman Greenfield was also at the emergency Board of Health meeting and he told the Board of Health that he asked Ms. Binkley to look the other way about this but that Ms. Binkley would not do that. Ms. Binkley said she wanted to clarify that that is not who she is and not who she is going to be. She said she won't do it. She had promised herself, as a person in general, that when she took this job, she had promised her Board of Health that she would be ethical and moral and if she makes a mistake, she will tell them. She said she does not plan to change her mind about that. It is not an abuse of power thing. It is doing the right thing. She said she has committed her career to public health and to the team at the Health Department that she has worked with for almost 16 years. She said she cannot make a decision that would cost people their lives. That is not who she is. She is not going to do it. Also, at the emergency Board of Health meeting, Chairman Greenfield stated that he had asked them to give some of their CARE funding that had been designated to the Health Department to some of these businesses. Ms. Binkley said she understands the intent with that and knows we all want to help if and how we can. The Health Department has their own expenses and Ms. Binkley said she had expressed that, but still did her due diligence and asked if that would be an appropriate way to spend the Health Department dollars. She was told that it was not. It was used for other Health Department expenses. Since

we have not done these things, there is now a threat to have the abilities to enforce robbed from them. This is not and never has been power that they wished they had. This is about the ability to save lives and enforce mitigations as part of the Restore Illinois plan that was developed by doctors, scientists and epidemiologists. We are all looking for someone to come up with a plan. The plan is already there. The plan was developed by experts. That is the plan we should be following. Let the experts do their jobs. Ms. Binkley said she has never said she is the expert on this. We are all learning. But, if this is what the data supports and this is what is going to help us get as many people living through this process as possible, that is what we need to do. When things were their darkest and scariest here in Macon County, back in November, we stepped up enforcement measures as did the City of Decatur and the Decatur Police Department. She said she has been incredibly grateful to them too for their partnership and bravery with that. The City is considering repealing their ordinance in some way. They tabled that until next week. She said she wants to make it clear, at the Health Department, they are not politicians. She said she is not an elected official. She has worked at the Health Department and worked her way up. She has nothing to gain by being political about any of this. She said she is trying to follow the data and the science and save lives. Maybe yours. Maybe someone you love. If the City cannot enforce or will not enforce, and you take away the Health Department's ability to enforce, if and when it is needed, because to this point, she said they have not had to do very much other than say they are going to enforce. She said they have achieved a lot of compliance. If this is stripped away, who will be enforcing these mitigations? Who will be willing and brave enough to step up and enforce these mitigations? Ms. Binkley assured them that the health care system was scared back in November. Not just the Health Department, but all the partners too. She said they have been partnering the entire time and they were scared. She said she can assure everyone that Macon County residences, your neighbors, families, friends, employees and visitors were on carts in hallways because they could not get a hospital room. That is a pandemic. That is what it does. It's happening right now in California. We do not want that to happen here. There is a struggle to find enough health care workers to staff those beds. If we get back in to a nightmare situation here in Macon County and you have removed an agency that has not only been able, but has stepped up and been brave enough to enforce these mitigations, who will do it? That is a dangerous gamble. This is not an us against them. We are talking about the ordinance right now. That is a dangerous gamble with the lives of the people you love, that we are all here advocating for. You got voted in to protect these people and do the right thing. We all want to get back to normal. Life is not normal yet. We are close. The vaccine is here. It is being administered. We see the light at the end of the tunnel. We need to hang on as much as possible. Just a little bit longer. In addition to this, a move like this, being dangerous, it speaks volumes to our community about a County going against its very own Health Department. We should be united and standing together to advocate for public health and saving the lives of the very people that chose you to be on this board. County and community leaders should lead by example and we also need to consider the sustainability of a change in an ordinance like this. There are other businesses that do have to follow these mitigation measures that will probably start wanting changes as well. It also sets a precedent in the future. If and when we don't agree on what we should be doing or how we should be implementing anything else. We have been questioned about the implementation of the Food Ordinance before. We have been threatened about that. We said we are going to do the right thing that is right and legal. We said we are going to do the right thing. At least we can stand and look ourselves in the mirror. In the

future, will we be threatened by that and the ordinance will be changed again and eventually we will have no ability to enforce anything appropriate in Macon County as the local health department. That is not known, but we need to consider that this does set a precedent and it speaks volumes to the community.

