

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

THURSDAY

8:30 A.M.

APRIL 8, 2021

PRESENT:

Bob Lucey, Chair
Vaughn Hartung, Vice Chair
Alexis Hill, Commissioner
Kitty Jung, Commissioner
Jeanne Herman, Commissioner

Janis Galassini, County Clerk
Eric Brown, County Manager
David Watts-Vial, Assistant District Attorney

The Washoe County Board of Commissioners convened at 8:31 a.m. in special session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

21-0229 **AGENDA ITEM 3** Public Comment.

Mr. Bruce Parks spoke in support of holding in-person meetings, discussing other states which had reopened their economies without restrictions, and the number of counties that were fully open within Nevada. He opined reaching a 75 percent inoculation rate was an unattainable goal. He spoke out against face mask mandates and their effects on children.

Reno Rodeo President Mike Torvinen acknowledged the Board's hard work to address the COVID-19 (C19) pandemic and related economic and social hardships. He implored the Board to remove social distancing requirements by June 15 to allow adequate outdoor capacity; without that, the Rodeo would not be economically viable. Mr. Torvinen agreed reaching a 75 percent vaccination rate was unachievable, and he urged authorities to include individuals who had recovered from C19 in the percentage of the population that might have immunity to the disease.

Mr. Karl Sweder spoke in support of abolishing all local C19 restrictions, which he opined had no force of law and violated citizens' constitutional rights. He wished Washoe County would follow other counties in the state.

Mr. James Benthin encouraged the use of vitamins and other preventive health measures to improve resistance to C19 infection, and he discussed treatments he felt were effective but not being utilized by the medical community. He mentioned Florida's C19 response and lack of restrictions, opining other states should follow suit. He expressed

concern about the potential long-term effects of restrictions and closures on children and underprivileged populations, imploring the Board to reopen Washoe County.

Mr. Roger Edwards read the first section of a draft resolution in which citizens requested that the Board remove Washoe County from the State of Emergency declared by Governor Steve Sisolak in March 2020. Copies were provided to the Commissioners and placed on file with the Clerk.

Mr. John Olsen, a 74-year resident of the County, continued reading the proposed resolution.

Ms. Cindy Martinez concluded reading the resolution. She stated citizens had attempted to send the document to the Commissioners and County representatives multiple times, but email servers rejected their messages. She thanked Commissioner Herman for providing an alternate email address and noted 981 signatures of support had been gathered.

Mr. Kenji Otto displayed documents, copies of which were placed on file with the Clerk. He expressed concerns about the physical threat of illegal immigration, mask mandates, and the inalienable rights provided by the U.S. Constitution. He claimed illegal immigrants had no rights in the Nevada Constitution and spoke about the reduction or elimination of freedoms by Democrats.

Mr. John Curtis spoke about cultural divides and the removal of religion from schools. He opined the concept of deep equity was flawed yet schools could not receive funding without teaching it. He alleged there was no such thing as hate speech because it was up to individuals to decide what was hateful or not. He indicated citizens were being silenced and their right to free speech was being removed.

Ms. Stacy Shaffer expressed support for the proposed petition. She spoke out against mask mandates, C19 business restrictions and shutdowns, and the effects of the C19 response on children in the community. She brought up the uncertainty of the vaccine's long-term effects. She opined individuals should be able to personally decide whether to wear face coverings while entering a business.

Mr. Neal Sickles thanked the Board for hearing the public's voices. He expressed frustration about the violation of citizens' constitutional rights and skepticism about the efficacy of face coverings and shutdowns. He mentioned recent changes that had been made to the definitions of the terms 'pandemic' and 'herd immunity'. He echoed previous requests to exclude individuals who had recovered from C19 when considering the percentage of the population at risk.

Ms. Kristene Biglieri expressed frustration about the effects of C19 restrictions on children, schools, sports, and families, and spoke out against mask mandates. She believed individuals should be allowed to take responsibility for their own health and safety.

