

MADISON COUNTY BOARD OF HEALTH

STATE OF ILLINOIS)
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COUNTY OF MADISON)

Proceedings of the Board of Health of Madison County, Illinois, as the recessed session of said Board of Health held at the Administration Building in the City of Edwardsville, in the County and State aforesaid on said Wednesday, January 19, 2022 and held for the transaction of special Board of Health business.

**JANUARY 19, 2022
5:00 PM
SPECIAL SESSION**

The meeting was called to order by Kurt Prenzler, Chairman of the Board.

The Pledge of Allegiance was said by all members of the Board.

A moment of silence was taken for Cindy Stoner, a retiree of the Building and Zoning Department who passed away on January 3, 2022.

The Roll Call was called by Debra Ming-Mendoza, County Clerk, showing the following members present:

PRESENT: Kuhn, Pace, Meyer, Madison, Doucleff, Walters, Holliday, Stoutenborough, Malone, Gray, Pollard, King, Babcock, Eaker, Hankins, Valentine, Minner, Messner, Wiehardt, Foster, Glasper, Goggin, Guy, Harriss, Dalton, and Kneedler

REMOTE: Ross

ABSENT: Petrillo

VACANT: District 27

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Ms. Harriss moved, seconded by Mr. Gray to allow Mr. Ross to attend and participate remotely.

VOICE VOTE BY ALL MEMBERS.

*Mr. Ross entered the meeting remotely.

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PEGGY FLACH’S ADDRESS TO THE BOARD

Thank you for the opportunity to represent citizens who are not in attendance today due to either concerns of workplace retribution or immunity issues in their homes as they choose to avoid exposure here. These are their concerns and my concerns. We’re embarrassed to live in this county. Public health and safety is not mentioned once in the upcoming proposed resolution. We are embarrassed that anyone would refer to Covid as a cold with over 684 dead citizens and mid 20% positivity rates. But we commend the health

department staff that has grown to meet community needs with an emphasis on public health and safety that reflects the intermittent severity and variants of Covid. We're embarrassed that a county representative would post articles inferring that Covid vaccines cause AIDS, but we do appreciate the cogent medical experts advocating here with many years of solid experience. We're embarrassed that there is a shocking amount of negative radical overreach of religious platitudes in this room. Religion based on fear using terms of warfare preaching conquest, ignoring science. But many more in this community resonate with a deity who represents grace, cooperation, and peace. We're embarrassed that at every single meeting there seems to be at least 1 partisan bashing rant. It's the height of hypocrisy to bash democrats of last minute maps and districts when a republican controlled board passed a gerrymandered redistricting effort with no hearings, no meetings, no public input, no input from the dems, on the day before Christmas. On that note, I'm embarrassed that I have to fight the inclination to get up here and get sucked in to all of this. But your side is doing this, so we're going to do this. The school yard bullying has compromised democracy in our nation and our county. It's likely that this resolution will pass. It's just 1 brick in a planned, bigger conservative wall to homogenize this community into 1 mindset while literally ignoring public health and safety and hard scientific data. It's embarrassing that we're still encouraged by the fact that this resolution, like the last one, has components that are impotent to actual enforcement. Really virtuous people do their jobs here, they understand how actions impact others. Every time you step up to the County Clerk's Office, you witness a cohesive and ethical team. More of that please, not embarrassment, but values put into action for public good. Please consider voting this resolution down or at least rethinking it.

Ms. Flach: I would like to address why the rules were changed for only 6 speakers when last week there were no limits.

Mr. Prenzler: I will address that. What we did was we allowed many speaking at our Health Advisory Board because we have not met in person for 2 years so we wanted to allow as many speakers as possible. In fact, if there had been more people come who wanted to speak, they would have been allowed to speak. But for this meeting, we do have an ordinance that limits our speakers to 5 speakers, but I'm letting 3 speak on one side this evening, and 3 on the other.

Ms. Flach: I don't think people understood that. It would have been nice to have known that last week.

Mr. Madison: It's common place in committees.

Ms. Flach: It wasn't last week.

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ALISON LAMOTHE'S ADDRESS TO THE BOARD

