



# Meeting Minutes COVID-19 Mitigation and Mangement Task Force

<b>Attendance</b>	<b>DATE</b>	September 10, 2020
	<b>TIME</b>	10:00 A.M.
	<b>METHOD</b>	Video-Teleconference
	<b>RECORDER</b>	Meagan Werth Ranson/Karla Delgado
<b>Task Force Voting Member Attendance</b>		
<b>Member Name</b>		<b>Present</b>
Caleb Cage		X
Richard Whitley		X
Terry Reynolds		X
Jaime Black		X
Justin Luna		X
Felicia Gonzales		X
Brett Compston		ABS
Meagan Werth Ranson		X
Chris Lake		X
Dagny Stapleton		X
Wesley Harper		X
Mark Pandori		X
<b>Task Force Non-Voting Member Attendance</b>		
Kyra Morgan		X
Lisa Sherych		X
Julia Peek		X
Melissa Peek-Bullock		ABS
Malinda Southard		X
Lesley Mohlenkamp		X

## 1. Call to Order and Roll Call

Chair Caleb Cage, Governor’s Office (GO), called the meeting to order. Roll call was performed by Meagan Werth Ranson, GO. Quorum was established for the meeting.

## 2. Public Comment

Chair Cage opened the discussion for public comment in all venues. Randy Miller, an individual in the gaming business for over 40 years, spoke regarding 15 businesses. Casino bar closures have not been based on science. Last week’s meeting, Scott Lewis provided an excellent plan and the Task Force advised them to come back in two weeks. Marilyn Kirkpatrick had a great enforcement plan and challenged the Task Force to show the science behind the countertop decision. Mr. Miller expressed support for reopening bars and for the Task Force to pick any other industry to punish. Give us information, protocols and rules and get out of our way. Zachary Poppel, Culinary Union member, read a statement into the record from Elena Acosta, Culinary Union member, in support of Senate Bill (SB) 4. Ms. Acosta noted that SB4 makes her feel safe while she must work, and it also protects her family. Zachary Poppel read a second public comment statement into the record. This statement was in support of SB 4 as well. Brendan Talley, resident of Laughlin, NV, spoke to the hard position that Laughlin is currently in. The extreme measures are not sustainable. Mr. Talley would like the task force to look closely at the rural areas and how bars are being impacted. Mr. Talley also requested the review of the numbers for

**OFFICIAL MINUTES – Approved at the September 17, 2020 Meeting**

smaller townships so bars can reopen. Valerie Truce asked the Task Force to consider opening the bars throughout Washoe County. Washoe County has a great plan for safety of employees and patrons and noted 48 out of 51 bars were complying. The Task Force is judging the 51 bars out other errors of the three other bars. Let the bars prove they can move forward. Leo Blundo, Nye County Commissioner, noted Nye County is doing everything that is possible to mitigate the COVID effects, requesting again to have bars open in the counties. Give them the opportunity to comply like other businesses and to be part of the process. Michael Rose, unincorporated Clark County, noted he was having difficulty with the bureaucratic system that counties are in. Mr. Rose noted with all the directives in place, it is hard to know what rules to follow and what parts of the directives are still in effect. Jon Koenig, Nye County Commissioner, noted the desire of the county to reopen bars in Pahrump. Nye County has followed through and done what they set out to do. The bars in Pahrump have agreed to self-police and it will not cost the state a penny. Delmo Andreozzi, Elko County Commissioner, wanted to note on the record that in coming up with matrixes, an element being left off is regarding active cases. Cases are down around 70, there are a lot of people who are free from the disease. This should be factored in to the decisions being made by the Task Force.

**3. Approval of Minutes**

Chair Cage called for a motion to amend or approve the draft minutes from the September 3, 2020 meeting. Chris Lake, Nevada Hospital Association (NHA), noted his name was spelled incorrectly on page eight, second paragraph, ninth sentence, it should read “Chris Lake” not “Chris Lak”. A motion to approve the amended minutes was provided by Mr. Lake and a second was provided from Jaime Black, Gaming Control Board. Motion passed unanimously.