Ms. Melanie Sutton opined face masks were ineffective in protecting wearers and were a tool for social control. She thought the goal of vaccinating 75 percent of the community was unattainable. She expressed frustration about the length of time C19 restrictions had been in effect in the County and their impacts on small businesses.

Mr. Joey Gilbert provided a handout, a copy of which was distributed to the Board and placed on file with the Clerk. He spoke out against C19 restrictions and opined data was being manipulated to frighten the public. He compared C19 death rates to the flu, raised concern about the C19 vaccine, and asked the Board to end the public health emergency declared by Governor Steve Sisolak. He expressed frustration about the Governor's ongoing emergency directives and the holding of legislative sessions in Carson City without allowing the public to attend in person.

Ms. Kelsey Shroeder read a resolution passed by the Placer County Board of Supervisors removing that county from the State of Emergency, then listed the Nevada counties who did the same. She asked the Board to support the resolution prepared by citizens and spoke in support of the related petition. She opined nothing negative would occur as a result of ending the local public health emergency.

Ms. Sunny Maresca requested the Board support the proposed resolution and the removal of local face mask mandates. She stated face coverings gave her headaches and made it difficult to be active.

Mr. Bruce Foster pointed out a number of states had fully opened with no mask mandates, some of which had higher populations than Nevada. He wondered how Reno Aces games might look in 2021 and opined face coverings were ineffective. He believed governments had created unnecessary public fear regarding C19 and politicians were using the pandemic for political purposes.

Ms. Katherine Snedigar discussed legislative and government meetings being held without public attendance and opined C19 restrictions were being used as a political tool. She spoke about sections of the Nevada Revised Statutes pertaining to the State government's emergency response and occupational health and safety. She felt citizens' constitutional rights were being infringed upon and face coverings were making people ill.

Mr. Nicholas St. Jon felt the C19 response was more about control than public health or safety, and he listed five treatments he felt were viable that were not being implemented. He thought positive tests should not be considered new cases. He stated the Board was not listening to the citizens who had entrusted them to serve Washoe County, and he opined restrictions to religious gatherings violated citizens' First Amendment rights.

Ms. Julie Osburn identified herself as a retired firefighter/paramedic and discussed C19 death rates, mask efficacy, and hospital capacity. She compared C19 to the flu and asked why emergency declarations had not been called for in the past for the flu.

She expressed doubt as to the accuracy of statistics from local officials and the Centers for Disease Control and Prevention.

Ms. Melissa Brown stated there were no legitimate laws to support business closures, social distancing, or the use of masks. She opined the State of Emergency declared by Governor Sisolak was invalid and overrode the U.S. Constitution.

Ms. Cathy Reyes commented that Assembly Bill (AB) 93 would head to a committee soon for discussion. She stated the Washoe County School District (WCSD) would close their meetings to the public, which she felt would prompt lawsuits. She promoted the next WCSD meeting and encouraged people to attend.

Via the Zoom app, Mr. Jim Bratcher read from the U.S. Constitution, focusing on Amendment 1. He stated there was no legal basis for the actions taken by the Board. He remarked AB93 would limit a governor's ability to declare emergency situations, but he believed Democrats would not let the bill be heard.

Ms. Heidi Shunke agreed via Zoom that Directive 041 was unconstitutional, saying similar measures failed in other states. She spoke against mask mandates and said suicide rates were higher during lockdowns. She opined using technological passports to limit access to food, work, or travel for any reason was unacceptable, as was creating local judicial systems without public referendum.

Via Zoom, Mr. Jason Erickson said the County's plan did not include a strategy for exiting the Governor's State of Emergency declaration. He asked about the reason for continuing the emergency once everyone who wanted a vaccine received one.

A speaker identified on Zoom as ARP was called but was not present to speak.