According to Epidemiologist William Hanage of Harvard University, the omicron variant of Covid-19 is the most rapidly spreading virus among the ones that they have been able to investigate at this level of detail. They have compared it to the rates of transmission of like the black death and what was the other one, now I'm forgetting. At any rate, it used to take a while for pandemics to get around the globe. This one is the fastest that has ever been observed. Due to the rapid transmission of omicron, the vast majority of US states and territories are experiencing rates of high transmission, including Madison County. In fact, our case rate reached an all-time high on Thursday. Vaccination, testing, and masking in indoor settings protect public health, saves lives, and improves productivity. You can't work if you're sick. You can't go to work if your kids are sick. The Illinois Department of Public Health recognizes that a safe and effective Covid-19 vaccine strategy is a critical component to reduce Covid-19 related illnesses, hospitalizations, and deaths. According to the Centers for Disease Control and Prevention, the unvaccinated are 17 times more likely to be hospitalized than those who have been vaccinated and boosted. My healthcare provider confirmed today

during an appointment that while she has had some patients experiencing breakthrough infections due to the more transmissible delta and omicron variants, their symptoms have been less severe. Amy Yeager, Public Information Officer of Madison County, I don't know if she's here, urged residents in a recent Intelligencer article to do what we can to slow down the rate of infection, including vaccinations, booster shots, testing, and when necessary, quarantining and isolation. She also recommends that people wear masks in public, regardless of their vaccination status explaining that because the virus is more airborne now masking is more important than ever before. Discouraging vaccination, testing, and masking mandates, as this resolution does, fosters unsafe working and learning environments and negatively impacts public safety and productivity. Workers deserve to work in a safe environment. Students deserve to learn in a safe environment. At SIUE, a recent mandated return to in-person instruction sparked outrage among professors, instructors, staff and students who are concerned for their safety. In an inspiring example of students speaking for themselves, hundreds of SIUE students signed petitions by last Friday afternoon, one day after they learned of the mandate. Keep in mind that on campus, masks have been required throughout the pandemic. Once vaccines became available, all personnel and students were required to be vaccinated or be tested weekly. Prior to Spring semester, all faculty, staff and students had to get tested regardless of vaccination status. Worker's and students deserve to work in safe environments. Customers and clients deserve to do business in a safe environment. And finally, constituents deserve to attend public meetings in a safe environment and that is not being provided.

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BYRON HOTSON'S ADDRESS TO THE BOARD

In the past 6 months, I have spoken at three school board meetings and two county meetings. I've mainly discussed different aspects of Covid mitigation. Tonight, I'd like to focus on 501(c)(3) groups formed last year, seemingly all at the same time, all with a healthy amount of mysterious funding. Ostensibly, they were created to oppose mask wearing in schools. These groups have since moved on and now promote ideas that are anti-vax, anti-sex ed, anti-LGBTQ, as well as a litany of deep state conspiracy theories. Their false statement about Covid range from claiming that cases are over reported and adverse reactions to vaccines are underreported, to theories about 5G wireless access being linked to the virus. They have taken common sense concepts such as parents should be able to raise their children as they see fit, and that medical decisions should be private and have warped them in ways that have set back decades of public health advances. They are heavily influenced by the anti-Semitic QAnon movement and they plan to continue to influence this board. I think I can skip that paragraph actually. I'll just go ahead and finish my last point. This resolution will be passed tonight, and it will be passed in bad faith. It has been hinted that this resolution can be used as precedent to allow employees to sue private employers over vaccine requirements. This goes far beyond county employees. Money that will be won in these frivolous lawsuits could go right back to the individuals or organizations that are funding these 501(c)(3)s. To reiterate, this looks a lot like a grift to make money for PACs and fake 501(c)(3)s. This will happen because it has already happened. Last year, these groups sued anyone and everyone they could over mask mandates after this board passed a similar resolution. But if the last several years have taught us anything, it's that history repeats itself, usually to righteously indignant applause. I pray for you to be blessed and that the orchestration of events in your lives will leave your hearts exposed to the truth. Good night and good luck.

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SHERI LEMKEN'S ADDRESS TO THE BOARD

Hello, my name is Sheri Lemken. I am a registered nurse. I have been in healthcare for 24 years. I have been an American for 51 years. I am not anti-vax. I am anti-mandate. Personally, in regard to the vaccine, I have weighed my options, considered the risks and benefits, considered my own natural immunity and

have decline. Informed consent is a pillar of our healthcare system. It is at the heart of everything we do. Informed consent is both an ethical and legal obligation of medical practitioners and originates from the patient's rights to direct what happens to their body. A hallmark of informed consent is the right to refuse. We have had our jobs, and our careers held over our heads in exchange for getting the vaccine. What would happen to my nursing license if I coerced a patient into getting a procedure they did not want? Being unvaccinated, I have complied with Governor Pritzker's Covid-19 Executive Order #87 and have gotten weekly covid tests to remain employed. The requirement for the unvaccinated to weekly test has not logic, there is no science to support it and it is being used as yet another tool to inconvenience people and lead them to get the vaccine. There are no case studies or actual data of any kind supporting that this has mitigated infection rates anywhere. The administration and the media's assertions that this is a pandemic of the unvaccinated just simply is not true. This past weekend I cared for 6 Covid patients, 5 of them vaccinated. Following the Biden Administration's CMS mandate on hospitals, we were required to get the vaccine, file a medical or religious exemption, or be terminated. I have been at the same hospital for 15 years. I have worked very hard and this is what my employment came down to. Not my work ethic, or reputation as a nurse, but this. The ability to support my family had literally come to this. So even though I believe that my deeply held religious beliefs are very private and protected by the Constitution and the Civil Rights Act of 1964 I had to share with my employer my religious beliefs. I, against my conscience, submitted a request for exemption, and that request was denied. I was judged by my employer on the validity of my deeply held beliefs. I had not written the correct required words down on their required form. So I was torn. Do I file an appeal which was the process? Do I plead for my job, do I attempt to explain myself further, or so I simply walk away. I filed an appeal on the next to last day before the deadline and it was approved. I guess I got it right that time.

