



**BOARD OF HEALTH AGENDA**

**May 17, 2021 5:15 PM**

**Remote Meeting via WebEx**

**Board of Health 2020-2024 Goals:**

*Maintain Health Department's fiscal stability*

*Support and advocate for public health priorities*

*Review new and changing community/Health Dept priorities*

*Ongoing Board of Health improvements*

**Health Department Mission:**

*Promoting health and safety for all Eau Claire communities*

**Health Department Vision:**

*ECCCHD will be a leader in assuring healthy people in healthy communities*

**Location:** Remote Meeting via WebEx Events

**Public Access:**

**Link:**

<https://eauclairecounty.webex.com/eauclairecounty/onstage/g.php?MTID=ea74a5e1278ff48370f37c28ca80ed0d4>

**Password:** NQpJYhhm248

**Dial In:** +1-415-655-0001

**Access Code:** 145 187 1454

\*Mute personal devices upon entry

*For those wishing to make public comment regarding an agenda item, you must e-mail Gina Holt at [gina.holt@co.eau-claire.wi.us](mailto:gina.holt@co.eau-claire.wi.us) at least 90 minutes prior to the start of the meeting. Your email will be shared with the Board of Health. If you also wish to speak regarding your email you will be called on during the public session.*

1. Call to Order. Welcome Guests. Order of the Agenda. Request to pull items from Consent Agenda – 5 minutes
2. Public Comment-*The Board of Health and Eau Claire City-County Health Department welcome you. Statements pertinent to agenda items may be made by attendees during the public comment section. We do ask that statements are limited to three minutes per person. You will receive a 30 second warning before time is reached. You will be muted at three minutes to respect opportunity for others to be heard. Written comments may also be provided. A total of 60 minutes will be allocated for public comment during this meeting if needed.*
3. Business Item (Action Required-approved for full content)-
  - a. Review and provide input to City of Eau Claire and Eau Claire County Mask Ordinance
4. Requests from Board members for future agenda items to be given consideration-
5. Next business meeting – May 26, 2021
6. Adjourn

PLEASE NOTE: Due to requirements contained in the Wisconsin Open Meetings Law, only those matters placed on this agenda may be considered by the Board of Health at this meeting. If any member of the public desires that the Board of Health consider a matter not included on this agenda, he or she should contact a Board of Health Member or the Health Department Director to have the matter considered for placement on a future Board of Health agenda. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710, (FAX) 839-4854, (TDD) 839-4735 or by writing to the ADA Coordinator, Personnel Department, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire, WI 54703.

**Fact Sheet –05/17/2021 Board of Health Meeting****Agenda Item 3.a****Communicable Disease Face Covering Ordinance – City and County**

On Thursday, May 13, the CDC released updated guidance that fully vaccinated people can resume activities they did before the pandemic, including participating in indoor and outdoor activities - large or small - without wearing a mask or physically distancing. Fully vaccinated people can also refrain from testing following a known exposure unless they are residents or employees of a correctional or detention facility or a homeless shelter. See attached resource from the State Health Department and this link for more information: <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html#vaccinated>

A person is considered fully vaccinated against COVID-19 if it has been two or more weeks since they got the second dose in a two-dose series (such as Pfizer or Moderna), or one dose of a single-dose vaccine (such as Johnson & Johnson).

Mask wearing, regardless of vaccination status, continues to be an important COVID-19 mitigation strategy in healthcare, schools, correctional facilities, public transportation, homeless shelters, and other settings where additional regulations exist.

Unvaccinated individuals are expected to continue to wear a mask and physically distance. Only 42.6% of Eau Claire County residents are currently fully vaccinated (05/14/2021) and individuals under the age of 12 are not able to be vaccinated at this point in time.

As of now, the CDC's school guidance remains unchanged. Most students will still be unvaccinated and schools should follow the State and CDC's guidance for schools. Teachers, school administrators, and staff should continue to follow CDC's school guidance until more people and children are vaccinated. Students and staff on buses should continue to follow all masking and physical distancing guidelines.