Ms. Annemarie Grant compared officers who testified during the George Floyd trial saying those events should not have happened with a Washoe County Officer who believed it would only be a matter of time before someone died from a prone restraint. She asked about deputy training and played an audio clip of her brother's death.

Via Zoom, Mr. Dan Purdy claimed casinos were open 24 hours because the Board of County Commissioners took donations from them. He suggested people direct their anger over the C19 response toward the Governor. He expressed frustration about the WCSD closing meetings to the public and referenced Nevada's poor ranking in education. He questioned whether Commissioners who toured the jail actually visited cell blocks or just administrative offices.

County Clerk Jan Galassini announced she received an email from Ms. Jessica Jones, which she would place on the record.

21-0230 **AGENDA ITEM 4** Announcements/Reports.

County Manager Eric Brown noted the plan that would be presented to the Commissioners was the result of collaboration with the Cities of Reno and Sparks, the Washoe County Health District, and the Washoe County School District. Additional input from business owners in many industries was received and incorporated as well. Once the plan was formulated, he continued, it was recirculated to the same entities to get input; this was different than a typical procedure process. One issue of concern was the 75 percent vaccination rate criteria, which was determined by averaging the recommendations of the Centers for Disease Control and Prevention and the World Health Organization, which typically hovered between 70 and 80 percent. He admitted there was no guarantee the area could reach that number. He pointed out the plan called for flexibility, adding they might need to revisit that benchmark if the demand for vaccines went down. He clarified this special meeting would give the Board the opportunity to provide guidance to staff, who would then need to get updated approvals from all stakeholders.

Commissioner Herman thanked the individuals who spoke during the meeting, saying faith in the country was based on following the Constitution. She spoke about being quarantined as a child when she contracted diphtheria and expressed frustration about COVID-19 restrictions. She expressed concern about gun rights being taken away. She thanked the public for their patience with the Board.

21-0231 **AGENDA ITEM 5** Recommendation and possible action to approve the Washoe County COVID-19 Local Mitigation and Enforcement Plan (“the Plan”), and direction to staff to submit the Plan to the COVID-19 Mitigation and Management Task Force (“Task Force”) for approval as the final Local Plan for Washoe County as required by the Governor’s Declaration of Emergency, Directive 041 (“the Directive”). The Plan was developed as required by the Directive which delegated to the Counties the duty and authority to develop a COVID-19 Local Mitigation and Enforcement Plan to be submitted to the Task Force for approval prior to the Governor delegating management of mitigation measures and transitioning authority to local control. As required by the Directive the County consulted, collaborated with, and has received the endorsement of the Plan from the County Health Officer Kevin Dick, the Washoe County School District Superintendent, local and regional hospitals, the Nevada Hospital Association, and the City Managers of Reno and Sparks in creating the Plan. The proposed Plan addresses the topics required by the Directive including mitigation measures for:

- Public Gatherings and events, including a process for review and approval of large gathering plans;
- Retail businesses and indoor malls;
- Community/recreational centers, including public pools;
- Food and beverage establishments such as bars, wineries, distilleries, and breweries;
- Places of worship;

- Gyms, fitness studios, yoga studios, dance studios, martial arts, and similar establishments;
- Spas, massage, hair salons and barber shops, nail salon, body art and piercing and similar establishments;
- Arcades, racetracks, bowling alleys, mini-golf, pool halls, theme parks, and similar activities; and,
- Youth and adult recreational sports.

The Plan also includes enforcement measures and procedures for ensuring compliance with mitigation measures; a strategy for ensuring adequate monitoring of COVID-19; and public information campaigns to promote public health measures and vaccination efforts. Unless the Task Force returns the Plan for further revision, this will be the final Local Plan. Manager’s Office. (All Commission Districts.)