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KATHLEEN RAMSEY'S ADDRESS TO THE BOARD

Hi, I am Kathy and I am a woman. We are in the land of the free, home of the brave, and we are one nation under God. First, this is not a health concern because a narrative has sunk. It's 99.98% survival rate. The CDC announced that only 50,000 actually died from Covid. The rest died with Covid, meaning if you were in a car accident and tested, it was counted as Covid. 50,000 not 800 to be clear. The numbers are not accurate. That leads us to the Nuremberg Code which requires informed consent so lets go over that, shall we? The insert is blank, that is a violation of Nuremberg. This treatment is a phase 3 experimental drug that contains formaldehyde, mercury, aborted fetal tissue and synthetic mRNA. It has never been tested on animals, and this has never been tested on human beings. You are volunteering and consenting to be a part of an experiment. Is that ok? Need I next to inform you that the side effects are heart attack, stroke, blood clots, blindness, hearing loss, seizures, neurological lifetime problems, miscarriage in 82%, increase in cancer, autoimmune disease, and many more. I also need to inform you that these injections do not prevent the disease, you can still get covid and give it to others. At best, it might reduce symptoms. The Pfizer CEO on a video that I have states, "the first 2 doses give very little, if any, protection". Do you understand? Next, you need to know that the software that is being installed into your body induces a lifelong antibody response that actually competes with your natural immunity and makes you more vulnerable to other diseases. Do you understand? The FDA did not approve. It was a licensed application that was approved everyone. And the pharma companies and the government are not liable once you consent. Do you understand? Coercion is a felony punishable with 99 years in prison for everyone using coercion, every single elected official, every hospital, every doctor, 99 years for coercion. What I have said is alarming and Pfizer knew it and did a presentation to scientist and FDA; it is called premeditated 1st degree mass murder and genocide. There is a marketing campaign using media, hospitals, doctors, and politicians and they're all getting money in Hollywood. So I want to make sure you understand that. Tonight when you pass this bill, I want you to each know that you are considered a hero. Each and everyone of you are standing up for our freedom and I appreciate that. For being the hero the world needs to say the gig is up, the news is out,

they've finally found them. The criminals who made this up, were going for a hanging, never more to go astray, this will be end today. Thank you.

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WANDA CERNY'S ADDRESS TO THE BOARD

Neither the president, nor the governor, nor the IL State School Board, nor the Illinois Department of Public Health can mandate this Covid vaccine. Why? Because mandates and executive orders cannot rise above the law. The Illinois legislature has authorized the Illinois Department of Public Health to require shots for school, college, and healthcare workers. But adults, by law, can refuse a vaccine. If a person refuses to be tested, the Department of Public Health must obtain a court order based on "clear and convincing evidence that proves that the public's health and welfare are significantly endangered". This is called due process. With Covid, we are operating under a 2017 federal law called the Emergency Use Authorization. This law mirrors the Nuremberg Code adopted by many other countries after the atrocities committed by the Nazis. While the law provides liability protection for the vaccine companies and the government, the other part of the law, which is being ignored, is the part that protects the public. The law applies not only to vaccines but also to all antigen and antibody tests and masks. It states that these products can only be authorized where there are no other adequate approved treatments, but there are, they are just being suppressed. And the benefit must outweigh the risk, but it doesn't. And people must be fully informed and given the option to refuse, but they aren't. You are told that the shots are the best way to fight the pandemic. That is simply not true. The two shot regimen no longer stops infection and transmission and it simply reduces symptoms for the individual. Where is the public health benefit in that? After 90 days, the shot regimen makes people more susceptible to Omicron than the unvaccinated, and the booster shots wear off after about 10 weeks. And while the government turns a blind eye, the rise in all cause mortality in the U.S. for 2021 is about 50% higher compared to 2020 before the shot. One of the world's top pathologist found that 30% to 40% of the deaths after vaccination were due to the vaccine. His results were independently confirmed by other researchers who showed numbers as high as 93%. How can anyone think that it is lawful or wise to require large segments of society to be coerced to take an experimental shot where we have no idea what's in it, no data on long term effects, and where the government and drug companies have absolutely no liability? In what world does this seem right to anyone? This is illegal, illogical, unscientific, top-down, one size fits all madness. It is the antithesis of everything that this republic was founded on. We demand freedom, to work, to play, to travel, to learn, to question, to speak, and to say no.

