

## BOARD OF MAYOR AND ALDERMEN

### CALLED MEETING

MAY 19, 2020

The Board of Mayor and Aldermen (BMA) met in a Called Meeting on Thursday, May 19, 2020, at 8:30 a.m., at Town Hall, 123 Boone Street, Jonesborough, TN.

Mayor Chuck Vest called the meeting to order and called for the roll. Those present were: Mayor Chuck Vest, Alderman Stephen Callahan, Alderman Virginia Causey, Alderman Terry Countermine, and Alderman Adam Dickson. Also present were: Town Administrator Glenn Rosenoff, Town Recorder Abbey Miller, Operations Manager Craig Ford, and Town Attorney Jim Wheeler. Alderman Dickson led the group in an opening Prayer and Mayor Vest led the pledge to the Flag.

Mayor Vest announced that this is a called meeting, with no public in attendance, but is being live-streamed so the public can watch the deliberations of the Board. He said we have allowed Board members, residents and staff the opportunity to give the Board feedback before today's meeting. Mayor Vest upon the advice of Town Attorney Jim Wheeler read the following statement, "The items on the agenda are of essential importance to the Town's business and because of the current pandemic, the meeting needs to be conducted without the public present as provided for in Tennessee Governor Bill Lee's executive orders", and asked that a motion be made to accept the statement. Alderman Countermine made the motion to accept the statement as read by Mayor Vest, seconded by Alderman Causey and duly passed.

Mayor Vest said this is an extremely important meeting. He said the facilities at Town Hall have opened back up. Mayor Vest said he appreciates Glenn Rosenoff, Craig Ford and others for taking the necessary measures to safely open Town Hall to the public by putting shields in the Water Department and in the administration area.

Mayor Vest said Special Events is the first item on the agenda for discussion. He said a lot of these events are put on by someone other than the Town, and if they feel uncomfortable putting on their event, then we are not going to force them, and if they are asking for guidance to hold their event, then we will give them guidance and deliberate if the event can be done safely or not. Mayor Vest asked Town Administrator Glenn Rosenoff to lead the discussion on the Special Events. Mr. Rosenoff said he would pause later in the meeting to call Dr. David Kirschke, Director of the Northeast Tennessee Regional Health Department. He said Dr. Kirschke will speak to the Board more about the health of region, specifically Washington County.

Mr. Rosenoff read the background narrative presented to the BMA as follows: The COVID-19 pandemic has, as we all know, hit the business events industry with unprecedented force. As Special Events are approved by the Board of Mayor and Aldermen and with the uncertainty of whether the events will be able to occur or be postponed or cancelled, the Town wants to get a sense of what business event sponsors and organizers were considering. On May 7, 2020, Mayor Vest sent out a letter to Jonesborough Event Sponsors/Organizers requesting details of how they can have their activities and keep our residents and participants safe. Mr. Rosenoff then reviewed the responses received:

1. Garden Gala – Dona Lewis, Garden Gala Chairperson, reported that this event scheduled on June 6<sup>th</sup> has replaced the live downtown event with a "virtual garden tour".  
1.
2. Music-On-The-Square (MOTS) – Steve Cook reported that he officially cancelled MOTS scheduled for June. Mr. Cook stated that he would gladly send each act a stipend of \$100 to help them through these difficult times, but wanted to know if the Board would support him in doing this.  
2.

Mayor Vest opened the floor for the Aldermen to give their thoughts concerning the 2020 Special Events.

Alderman Callahan said he felt that outside events should be held. He said that there is no reason we can't spread everyone out with 6-foot distancing, sanitize tables and chairs, and control the crowd size. He added that events will boost morale downtown and keep our locals involved. Alderman Callahan said he doesn't feel we should totally abandon an event and with good strategy we can safely execute events. Alderman Callahan said he is not against giving a stipend to some of the bands that have already been booked for Music-On-The-Square. He said he feels that maybe we could reduce the number of MOTS events held on Friday nights, but execute a strategy to reduce the risk of transmission of the virus. Alderman Callahan said with the guidelines that are in place, we can encourage people to wear masks, provide sanitization stations, and if someone doesn't feel comfortable attending an event, then don't feel obligated, but provide the opportunity.