Assistant County Manager Dave Solaro, in his role as Incident Commander for the COVID-19 (C19) Incident Management Team, noted the Commissioners received copies of the local authority plan in response to Governor Steve Sisolak’s Emergency Directive 041. The plan was created without direction from the elected body mandated by the directive to approve the plan in accordance with State rules. He conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: What is Local Authority; Regional Working Group; Process Overview; Guiding Principles; Objectives; (Business) Advisory Group – Key Recommendations; (Events) Advisory Group – Key Recommendations; Mitigation Measures: Proposed (2 slides); Event Specific Guidelines; Additional Business Specifics; Enforcement and Communication; Monitoring and the Future; Accurate, Current & Single Point Communication; Overall Guidelines Summary; Next Steps; and Questions.

Mr. Solaro explained the plan needed to be approved by the Board of County Commissioners (BCC) and endorsed by the Washoe County District Health Officer, the Superintendent of the Washoe County School District (WCSD), the City Managers of Reno and Sparks, and the Nevada Hospital Association; the proposed plan already received those endorsements. Four advisory groups were created, and virtual discussions were held with local business leaders to gather feedback. He said they received clarification from the State of Nevada about the meaning of local authority to ensure they would not submit a plan which would not garner support from the State Task Force. He noted they also spoke with surrounding counties to determine how they were approaching the opportunity and how they would ensure there would be no negative impacts. He added the BCC would be the deciding body and the State Task Force would provide support to Washoe County in gaining local authority.

Mr. Solaro admitted balancing the health of residents, visitors, and the economy was challenging. Certain things like mask mandates and social distancing requirements would remain at the State level. Due to ongoing contact tracing activities that indicated private gatherings enabled spread in the community, he stated, the County planned to keep the 25-person cap on outdoor private gatherings. One change would be removing caps based on fire code capacity and relying instead on businesses’ social

distancing plans to ensure safety. He noted the average family size in the United States was 2.58 persons. He indicated the plan would allow event venues to be pre-certified and not required to obtain permits for each event.

Mr. Solaro commented the enforcement plan would remain the same, as would use of the Regional Information Center (RIC). He explained the COVID risk meter was created to synthesize data in the community so residents would be empowered to make personal behavior decisions; it used data on testing, new cases, hospitalizations, and hospital capacity to assess the current risk. Additionally, traces of C19 in wastewater would be monitored. He remarked the Incident Management Team could tighten or loosen guidelines based on changes in the indicators listed on page 14 of the presentation. Those changes would also require approval from the same agencies listed earlier.

Mr. Solaro pointed out utilizing the vaccination percentage to lessen restrictions was a departure from State policies, but he felt confident monitoring hospital bed usage and vaccination rates would sustain the County's objectives. The plan also outlined the risk criteria that would trigger the reversion of event and business restrictions to present-day standards. He promoted the RIC's website: www.covid19washoe.com.

When asked by Commissioner Hill about the age ranges considered, Mr. Solaro replied the information presented pertained to residents over 16 years old, a metric adopted by the State. He indicated he would get back to her about how the total possible population figure was derived. Commissioner Hill asked about vaccinations which took place in other areas. Mr. Solaro responded the information pulled from the State was based on a person's location of residency, not where they were vaccinated.

Chair Lucey stated a 75 percent vaccination rate would be difficult to attain, with only 37.2 percent of the population 16 years or older having received at least their first shots; 23.47 percent had completed their vaccinations. Based on current statistics, Mr. Solaro estimated a 60 percent vaccination rate would be achieved by mid-June, and he confirmed Chair Lucey's assertion that staff could reassess the situation if vaccinations began to drop off.

Chair Lucey read a portion of Nevada Revised Statute 414.070 about the process of enacting and terminating state of emergency declarations, confirming that the Governor's directives would need to be terminated by the Governor. As such, the County was still subject to criteria established by the Governor's emergency directives. Chair Lucey contested there were not many areas over which the County had jurisdiction. He asked about the recourse for not enforcing the directives, though Mr. Solaro could not speculate as to how the State might respond.