This updated guidance reflects scientific consensus on the effectiveness of COVID-19 vaccines against circulating strains of the SARS-CoV-2 virus. Studies show that COVID-19 vaccines are more than 90% effective in real-world settings in preventing mild and severe disease, hospitalization, and death. Individuals who are fully vaccinated can start returning to normal activities. This updated guidance also reflects that vaccine is now readily available to all populations who are eligible to receive vaccine. More information on vaccine availability in Eau Claire County is at: <https://coronavirus-and-covid-19-information-hub-eccounty.hub.arcgis.com/pages/covid-19-vaccine-appointments>

The City and County Ordinance links are below:

<https://www.co.eau-claire.wi.us/home/showpublisheddocument/9228/637486481482200000>  
<https://www.eauclairewi.gov/home/showpublisheddocument/34742/637479382672230000>

**Staff recommendation:**

Recommend to repeal current ordinances. Health department expectations will be that CDC guidance related to face covering use for vaccinated and unvaccinated be followed.

**From:** [Gina Schemenauer](#)  
**To:** [ECC-Health](#)  
**Subject:** For Your Awareness: COVID-19: Updated Mask Guidance for Fully Vaccinated Individuals  
**Date:** Friday, May 14, 2021 11:25:22 AM

---

Below are the new guidelines from CDC and the State related to fully vaccinated individuals. A reminder that face coverings in healthcare settings, correctional facilities, jails, and schools are still expected by the State and CDC.

Additionally, Eau Claire leadership is reviewing the newest CDC recommendations. *Local ordinances requiring face coverings indoors in the City & County of Eau Claire remain in effect.* Reminder that these are ordinances, not an order from the Health Department. The only parties that can make changes to these ordinances are the City Council and the County Board. Additional information about the local mask ordinances and COVID-19 community expectations will be provided when it is available.

DHS Logo Original 07/11/2018



## COVID-19

### Updated Mask Guidance for Fully Vaccinated Individuals

*This bulletin is being sent to local health officers, tribal health directors, COVID-19 vaccinators, public health nurses and staff, infection preventionists, subscribers to DHS Health Alert Network and DQA Notifications, and key DPH staff.*

On Thursday May 13, the [CDC released updated guidance](#) that **fully vaccinated people can resume activities they did before the pandemic, including participating in indoor and outdoor activities – large or small – without wearing a mask or physically distancing.** Fully vaccinated people can also refrain from testing following a known exposure unless they are residents or employees of a correctional or detention facility or a homeless shelter.

A person is considered fully vaccinated against COVID-19 if it has been two or more weeks since they got the second dose in a two-dose series (such as Pfizer or Moderna), or one dose of a single-dose vaccine (such as Johnson & Johnson).

#### Important Exceptions to Updated Mask Guidance:

- [Health care settings](#)
- [K-12 Schools](#)
- Places where masks are required by local, tribal, or territorial laws, rules, and regulations, including: local businesses and workplaces
- Residents and employees of correctional and detention facilities and homeless shelters
- Travelers on all planes, buses, trains, and other forms of public transportation traveling into, within, or out of the United States and in U.S. transportation hubs such as airports and stations

Mask wearing, regardless of vaccination status, continues to be an important COVID-19 mitigation

strategy in schools, correctional facilities, homeless shelters, and other settings where additional regulations exist. This includes [wearing a mask when traveling](#) into, within, or out of the United States.

As of now, the **CDC's school guidance remains unchanged**. Most students will still be unvaccinated and schools should follow [CDC's guidance for schools](#). Teachers, school administrators, and staff should continue to follow CDC's school guidance until more people and children are vaccinated. Students and staff on buses should continue to follow all masking and physical distancing guidelines.

This updated guidance reflects scientific consensus on the effectiveness of COVID-19 vaccines against circulating strains of the SARS-CoV-2 virus. Studies show that COVID-19 vaccines are more than 90% effective in real-world settings in preventing mild and severe disease, hospitalization, and death. Individuals who are fully vaccinated can start returning to normal activities.

DHS is currently working on updating websites and publications to include updated guidance for fully vaccinated people. We continue to encourage everyone to [get vaccinated against COVID-19](#).

Please do not respond to this email. Additional information about COVID-19 is available at the [Wisconsin Department of Health Services](#) website.

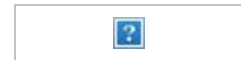
Stay Connected with the Wisconsin Department of Health Services



[Manage Preferences](#) | [Subscriber Help](#)

---

This email was sent to [elizabeth.giese@co.eau-claire.wi.us](mailto:elizabeth.giese@co.eau-claire.wi.us) using GovDelivery Communications Cloud on behalf of: Wisconsin Department of Health Services ·  
1 West Wilson Street · Madison, WI 53703



**ORDINANCE NO. 7407**

**ORDINANCE AMENDING CHAPTER 8.04 “CONTAGIOUS DISEASE” BY CREATING SECTION 8.04.031, ENTITLED “COVID-19 FACE COVERING REQUIREMENT” OF THE CODE OF ORDINANCES OF THE CITY OF EAU CLAIRE.**