Mayor Vest said he wants everyone to speak, but this is more of a brainstorming session, so as we put ideas out there, we need to realize that those ideas can be reformulated. He said he doesn't think we can have thousands of people in our Town, but he does think if there are ways to reduce the number of people and keep them spread out, that is really the direction the CDC and State have taken, along with distancing and sanitization which is so important. Mayor Vest said in many cases, to control the number of people in attendance, we may look at reserving a ticket or a chair to reduce the crowd. He said, as an example, the population coming to MOTS is older and more vulnerable and that has to be taken into account.

Mayor Vest asked Alderman Causey if she had any comments. Alderman Causey stated she does not have the same opinion that Alderman Callahan has. She said she feels all the special events could possibly draw a large number of people, and how can you tell people they cannot come unless you have a fence around the area to reduce the number of people in attendance. Alderman Causey said how would our officers police an area to make sure that no one else comes in. Alderman Causey said that Steve Cook made the comment that if he opened up MOTS and one person that came ended up with COVID-19 and died, how would he feel. Alderman Causey said she feels that we need to step back and wait another month at least and see how things develop because we don't know how it is going to be once things start opening back up on Friday, May 22<sup>nd</sup>. She said if we open up and then the virus numbers start going way up, what would the Town do then. Alderman Causey said she has a sick husband and would not dare allow him out in a big crowd. Alderman Causey said she has talked to several people that come to Town events like MOTS and JRT, and they have stated they are not coming out because they do not want to take a chance on getting the virus. She said she knows people have that choice, but they also have a choice if they wear a mask or not; is the Town going to require that they wear a mask at special events, and if so, will the Town provide the masks.

Mayor Vest asked that the Board take a break from the discussion and contact Dr. Kirschke by phone. Glenn Rosenoff called Dr. David Kirschke and thanked him for joining the meeting. Mr. Rosenoff informed Dr. Kirschke that the Board is deliberating on special events scheduled for May through September, and discussing that May 22<sup>nd</sup> is the day that Governor Lee will make an announcement on certain events and gatherings. Mr. Rosenoff asked Dr. Kirschke if he could provide an update on the rate of the community transmission of the COVID-19 in Washington County with the understanding that if Jonesborough has an event, people from outside the city limits or Washington County could potentially come to the event as well. Dr. Kirschke said the curve for this week shows that cases have been going down but there were quite of few cases reported yesterday, with over 600 new cases in the State. He said for Washington County the number is fairly low in terms of active cases. Dr. Kirschke said they are going to start testing all the nursing homes in the state, and they may find more cases by doing that. He said he was not sure if the large increase in cases yesterday was related to a large testing like in prisons or another area in Tennessee. He said locally the numbers are pretty good. Dr. Kirschke said as we reopen, he does not see a