**4. Appointed Department Updates**

**a. Department of Business and Industry – Enforcement – Director, Terry Reynolds**

Terry Reynolds spoke to work being done by B&I and the Division of Occupational Safety and Health Administration (OSHA) regarding compliance visits. Mr. Reynolds noted staff has been working hard on the dashboard. Mr. Reynolds provided an overview of the slides provided for the meeting. This included an overview of where the state is on a compliance basis. Nearly 7,400 visits have been completed and an additional 3,500 complaints are being investigated. The Nevada Safety Consultation and Training Section (SCATs) team is reviewing a substantial number of event plans with a good turnaround time. Overall, B&I is seeing good compliance in most areas. Areas where good compliance is not being observed, OSHA is working with those business owners. The citation rate is decreasing. Out of 10,000 complaints there are approximately 30 citations. In areas where there is a licensing board, SCATS is working with each board. The licensing board works with the businesses directly and if they need assistance, OSHA stands ready to assist. Also, OSHA is seeing good compliance in Reno and Sparks. There has been a great deal of improvement on the enforcement at the city level.

**b. Division of Emergency Management (DEM) – PPE Status – Incident Commander, Brett Compston**

Justin Luna, DEM, provided an overview of the Personal Protective Equipment (PPE) status per the Disease Outbreak Management Plan. The only significant change from last week’s meeting is the receipt of gowns in both the North and the South.

**c. Fiscal Update – COVID related Funding Coordination –Executive Budget Officer, Lesley Mohlenkamp**

**OFFICIAL MINUTES – Approved at the September 17, 2020 Meeting**

Lesley Mohlenkamp provided an overview of COVID related funding coordination efforts. Ms. Mohlenkamp highlighted the following items:

- Governor’s Finance Office (GFO) has been working with Nevada Department of Education (NDE) and DEM to finalize the purchase of PPE for school districts. GFO is rounding out the request to finalize funding for this initiative.
- GFO has also been working on funding several economic development initiatives this week and are hoping to finalize these in the coming weeks.
- GFO is also happy to announce that the first round of allocations of the Coronavirus Relief Funds (CRF) to local governments outside of Clark County with populations less than 500,000 have gone to all governments with the exception of three of them that are currently in process.
- As a reminder, these funds serve a dual purpose: 1) to support efforts to mitigate the COVID-19 Public Health Emergency, and 2) for economic support for those suffering because of the COVID-19 public health emergency.
- GFO is happy our local governments have access to these first round of funds to help with these efforts and are looking forward to working with them on the second round of allocations which is happening now.

**d. Nevada Department of Education (NDE) – School Opening Plans – Deputy Superintendent of Educator Effectiveness and Family Engagement, Felicia Gonzales**

Felicia Gonzales spoke to a partnership between the Nevada Department of Education and the Teachers Health Trust of Clark County in which a contract and funds were received to start a testing program for all educators, support staff, and bus drivers. NDE is continuing to purchase PPE for the schools as well. Chair Cage noted Governor Sisolak’s press conference from last week regarding the possible easing of restricts. This includes youth sports. Chair Cage asked if it was also Ms. Gonzales understanding that the Nevada Interscholastic Activities Association (NIAA) is a separate issue from the youth sports potentially being considered at a future date. Ms. Gonzales advised that was her understanding.

**e. Gaming Control Board (GCB) – Chief, Jaime Black**

Jaime Black provided an update on the GCB enforcement efforts. As far as this week, there is not a major update. The GCB numbers as of September 9, 2020 were that the GCB was up to 196 regulatory cases. For the month of August, the GCB conducted 1,795 observations and compliance checks.

**f. Nevada Association of Counties (NACO) – Executive Director, Dagny Stapleton**

Dagny Stapleton provided an update for the Nevada Association of Counties. Ms. Stapleton spoke to a letter provided in the packets. The letter requests the Task Force to focus on efforts for testing turnaround time. It was noted there have been improvements this far but need to continue to focus on that issue and possible solutions. Ms. Stapleton also noted that NACO also coordinated a program to assist eight counties to grant their Coronavirus Aid, Relief, and Economic Security (CARES) Act money to small businesses in their communities who have been impacted by COVID-19. This application process opened on Tuesday and will go through October 6, 2020.

**g. Nevada League of Cities – Director, Wesley Harper**

No current update to provide.