Chair Little asked about a non-food employee that was scared and called the Health Department and what they did. Ms. Binkley said that if they do not have jurisdiction and they don't have a food permit or something like that, we do not go in and close those businesses. We had the Food Sanitation Ordinance we were able to use if there was a violation of a type of business over which we had jurisdiction. If there are businesses that call or people that call to complain about businesses over which we do not have that type of jurisdiction, we still call them and talk to them. Some talk to us. Some don't want to. We talk through it with them giving them ways to get compliant. We encourage them to get compliant. There are some businesses we cannot touch, but we do everything we can to ask them to be compliant. Obviously, an ask is not as powerful. Ms. Little asked if retail stores are just fair game to everybody. Ms. Binkley said, to a point, but there are mitigations on retail stores as well, but they are supposed to be at 25% capacity. Ms. Little asked who is responsibility it is to enforce those. She said she does not see any enforcement going on with retail except the little Ma & Pa shops. Ms. Binkley said she cannot speak to that, but she can speak to if it is a retail establishment such as a grocery store, if they were being negligent in some way that could be addressed, then they could be subject to suspension of a food permit as well.

Ms. Wade added that the facilities, such as a grocery store, WalMart, Target, etc., they have been out to those facilities. Most of those facilities have electronic means. Kroger, for example, when you walk in and look up, you will see a color coded system on their monitors to let you know where they are on capacity. WalMart has a person standing there at the door which is why they only have one door open now. They are counting how many people are coming in and going out. Those facilities are trying to maintain that 25% capacity. Even places such as Bath & Body, for example, are following guidelines. Last Friday, the phone rang off the hook by people wanting the Health Department to know that they were amazing and following this making people stand 6' apart with masks on. Those calls do come in. Contact Tracers contact her and Ms. Wade said she is still taking the time, doing her due diligence to call these facilities. There is a lot of confusion as to what mitigations they fall under and need to follow. They ask if they are recreation, hotel / motel, or what? She said she does her best to reach out to every one of them that she is aware of to make sure they know where they fall and what they need to do because the Health Department has been given the task to mandate Tier 3 mitigations. Chair Little stated that she completely agrees that small businesses are doing all they can to be compliant with everything and unfortunately, they are the ones that are getting the brunt end.

Mr. Holman stated that the committee has heard some conversation about Urbana and their numbers, but they are in a different district. He asked if there is anybody in this district, such as Taylorville because he had heard some numbers on them, - if they are in the same district, what are they doing that we are not that we could that would help some of these businesses? He said he wanted to compare apples to apples because these are floating numbers and if Champagne / Urbana is doing their things right and their numbers look good, good for them, but ours are not.

Taylorville is in the same district as we are, as a Board and having to make these decisions, he said he would like to have that information in front of him before he starts making decisions. Ms. Binkley said, to clarify, we are in Region 6, so we are with Champagne / Urbana. We are not with Sangamon. But, after these mitigations were put in place, we did see a significant improvement in the numbers. We were doing a lot of things right to get those numbers right to get those numbers under control. The concern is that the numbers might not always stay ok. This past summer, they were fairly, kind of steady and then once we got into that October time period, numbers went up and they could move up very, very quickly. Of course, hospital beds can fill quickly and people can start passing away quickly. The argument is not that we are not doing things right because Ms. Binkley said she thinks we are, and we need to continue to ask everyone to do that, not just the food establishments. The concern this evening is taking away the Health Department's ability to enforce if & when it is needed as a responsible agency determining that with the advice or consultation from our legal representative. Ms. Binkley said she does not want that ability taken away because if the City decides to do nothing or to change what they are doing and you disallow the Health Department to, there is not another entity in Macon County willing to do it. That is terrifying. If we get into another situation like November when things were spiraling out of control and there is nothing we can do.