lot people adhering to the social distancing as much as he would like, so we will have to see what kind of impact that will have on the numbers they get coming in. He said he knows that the race track in Greene County is planning on opening this coming weekend, and that the Governor is expected to allow that in his announcement on Friday. Dr. Kirschke said it is unclear how the Governor is going to continue to open things up in terms of what is going on with the actual outbreak. He said we are definitely reaping a lot of the benefits from the stay at home orders with our low numbers. Dr. Kirschke said locally whether the numbers stay low or start to increase, he feels we will know in the next couple of weeks. Glenn Rosenoff asked Dr. Kirschke if he had any advice for the Town Board as far as going forward with events, knowing that May 22<sup>nd</sup> is a looming date to get updates on events and gatherings from the Governor, but as the BMA deliberates, did Dr. Kirschke have any advice as far as events or the number of people in buildings or separations. Dr. Kirschke said it depends on what kind of event; the CDC advises that something to think about when you are planning a large event is the overall number of attendees; obviously the more attendees, the more chance you have for person-to-person spread, especially when there are people traveling from areas with higher transmission rates. He said if the audience is an older, higher-risk audience, that is another consideration. Dr. Kirschke said the density of the attendees and whether it is outside versus inside a building is important. He said unfortunately at the current time with events beginning to open, it is hard to say because there are so many different variables. Dr. Kirschke said he knows it is hard to deal with big events and be flexible and be ready to cancel just because you have to arrange so many things upfront and people probably have to pay out money to reserve space and pay performers or whatever. Dr. Kirschke said he would wait to see what Governor Lee announces on Friday, and then within the next couple of weeks we should have a better idea of what is going on with the outbreak locally and in the state, whether things are staying stable, trending down like they were before yesterday or starting to go back up. Mr. Rosenoff asked as far as new cases and community transmission if Dr. Kirschke could tell if new cases were people traveling to areas of higher transmission and returning back to our area and then transmitting the virus or is it local community spread from one person to another. Dr. Kirschke said he thinks there is a mixture of both. He said they have had some workers from out of state working in our health department who tested positive. He said there has recently been a local grocery store clerk test positive and looks like it was community transmission; they have had some young people in larger testing events that were totally asymptomatic that tested positive, including school-aged kids. He said that is another unknown factor – the number of asymptomatic people. Dr. Kirschke said because kids are more likely to be asymptomatic, he feels having school out of session is definitely a plus right now, although he sees some sporting event teams are starting to practice. He said he feels the trends will evolve in the next week or two. Mr. Rosenoff asked if any of the Board members had questions for Dr. Kirschke. Mayor Vest said if it hasn't changed, that there are seven active cases in Washington County and asked of those seven are any hospitalized and how many. Dr. Kirschke said he doesn't know if any of those are currently hospitalized. He said that was talking with Ballad Health yesterday and Ballad is encouraged that they have no patients in their Coronavirus unit currently, as of yesterday. He added that he didn't know what happened overnight. Dr. Kirschke said it is all a good sign currently for our area, but with the reopening he feels they are going to need a couple of more weeks to see if the trend stays low or starts to go back up. Mayor Vest said he agrees that the next few weeks will tell us something. He thanked Ballad Health for the great job they have done in Washington County and in some of their other hospitals in the area. He said he heard that Ballad had set aside 300 rooms for potential Coronavirus patients and fortunately he doesn't think they have had to use very many of those rooms; he was told the most they have used was 12 or less, which is good to hear. Mayor Vest said our hospital system has served us well, as has our health department and the leaders in that area. Mayor Vest asked Dr. Kirschke of the 66 cases in our area, how many of those are people who traveled outside the area and came back and if any of the 66 cases were healthcare workers who may have contracted the virus through their work with the public. Dr. Kirschke said they are continuing to compile that data using ETSU interns locally. Dr. Kirschke said at the beginning of the outbreak, obviously most of the cases had traveled somewhere and come back with it and then those spread within the community, many with no known

contact. He said the other big group, another 1/3, were people who were at home with someone quarantined at home with the virus. Mayor Vest said he wanted to congratulate the State of Tennessee and Governor Lee, when you look at surrounding states and really across the country, Tennessee might be leading the way in performance; it didn't seem that way initially, but he thinks our Governor has done a great job testing and targeting the testing towards the prisons, nursing homes and senior facilities which are the most vulnerable, because targeting the most vulnerable is the best thing we can do to prevent deaths. Dr. Kirschke said the Governor wants all nursing homes tested by the end of May if at all possible. Mayor Vest asked Dr. Kirschke in his opinion, who is the least vulnerable to this virus. Dr. Kirschke said there is mortality in all age groups unfortunately, but it does appear to increase with age and if a patient also has certain diseases, like heart and lung disease, diabetes, and anything that affects the immune system. He said he has seen a lot of patients that are asymptomatic, like school age children, who are spreading the virus. Mayor Vest asked the Aldermen if they had questions for Dr. Kirschke. There were none. Mr. Rosenoff thanked Dr. Kirschke for his time and information and everything he is doing for the community during this time. Dr. Kirschke said the Health Department would try to keep everyone updated with the data and trends related to the COVID virus.

