

# **SALT LAKE COUNTY**

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Salt Lake City, UT 84114  
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## **Meeting Minutes**

**Thursday, August 12, 2021**

**2:00 PM**

**Council Chambers, N1-110**

**County Council**

**1. CALL TO ORDER**

**Present:** Council Member Laurie Stringham  
Council Member Richard Snelgrove  
Council Member Jim Bradley  
Council Member Dave Alvord  
Council Member Ann Granato  
Council Member Steve DeBry  
Council Member Dea Theodore

**Call In:** Council Member Arlyn Bradshaw  
Council Member Aimee Winder Newton

Order of Salt Lake County Council Chair Steve DeBry calling a special meeting of the Salt Lake County Council on August 12, 2021, at 2:00 PM.

Dear Colleagues:

Consistent with Utah Code Ann. §17-53-205, Section 2.09 of the Optional Plan for Salt Lake County Government, and Section 2.04.090 of Salt Lake County Ordinance, I hereby exercise my prerogative as the Chair of the Salt Lake County Council to order a special meeting of the Salt Lake County Council to be held on August 12, 2021, at 2:00 PM in Room N1-100 of the Salt Lake County Government Center.

The purpose of the proposed meeting will be for the Salt Lake County Council to consider exercising its authority under Utah Code Ann. §26-1-114(7)(d) to terminate an order of constraint issued by the Salt Lake County Health Department on or about August 10, 2021. A copy of the proposed agenda for this special meeting is attached to this notice.

Council staff shall provide notice of this special meeting to the Salt Lake County Council and Salt Lake County Mayor and shall also provide notice to the public and media as required by the Utah Open and Public Meetings Act, Utah Code Ann. §52-4-101 et seq., and Salt Lake County Ordinance. A copy of this order shall be included in the minutes of the special meeting.

By /s/ STEVE DEBRY  
Chair, Salt Lake County Council

**Council Member DeBry** thanked the over 300 residents who were in attendance at today's meeting and asked that they be respectful and civil to each other and to Council

Members.

## 2. DISCUSSION ITEMS

**A Resolution of the Salt Lake County Council Terminating a Public Health Order of Constraint Issued by the Executive Director of the Salt Lake County Health Department on August 11, 2021 in Response to a Declared Public Health Emergency** [21-0943](#)

**Attachments:** [081221 SLCo Resolution Terminating Public Health Order](#)

**Council Member Bradley** stated he would like to table this item for 30 to 40 days to gather more data on the Delta variant. Salt Lake County is in a unique position to let the mask mandate take place, then the results of the effectiveness of it can be compared to other states to help with research.

**Council Member Stringham** stated as a teacher she has been in a unique position to watch how the wearing of masks affected students. Everyone has different reasons for what they believe, and it is important to teach students civility and respect for one another. The responsibility of schools is to provide the best education possible with the least amount of disruption.

A motion was made by Council Member Bradley, seconded by Council Member Granato, that this agenda item be tabled. The motion failed by the following vote:

**Aye:** Council Member Bradley, Council Member Bradshaw, and Council Member Granato

**Nay:** Council Member Stringham, Council Member Snelgrove, Council Member Alvord, Council Member Winder Newton, Council Member DeBry, and Council Member Theodore

**Council Member Newton** read the following statement into the minutes:

*This has been the most difficult decision I have ever made in my seven years as a county councilwoman. It's difficult because there are passionate parents on both sides who deeply love their children and want what's best. It's difficult because, although we have smart, incredible health officials, there are so many unknowns. Even they admit*

*they don't know everything about the virus and masking effects. It's difficult because none of us has a crystal ball to see how our decisions today impact the future.*

*I am grateful for all who have emailed, called, messaged and visited with us at our council meetings. I have listened to all of you. Half of you will be happy with my vote today and the other half will be disappointed. To those who are disappointed, please know I do not make this decision lightly.*

*My vote is based on two things: the data and what I know about parents.*

*To my first point - When we are in the business of public health, data-driven decisions are key. We know children under 12 have very low risk with COVID. Though the delta variant is more contagious, and more children will likely get it, the risk of COVID complications are still incredibly low for children under 12.*

*And second - I cannot, in good conscience, tell a parent that government knows better than they do for their child, especially when the COVID risk to young children is low. Parents have instinct, intuition, and inspiration when it comes to what is best for their children. We know some children are suffering from delayed cognitive development, mental health challenges, and other issues because of masks. And yet we also know masks help diminish the spread of the disease.*

*Each child is unique and has different challenges. There should not be a one-size-fits-all for our kids. I believe the right solution is to allow parents to decide what is best for their child. I will be voting to overturn the mask mandate, but I still highly recommend masks for those who can.*

*Some public health officials assert we need to mask these little ones in order to keep the spread low and reduce demands on our healthcare system. Our healthcare system is near capacity, not with young children, but with adults - many of whom are not vaccinated. I'm not going to put the burden of the community healthcare system on the backs of these little children who have very low COVID risk. I morally cannot do it.*

*I'm grateful the state is providing KN95 masks, a much more effective mask, to parents who want on for their child. All parents should consult their pediatrician as they determine what is best for their child this school year.*

*We will most certainly see cases increase once children return to the classroom and will continue to watch this situation closely. I stand by the recommendations the health department has provided to our local schools. I encourage those who can, to please*

*wear a mask in public spaces to help reduce the spread. I'm also hopeful that as more choose to be vaccinated, we can be in a stronger position as a community to fight this virus.*

**Council Member Granato** stated it is critical to use science to fight the pandemic. The order was based on science and is narrowly focused on those who cannot receive a vaccine.