**THE CITY COUNCIL OF THE CITY OF EAU CLAIRE DO ORDAIN AS FOLLOWS:**

***SECTION 1. That Chapter 8.04, entitled “Contagious Disease” is hereby amended by creating Section 8.04.031, entitled “COVID-19 Face Covering Requirement” to read as follows:***

**8.04.031 COVID-19 Face Covering Requirement**

A. Purpose. The purpose of this ordinance is to promote and protect the public health, safety, and general welfare of the residents of the city of Eau Claire during the world-wide COVID-19 pandemic and to be prepared in the event that the current order issued by the governor of the State of Wisconsin is vacated or not extended.

B. Definitions. The following definitions apply throughout this ordinance:

1. “Face Covering” shall mean a piece of cloth or other material that is worn to cover the nose and mouth completely. A “face covering” includes but is not limited to a bandana, a cloth face mask, a disposable paper mask, a neck gaiter, or a religious face covering. A “Face Covering” does not include face shields, mesh masks, masks with holes or openings, or mask with vents.

2. “Local health officer” shall mean the city-county health officer as defined by sec. 252.01(3), Wis Stats.

3. “Physical distancing” shall mean maintaining at least six feet of distance from other persons who are not members of your household or living unit.

C. Requirement to wear a face covering. Every person, age five or older, who is located within the city of Eau Claire shall wear a face covering if the following apply:

1. The person is indoors or in an enclosed space, other than a private residence; and

2. Another person or persons who are not members of the individual’s household or living unit are present in the same room or enclosed space.

3. Face coverings are strongly recommended in all other settings, including outdoors, when it is not possible to maintain physical distancing.

4. Buildings with public access are required to post a notice at their entrance that face coverings are required.

D. Exceptions to the requirement to wear a face covering.

1. Persons who are otherwise required to wear a face covering may remove the face covering in the following situations:

a. While eating or drinking.

b. When communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means.

c. While obtaining a service that requires the temporary removal of the face covering, such as dental services.

d. While sleeping.

e. While swimming or on duty as a lifeguard.

f. While a single individual is giving a religious, political, media, educational, artistic, musical, or theatrical presentation for an audience, the single speaker may

remove the face covering when actively speaking if the speaker remains at least 6 feet away from all other individuals at all times, when his or her face covering is removed.

g. When engaging in work where wearing a face covering would create a risk to the individual as determined by government safety guidelines.

h. When a federal or state law or regulation prohibits the wearing of a face covering.

2. According to Centers for Disease Control (CDC) guidelines, the following are exempt from the requirement to wear a face covering:

a. Children between the age of 2 and 5 are encouraged to wear a face covering when physical distancing is not possible. The CDC does not recommend face coverings for children under the age of 2.

b. Persons who have trouble breathing.

c. Persons who are unconscious, incapacitated, or otherwise unable to remove the face covering without assistance.

d. Persons with medical conditions, intellectual or developmental disabilities, mental health conditions, or other sensory sensitivities that prevent the person from wearing a face covering.

e. Incarcerated individuals.

E. Enforcement. Failure of an individual to comply with this ordinance may result in the issuance of a citation, resulting in a forfeiture of \$200.00 per incident together with the costs of prosecution, with each incident constituting a new and separate violation.

F. Effective date and sunset. This ordinance will go into effect only if the Emergency Order dated January 19, 2021 issued by the governor of the State of Wisconsin requiring the use of face coverings, or any successor face covering order of the governor is vacated by a decision of the Supreme Court of the State of Wisconsin or legislature, or if the governor does not extend such an order, or if there is any absence of a state face covering requirement applicable in the city of Eau Claire. This ordinance will be published as a class 1 notice and will become effective the day after publication. This ordinance will sunset on June 30, 2021 and will be automatically repealed on that date unless otherwise repealed earlier by action of the City Council.