**5. Current Situation Report**

**OFFICIAL MINUTES – Approved at the September 17, 2020 Meeting**

Kyra Morgan, DHHS, provided an overview of the current situation in Nevada as it relates to COVID to include the following (slides were also included in the meeting packet):

- 907,451 Molecular tests
- 72,258 Confirmed cases
- 1,412 Total deaths
- 13.6 Tests per 1,000 per week
- 7.9% Daily positivity rate
- 10.4% Cumulative positivity rate
- 452 Confirmed hospitalizations
- 100 Suspected hospitalizations
- 164 Patients in intensive care units

Ms. Morgan provided the group with an update regarding the slides provided in the handouts showing the trends of COVID-19 in Nevada. Nevada has experienced a sustained decline in new cases since July 13, 2020 and death numbers are starting to decline. Nevada experienced the highest number of daily deaths on August 5, 2020 with 26 deaths in one day. As far as testing turnaround times, there is not a significant change from last week. The average time between specimen collection for results to be reported is approximately two days. Several rural counties are experiencing longer turnaround times from the Nevada State Public Health Lab (NSPHL). The longest average time was seven days. Unsure if this due to the rural location and distance. Hospitalization data has been decreasing significantly for the last 22 days. Test positivity rates have been decreasing since the end of July. The seven-day moving average of test positivity rate has been decreasing since the beginning of July, 2020. Ms. Morgan spoke to results for county tracker criteria for the previous week comparatively to the current slide as of August 31, 2020. Lander, Lyon, and Nye are no longer being flagged as having elevated disease transmission criteria. Eureka, however, is on the list for the first time with a case rate just above the threshold and insufficient testing. Dagny Stapleton spoke to the fact that Eureka County is so small that an additional two positive cases sends them over the threshold. There is also concern the smaller rural counties will never be able to meet criteria for testing. Julia Peek, DHHS, spoke to the importance of this information being included in the county plans and noted the Task Force could take into consideration this information of specific mitigation efforts.

Julia Peek, DHHS, provided an update concerning the status of COVID-19 in Nevada. The state is now up to 22% of total cases identified through contact tracing/disease investigation. Ms. Peek noted the immense amount of work that the Southern Nevada Health District (SNHD) has done to clear the existing backlog of cases. Ms. Peek acknowledged that it has been several weeks of very intense work for all the local health departments and expressed sincere gratitude. The Contact Tracing App is at over 25,000 downloads. DHHS is now working with EN Express who will help in those efforts. This is a app that can work directly with the COVID-Trace app that Nevada is using in partnership with Apple and Google. DHHS is moving forward with the Salesforce tool. Nearly 1/3 of contacts are reached and asked to self-quarantine. Staff leave voicemails and can receive incoming calls so people can call back. Ms. Peek spoke to the document provided for this meeting in terms of contract tracing response rates. Chair Cage noted this is the part of the agenda designated to discussing the plans submitted from the counties with elevated disease transmission rates.

**1. Humboldt and Lander County Self-Assessment and Action Plans**

Chair Cage noted that both Humboldt and Lander County have been off the list for a while now. Both counties have experience testing issues. Chair Cage made a motion to remove Humboldt County and Lander County from observation for future meetings unless they reappear on the list moving forward. Terry Reynolds with a second. Motion Passed Unanimously.

**2. Churchill County Self-Assessment and Action Plan**

Jim Barbee, Churchill County, provided an overview of the plan submitted from Churchill County. The numbers are improving. Chair Cage noted the plan was previously approved so there is no action that is necessary.

**3. Lyon County Self-Assessment and Action Plan**

Chair Cage noted that Lyon County is back off the list this week. If Lyon county remains off the list again next week, the Task Force can take the same action as Humboldt and Lander county by removing Lyon County from observation.

**4. Elko County Self- Assessment and Action Plan**

Delmo Andreozzi provided an update on the action plan submitted by Elko County. Mr. Andreozzi began the conversation by stating it was not his intention to point fingers at other counties but noticed that Storey County is at 20% test positivity rate. There is nothing on the case rate for the last 30 days. Kyra Morgan acknowledged this data can be confusing. There was a total of five tests completed and one was positive. The third bullet dealing with the data states the positivity threshold must be paired with case rate. Mr. Andreozzi noted all the unincorporated areas of Elko County have little to no COVID activity and this should be considered. The active case rate is decreasing and not consuming resources. Individuals who become sick can recover. Looking at the positivity rate it is assumed it will have an impact on resources but that is not showing in the data. In terms of the outbreak at the skilled nursing facility, there have been five additional recoveries and two deaths. The skilled nursing facility is expecting two or three more deaths by the end of the week. Chair Cage noted the appreciation for Mr. Andreozzi being a good advocate for his community. In terms of the skilled nursing facility, this is where the Task Force can show flexibility. This is a state regulated facility that is closed to protect the vulnerable population. The numbers that are included in the plan, the Task Force is more than open to address the numbers as external numbers to the county's cases and deaths. Chair Cage noted the Elko County plan is a huge step forward for the community and clearly shows all the different pieces going on there. The collaboration piece is improving and identifies certain areas of discussions. There was discussion on if Rapid test results were being included in the counties number with the outcome being that positives are being included but the negative tests are not being included as they are not being reported to the state. Ms. Peek noted if the Abbott ID now test is being used, there should also be a polymerase chain reaction (PCR) test being done as well. There needs to be work done to de-duplicate the numbers. The Elko County plan will continue as status quo for the next week.