**Council Member Theodore** stated she is opposed to the order. It is the role of parents to determine what is best for their children. This is a free society. Less than 1 percent of children who have had the virus have been hospitalized.

**Council Member Snelgrove** read the following statement into the minutes:

*As a County Council member, my first priority must always be the health and safety of the public, especially that of our children.*

*Sadly, in Utah one child has died from COVID since the beginning of the pandemic eighteen months ago. The loss of this or any child is tragic. However, this fact reinforces what we have known from the beginning of this pandemic, which is that children are less susceptible to the virus.*

*In considering whether or not to support the mask mandate I must also weigh other factors such as the psychological harm to children in part from their reaction to mask wearing. This collateral damage from mask wearing and the lockdown has contributed to learning deficiencies, increased anxiety, depression, and suicidal thoughts. Sadly, a 72 percent increase in visits by children to behavioral health emergency rooms has been reported. And, worst of all, we have seen a sharp increase in children's suicides since the beginning of the pandemic.*

*I have received thousands of emails and many phone calls from parents seeking relief from the mask mandate for their children who they say have experienced psychological and emotional trauma due to their use. They earnestly plead with me that the decision of mask usage should be left to them as parents. I agree that the decision to wear or not wear a mask should be left to caring and loving parents who are best equipped to make the proper decision for their children's physical, psychological and emotional health. I cannot and should not second guess a parent's judgment. Therefore, in what I believe is the best interest of our children's wellbeing, I will vote to overturn the mask mandate. For those parents who support the use of masks, please remember that N-95 masks are available to all children free of charge.*

*Lastly, as adults, the best thing we can do to combat COVID is get vaccinated and invite all our friends and family to get vaccinated as well. And, for our children's overall wellbeing, we must do what we can to return their lives to pre-pandemic normalcy to the extent possible.*

RESOLUTION NO. 5888

A RESOLUTION OF THE SALT LAKE COUNTY COUNCIL TERMINATING A PUBLIC HEALTH ORDER OF CONSTRAINT ISSUED BY THE EXECUTIVE DIRECTOR OF THE SALT LAKE COUNTY HEALTH DEPARTMENT ON AUGUST 11, 2021, IN RESPONSE TO A DECLARED PUBLIC HEALTH EMERGENCY

WHEREAS, Utah Code §26A-1-102(9) defines “order of constraint” as meaning “an order, rule, or regulation issued by a local health department in response to a declared public health emergency .... that applies to all or substantially all ... individuals or a certain group of individuals ... and ... requires an individual to perform a certain action or engage in certain behavior”; and

WHEREAS, the Salt Lake County Health Department is the duly established local health department for Salt Lake County; and

WHEREAS, Salt Lake County is currently in a declared state of public health emergency related to the COVID-19 pandemic; and

WHEREAS, on August 11, 2021, the Salt Lake County Health Department, through its Executive Director, issued a public health order requiring all students attending kindergarten through grade 6 at a public, charter, or private school in Salt Lake County wear a face covering in all indoor settings, a copy of which is attached to this resolution as Attachment 1; and

WHEREAS, this public health order is an order of constraint as defined by Utah law; and

WHEREAS, the Salt Lake County Health Department provided notice to the Salt Lake County Mayor of the order of constraint no later than 24 hours before issuing the order of constraint, as is required by Utah law; and

WHEREAS, the Salt Lake County Mayor approved the issuance of the order of constraint, as is required by Utah law; and

WHEREAS, pursuant to Utah Code §§26A-1-114(7)(d) and (9)(a)(iii), the Salt Lake County Council, acting in its capacity as the legislative body for Salt Lake County, may at any time terminate an order of constraint issued by the Salt Lake County Health Department by majority vote of the Council in response to a declared public health emergency; and

WHEREAS, the County Council now intends to exercise its legislative prerogative to terminate the order of constraint issued by the Salt Lake County Health Department on August 11, 2021, in response to a declared public health emergency.

NOW, THEREFORE, be it resolved by the Salt Lake County Council, acting as the legislative body for Salt Lake County, Utah that:

The Council hereby terminates the public health order of constraint (See Attachment 1) issued by the Executive Director of the Salt Lake County Health Department on August 11, 2021, in response to a declared public health emergency. The public health order of constraint is terminated effective upon approval of this resolution.

APPROVED and ADOPTED this 12th day of August, 2021

SALT LAKE COUNTY COUNCIL

ATTEST:

By /s/ STEVE DEBRY  
Chair

By /s/ SHERRIE SWENSEN  
County Clerk

A motion was made by Council Member Alvord, seconded by Council Member Theodore, that this agenda item be approved. The motion carried by the following vote:

**Aye:** Council Member Stringham, Council Member Snelgrove, Council Member Alvord, Council Member Winder Newton, Council Member DeBry, and Council Member Theodore

**Nay:** Council Member Bradley, Council Member Bradshaw, and Council Member Granato

**3. ADJOURN**

THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at 2:25 PM until Tuesday, August 17, 2021, at 4:00 PM.

SHERRIE SWENSEN, COUNTY CLERK

By \_\_\_\_\_  
DEPUTY CLERK

By \_\_\_\_\_  
CHAIR, SALT LAKE COUNTY COUNCIL