Regarding group limits at a table, Mr. Solaro stated the recommendation of eight per table was determined through discussions with stakeholders, though he was unsure whether there was science behind that number. Chair Lucey expressed a preference for a 10-person limit. The Chair inquired why masks were no longer required for contact sports, including during times of active exercise and practices, while people using cardio

machines at gyms were still required to. Mr. Solaro replied the mask mandate was part of State Directive 024, which would continue beyond implementation of the local authority plan.

Mr. Solaro answered Commissioner Hill's earlier query by saying there were 383,000 people 16 years or older in Washoe County.

Vice Chair Hartung asked whether elected officials were engaged to help make these recommendations, to which Mr. Solaro responded no. The Vice Chair wondered about the BCC's purpose since they had very limited authority to make local decisions. He felt safety and economic concerns had not been balanced so far and many small businesses were sacrificed. Instead, he would have preferred to apply the strategies successfully employed by essential businesses to other businesses. He opined the public had been educated over the prior year and knew how to protect themselves. He added businesses would change their practices based on business levels.

Vice Chair Hartung concurred the County would not reach a 75 percent vaccination rate and he felt that benchmark would hold the rest of the community hostage. He pointed out the number of people currently hospitalized with C19 was extremely low. He opined it would be impossible to enforce a 25-person cap on private gatherings, and further stated citizens would impose their own guidelines based on their comfort levels. He agreed with Chair Lucey's comment about the inconsistency of allowing youth sports but requiring masks in gyms. He praised staff's recommendation to allow body art, expressed concern about the 8-person cap at tables, and brought up the arbitrary inconsistencies in elevator standards.

Vice Chair Hartung summarized people should be allowed to protect themselves. He revealed that a direct family member died from C19 despite the lockdowns. He wished to see businesses reopen and people be allowed to make their own decisions based on their comfort.

Commissioner Jung expressed her condolences to Vice Chair Hartung. She reassured her constituents that the BCC listened to citizens even through the attacks. Everyone experienced trauma over the prior year, and she cared about the human experience. She agreed to a person's right to go where they felt comfortable but only if it did not increase the risk of others getting sick; this was a belief of hers long before the pandemic. She reminded the public the BCC had never dealt with this before and there could be unintended consequences. She felt the County never had local control regardless of which political party was in power in the State. She believed all control should be local because those representatives had the best idea of what would work in that community. She asserted the BCC tried to balance health and economic interests as best they could, considering the scope of their limited authority. She did not want to break the Nevada Constitution by telling the Governor what to do.

Commissioner Jung thought it had been unfair to ask business owners to become patrol officers during the pandemic. She agreed it was uncertain whether the area

could reach a 70 percent vaccination rate, but every vaccine received so far by the State was used and none were wasted; the main reason for the low vaccination rate was due to supply issues. She believed in bodily autonomy and would never tell anyone to get a vaccine as long as they did not get her or her family sick. The goal was to balance all needs and create a plan the Governor would approve, and she admitted the Governor faced many challenges. She acknowledged the suffering of the community and discussed how circumstances resulted in citizens not looking out for each other. She said she would fight for the right of people to say what they wanted regardless of whether she agreed with them. She stated she was not scared of many things but had protected herself out of concern for her parents' safety; she did not enjoy wearing a mask. She indicated the BCC would do what they could to ensure the citizens were acknowledged and thanked. She praised County staff for having to work through the turmoil and entreated the public to work from a place of compassion, respect, and dignity for others.

Commissioner Jung expressed support for the plan and pointed out any delays in approving it would result in a longer time without control. She opined hospitalizations should be the driving data point, while businesses running super-spreader events should be issued cease and desist letters. She did not want to see a situation where a car accident victim was told to go home because there were no beds available at the hospital. She encouraged staff to rely on the data. She explained she and her family were fully vaccinated, yet she continued to wear a mask out of consideration for others. She expected the plan would be returned by the State for additional work, but she lauded Mr. Solaro and County Manager Eric Brown for being local leaders by working with subject matter experts in private industries. She praised the plan as the most thoughtful she had read.