Chairman Greenfield commented about U of I was within our circle at one time. They were testing U of I students on a daily basis. That is when our numbers went down. The more good people you test, the better off we are. These other places have a lot larger group to pick from than we have. Therefore, our numbers are not going to be the same. But, when they took the U of I out of our group, our numbers went down. That is what happened. So, it wasn't anything that we did wrong. When they took U of I out, that is when we took the big hit. Ms. Binkley said she did not have the date U of I was taken out, but the reason that was done and it was explained by the IDPH Director and by the Governor, is because there was a false sense of security that was happening because of all these screening tests that were being done. The rest of the entire region was being padded by the U of I. The reason that is dangerous is because if we let ourselves think the positivity rate in all of these counties is going ok because U of I is keeping us afloat, that is where the danger was. When you look at the actual positivity rate in all of these counties, it was not pretty, but it was more realistic. We could not any longer, and that was a choice made at the state level and explained, but it was an irresponsible way for people to continue on thinking that we were doing alright because of these thousands and thousands of tests happening at the U of I. She said the people here tonight are right, people in other counties are doing the same things or they are not enforcing so they may be doing worse, but that is where we need to partner as well. She said she and Chairman Greenfield have had this conversation probably 100s of time in this time period. We need all of you, as the County Board, to advocate with the Health Department. This should be us together. Chairman Greenfield said for her to say earlier that he had threatened her was wrong. He said he has never threatened her. That has never happened. Mr. Jackson asked if she and the Board of Health have had any plan that could meet in the middle and bridge the gap of what they are now facing. Currently, it is like you taking it personal. Mr. Jackson told Ms. Binkley she does a great job, but it is personal. He said she is on a crusade. He said he gets it, it is her life, but everybody else has a life too. Ms. Binkley said that is understandable. Mr. Jackson said let's look at it from everybody's angle, not just hers, the Board of Health & the Health Department. It is not everybody against you.

Chair Little said she had put forth her suggestion for what she would like to see in a resolution to go to the Board on Thursday night. She said she is sure this conversation will continue then & there. Her hope is that the rest of the Board will listen to these minutes so there will not have to be a complete regurgitation of everything that has happened this evening. However, this is just a recommendation or no recommendation from this committee for the Board to have something to consider on Thursday.

Mr. Jackson said that with that being said, he would make a motion to amend the Macon County Health Department Code, Section 91.06 definitions to what Mr. Baggett said which is option A and would be to imminent health hazards should not be interpreted in such a manner as to allow the Health Authority to suspend or revoke a license on the basis that a license holder has failed to comply with the gubernatorial executive order, Illinois Department of Public Health regulations, CDC guidelines, or other regulations related to the COVID pandemic that prohibits patrons from dining indoors.

Chair Little said she would still like to modify that to include indoor dining at 25% capacity with masks being in place until seated and social distance.

Mr. Jackson asked what the criteria would be that would change the threshold. There has to be a metric out there that says when 25%, 50%, 75% or 100% are allowed. If you take that stance of 25%, when would it go to 50%? Or 100%? Ms. Little said that is why she had also stated that she would like to have a time period on this. She said she would like for it to be a 3 month shot. She said she was very disappointed in the city when they just laid down a big blanket law with no end date. She said she refuses to be a part of that. Give it 3 months which, with the big incubation periods and all of that sort of thing, that is a legitimate amount of time to see if this is working. Obviously, if everything goes south, two days after we passed this, because we passed it, this committee can meet again or the Board can meet again, or whatever. She said she would not support anything that does not have a timeline on it.