**5. Clark County Self-Assessment and Action Plan**

Billy Samuels, Clark County, provided a brief overview of the action plan submitted by Clark County. Mr. Samuels advised, as was heard in the public comment, it will take Clark County approximately four weeks to get below the state's criteria threshold. This needs to be taken into consideration. Mr. Samuels acknowledged the difficulty in the demand for testing. Mr. Samuels inquired if the Task Force will look at changing the existing thresholds as testing demand decreases. Chair Cage took a moment to acknowledge the immense amount of work that is being done by Clark County to have numbers decrease. The Task force is also committed to working through this process and discussing concerns as they arise. There are things we can do in the meantime. Chair Cage asked for an update on the surge testing. Mr. Samuels noted there are three locations where testing is still occurring, but each location is experiencing a decrease in individuals wanting to be tested. The demand for testing is not there. Clark County is going to extend the Sam Boyd location to El Dorado High School. The El Dorado High School event is scheduled for the September 14<sup>th</sup>-18<sup>th</sup>, there is capacity, but the demand is not there for testing. There have been numerous attempts for messaging and pushing out the data. Chair Cage

**OFFICIAL MINUTES – Approved at the September 17, 2020 Meeting**

advised changes to the criteria will have different impacts on different communities. As a principle, the Task Force can look at changing the criteria. Chair Cage asked Mr. Samuels if he was specifically referring to changing criteria regarding bullet number one for the testing criteria. Mr. Samuels noted two months ago Clark County was doing 4,500 tests, yesterday there were only 2,300 tests. Richard Whitley, DHHS, agrees there are variables, not sure how to formulate that but this should be considered. Senate Bill (SB) 4 requires testing for casino employees to protect them. It is really about the county plan that is more meaningful. Requirements of employers to have testing. Mr. Whitley noted it is better to offer testing and have people not show up, than not offering testing. Testing plan for community is important and so is capturing high risk populations through other variables. Dagny Stapleton, I would echo what Chief Samuels said that people are not getting tested and acknowledge the need for reconsidering the thresholds for the criteria. In some of the small counties they are not going to be able to meet that threshold. Kyra Morgan noted she has done research on what the federal guidelines are. Nevada has a rigorous requirement for testing. The threshold is what is considered their green threshold. Chair Cage noted this will be included on the agenda moving forward. Ms. Morgan advised she will follow up to show if changing the criteria thresholds will impact counties and what can be done to modify current criteria that deals with social aspects that would help local. Chris Lake noted the Task Force does not need to be making decisions in a vacuum and not looking at social determinates of health. Sometimes this discussion is focused narrowly on testing and no other important ideas such as parks reopening. Chair Cage noted the plan from the beginning was to use consistent criteria, similar for Esmeralda and Clark County, considered this over a longer period. Demand for community-based testing is declining. It needs to be determined if the criterion needs to be adjusted or another push needs to be done. Chair Cage noted the Governor announced looking at several ways to address current restrictions and looking at conducting outreach with county partners. The Clark County plan continues as status quo for another week.