Commissioner Herman stated the BCC had the power to do things, and the economies of those counties who moved away from C19 plans were bouncing back. She believed a C19 plan had been tested for a while and people were still hurting. She encouraged the Board to consider doing something different.

Vice Chair Hartung asked whether the provisions in the plan, if approved, would impact the WCSD, the Cities of Reno and Sparks, or other governing bodies. Assistant District Attorney Dave Watts-Vial responded the directive as written required the plan to be endorsed by other local officials before coming to the BCC for approval. Unless stated otherwise, he believed the County would appear to have control over some entities, but not others such as the Gaming Control Board or any school districts. He opined the directive did not specifically cover what would happen to other jurisdictions if the County's plan were to be approved by the Governor, but he hypothesized the Governor might give the County the ability to enforce regulations on businesses in the two cities, regardless of which entity issued their licenses.

Vice Chair Hartung said staff had been put in the crossfire but he expressed appreciation that the Governor's goal was to protect the public. He implored the Governor to allow the County to make local decisions giving autonomy to the people. He compared the C19 response to building a plane while flying. As a business owner, he noted he

changed his business model based on what people said they wanted, and he thought businesses should be given autonomy to do business at the level their customers felt comfortable with.

Commissioner Hill thought giving the community the chance to meet the vaccination goal was laudable. The vaccines had been approved by the Food and Drug Administration and they were free, so she wished to see the community vaccinated. She expressed a desire to support the plan with the understanding that vaccination rates would be revisited if necessary. She asked for trust in the process as the BCC tried to protect the community while opening the economy.

Mr. Watts-Vial said this item was the Board's opportunity to make any changes to the plan before submission to the Task Force. However, the Governor had made it clear that he held emergency powers, and historically the County had conformed with the Governor's restrictions. The act of turning over power, he continued, came with conditions, such as getting the endorsement of other local officials and being approved by the Governor. He explained the directive limited areas over which the BCC would have control and required certain actions. There was still time for changes to be made before the Task Force met on April 15, but endorsement from the other local agencies would still be needed.

Mr. Watts-Vial laid out the three most obvious options: approve and submit the plan as written, approve the plan with certain changes and direct staff to obtain endorsements from the other public officials, or direct staff to make changes and schedule a later meeting to vote on the changes. He cautioned against sending the plan to the Task Force if it did not have the endorsements of all required agencies. He reviewed some hypothetical questions and scenarios, saying the Governor had the power to withdraw local authority if hospital or death rates increased. No one knew what would happen if the Task Force denied the plan.

Chair Lucey thanked Mr. Solaro and Mr. Brown for their work on this. He indicated he had a few suggestions for changes to the plan, which would apply only to unincorporated areas of the County. He expressed frustration that the WCSD could weigh in on the County's plan, but the County could not affect their plan. He felt the COVID meter was not predictive and hospitalization rates should form the basis for the reopening plan. At the peak, there were over 300 people in the hospital with C19; now there were only 26 confirmed cases in the hospital and seven in the intensive care unit, only three of which were on ventilators. He thought that did not warrant closing society. He brought up vaccination rates and suggested lowering the threshold for enacting the first phase of reopening from 60 to 50 percent. He referenced the Governor's praise of Washoe County's testing and vaccination response. The Chair believed the 75 percent threshold was arbitrary and impossible. He thought the venues of outdoor events should be allowed to make the decision on mask mandates and there should be no social distancing requirements for outdoor events. He wished to see the restrictions on private gatherings removed because they could not be enforced. Individuals should be allowed to decide whether to wear masks while participating in exercise, though he thought masks should be worn while moving

around any facilities which required it. He was unsure whether those changes would be accepted by the Governor.

Chair Lucey moved to approve the plan with the recommendations stated above, which was seconded by Commissioner Jung.