(SEAL) President Terry L. Weld

(SEAL) Interim City Manager David A. Solberg

(ATTESTED) City Clerk Carrie L. Riepl

|                                 |                  |
|---------------------------------|------------------|
| First Reading                   | January 26, 2021 |
| Final Reading (Rules Suspended) | February 2, 2021 |
| Adopted                         | February 2, 2021 |
| Published                       | February 5, 2021 |

TO CREATE CHAPTER 8.35 OF THE CODE: COVID-19 COMMUNICABLE DISEASE MASK REQUIREMENT

The County Board of Supervisors of the County of Eau Claire does ordain as follows:

SECTION 1. That Chapter 8.35 of the code be created to read:

Chapter 8.35

COMMUNICABLE DISEASE MASK REQUIREMENT

Sections:

8.35.010 Purpose.

8.35.020 Definitions.

8.35.030 Jurisdiction.

8.35.040 Requirement to wear a face covering.

8.30.050 Exceptions to the requirement to wear a face covering.

8.35.060 Enforcement.

8.35.070 Effective date and sunset.

8.35.010 Purpose. The purpose of this ordinance is to promote and protect the public health, safety, and general welfare of the residents of Eau Claire County during the 2020-2021 world-wide COVID-19 pandemic and to be prepared in the event that the current order issued by the governor of the State of Wisconsin is vacated or not extended.

8.35.020 Definitions. The following definitions apply throughout this ordinance:

A. "Face Covering" shall mean a piece of cloth or other material that is worn to cover the nose and mouth completely. A "face covering" includes but is not limited to a bandana, a cloth face mask, a disposable paper mask, a neck gaiter, or a religious face covering. A "Face Covering" does not include face shields, mesh masks, masks with holes or openings, or mask with vents.

B. "Local health officer" shall mean the city-county health officer as defined by sec. 252.01(3), Wis Stats.

C. "Physical distancing" shall mean maintaining at least six feet of distance from other persons who are not members of your household or living unit.

8.35.030 Jurisdiction. Pursuant to sec. 251.08, Wis. Stats., jurisdiction of this ordinance by the Eau Claire City County Health Department shall extend to the entire area within Eau Claire County, except that jurisdiction does not extend to cities, villages, and towns that have local health departments.

8.35.040 Requirement to wear a face covering. Every person, age five or older, who is located within the jurisdiction of Eau Claire County shall wear a face covering if the following apply:

A. The person is indoors or in an enclosed space, other than a private residence; and,



B. Another person or persons who are not members of the individual's household or living unit are present in the same room or enclosed space.

C. Face coverings are strongly recommended in all other settings, including outdoors, when it is not possible to maintain physical distancing.

D. Buildings with public access are required to post a notice at their entrance that face coverings are required.

8.30.050 Exceptions to the requirement to wear a face covering.

A. Persons who are otherwise required to wear a face covering may remove the face covering in the following situations:

1. While eating or drinking.
2. When communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means.
3. While obtaining a service that requires the temporary removal of the face covering, such as dental services.
4. While sleeping.
5. While swimming or on duty as a lifeguard.
6. While a single individual is giving a religious, political, media, educational, artistic, musical, or theatrical presentation for an audience, the single speaker may remove the face covering when actively speaking if the speaker remains at least 6 feet away from all other individuals at all times, when his or her face covering is removed.
7. When engaging in work where wearing a face covering would create a risk to the individual as determined by government safety guidelines.
8. When a federal or state law or regulation prohibits the wearing of a face covering.

B. According to Centers for Disease Control (CDC) guidelines, the following are exempt from the requirement to wear a face covering:

1. Children between the age of 2 and 5 are encouraged to wear a face covering when physical distancing is not possible. The CDC does not recommend face coverings for children under the age of 2.
2. Persons who have trouble breathing.
3. Persons who are unconscious, incapacitated, or otherwise unable to remove the face covering without assistance.
4. Persons with medical conditions, intellectual or developmental disabilities, mental health conditions, or other sensory sensitivities that prevent the person from wearing a face covering.
5. Incarcerated individuals. The Eau Claire County Jail will continue to comply with COVID-19 protocols to ensure the health and safety of staff and people who are incarcerated.

8.35.060 Enforcement. Failure of an individual to comply with this ordinance may result in the issuance of a citation by the local health officer, or his or her designee, or any law enforcement officer, resulting in a forfeiture of \$200.00 per incident, with each incident constituting a new and separate violation.

8.35.070 Effective date and sunset. This ordinance will go into effect only if the Emergency Order dated November 20, 2020 issued by the governor of the State of Wisconsin requiring the use of face coverings, or any successor face covering order of the governor is vacated by a decision of the Supreme Court of the State of Wisconsin, the legislature, or if the

governor does not extend the order. This ordinance will be published as a class 1 notice and will become effective the day after publication. This ordinance will sunset on June 30, 2021 and will be automatically repealed on that date unless otherwise repealed earlier by action of the Eau Claire County Board of Supervisors.

Enacted February 2, 2021

Sue McDonald  
County Clerk