Dagny Stapleton made a motion to reopen this discussion item and a second was provided by Chris Lake. Chair Cage noted the case rate for Clark County is at 490 and the test positivity rate 11.2%, it is clear improvements have been made but Clark County is not there yet. Terry Reynolds noted he could not vote for this motion to reopen the bars in Clark County as of today. This decision is too premature. Clark County is vastly different than Washoe County and need to go through and have discussion on enforcement. Chair Cage spoke to the enforcement piece, there have been several visitors that were out and about downtown and the impact of that is yet to be determined. The state could very well see a surge of cases that would move this in the other direction. Clark County is unique as it is the population and economic base for the state. It was literally four weeks ago when hospitals were at surge capacity in Las Vegas. There is a ways to go, strictly in terms of numbers, plan is strong, effort to improve plan is a strong. Chair Cage noted he could not vote yes on this motion currently. Clark County is over the WHO's recommended percent, White House percent and state percent. Clark County must watch the positivity number. Mr. Lake noted schools are still not open, if that is correct, by opening of bars allowing social mixing of one and not the other to see the effects of COVID-19 spread. Dagny Stapleton asked in terms of enforcement, there needs to be clear expectations. Chair Cage noted the enforcement piece is critical and Clark County has made great progress but the information sharing piece needs improvement. Kyra Morgan noted the positivity rate is paired with sufficient testing. There is a lot of disease in the community that has not been diagnosed based on the data. The difference between 7.0% and 11.2% is significantly different. Wesley Harper, Nevada League of Cities, as we think about the best route for Clark County and looking at positivity rate, if Clark County is trending in the right direction, if trends due to bars being closed, and Clark County true enough, heading in right direction and there is commitment from partners to reach the threshold to meet the criteria, recommended giving Clark County the opportunity to open. Felicia Gonzales asked for the Task Force to take into consideration the cities outside of Las Vegas, there are communities that are under the 20,000-population mark. Ms. Gonzales noted she would also like to hear from Clark County how they would manage the smaller communities outside of the larger. Richard Whitley supported Ms. Gonzales statements and advised this information to be included in the plan. Jaime Black would also like to see this in a written format. Dagny Stapleton made a motion is to accept Clark County's plan and reopen the bars in Clark county

back to Directive 021. The motion did not pass. Mr. Samuels noted the importance of looking at trends and advised working with the smaller cities to provide a plan at next week's meeting.

**6. Washoe County Self-Assessment and Action Plan**

Kevin Dick, Washoe County, provided an overview of the plan submitted by Washoe County to include the assessment and action plan, bars, taverns and wineries guidelines and copy of Washoe County bar/tavern coalition agreement for operating standards. Washoe Counties testing has fallen below 150 despite the counties efforts to promote testing. Washoe County is providing ample testing and having positivity numbers decreasing. Businesses with ten or more cases were identified, which include the University of Nevada Reno (UNR) with 50 cases and the Washoe County School District (WCSD) with ten cases. Washoe County is not seeing any specific businesses with clusters, this is more of a community spread. Washoe County does not have control over all the businesses that may be resulting in cases such as those located in Storey county or the Reno Tahoe industrial area. Eric Brown, County Manager, noted the City of Sparks is stepping up and embracing the challenge of enforcement. Party Cars are still targeting private parties. Mr. Brown reported that both Sparks and Reno are willing to step up the penalties for non-compliance and are prepared to come on board with closures outlined in the draft mitigation plan that was provided. Along with closures, letters of revocation may be considered, and the mayor has agreed to personally visit those locations not in compliance. Washoe County is planning to amend the plan submitted to include those elements. Last week Matt Johnson from the Bar Coalition spoke to this group to provide the plan to reopen. Bob Lucey, Chairman of Board of County Commissioners, noted the county is trying to adhere to the enforcement piece. There are challenges with the criteria numbers, and the Task Force needs to continue to look at that. Mr. Lucey noted that bar owners are unified and not just for a benefit for the owners, but the employees as well. Washoe County will continue to move in a positive direction. Chair Cage noted he had a question for Mr. Dick. Mr. Dick noted that Washoe county does not have control of businesses outside the county. Mr. Dick noted cases are in large organizations, school district and university, and large manufacturing complex's that have seen higher case numbers of those in the past. Chair Cage advised the Task Force and the Governor's intentions were for where high disease transmission is found, county plans would help to address the transmission and to work with the workforce that commutes outside of county lines. Chair Cage spoke to counties not being islands, individuals will cross borders. This is built into the plans for consideration. Chair Cage noted this is a model plan and is extremely well done. Happy to have discussion on any items we can look for. Integrating the private bar group is a critical part of this and was very innovative. Julia Peek spoke to worksite exposures and that if a county identifies that the county does not have jurisdiction over the business, the counties need to engage at the state level. DHHS needs to work with the county where the business is located.