State's Attorney Reuter said that in order to be able to properly address the needs of the community and understand what the County Board is asking for, he had been trying to find online, some information about what metrics and how those are combined with what Sangamon County, for example, is doing in terms of saying they are open now, but at what point does it automatically kick in if these metrics change. Does that result in a revocation of the openness? He said he had asked Mr. Baggett if he wanted him to ask the Board if they wanted whatever proposed resolution they ask be drafted should include the language referring to that and he indicated that it is his intent to try to incorporate that anyway, but the way you are talking now is not including that sort of language. Ms. Little said she is not against including that, but she is just not going to sit and tell them what it should say. Mr. Reuter asked if she wanted the State's Attorney's office to refer to a system of metrics to look at in determining whether or not . . . Ms. Little said yes, but she still wants a reevaluation in 3 months.

Mr. Baggett said that at this time, from a parliamentary point of view, there is a motion on the floor. It is a specific motion that does not include the metrics that Chair Little set forth earlier. It is specific as to the language and he wondered if Mr. Jackson wanted to withdraw his motion

and make a different motion. It has not been seconded yet, so he has the ability to withdraw that on his own if he wishes. Mr. Jackson withdrew the motion. Mr. Jackson made a new motion to add in language to the imminent health hazard definition so that it should not be interpreted in such a manner as to allow the Health Department Authority to suspend or revoke a license on the basis that the license holder has failed to comply with the gubernatorial executive order, Illinois Department of Public Health regulations, CDC guidelines, or other law or regulatory related to the COVID 19 pandemic that prohibits patrons from dining indoors based on a metric that the County can accept and agree upon. Chair Little added with a limit of 3 months. Mr. Jackson added, and to be reviewed in 3 months. Ms. Little seconded the motion.

Mr. Baggett said that now that the motion is on the floor properly, that he does not want to leave this meeting without the proper clarity on his direction from the committee. He told Mr. Jackson he would suggest, that since he had made a very specific motion incorporating the language from the original draft and then tacking on the other language, he would suggest that he might take a different approach to drafting the language so that it has a similar effect, but not necessarily track this particular language that was included in option A and which was just recited into the motion verbatim. As long as the committee is ok with it, he said he would attempt to draft something that would accomplish something similar in terms of redefining imminent health hazard and then as Chair Little described earlier attempting to find a way to word the amendment to the ordinance that would allow bars and restaurants to open at 25% capacity with social distancing and / or partitions as appropriate, to require patrons to wear masks when they are not seated at their table and eating or drinking with a three month review. Mr. Greenfield had indicated earlier to include theaters and others. Mr. Baggett said he had addressed that, that this would apply to them in the same form that it already does. Chair Little also asked or indicated earlier that she would be ok with an earlier curfew. Mr. Baggett said he would look into this, but cautioned that he was not sure whether mandating closing times for businesses . . . Chair Little said she would not really be interested in having a curfew in this particular resolution. Mr. Baggett said he was not particularly convinced that the County Board has the ability to legislate that in a Food Sanitation Ordinance anyway, so if that is not a concern, he would not worry about incorporating it.

Mr. Reuter asked Mr. Baggett if he had sufficient direction from the Board about the language they are looking to incorporate into the proposed resolution. Mr. Baggett said his intent would be to locate Sangamon County's draft ordinance and incorporate some of their language and use some of the language that Sangamon County has deemed as appropriate and sufficient if that is the committee's preference to go in this direction. Mr. Reuter said his only question is if Mr. Baggett feels he has sufficient guidance to be able to draft a resolution for this board through its discussion tonight. Mr. Baggett said he believed so. Mr. Reuter asked why the committee didn't simply make a motion requesting the State's Attorney's Office draft a proposed resolution in accordance with the guidelines set out tonight and then just leave it at that for now. Then when we have an actual hard copy in front of them, they can debate the merits of and amendments to, if they think are appropriate, that is better than trying to word ourselves into complexity tonight. Chair Little said that is exactly what she would want. Mr. Baggett said he concurs and from a parliamentary point of view, suggested that a motion to amend in

accordance with what the State's Attorney just described. Mr. Holman so moved, seconded by Mr. Greenfield.