Alderman Callahan asked, just to be clear on events the Board is discussing, it is the time-frame that we would be willing to put something into action one way or another. He said when looking at the proposal from JRT, the theater is proposing the first of July, while the decision on MOTS is June or July. He said that over the next month we will be able to see how the virus trends, and if by the first of July we are feeling good about it, we should have a comprehensive plan in place to move forward. Mayor Vest said he feels it is unrealistic to think that we can plan an event and get it going in the next two or three weeks, so June is probably out of the question. He said in his opinion we are looking at the kick-off more toward the first of July.

Mayor Vest asked Alderman Dickson for his comments. Alderman Dickson said he appreciates the outreach to Dr. Kirschke to get his feedback and view point. He said in thinking about the public events, we want the public to attend these activities if at all possible. Alderman Dickson said one thing that concerns him about this whole topic, particularly from a municipal standpoint, is the issue of liability; can the Town potentially be held liable if someone comes down with the virus at a public event. He said that to him and for this Board that should be a primary concern, and again it just takes one incident. He said we can take all precautions and really try to be as methodical as we can possibly be, yet something still can happen. Alderman Dickson said he feels the Board needs to also consider that some of the Town events attract a more vulnerable demographic. He said he feels it is something that we need to think through, and he has talked about it in previous meetings, just trying to think about our events and who attends our events, and he feels now is the reason that data is so important. He said he thinks many of our events appeal to a vulnerable population as far as the COVID-19 virus is concerned. Alderman Dickson said lastly, something that is on his mind and it may be secondary, and even inconsequential, but what he has labeled as a whole anecdotal side of things; for example, if we hold Music-On-The-Square and somebody looks at me very strangely because I don't have a mask but they do have a mask, or if I go up to somebody and offer my hand and he or she says, "I am not shaking your hand," are we going to fist bump or elbow bump, what are we going to do. He said so now we have to keep our distance, wear a mask; who is responsible for enforcing this, and are we prepared for this. He said he doesn't think we as a society have even talked about all of this yet,. He added that there is a whole physiological side of this that really concerns him because he thinks about it from his perspective; he catches himself because he still wants to shake hands and talk to people, and people have to remind him that he can't do that and then he has to back up and apologize and keep reminding himself of these things. Alderman Dickson said he feels as a public body and as a municipality serving the public, we have to weigh all these things, and those are just a few of his concerns that come to mind.

Mayor Vest asked Alderman Countermine for his comments. Alderman Countermine said he received a call from Steve Cook this morning, and Steve is

concerned and wants to wait until at least July 1 to start Music-On-The Square and see how things are then. Alderman Countermine said he thinks for all of the events that is the right thing to do. He said he has spoken to others and really appreciates the people in Town who have reached out and given their opinions; they were very well thought out, and he knows we all appreciate that. Alderman Countermine said he would like to ask Attorney Wheeler and Chief Ron Street about enforcing rules we put in place for any Town events like Jonesborough Days or Music-On-The-Square; if, in fact, we say everybody has to wear a mask or there has to be 6-feet of distancing at any of our events and somebody doesn't follow the rules, then who is going to enforce this; then when you try to enforce it, there may be people who get belligerent and then you are putting your officers at risk. He said he would like Attorney Wheeler's and Chief Street's opinions on that, because, especially for our outdoor events, are we going to look at Chief Street and say he needs to enforce this and tell people to put masks on. Alderman Countermine said he would like to read a text from a friend and retired medical professor from ETSU who said, "During the DCHS graduation drive last weekend, I saw not one person wearing a mask; they were packed shoulder to shoulder on Main Street. This is not a good omen for any crowd event; the majority of the local population, in his opinion, refuses to respect guidelines, courtesy, and concern for others who might be at a greater risk for viral infection". Alderman Countermine said he has that same concern and how you enforce it.