Julia peek spoke to a standard already in place for this, when doing case investigation be thoughtful of the data that is being gathered. DHHS can work offline to ensure this mechanism is in place. Chair Cage spoke to the technical bulletin can be a part of that discussion as well. Kyra Morgan, spoke to wanting to substantiate what Mr. Dick said about test positivity rate. Washoe County does have low positivity rate, and agrees with how that relates to the testing. Chair Cage asked Ms. Peek, how should we proceed with policy/information sharing framework. Julia Peek would ask all counties, that when you are doing case investigation to be thoughtful of gathering workplace information. Chris Lake, aside from the policy issue or the structure of the committee, considering all progress, is there a reason why we could not entertain a motion on the plan. Chair Cage noted it was his assumption the county would like to do some work to the plan and will continue with the movement. Terry Reynolds advised that was my understanding as well. Need clarification on guidelines. Bob Lucey, Washoe County would entertain the ability for the Task Force to approve the plan today and would love for there to be a motion to approve the plan, with the understanding the changes were minor. Chair Cage would like to the ability to look over the plan for the next week and otherwise refine over the next week and have for discussion next meeting. To ensure we get the plan absolutely right. Mr. Lake respectfully disagreed; the plan as written meets the intent. Mr. Lake would hate to see livelihoods put on hold for some wording and process. Mr. Lake

**OFFICIAL MINUTES – Approved at the September 17, 2020 Meeting**

would make a motion to approve with the changes recommended as the changes are so small, diminishing returns in this case. Mr. Lake made a motion to approve the Washoe county plan as submitted and with the understanding there will be modifications regarding the penalties and fines and other changes from Director Reynolds. Terry Reynolds provided a second. Chair Cage, Washoe county presented a plan, largely received positively by this group, build out enforcement on 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> offenses as well as recommendations from Chair Cage and Terry Reynolds. Chair Cage inquired what the timeline would be. Dagny Stapleton, what about as part of the motion on implementation to be on receipt. Terry Reynolds would like the plan to go into effect next Wednesday, September 16, 2020. Motion passed unanimously.

\*\*\*Break at 12:38 p.m. and meeting returned at 12:50 p.m.\*\*\*

**7. Nye County Self-Assessment and Action Plan**

Scott Lewis provided an overview of the plan submitted by Nye County. Nye County is no longer flagged for an elevated disease transmission. Nye County is seeing a declining trend in cases. Bars and taverns that have opened have no cases associated with the reopening. Nye County is relying on the deep nasal pharyngeal test for COVID-19 testing. Nye County is taking this as serious as possible. Discussions are continuing regarding Nye County residents testing in Clark County. This discussion is still occurring with DHHS and specifically Kyra Morgan. Based on the forgoing, Nye County respectfully renews its request that all liquor establishments in Nye County be permitted to operate as outlined under Directive 021, Sections 25 and 26. The justification for this request is as follows:

- Nye County is no longer flagged for elevated disease transmission.
- Nye County has expanded its testing capacity as outlined below.
- Since the start of the pandemic, there have been no COVID cases attributable to bars, pubs, taverns, breweries, distilleries, and wineries in Nye County.
- As noted above, COVID cases have continued to decline over the last month.
- Nye County is not seeking unrestricted reopening of liquor establishments. The guidelines in Directive 021, Sections 25 and 26 are sufficient to prevent the spread of COVID in the establishments.
- To the extent that the guidelines in Directive 021, Sections 25 and 26 are inadequate, the county's proposed enforcement plan below compensates for any deficiencies and minimizes any corresponding risk.
- Bar owners and employees have expressed willingness and capacity to abide by the guidelines set forth in Directive 021, Sections 25 and 26. This was evident in the testimonies of numerous Pahrump bar owners and employees given during the 9/1/2020 Board of County Commissioners meeting.
- Bar owners and employees were responsive to and compliant with Directive 021, Sections 25 and 26 for the brief amount of time it was in effect.
- During the most recent OSHA audit, Pahrump had a commendable 100% compliance rating. While this figure obviously did not include liquor establishments, it demonstrates a community-wide willingness to abide by the State's directives.
- No Pahrump business has received an OSHA fine for failing to comply with the Governor's directives as far as we are aware.
- Restaurants that serve alcohol are currently able to operate as "quasi-bars" with patrons simply ordering alcohol in food establishments. If this is permissible, there is little justification for disallowing actual bars, pubs, taverns, breweries, distilleries, and wineries to reopen.