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The following resolution was submitted:

RESOLUTION DENOUNCING VACCINE MANDATES, MANDATORY TESTING, TERMINATIONS, AND EXCLUSIONS

WHEREAS, as the Board of Health of Madison County we have a role in providing local guidance in regard to the public health crisis of COVID-19; and

WHEREAS, the Madison County Board and the Board of Health understand that as free Americans we have certain unalienable rights, given to us not by government but by God, and that our Founder's gave us the Constitution of the United States and the Bill of Rights in support of that idea, which is the law of the land; and

WHEREAS, certain legal mandates and/or employer requirements have been directed at some residents of Madison County forcing them to choose between receiving a COVID-19 vaccine or undergo frequent testing under threat of being terminated from their employment; and

WHEREAS, the Board of Health continues to support personal choice with regard to COVID-19 mitigation efforts, including recognizing an individual's religious beliefs and medical history, such as naturally occurring antibodies which many argue are more effective than vaccinations; and

WHEREAS, Madison County school districts may require that students be either vaccinated or forced to undergo frequent testing under threat of exclusion from school and related activities, without regard for the wishes of the family or the student's religious beliefs and medical history; and

WHEREAS, the Board of Health believes in the innate common sense and reasonableness of Madison County employees, students, and families and respects their desire to decide for themselves whether to receive a vaccination or undergo testing without threat to their livelihoods or education; and

WHEREAS, many residents, employees and families have contacted members of the County Board and the Board of Health demanding that we protect their rights on this important issue.

NOW, THEREFORE, BE IT RESOLVED by the Board of Health of Madison County, Illinois:

1. The Board of Health discourages all employers and school districts within Madison County from imposing a vaccine mandate and/or frequent testing upon employees and students.

The Board of Health discourages all employers and school districts within Madison County from imposing a vaccine mandate and/or frequent testing upon employees and students.

2. All employers and school districts in Madison County should respect and protect the individual rights of employees, students, and families.
3. The County Board, sitting as the Board of Health, hereby affirms to its own employees that it will neither impose a vaccine mandate nor require testing of its employees and will defend and protect the rights of its employees if such mandates are imposed upon Madison County by other units of government.

Adopted this 19th day of January 19, 2022.

Kurt Prenzler, Chairman Madison County Board

On the question:

Mr. Madison: Yes, Mr. Chairman, I'd like to make a motion to amend the resolution. Everyone, in front of you at your desk, you should have a resolution with some strike through some words, and some red font, the red font will replace or be in addition to what's already there.

Mr. Prenzler: So we have Mr. Madison's motion to amend. Do we have a second?

Mr. Walters: Second.

Mr. Madison: If everyone has gotten a chance to look at those small changes, I think what you'll see is it addresses a conversation I had with a couple of the doctors at the Health Department Advisory Committee meeting. They didn't want us to use this as the Board of Health, because it got into treatment just a little bit. And my resolution was never about treatment. It was never really about the virus at all. It was about people's liberty and their ability to say no to something that that they had their own reasons to say no to if they so desired. So I believe this addresses the concerns from those doctors. And I told them that during that meeting I was happy to change that language. I was mainly concerned that testing wasn't used as any punishment or coercion to change somebody's mind about vaccination.

Mr. Holliday: Mr. Madison, did you check back with the doctors to make sure that they are ok with the way this is being presented?

Mr. Madison: Well I checked with them first, and that was what they said, that's what I did.

Mr. Holliday: You haven't checked with them since the changes were made?

Mr. Madison: Technically, no, I guess not, but I did what they asked.

Mr. Holliday: Then I have a question for Mr. Babcock. The National Association of Local Boards of Health is our governing body. Did you address them about this issue that we're about to present and get any information from them about it?

Mr. Babcock: Unfortunately, I did not. But let me just say, if I'm not mistaken, the Supreme Court weighed in on this just a couple days ago. And it was a 6-3 decision. And their decision was that mask mandates, vaccine mandates is basically unconstitutional. So I don't know what...

Mr. Malone: That's not what they said. They said congress...

Mr. Prenzler: Ok, I'm sorry, we're cross talking.

Mr. Babcock: Let me rephrase, not unconstitutional, but they said...

Mr. Prenzler: We're cross talking. But Mr. Malone, if you'd like to speak, go ahead. I see Mr. Minner next, go ahead.

Mr. Malone: We all know what they ruled. They ruled on two mandates. One of them they said that Congress did not give OSHA the authority to do that. So they said, you can't do that, you went to far. And on the other one, they upheld the mandate for health care workers.

Mr. Babcock: I apologize, Mr. Malone. Thank you very much for clarification.