Dr. Zimmerman, who indicated that she is not a member of the committee, commented that, given that it is now Tuesday at 7:40 p.m. and the Board is scheduled to meet at 5:30p.m. for caucus on Thursday, this amendment would have Mr. Baggett draw up the resolution, she did not understand how the board members could get the resolution in time to in any way be prepared to vote on this on Thursday.

Mr. Jackson asked if they would have to suspend the rules on Thursday to vote on this. Mr. Baggett said no, it would be properly before the board. What Dr. Zimmerman is indicating a concern that she would not have enough time and that the board will not have enough time to properly weigh all the factors involved before deciding Thursday evening. Mr. Baggett said that is something that could certainly be addressed by the committee tonight if it so chooses, but it can certainly be addressed by the Board if they are not comfortable voting on it on Thursday. They don't have to. Chair Little stated that it can be tabled on Thursday if a significant portion of the board believes that they have not had plenty of time to understand it and make a well informed decision. Dr. Zimmerman said ok, she just thinks it is a valid concern given the fact that the State Health Department comes up with the metrics through experts and people who have spent their whole careers doing this and we are not experts, but we are supposed to be coming up with our own metrics in a day and a half. Chair Little said thank you and said that on Thursday, the Board will discuss it and that will be the opportune time to not continue with it or to postpone the vote on it.

Mr. Gresham asked if there would be included that there is a time limit. He said his concern is that what they are talking about concerns the current situation. It has no effect on the next pandemic, whatever that might be. Also, enforcement has to remain with the Health Department. Mr. Baggett asked for clarification with respect with the 3 month review and if Mr. Gresham is asking that it be set forth in the resolution that it come back to the board automatically in 3 months, which would be in April or are you asking for a sunset provision where this amendment would be repealed automatically unless renewed by the Board in 3 months? Those are two different things. Mr. Baggett said he wanted to be sure he has guidance. Chair Little asked for an explanation. Mr. Baggett explained that a mandated review date means that it comes back in 3 months and the Board decides whether they want the policy to continue or if they want to do something about it in 3 months. In the absence of any action, it remains on the books and part of the County's law. A sunset provision is a provision that would automatically repeal the changes being contemplated now unless they are extended by an affirmative vote. So, basically, if you give it a sunset provision of April 30 and the County Board takes no action between now and April 30, then the amendments will be repealed on May 1. Ms. Little said that is her intention. Mr. Gresham said a sunset and agreed that that is his intention as well. Mr. Reuter further questioned the intent of the committee asking if it gets to the point where this language which deals specifically with the pandemic of COVID, the Coronavirus that is currently ongoing, and that seems to be at least included specifically in the language we are talking about. So, this sort of approach would not apply if there is a bird flu pandemic or something else. Is that also the intent? Chair Little said correct. Mr. Baggett confirmed that he would make sure it is COVID-19 specific.

Roll call vote (on the amendment) showed that the motion carried 6-0 with Ms. Buckner voting present.

Chair Little called for a vote on the resolution as amended. Roll call vote showed the motion carried 6-0 with Ms. Buckner voting present.

Closed Session – None needed

NEXT MEETING Next regular meeting –1/28/2021

ADJOURNMENT

Motion to adjourn was made & seconded & the meeting was adjourned by Chair Little at

Minutes submitted by Jeannie Durham, Macon County Board Office

Jeannie Durham

From: DAVID W HAMBRECHT <davecathy@comcast.net>
Sent: Tuesday, January 12, 2021 11:10 AM
To: Jeannie Durham
Subject: County board comment

CAUTION: [External Email]

This email originated from outside our organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the elected members of the Macon County Board,
I wish to comment on the county health board making decisions concerning Covid-19. Now is the time for the board to take control of this issue. Many businesses are being brought to the breaking point of whether they can stay in operation. Please take back control of this issue, get businesses open at least in a limited capacity, with common sense guidelines. Wear the mask.
Thank you.
David Hambrecht
Macon County citizen

Public Comment
Received via Email

Jeannie Durham

From: Jon Nadler <nadrad314@comcast.net>
Sent: Tuesday, January 12, 2021 1:15 PM
To: Jeannie Durham
Subject: Macon Country Enforcement Powers

CAUTION: [External Email]

This email originated from outside our organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I've heard from my union that you are considering to limit the enforcement powers of the health department. Is this correct? If so, that sounds like a bad idea to me.