Attorney Wheeler said from the legal standpoint, setting everything else aside, he thinks you can do what you want to do, wherever that falls. Mr. Wheeler said the Board needs to adopt a policy and needs to follow it, and the policy has to be clear so that it can be followed. He said the Board cannot set a policy that is wishy-washy and hard for staff to follow, or we will have liability issues. Mr. Wheeler said if one person comes down with this virus, he or she will have trouble ever knowing where they got it, and that is not an issue. He said if the Town holds an event and a number of people come down with the virus, and he doesn't know what that number is and nobody does because that will be a court looking at it in hindsight, that could be an issue. He said at some point you could have an issue where the court is going to look at "what was your policy, did you follow your policy, and was your policy reasonable"; those are going to be the three issues. Mr. Wheeler said when you talk about crowd size, how are you going to regulate that and can you regulate that from a practical standpoint. He said if you fence off an area for an event and somebody sits down 10 feet outside the fence, what do you do; what do your officers do; they need to know what they are expected to do, so the policy has got to cover that. Mr. Wheeler said concerning masks, he keeps hearing the term and everybody is using the term, "we encourage", and "encourage" is the word that is going to get people in trouble here. He said you either require it or you don't require it, and you advertise it that way because where you are going to get in trouble is if somebody has come to an event because we put out "we encourage"; the court looks back on that and interprets that as "you are supposed to have people wearing masks"; and you are going to be liable if there is any kind of outbreak. Attorney Wheeler said you either require a mask or you don't and you advertise the event that way so that people know what the risks are. He said if people know what the risks are and take it, then they have some responsibility there. Attorney Wheeler said the same with social distancing, either you require it or you don't require it, and again if you require it, then you have got to back that up. He said for instance, and no offense to the Mayor, if the Mayor attends an event and a mask is required at the event and the Mayor doesn't wear a mask, he has to be asked to leave; if he doesn't leave, then the Jonesborough Police needs to be called to remove the Mayor. He added that if the officers are told not to enforce the mask requirement for the Mayor, then in his opinion, you are hamstringing your officers where other attendees can absolutely blow them off and walk away, and he does not think we want to put our officers in that position. Mr. Wheeler said he will defer to Chief Street's opinion on this matter, but that is why he is saying the Board needs a policy that is clear, you need to follow it, and you need to let the police officers enforce it, whatever that policy is.

Alderman Countermine asked about Brews and Tunes and MOTS or anywhere there is live performance, where the performers are definitely not going to have masks on, and one of the performers gets sick. Attorney Wheeler said he looks at that a little bit differently; going back a step, the policy may be different for different events because

if you are looking at an event with a limited group, you may look at things differently, but there needs to be a policy for that event. He said with respect to performers, and this may be true for JRT as well, they are a little bit different because it is not the public being invited in. He said in those situations he would just have the Town prepare a release that performers sign that they understand the risk and they realize they will not be wearing masks, and they accept that risk. He said if a performer signs the release, then he thinks the only thing you would have to worry about is how far you distance them from the crowd, if you are requiring the audience to wear masks. He said he doesn't think you necessarily have to require them. He said when talking about your policy being responsible, the CDC guidelines and the State guidelines right now say that audiences should be wearing masks. He said he has read the latest version of the State guidelines which recommend in a crowd for any special event, the crowd, as well as the people leading it, should be wearing masks. He said as far as the performers, at musical performances or plays, if you are not going to require them to wear masks, and what he has been hearing from the artistic community is that it just doesn't work very well to have them required to wear masks, that they know the risks, and he feels a release would be effective there, but the general public is not the same thing.