Mr. Malone: We have an expert here, she should speak to it.

Mr. Minner: Mr. Chairman, I oppose this resolution. I'm appalled that county board would use a health meeting to thumb their nose at medical science. That they disregard all guidelines that are suggested by health experts to keep our employees and the citizens that come into this building safe. So I will vote no on this.

Mr. Prenzler: Very good, thank you. And I want to thank everyone for being orderly.

Ms. Dalton: I would like to just reiterate that all of this time that we are spending on this is to no avail, because people are going to do what they want to. The school districts mandate what they think is best for the students, because that comes through the requirements that they are asked by the state, and it also affects their federal funding that the schools get. So we have no authority over them. Yes, we are the health board for the county. But that is just strictly to tell people that we want them to stay healthy. And the people that speak against it and for it, I respect both of them. I have family members that do not take the shots or do not believe in the masks. But that's their prerogative. And I respect all of it. I know that the resolution will pass tonight. But I want you to know it's not worth the paper it's written on. Thank you.

Mr. Walters: Thank you, sir. Thank you, Doc. I appreciate it. You know, to kind of what Liz said, I'm voting for because I think it is something that we need to do, because let's face it, I have yet to hear anybody say that I'm firing you if you get the vaccine. I've only heard people say we're going to fire you if you don't get the vaccine. So we're trying to allow people to have the freedoms to make their choices. And if I've said this once, I've said it many times, if you want to get the vaccine, good, I'm all for it. If you have a problem with that person getting the vaccine, you're the problem. If somebody doesn't want to get the vaccine, good, I'm happy for you. If you are against people not getting the vaccine, you're the problem. It's people's own prerogative to get and do what they want to do. And I think that this just tells our people, hey, we're going to stick up for you, if you don't want to get the vaccine we're not going to allow you to be fired. And I do have one quick question just Mr. Guy, can I ask you a question? Mr. Guy, did you not talk to any Democrat when you wrote your map?

Mr. Guy: I talked to every Democrat.

Mr. Walters: Oh, but you were accused of not talking to a single one.

Mr. Guy: I talked to everybody.

Mr. Walters: Oh, you did? Thanks.

Mr. Prenzler: Just stick with the issue here before us.

Mr. Stoutenborough: I happen to have a pony in this race that is being affected. So I have in front of me a letter that I doubt that very many people here have seen. It was issued by the 10 hospitals on this side of the river. It is not a long letter so I would like to read it. To the patients, families, and community we are proud to serve. It is us your Southwestern Illinois hospitals, we are reflecting on the coming new year and have a wish that you can help make come true. We know you're tired of Covid-19. Trust us, we are too. You're tired of being told to get vaccinated and boosted wear your mask and avoid crowds. We know that you're tired of hearing about the surge. You're tired of life being canceled. You just want to get back to normal. We want that too. But we aren't there yet. We are here to serve traumas, illness, and yes, many Covid-19 patients, most of whom are unvaccinated. Our teams are strained, capacity of being pushed to the limit. We are tired, but we're not going anywhere. We're here to care for you, support you, and give you the best of ourselves. Whatever may come. But we need your help to start 2022 with a chance to reduce Covid-19 hospitalizations. Our wish for this new year is simple. Take one more step to protect yourself and those around you. Don't look back and think about what ifs. What if we had stayed home when I was ill? What if I had worn a mask in a crowded area? Please get vaccinated and boosted. Please get tested. And please mask when you should. I have verified this letter with public relations of Alton Memorial Hospital. I could read off all that. There's Anderson, Gateway Regional Medical, Holy Family, I could go on, St. Elizabeth's, I presented Belleville. There's 10 hospitals that are saying please, please. They're getting overloaded. Now, I got a pony in this race. My wife had spinal surgery in July. It was not a success. For pain, she can take cortisone shots. She was told you've reached your limit. You can't take cortisone anymore for a while. But the doctor says, I'm sorry, the hospital will not take elective surgeries. And this goes as elective surgery.

For God's sakes what are we doing to our medical community by overloading it with people that have Covid and they're getting there to large part 80% because they're not getting vaccinations. I understand why people say it's a matter of freedom. But please, it's also a matter we are putting our medical facilities in jeopardy. I don't know whether all 10 of them are refusing. But I talked to my urologist Tuesday, he says I have a patient in Granite City, he's been diagnosed with cancer, he can't have surgery because the hospital won't even schedule it. We ought to take every precaution and be proud to take precautions to get people, if not vaccinated, for God's sakes take care of someone else to stop the spread. I have difficulty with it. My horse in the race is the fact that she can't walk very far without being in pain. And by passing such resolutions and discouraging people from getting vaccinated or wearing masks, you're saying to hell with her. It doesn't count. Please, let's not restrict what people do by having a resolution that says, hey, my freedom is in jeopardy. Our country is in jeopardy, our educational system.