Please let me know what is going on.

Thx.

Public Comment
Received via email

Jeannie Durham

From: kthompson2739@gmail.com
Sent: Tuesday, January 12, 2021 1:21 PM
To: Jeannie Durham
Cc: john.jackson@adm.com; Drobisch.co@sbcglobal.net; jeff@jeffentler.com
Subject: Tonight's meeting

CAUTION: [External Email]

This email originated from outside our organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to express my deep concern about the meeting to be held tonight. I am completely against any attempt for the county board to usurp the rights of the Macon County Health Department to keep bars and restaurants closed due to Covid 19 infection rates. I realize there is a loss of income for many, but it is critical that we stay vigilant in getting our rates down so we can reopen safely. The Macon County Board needs to support the Macon County Health Department. NO MORE MACON COUNTY COVUD DEATHS!

Kathy Thompson
1220 W Scotch Pine Ct
Decatur IL 62526

Kathy Thompson

*Public Comment
received via email*

Jeannie Durham

From: Nicole Russell <nrussell838@gmail.com>
Sent: Tuesday, January 12, 2021 1:48 PM
To: Jeannie Durham
Subject: comments on the emergency meeting tonight

CAUTION: [External Email]

This email originated from outside our organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I've never sent in comments to the Macon county board before, so forgive me if this is the wrong contact email. The only reason I'm saying anything tonight is because this is something that seriously affects me and I don't want to stay silent.

It has been documented restaurants and bars are the very worst places to be during a pandemic, and new Macon county cases dropped from the hundreds each day to consistently being in the double digits when restaurants and bars were closed. We know that this is an effective way to stop the spread. We know it's the right choice. It would be an awful mistake to remove the enforcement powers of the Macon County Health Department. I understand that there are businesses suffering, the economy is struggling, and families are struggling. But a struggle is not a death sentence, and for many, COVID is.

Despite being a young adult, I'm considered to be "at risk" for COVID due to several body wide chronic health problems, and this means that I have to be extremely careful, because other people aren't. I don't have the option to work from home, and I'm not sick enough to get disability, so I still have to go to work with the general public, which is stressful and exhausting: wondering if today is the day I get sick. It is so much more exhausting when we're in a surge, and so much more likely that I *will* get sick, and likely, very seriously sick. And I'm certainly not the only one in Macon county that faces this. It is a spit in the face to people working around the clock in healthcare trying to save lives when others are allowed to party in a bar or restaurant. It's an insult to every person that distances and stays home to try to prevent further community spread when the board that is supposed to protect its citizens removes the health department's right to do just that in favor of money. And it's a further burden to those like me who are just trying to survive and by doing so are placed at risk each day by a public that thinks money and the luxury of going to a restaurant is more important than our lives. I completely sympathize with the businesses and people struggling with the restrictions, I know how stressful it must be to try to work with these guidelines and still have enough income to manage their business, but at the end of the day, you can recover from economic struggles. But you can't bring back someone who lost their life to an illness that could have otherwise been prevented by an enforcement of restrictions.

Thank you for considering these points and I hope you make the right choice.

N. Russell

Public Comment
received via
email

Jeannie Durham

From: Cluney John <cluneyjohn@gmail.com>
Sent: Tuesday, January 12, 2021 3:49 PM
To: Jeannie Durham
Subject: covid restrictions

CAUTION: [External Email]

This email originated from outside our organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please receive 3 very strong votes from this house AGAINST any reduction now in pandemic boundaries for masks, distances, public spaces (restaurants, etc.) With Macon County's HIGHEST rates of death from covid, this is wrong-headed and dangerous. Please act with the best interest of all citizens in mind.