Mayor Vest said he sees the performance the JRT is considering at the McKinney Center being more of a ticketing situation, a controlled environment where a person has to present a ticket; they have accepted the liability when they purchased the ticket, and that is a venue that is easier to enforce the requirement to wear a mask. He said the person has to buy a ticket and understands that allows them to enter the facility and they have to wear a mask the entire time they are there. Mayor Vest said he feels that is enforceable, but in an outdoor event where people can just meander in and out, it would be impossible to enforce a mask outdoors especially with a large number of people, and it would be something our Police Dept. would have a hard time enforcing. He said he feels more people would show up without masks than wearing masks. Attorney Wheeler said that is where you might have different policies for different events. He said if it were a controlled outdoor area, enforcement might be possible, but it will be harder, and absolutely as with Jonesborough Days where the event is really all over Town, there is no way to enforce distancing or masks; the Town would have to have an Ordinance to even try to do that, so he would not recommend trying to require masks and distancing for an event that big.

Mayor Vest asked Aldermen Countermine if he had anything else to add. Alderman Countermine said he would like to hear from Chief Street. Police Chief Ron Street said there is no provision in the law that would require the Police Department to make somebody wear a mask, especially in an outdoor venue like MOTS or Jonesborough Days. Chief Street said you have people coming from all over Town, in between buildings and parking lots, and usually there are one or two officers there. He said where you get into difficulty is when you have somebody that is in the crowd who flatly refuses to wear a mask or practice social distancing; what do you do with that individual because there is nothing you can criminally charge him or her with. Chief Street said you cannot make someone leave a public venue unless they are doing something that is illegal. Chief Street said it puts the Police Dept. in a bad position to even consider trying to force somebody to wear a mask at any event because it is the person's choice and there is nothing in the law that requires it. Mayor Vest asked even if a person has purchased a ticket and it's an indoor event. Chief Street said if you have an indoor event, you have set that criteria upfront that is part of event, but what happens if you have someone who goes in and takes the mask off and the person refuses to leave voluntarily; you do not want to get into a physical confrontation with the person because there is no legal ground to do anything, as far as criminal charges go. Attorney Wheeler asked if the Town policy, for instance at the JRT performance, is that patrons wear masks and they refuse to do so and refuse to leave, and have been asked to leave by the staff, wouldn't there be justification to arrest somebody in that situation, not because they didn't wear a mask but because they refused to leave when they were told to leave. Chief Street said the Police would have to have a reason to ask them to leave, like are they disturbing somebody. Mayor Vest said he would think that not wearing a mask as agreed upon would be a disturbance. Attorney Wheeler said if the Town has decided that they are doing it as a public health standard, then they are violating that public health standard by not wearing the mask. Mr. Wheeler said if the

JRT management has said you have to wear a mask or you have to leave, then he thinks they would be disturbing the peace if they refused to leave. Chief Street said the officers would certainly be very diplomatic in those cases and not cause a scene. He said they deal with a lot of people who flatly refuse to do what they are asked to do even when it is a violation of the law, and that sometimes results in a physical confrontation; anytime we get into a physical confrontation with somebody to deprive them of their liberty, we certainly want to have a clear-cut law backing the police if we have to charge that individual with a crime. Mayor Vest asked Craig Ford if he had an opinion on this subject. Mr. Ford agreed with both Attorney Wheeler and Chief Street's statements.

Mayor Vest said in talking about events, he feels an indoor event is the only place that a mask can be required because you can control the crowd, but outdoors it is not enforceable.