If the request to reopen bars, pubs, taverns, breweries, distilleries, and wineries in rural areas is granted, the County intends to implement the following:

**OFFICIAL MINUTES – Approved at the September 17, 2020 Meeting**

- The County will notify all liquor establishment owners of the Industry & Activity Specific Guidance pertaining to their respective establishments referenced in Directive 021, Sections 25 and 26. Specifically, these requirements include:
  - o 50% capacity limitation
- 6-foot distancing
- Standing and open congregate areas remain generally closed
  - o Requiring symptomatic employees to stay home
- Providing PPE for staff
- Frequent handwashing and sanitizing
- Requiring customers waiting to be seated to remain outside and separated
- Daily deep cleaning and disinfecting of high contact surface areas
- Modification of contact tracing questions to ask all COVID-positive individuals if they have attended liquor establishments during the probable exposure period.
- Increased compliance auditing for liquor establishments to ensure risks are being properly mitigated and State directives are being followed.
- Enforcement protocols as follows:
  - o 1st violation – verbal warning
  - o 2nd violation – written warning
  - o 3rd violation – referral to State OSHA
  - o 4th violation – closure of liquor establishment

Depending on the severity of the infraction or violation, the county may begin on any step as required to address or prevent a public health concern. Upon determination that a liquor establishment was the actual point of exposure for a positive COVID case, the County will require that establishment to close. The County will continue to work in conjunction with the State to monitor COVID cases in Nye County and if a spike occurs there, discuss revoking or amending the granted approvals. Scott Lewis spoke to the hospital capacity being in a good condition, PPE being in a good condition, testing capacity is continuing to move forward despite the recent decline in demand for testing and improving on contact tracing and disease investigation. Chair Cage noted the great amount of work to successfully get off the list this week and great job on the plan. Every week the plan improves. Terry Reynolds agreed that the plan is sound, and recommendations were taken in to account. Dagny Stapleton advised Nye County has done what has been asked of them and if bars and taverns were allowed to open, Nye county could manage this. Richard Whitley agreed with the improvements on the plan and noted a section on vaccinations. Richard Whitley made a motion to approve the mitigation and enforcement plan with the reopening of bars in Pahrump with an effective date as of September 10, 2020 as of 11:59 p.m. and Chris Lake provided a second. Motion passed unanimously.

## **6. Model Mitigation and Enforcement Plan**

Chair Cage spoke to the development of a model mitigation and enforcement plan. When a county makes it on the list for meeting two or more of the criteria thresholds and the county stays on the list for two plus weeks, the county must submit a self-assessment and action plan to be discussed at the Task Force meeting. The mitigation plan is tied to their jurisdictional assessment. The Task Force has seen some great assessments, but they have been light on enforcement and mitigation piece. The model mitigation and enforcement plan is intended to be a concept version and is not a final document. Terry Reynolds noted this document is exactly what he was looking for. Work has been done on enforcement plans with Clark County and Washoe County and working to have a better understanding of expectations. Those counties have successful programs and this document has those necessary components. This document will help counties when they open to help with compliance. Chair Cage went over the plan in great detail and noted all areas should be considered against baseline standards.

Terry Reynolds advised he went through all bar and tavern reopening plans and Washoe County has done a great job. Overall think there is a good structure for bars and taverns. They have done an excellent job. Has

**OFFICIAL MINUTES – Approved at the September 17, 2020 Meeting**

components the industry has looked at and said this will work for us. Lisa Sherych, DHHS, noted on the first page it talks about reporting requirements, is that just staff employees or does it apply to customers as well. Chair Cage noted this would be programmatic, this is a high-level recommendation that has a lot of public health expertise. Ms. Sherych also inquired if under timeline and data, once counties are below 10%, they would open at 35% capacity, then below 8% it would go up to 50%. Chair Cage noted it would be back to the baseline standards. This is a guide to show what the industries want to do and work within the plan to address restrictions within the plan. Ms. Sherych advised when it comes to being able to open, is the Task Force taking into consideration indoor and outdoor space and if there would be more flexibility for bars with outdoor seating for more social distancing. Chair Cage acknowledged those are the exact things the Task Force should be considering. Ms. Sherych again asked for more clarification on the percentages for capacity and Chair Cage noted these numbers are only intended to be examples. The Task Force is looking to the county to direct that based on the community needs. Terry Reynolds advised the Local Empowerment and Advisory Panel (LEAP) looked at 50%, but also look at social distancing, so that is less than 50%. It is important that they look at their numbers to see what is feasible for their area. 25% would not make sense and many businesses would not open. Chair Cage advised this item will be kept as an agenda item going forward to allow for more build out regarding enforcement, timeline, and data sharing. Terry Reynolds made a motion to approve the model as provided with the understanding to continue with necessary updates. Chair Cage provided a second. Dagny Stapleton inquired to what the goal of this document is. Chair Cage noted it was to improve guidance as to what the Task Force is looking for in terms of plans being submitted. Motion passed unanimously.