Vice Chair Hartung stated he had no objection to wearing a mask, even when outside. He asked whether the Board favored continuing social distancing and 50 percent capacity restrictions. Chair Lucey replied that was not his suggestion; rather, those provisions were included in the directive. He said the Vice Chair could include recommendations about those things if he wished. Vice Chair Hartung asked whether the Board wanted to increase table seating caps to ten people, a suggestion Chair Lucey added to his motion; the seconder agreed.

Vice Chair Hartung emphasized his desire for consistent regulations. He agreed with Chair Lucey that hospitalization rates should be the primary indicator, adding the COVID meter was not predictive. He felt research into finding C19 levels in wastewater had more promise. He lauded Chair Lucey for his dedication and hard work.

Mr. Solaro sought confirmation about the Board's direction on outdoor events. Chair Lucey said they wanted zero social distancing requirements, and mask usage would depend on the wishes of the venue. Commissioner Jung pointed out that would allow the Board to hold business owners responsible if they held super-spreader events. In response to Mr. Solaro's further request for clarification, Chair Lucey stated he wanted a reduction in the first vaccination threshold from 60 percent to 50, regularly scheduled times to analyze vaccination numbers, and utilization of hospitalization rates, not vaccination rates, as the basis to return to pre-C19 activities. Vice Chair Hartung agreed hospitalization rates and capacity were more important than test positivity rates.

Commissioner Jung said infections were dangerous because of exponential spread. She rephrased the prior discussion by saying the BCC wanted the control to manage its community. She pointed out the differences between different Nevada counties, adding Clark County should not tell Washoe County how to run its business. She stressed the County would monitor things to ensure public health concerns, economic development, and personal liberties were balanced. She said this pandemic allowed her to see how hard Chair Lucey worked, mentioning Manager Brown also did a great job. She assured the public the BCC would monitor the data.

Commissioner Herman commented the County was at the Governor's mercy and she believed masks were non-negotiable. Commissioner Hill asked for clarification about the Chair's vision after the County hit the 50 percent vaccination rate threshold. He answered there would be no second vaccination threshold; rather, decisions would be made based on continual review of data points, particularly when the demand for vaccines dropped. At that point, hospitalization rates would become the primary data point.

Chair Lucey explained he wanted zero social distancing requirements for outdoor events, regardless of the vaccination rate. June 1 would be the first date any Board recommendations would be implemented. Commissioner Hill thought a government entity could be at legal risk for what happened at events. Chair Lucey disagreed, saying the County educated the public, administered vaccinations, and promoted hygiene and safe business practices. He did not want to dictate how businesses should be run, nor did he feel the statistics supported that; he did not feel there was an emergency anymore.

Vice Chair Hartung stated Clark County had excess vaccine doses, and he believed Washoe County could find arms in which to put those vaccines.

11:23 a.m. **The Board recessed.**

11:30 a.m. **The Board reconvened with all Commissioners present.**

On the call for public comment, Mr. Roger Edwards was called but was not present to speak.

Mr. Kenji Otto thanked Mr. Brown and Mr. Solaro for their hard work. He suggested children under 16 should not be included in the table caps so families with many kids could also visit restaurants. He said he wore a mask in Chambers because he respected the Commissioners and their policies, but he would not prefer to. He requested that the metal detector be removed from the lobby as there had been no threats of violence.

Mr. Nicholas St. Jon commended the Board for their respectful dialogue. He felt there was no reason to have a provision about churches because the Supreme Court already ruled on overreach for churches. He said herd immunity was based on people carrying antibodies, which this vaccine did not create; he wanted the vaccination rate to include people who already had C19 and carried the antibodies. He listed other treatments and protocols he wished to see implemented to treat C19.