Mayor Vest asked the Aldermen if they had anything more to say about this. Alderman Causey said in looking at the issues, she feels the safest thing for everyone would be to not hold any events until we are fully opened up as a Town to where we know it is safe to be in a crowd. She said it may be July, but we don't know yet; we can open up in June or we can wait until July and announce that we are going to have the events in July and August. She said she feels what we are doing is just setting ourselves up for more trouble by saying we have to have events in June, and then have to have someone to enforce the rules; you have volunteers apparently at the JRT event who are going to be telling people to put their masks back on. She said some people would be fine with someone telling them to put their mask back on and some people may get upset. Alderman Causey said in order to prevent that, why do we even need to have events until we can do it safely, in her opinion.

Alderman Countermine said what we would have to do is predict the probability of a police altercation. He said because even if it were controlled, if that happened, it would be a public relations disaster, in his opinion, because there would be people taking photos with their iPhones, and it would be all over social media, and that is a bad thing for whoever sponsors the event and for the Town. Alderman Countermine said he would hate to look on Facebook and see one of our officers in an altercation with anybody anywhere. He said the one thing he is struggling with personally is making decisions with his heart versus his brain. Alderman Countermine said he is an emotional type person and he and Sandy go to most of the events in Town; his heart is telling him one thing, but his brain is reading all the data, like, for example, yesterday in the United States there were over 26,000 new cases. He said last week when he met with the JRT Board there were 22,000 new cases, so the concept of the Coronavirus rate going down is not verified by data yet. Alderman Countermine said the metaphor he uses is like we are a small town and there is flooding up north but we are fine, but the more rain they get, the waters are coming down to us. He said we have been very successful here in our region in containing the virus, but part of why we have been successful is because we have followed directions and we have isolated. He said personally he has not liked it, and not being able to do things is difficult, but he knows it is the smartest thing, and he thinks it is one of the reasons here in Washington County we have had low numbers. He said, like he stated before, you have your heart and what you want to do, but then you need to listen to the experts, in his opinion, and it's a struggle. He said there are going to be people upset whatever decisions the Board makes.

Alderman Dickson said his comments earlier concerned outdoor events, but looking at a rather specific activity such as the JRT show, we do have another outlet if we use the virtual approach. He said it seems to him there is a way to promote community and still see successful events with a lot of our artistic activities if we utilize a virtual medium. He said it may mean some investment and strategizing but it seems to him instead of just cancelling events, that we could say "let the show go on" by thinking outside the box. Alderman Dickson said, for example, Movies on Main could possibly happen if there was a way the back parking lot of the Courthouse could be used and people could come in and park like a drive-in theater which would take care of social distancing and make everyone more comfortable; attendees could watch the movie

screen from their cars and still have the event. He said he hoped that we could have those kinds of proactive conversations.

Mayor Vest said it appears that the Board is of the similar opinion that we are not having any events in June and not considering any events until July 1st. Mr. Rosenoff said he agrees with the BMA; we keep referencing the Governor's announcement on May 22<sup>nd</sup>, and the State's guidelines for reopening events or programs will be tied to that announcement. Mr. Rosenoff said we have to be prepared and in most of the event plans, everybody has really thought things through; whether it is special events or Town programs, people are thinking ahead and staff is thinking of liability and risk management. He said he has had conversations with the Town's insurance carrier. He said we don't have a handle on everything, but much of what we have to do in the decisions we make is to consider the Governor's orders, State of Tennessee guidelines, and our Town policies. He said even if we cancel all events until July, in the meantime we have to be working on plans and be prepared because if COVID-19 is still a topic of conversation then, we will still have to have policies in place. Mr. Rosenoff said referring to the plans presented for today's meeting, they include cleaning and sanitizing and social distancing. He said he has a question concerning special event tickets sold through Thundertix; if the Board develops a strong policy that we are putting out to the public, and it is tied to an event and someone goes online to purchase a ticket, is there a means that a person would have to read the policy of the Town related to that event and then click something agreeing to the policy before purchasing the ticket. Cameo Waters, Director of Tourism and Main Street, said they could make that happen. Mayor Vest said he agrees there should be a liability statement when people buy tickets on-line that they have to agree to.