## **7. Update on the State’s Laboratory Reporting System**

Lisa Sherych provided an update on the State’s Laboratory Reporting System. Ms. Sherych provided the following highlights:

### **1. Electronic Lab Reporting (ELR) System**

- Recommendation: Increase IT staff to support SNHD data ingestion into their electronic lab reporting system TriSano.
- Progress: The Division is continuing to evaluate funding options for a contractor IT position. In the interim one of Division’s Master Service Agreement contractors are being trained to do the lab onboarding currently targeting 50% of their time to the ELR system.

### **2. Regulatory Authority**

- Recommendation: Utilize regulatory authority to require all laboratories doing business in Nevada to be licensed. Licensure reciprocity with other states for out of state labs.
- Progress: Office of Public Health Investigation and Epidemiology Unit (OPHIE) staff are continuing to participate in weekly nation-wide conference calls that include discussing the potential to onboard labs to a nationwide system that would streamline reporting and minimize the efforts individual states need to take to on-board labs. The Division is finalizing a template for providers across the state to use to report labs via secure email until they are setup with ELR. This template will assist with quality of lab reporting to include ensuring core elements are included to include type of machine being used, county the resident resides in, etc. The State Epidemiologist issued a technical bulletin on 9/4/2020 to notify laboratories and healthcare providers of potential enforcement measures that will be taken, if a lab is deemed non-compliant with Nevada law reporting requirements. The technical bulletin provided the data elements required to be

submitted with each lab, outlined the importance of timely reporting, and provided the authority to require reporting and if necessary, take action.

### **3. Commercial labs experiencing delays in processing and transmitting electronic lab**

**OFFICIAL MINUTES – Approved at the September 17, 2020 Meeting**

- Recommendation: Impose penalties for failure to report.
- Progress: The Division is finalizing the draft policy and procedure and Report of Finding/Plan of Correction template that OPHIE can use to issue citations for violations of the medical laboratory reporting requirements in NAC 441A. The goal of this policy and procedure is to bring the medical laboratory into compliance with the reporting requirements. This framework will allow the Division to move forward in issuing these citations. OPHIE sent a warning via email to a lab last week which expressed the citations that would be issued if they did not comply with reporting. The outreach was successful, and the lab is now in the final stages of on-boarding this week. This is a big success because they were sending 300+ paper labs per day and we've been trying to get them on-boarded since May. No other warnings or citations have been given at this time.

4. Develop and promote a webpage dedicated to providing information on:

- Lab reporting
- Contact info for ELR staff
- Forms for ELR
- Description of penalties if labs are not reporting timely

Progress: The Division is in the process of establishing a webpage to provide the listed information.

Richard Whitley noted that lab turnaround times will be broken down by county for the next meeting. Chair Cage noted this will be added as a discussion item for future Task Force meetings.

**8. Overview of Senate Bill (SB)4 on Public Accommodation Facilities**

Richard Whitley provided an overview of SB4. SB4 was adopted at the 32<sup>nd</sup> Special Session, signed by the Governor on August 11, 2020, and required the Department of Health and Human Services to adopt regulations on August 31, 2020. These regulations established standards for cleaning and employee safety. These regulations expire at the end of the emergency or July 2023. To summarize the public health accommodations, facilities must demonstrate compliance by having policies and procedures to limit transmission of COVID-19 and ensure worker safety. Mr. Whitley summarized the areas in the regulations as follows: as use of approved cleaning supplies, frequent cleaning of high contact areas, methods to encourage social distancing, ensure proper hand washing or providing hand sanitizing stations where hand washing is not available, monitor employee health by providing and paying for testing, and provide time off for testing or sick leave as a result of COVID-19. The health districts are Clark and Washoe in SB4. DHHS will continue to work with employee groups to clarify guidance and clarification to the industries that may have questions remaining. These regulations have not been implemented yet. Technical bulletins will be sent out. Richard Whitley noted on the record his appreciation for Theresa Hayes, DHHS, who led this effort in drafting these regulations. Mr. Whitley also noted these regulations are the first in the nation to address worker safety.

**9. Action Items for Next Week**

Chair Cage noted the Task Force would skip this agenda item.

**10. Public Comment**

Chair Cage opened the discussion for public comment in all venues. No public comment was provided.

**11. Adjourn**

Chair Cage called for a motion to adjourn the meeting. A motion to adjourn was presented by Dagny Stapleton, and a second was provided by Richard Whitley. The motion passed unanimously. Meeting adjourned.