Mary Clune John
Steve John
Matthew John

Public comment
received via
email & read aloud
at 1/12/21 EEAH special
meeting

From: JIM ROOT <jimroot37@gmail.com>
Sent: Tuesday, January 12, 2021 2:20 PM
To: Jeannie Durham
Subject: Letter to county board
Attachments: Letter to the Board 2.pdf

CAUTION: [External Email]

This email originated from outside our organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The attached letter to be read during public comments at today's County Board meeting.

Please acknowledge you have received it.

Thank you

Public comment received
via email and read
aloud during 1/12/21
Special EEAW meeting

pg 2
of Jim Root
comment/email

Dear County Board Members,

I am writing to you as a follow up to an email I sent to the Board approximately one month ago. In that email and now, I am expressing continued concerns about the use of a Macon County ordinance. This ordinance is being used to shut businesses down, circumventing state law. I have tried to follow up on the legality of its use with the State's Attorney, but my many phone calls have not been returned. In addition to my initial letter, I have had a few short conversations with some of the Board members. The lack of action to stop the use of this ordinance leads a person to believe the Board has received a legal opinion confirming the use of this ordinance is legal. If that is the case, that decision should be announced publicly.

COVID-19 presents health concerns to the general public and has taken the lives of some of our residents and others across the US. To date in the United States, the death rate of people contracting COVID-19 is 0.16% and in the State of Illinois it is 0.15%, meaning Illinois is below the national average. The mitigation measures enacted in the State of Illinois put the burden of reducing the spread of COVID-19 on bars and restaurants, which according to some recent data, only makes up 2% of all reported cases. The Macon County Health Department has made public statements indicating that local mitigation measures are working because the COVID-19 numbers are declining. The Health Department has not provided any statistical link between closing indoor dining to the decline in COVID cases. The availability of contact tracing statistics for Macon County is not publicly available but based on common sense and the above statistics, the link between the two doesn't exist or is highly improbable. According to the CDC 51% of transmissions are traced to family members and if the Macon County Health Department shared their contact tracing statistics you would find this to be similar or higher locally.

In comparison, in 2019 heart disease killed 655,000 or 0.19% of the population, Cancer killed 606,880 or 0.18% and Suicide killed 48,344 or 0.01% of the population. We take mitigation measures to decrease these numbers in the form of public awareness campaigns such as encouraging a healthy lifestyle, eating healthy and exercise. The mitigation efforts to reduce these deaths rightfully place the responsibility on individuals, not businesses. By contrast, current COVID-19 mitigation mandates place the responsibility and burden on businesses. If individuals took personal responsibility, those who are at most risk would or should stay home, they should choose not to dine indoors, they should choose to avoid crowds. Why is Macon County placing the responsibility and burden on businesses and healthy people rather than allowing individuals the freedom to choose.

Bars and restaurants are being devastated and some may never financially recover all because of this approach to mitigation. Other viruses like the flu, H1N1, Ebola and HIV are viruses we currently deal with and have for decades. Current and previous mitigation strategies for these viruses do not involve closing the doors on private industry. It is time for this Board to put a stop to the unfair targeting of bars and restaurants under the guise of stopping the spread of COVID-19.

The following sources were used for this letter:

<https://www.cdc.gov/heartdisease/facts.htm#:~:text=Heart%20Disease%20in%20the%20United%20States&text=One%20person%20dies%20every%2036,1%20in%20every%204%20deaths>

<https://www.cancer.org/research/cancer-facts-statistics/all-cancer-facts-figures/cancer-facts-figures-2019.html>

read aloud by Mike Baggett
at 1/12/21 Special EFAW
meeting

Jeannie Durham

From: Jen McMillin <jen@jenmcmillin.com>
Sent: Tuesday, January 12, 2021 2:42 PM
To: Jeannie Durham
Subject: Comment

CAUTION: [External Email]

This email originated from outside our organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, my name is Jen McMillin and I am writing to voice my opposition to the county board removing the enforcement protections of the Macon county health department.