Mr. Prenzler: Mr. Stoutenborough, we typically keep our limit for speaking at three minutes, I've let you go far beyond.

Mr. Stoutenborough: Give me just a couple more minutes. Our educational system, teachers, they are not having enough teachers to even teach the kids. Some of them are taking volunteers off the street in Florida. We're bankrupting our two systems, medical and educational that are so important. Passing this resolution is not going to have any effect. But my encouragement is, for God's sakes, let's protect our medical system and our educational system. I know this will pass, but there's nothing you can do about it. And the contrary, with a nod of your head, you could say hey, let's just admit that we've won our point. We've won a point that its challenge to our freedom. Accept that you won that point and throw this cotton-pickin' thing out the window with a nod of your head.

Mr. Hankins: I have a question for the State's Attorney. What enforcement can this do? What does this change for our employees of the county buildings? What does it do?

Mr. Haine: These are non-binding resolutions which have been coming thicker and faster over the last six months. And as I stated before, they do not have any enforcement mechanism. But they do contain a certain moral authority, which reflects the fact that so many county board members which were elected by so many different citizens are voting for it. That's the only impact it has.

Mr. Madison: Mr. Haine, in this case, this isn't your standard resolution. This one becomes our county policy, it is binding for Madison County Government proper and our employees. It becomes our policy. It is not binding for anyone else in Madison County besides our payroll.

Mr. Babcock: Can I add to that district? In response to Chris, Chris in all respect, one of the reasons why I'm voting for this is we have county employees that should not be under the threat of being terminated or whether they wear a mask or whether they get a vaccine. So I'm voting for this resolution to represent the county itself because I would hate to see us terminate someone based on the fact and even the idea of asking them whether they're vaccinated or not. Chris, its just kind of repulsive to me because it intrudes upon their health decision that they're making.

Mr. King: Have we actually threatened to fire somebody because they haven't gotten vaccinated?

***multiple people*:** No.

Mr. Babcock: So your point is well made, Matt. And basically what I'm saying is we don't want that to happen to any of our employees. I

Mr. Prenzler: No, the answer is no.

Mr. Holliday: Is the majority of our county workers vaccinated?

Mr. Prenzler: I don't know the answer that question.

Mr. Madison: Thank you. I've said a few things, but I haven't really got to say what I wanted to say. So all these problems that people keep mentioning that are happening, have all happened throughout Covid, without any input from us, any laws by us, they've all happened completely without Madison County Board. So you're not complaining that what we're doing, you're complaining what's already been done. And what we've done has nothing to do with any of that. So like I mentioned, this is binding policy for Madison County and our employees. I am not anti-vaccine whatsoever, have all my vaccines. I don't have this one because I had Covid and I have naturally antibodies. So that's the whole reason to get a vaccine is to develop the antibodies, which I have. So what everybody seems to be missing in the room tonight, not everybody, but a lot of people is this isn't about vaccines at all. This resolution isn't about vaccines. What it's about is it's about what's been done to people that have different ideas of what ought to go on with their own body, and that they ought to have a choice to say what happens to their own body. It's what government bodies are doing to force people to do things against their will. That's what this is about. And, you know, I understand Omicron is very contagious. I know that. This resolution doesn't change that. It doesn't say you don't have to wear a mask, people be as responsible as you feel you need to be. You're free Americans and we as a Madison County Board, in my opinion, at least I do and a lot of my colleagues do. We believe that you are smart enough to make these decisions for yourself as free American citizens. I took an oath to uphold the Constitution and to protect it. That's what this is about, for me. It's not about a vaccine. It's not about a virus. It's not about masks. It's not about any of those things. It's about people's liberty, the number one most important thing in this country. And I intend to keep that oath. That's what I'm going to do. I do want to follow the science but there are a lot of people claiming to be following the science but it's their own political sides science. Let's follow the real science.

Mr. Goggin: Thank you, Mr. Chairman. I am all vaxed and boosted and I encourage anyone to do that. I respect anyone that doesn't. I've had three members of my family that are fully vaxed and boosted that ended up positive in last few weeks. So I'm not so sure that it's effective against Omicron. But what I'm against is government overreach. And anyone that's watched what's gone on in this state over the last two years should be scared to death. These people shut down businesses. How many restaurants do you people go to that they aren't there anymore? They're just out, or they've had to take out loans, or even if they're open, they're in deep caca. People have lost jobs. You've had friends that have lost jobs. You've had friends that had to be on unemployment for the first times in their lives because of overreach from our government. And that's what I'm standing up to. I believe in vaccines. I got them. I encourage you to get them, but it's overreach. And so that's why I'm voting for this.

Mr. Hankins: So back to the State's Attorney. I am hearing that it will have some effect on our employees. I'm just curious, is that your opinion as our legal counsel.