Mr. Mike Torvinen said he appreciated the proposed amendments, but the Reno Rodeo could not scale back its expenses. He said any changes which would impact the Rodeo might result in the need to discuss COVID relief. He cited a study which showed as many as five times the number of people who tested positive for C19 actually had the disease at some point, which meant there was greater immunity than previously thought. The study also showed 36 percent of the people studied would not get vaccinated. He thought people had the right to choose.

Chair Lucey explained there was a motion and a second. Assuming it passed, the plan would need to come back to the BCC for final ratification before submission to the Covid Task Force. Because there was not time to place it on the April 13 agenda, he suggested holding a special meeting on April 14 for that purpose.

Vice Chair Hartung agreed with the suggestion of excluding children under 16 from table caps and felt that should be added to the motion. Chair Lucey said he would

work with Mr. Solaro on the amendments listed in the motion and bring them back to the Board for ratification. Vice Chair Hartung requested information about the Supreme Court's ruling on the overreach of churches because courts could override local directives. Mr. Watts-Vial said he would work with Mr. Solaro to ensure they were in conformance with that opinion.

Chair Lucey stated he would confirm the recommendations and amendments with Mr. Solaro, and the plan would be brought before the Board for ratification at the earliest possible opportunity after ensuring the other entities approved it as well.

On motion by Chair Lucey, seconded by Commissioner Jung, which motion duly carried on a 4-1 vote with Commissioner Herman voting no, it was ordered that the following amendments be made to the local authority mitigation and enforcement plan: the vaccination rate threshold for the initial loosening of restrictions be lowered from 60 percent to 50 percent; hospitalization rates be used instead of vaccination rates to determine the elimination of remaining restrictions; outdoor venue owners be allowed to make decisions about mask mandates for their events; social distancing requirements be removed in public spaces; restrictions on private gatherings be removed; individuals be allowed to choose not to wear masks when exercising in indoor facilities if allowed by the facilities; and the table seating cap be raised from 8 to 10 individuals.

21-0232 **AGENDA ITEM 6** Public Comment.

Mr. Kenji Otto displayed a document, a copy of which was placed on file with the Clerk. He mentioned the Veterans Affairs Hospital was offering shots to spouses of veterans. He said he visited several large stores without wearing a mask and nobody said anything to him about it. He spoke about his experience as a field medic and the psychological and social dangers of the COVID-19 (C19) recovery. He expressed frustration about the World Health Organization.

Mr. Nicholas St. Jon reiterated his desire that the BCC include people with C19 antibodies in the count of vaccinated individuals for herd immunity. He brought up his background in alternative health and promoted the use of some measures taken by orthomolecular experts. He offered to facilitate a discussion between the Board and the group America's Frontline Doctors.

Via the Zoom app, Ms. Heidi Schunke claimed India had relied on herbal remedies and their C19 infection rates had dropped to zero. She asked the Board to consider the protocols successfully employed by other countries.

Ms. Annemarie Grant spoke on Zoom about her brother's death at the Washoe County jail. She stated 13 inmates had died at the jail over the past two years and she disagreed with claims that the Board did not have much power over the Sheriff. She said no Commissioners ever sent her any condolences. She encouraged the public to vote out the Commissioners.

County Clerk Jan Galassini noted an email she received from Ms. Gabrielle Totton would be placed on file.

21-0233 **AGENDA ITEM 7** Announcements/Reports.

Vice Chair Hartung requested an item about the policy regarding speed control, speed bumps, and stop signs.

Chair Lucey noted a discussion about herd immunity would be held at the District Health Board later in the month featuring epidemiology experts. He requested an item on a future agenda to contemplate a review of the COVID-19 response by a medical officer. He indicated the metal detector outside the County Chambers was installed to protect the public.

* * * * *

11:56 a.m. There being no further business to discuss, the meeting was adjourned without objection.

BOB LUCEY, Chair
Washoe County Commission

ATTEST:

JANIS GALASSINI, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Derek Sonderfan and LJ Burton, Deputy County Clerks*