Jen

Get [Outlook for Android](#)

Public comment
received via email

Jeannie Durham

From: Barbara <blovelysister@aol.com>
Sent: Tuesday, January 12, 2021 4:41 PM
To: Jeannie Durham
Subject: COVID-19

CAUTION: [External Email]

This email originated from outside our organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is Barbara Jackson a constituent of Macon County. I am not in agreement of removing enforcement powers of Macon County Health Department during the COVID 19 pandemic.

Thank you for your attention.

Barbara

*Public Comment
received via
email*

Comments made by Sandra Lindberg
at 1/12/21 Special E E H W meeting

To: Macon County Board special study session on powers of Macon County Health Dept.
From: Sandra Lindberg, 1495 W Sunset Ave, Decatur IL 62522 in Macon County
Date: January 12, 2021

Macon County IL has a higher death rate from COVID than any other county in IL.

Yet this board is devoting precious time--not to ways of reducing Macon County infections--but to stripping our county health department of its power to contain this disease.

This debate is not about a man's right to be free. It's about the right of our community to survive. Losing 5% of the local economy won't kill our county. Increasing infections and deaths in the county threatens everyone and everything about us.

Some of the 5% of the local economy that owns bars and restaurants has hijacked the local pandemic conversation. These screaming, not squeaky, wheels are calling in their markers and demanding that county and city government representatives repay the election dollars and support they've enjoyed over the years. And some of those politicians are doing as told--they're advocating for the reopening of bars and restaurants to indoor dining, though the local infection rate is *higher* now than when these safety measures were instituted.

Bars and restaurants are more than businesses, of course. They're places where people go to forget our dangerous world. Unfortunately, those who visit these places endanger every poor soul who meets them hours and days later.

This debate makes no sense. 1) The danger from COVID is clear and continues. 2) The State of Illinois Department of Public Health Act, 2305, Sec. 2, Paragraph (a), gives the health department powers to control an epidemic and charges local government and local health departments to comply. 3) Further, the people screaming loudest for indoor dining contribute only 5% to the local economy. They should not be allowed to endanger all of us because they fear the loss of their jobs and businesses. Health care and social service businesses make up almost 15% of our local economy. And those workers risk their lives every day to care for the fools who got COVID at a bar and then passed it on to someone else.

If this country and city really cared about bars, restaurants and their employees, they could *pay them to keep patrons outside their doors*. They could *pay them to effectively convert to*

carry-out-only business. Or could pay them to use their commercial kitchens to provide and deliver meals to those who have no money for food, keeping restaurant employees working at the same time.

In Alsip IL, Country House Restaurant spent \$250K and the City provided \$130K more to feed people in need. Our county needs to support similar actions: *we need to financially support restaurants that are offering free meals to Macon County people.*

This county needs to encourage failing restaurants to convert to employee-owned operations, a change that has shown to increase sustainability of businesses across the US. Don't support businesses that take government funds and then lay off their workers, sharing none of the grant money.

And this county must support the Macon County Health Department unequivocally. Our lives depend on it.

Sources:

<https://wgntv.com/news/corovavirus/alsip-restaurant-helping-veterans-seniors-in-need-during-covid-19-pandemic/>

<https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=330&ChapAct=20%C2%A0ILCS%C2%A02305/&ChapterID=5&ChapterName=EXECUTIVE+BRANCH&ActName=Department+of+Public+Health+Act%2E+%28Part+1%29>

<https://datausa.io/profile/geo/macon-county-il/>

<https://ny.eater.com/2021/1/11/22219845/stimulus-paycheck-protection-program-ppp-2021-covid-nyc-restaurants>

<https://project-equity.org/>