Mr. Haine: My understanding of this action by the Board of Health is that it's not a county ordinance. It's a resolution as it states denouncing vaccine mandates. And as I said before, it has no enforcement internal to the county, but it does indicate the mind of the county board, which could signal future policy changes. But in this instance, it's not a change of county policy handbook. It's not a change to our county ordinances. It's a resolution as it states denouncing vaccine mandates, and has the moral authority that the total vote of that issue will obtain to the public. I hope that's clear Mick, that's my legal understanding of the impact of this resolution.

Mr. Madison: This did come from your office, so we'll have to have this discussion a future time.

Mr. Haine: Say again?

Mr. Madison: This did come from your office, so we'll have to have this discussion at another time.

Mr. Haine: Say that again, Mick.

Mr. Madison: This did come from your office, but it wasn't you yourself. But yeah, so we will discuss this.

Mr. Haine: We assist county board members in drafting many resolutions, but the content of those resolutions and the impact on county ordinance and policies was what I'm trying to tell you. This is not a change in county ordinance. So it's not a political decision one way or the other. It's just the reality of the legal impact of this decision by the Board of Health.

Mr. Malone: I hope I'm not putting you on the spot.

Mr. Haine: It seems to be invoked today.

Mr. Malone: I did a little research, I don't pretend to be a lawyer. Jackson versus Mississippi 1905. The Supreme Court upheld state mandates. I think that's the guiding. I think that's the precedent right now. We're a federalist system of government, federal government, supreme law, state, and then local government. So I don't know how this could be a county resolution. We'd be going against Supreme Court precedent, I believe, I don't know.

Mr. Hankins: I appreciate it, I haven't gotten finish this yet. I'm vaccinated, I'm boosted. I believe in that. I also represent workers. And I just don't like half of my people want, and half of them don't. I got to represent all of them. I don't think this hurts the people that believe in vaccinations, and the use of freedom to the others. That's why I'll be voting on this.

Mr. Madison moved, seconded by Mr. Walters to amend the resolution.

The ayes and nays being called on the motion to amend resulted in a vote as follows:

AYES: Kuhn, Pace, Meyer, Ross, Madison, Doucleff, Walters, Stoutenborough, Gray, Pollard, King, Babcock, Eaker, Hankins, Valentine, Messner, Wiehardt, Foster, Goggin, Guy, Harriss, Kneedler

NAYS: Holliday, Malone, Minner, Glasper, Dalton

AYES: 22. NAYS: 5. Whereupon the Chairman declared the foregoing resolution amended.

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The following resolution was submitted as amended:

RESOLUTION DENOUNCING VACCINE MANDATES, ~~MANDATORY~~ **OVERLY
AGGRESSIVE TESTING, TERMINATIONS, AND EXCLUSIONS**

WHEREAS, as the Board of Health of Madison County we have a role in providing local guidance in regard to the public health crisis of COVID-19; and

WHEREAS, the Madison County Board and the Board of Health understand that as free Americans we have certain unalienable rights, given to us not by government but by God, and that our Founder's gave us the Constitution of the United States and the Bill of Rights in support of that idea, which is the law of the land; and

WHEREAS, certain legal mandates and/or employer requirements have been directed at some residents of Madison County forcing them to choose between receiving a COVID-19 vaccine or undergo frequent testing under threat of being terminated from their employment; and

WHEREAS, the Board of Health continues to support personal choice with regard to COVID-19 mitigation efforts, including recognizing an individual's religious beliefs and medical history, such as naturally occurring antibodies which many argue are more effective than vaccinations; and

WHEREAS, Madison County school districts may require that students be either vaccinated or forced to undergo frequent testing under threat of exclusion from school and related activities, without regard for the wishes of the family or the student's religious beliefs and medical history; and

WHEREAS, the Board of Health believes in the innate common sense and reasonableness of Madison County employees, students, and families and respects their desire to decide for themselves whether to receive a vaccination or undergo testing without threat to their livelihoods or education; and

WHEREAS, many residents, employees and families have contacted members of the County Board and the Board of Health demanding that we protect their rights on this important issue.

NOW, THEREFORE, BE IT RESOLVED by the Board of Health of Madison County, Illinois:

1. The Board of Health discourages all employers and school districts within Madison County from imposing a vaccine mandate and/or frequent testing upon employees and students.

The Board of Health discourages all employers and school districts within Madison County from imposing a vaccine mandate ~~and/or frequent testing~~ upon employees and students, **from using testing as a means to coerce vaccination or as punishment for not vaccinating, publicly asking for people's vaccination status, and due to crossover frequency, should not test based solely on vaccination status.**

2. All employers and school districts in Madison County should respect and protect the individual rights of employees, students, and families.
3. The County Board, sitting as the Board of Health, hereby affirms to its own employees that it will neither impose a vaccine mandate nor require testing of its employees and will defend and protect the rights of its employees if such mandates are imposed upon Madison County by other units of government.

Adopted this 19th day of January 19, 2022.

s/ Kurt Prenzler

Kurt Prenzler, Chairman Madison County Board

On the question:

Mr. Stoutenborough: The Supreme Court has already stated the positions and what we are under the Supreme Court ruling on. What are we doing that changes that?

Mr. Prenzler: I think it's a rhetorical question. I think that's where we're at.

Mr. Holliday: So, then if there is a government statement that we should be following, writ of mandamus, is that possible to be brought forth?

Mr. Prenzler: I'm sorry, one more time.

Mr. Holliday: The writ of mandamus, can that be brought if we're not adhering to the government rules that have been set down?

Mr. Prenzler: Your question, probably to the State's Attorney, is can the government force us to get vaccinated? Is that what you're asking?

Mr. Holliday: No, I'm saying if you don't follow the rule that are sent down to us. Mr. Haine?

Mr. Haine: Let me try to be as clear as possible here. Madison County is sort of like a large company, it has many employees, and is then possibly subject to rules that could be applied against large companies. Like any other large company, Madison County, subject to the discretion and policy preferences of the board, could decide whether or not to comply. As far as I can tell, the mandates implemented by the federal government that would apply to Madison County, are no longer applicable, subject to what Mr. Malone was talking about. Therefore, it's irrelevant right now for Madison County employees to determine whether or not they have a vaccination status. It could be relevant in the future, this resolution gives an idea of what kind of position Madison County would take. And here's the thing, if Madison County chooses to not comply with any future mandates as a pseudo large corporation or midsize corporation, then it would be subject to possible repercussions what those are sometimes very ambiguous, maybe none. So that's the status of Madison County's role in this entire grouping of mandates that come down to us. Some mandates apply to individuals, some mandates mandate actions by companies or other employers. So in this case, the policy preference of the Madison County Board indicate they would not comply with any future mandates relating to vaccine. And that's the policy preferences of Madison County Board. It's not changing ordinances. It's just giving you an idea of where the employer, where the mind of the employer in this case, Madison County is. Is that clear?

Mr. Holliday: So then we could be sued, correct? For not following those orders?

Mr. Haine: I don't think Madison County subject to a lawsuit based on that.

Mr. Messner: I just wanted to say one thing that I don't think anybody's talked about, as far as whether or not this resolution has any merit. Tonight, we had several people speak from the public, and I applaud that. For one, because we need more public involvement. And I think a lot of people are dying to say what's on their mind, but they don't have anybody to say it to. Tonight provided a venue for people who oppose or are against this resolution, to voice their opinion. I just wish we had more time to be able to hear more voices. Myself, I've received a lot of emails about this, some for and some against. I think I've read them all. And most of them, at least, and most of them, in my case, were in support of this resolution. I do not believe this is a health related decision. It's a civil rights issue, and that's what we're saying. You give government power, they never could take it back. Once you lose the freedom, you don't get it back. This is not about somebody's freedom, about this one issue today. But moving forward, it's about a person's

freedom to decide what happens with their body moving forward. If we give the government the power to tell us what to do with our body today, that's a precedent and it will go forward, uncontrollably. I will be voting in favor of this resolution.

Mr. Prenzler: Thank you. We're having a good discussion and I'm trying not to shut down discussion. Mr. Stoutenborough, did you want to say one more thing? I've given you quite a bit of time.

Mr. Stoutenborough: What Mr. Haine just said applies to Madison County employees. I don't know that we're talking about every school district as a Madison County employee? That's in the resolution item 2, all employees and school districts.

Mr. Haine: Right. So Madison County is in this interesting position where right now, it's clearly talking about what it prefers other people do. But it also controls its own employees. So it's speaking out of two different microphones as it were.

Mr. Stoutenborough: So it'd be appropriate to take out school districts out of the resolution.

Mr. Madison: This is our thoughts on what's happening throughout the country.

Mr. Haine: That's the opinion of the drafters of the resolution. And it's perfectly appropriate, and similar in non-binding resolutions.

Mr. Madison moved, seconded by Mr. Walters to approve the resolution as amended.

AYES: Kuhn, Pace, Meyer, Ross, Madison, Doucleff, Walters, Gray, Pollard, Babcock, Eaker, Hankins, Valentine, Messner, Wiehardt, Foster, Goggin, Guy, Harriss, Kneedler

NAYS: Holliday, Stoutenborough, Malone, King, Minner, Glasper, Dalton

AYES: 20. NAYS: 7. Whereupon the Chairman declared the foregoing resolution duly adopted.

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Mr. Madison moved, seconded by Mr. Eaker to recess this session of the Madison County Board of Health meeting until Wednesday, March 16, 2022. **MOTION CARRIED.**

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