Alderman Countermine made the motion to approve the \$100 stipend to the bands that had been scheduled to perform at Music-On-The-Square in June which has been officially cancelled through June, upon the request of Steve Cook. The motion was seconded by Alderman Causey and duly passed.

3. Movies On Main – Jeff Gurley responded that his desire is to continue movies on Main at some later date with the approval of the BMA.
- 4.
4. Jonesborough Locally Grown, Boone Street Market, Jonesborough Farmers Market – Executive Director Shelley Crowe reported their Board of Directors is postponing or reformatting all special events at least through August. The Farm-To-Table dinner scheduled for August 15<sup>th</sup> is being reformatted (no hosting dinner on Main Street) and are exploring other options. The Special Events at Boone Street Market are postponed. The Jonesborough Farmers Market opened the 2020 season as an online market.

The Board discussed in length the advantages and disadvantages of the Jonesborough Days event proposal related to having virtual events versus the closing of Main Street; having virtual events is an option but does not bring in the revenue to businesses downtown like foot traffic would.

5. Jonesborough Days – The Jonesborough Day committee met and discussed how best to celebrate 50 years under the current circumstances and decided to host a "Virtual Event" this year, taking place all week leading up to July 4<sup>th</sup>. Their original plans to celebrate Jonesborough Days 50<sup>th</sup> anniversary will be focused on next year.

#### **Jonesborough Days Committee 2020 Recommendations**

The Jonesborough Days Committee met earlier this week and discussed ideas and ways to address this year's event. This year we will be celebrating 50 years, and we had some great plans in the works that paid tribute to years past. Since we can't do most of those activities in the manner in which we want, we will hold off on those activities for next year and host a "Virtual Event" this year that will take place all week leading up to July 4<sup>th</sup>.

We discussed hosting some of our more popular activities and inviting the public to get involved in a virtual way and live streaming to our Facebook pages and/or website for all to see. Here's what we have laid out so far:

- Monday, Virtual Parade: We will invite the public to get creative at home and send in a video clip of their entry. This can be something as simple as dressing up in your best patriotic outfits and sending in a pic or decorating your car or trailer. We will shoot a video to include in the publicity to give ideas on what we are looking for and to spark some creativity. We will put all the clips together in a video with music and start out the week with the Virtual Parade. We may incorporate prizes depending on how many entries we receive.
- Tuesday, Moon Pie Eating Contest: Since this activity has been very popular for the past several years, we thought we could still offer it through live stream. We will host a registration for 3 age groups like we normally do. Once the participants are selected, they will pick up their Moon Pies from the Visitors Center and be given a Zoom link. The Zoom link will be live streamed on our Facebook pages and/or website for all to see who can claim this year's title.
- Wednesday, Kids Craft and Lesson with the Heritage Alliance and McKinney Center: Discovery Park is a popular area for children and families during the festival and offers a way for them to get hands-on with several organizations here in Town. We will work with the Heritage Alliance and the McKinney Center to host a virtual craft and also look at ways to incorporate a school lesson from Oak Hill School on Wednesday.
- Thursday, Dog Days of Summer Contest: Again, we will invite the public to send in photos of their pets dressed in their best patriotic attire and post to our social media page or website and have voting throughout the day. We will name a winner that evening and offer a prize that they can pick up.
- Friday, Dinner and a Show: On Friday, we will offer several suggestions for dinner to-go from our downtown restaurants and live stream either a JRT performance or musical performance to watch as you enjoy your take-out.

**Celebrate Your** Independents - On Saturday July 4<sup>th</sup>, we plan to coordinate a "Small Business Saturday" type event to drive people into our local businesses and show their support. We would request to have Main Street closed from Fox St to First Ave to allow pedestrians to spread out more and also allow the shops to offer sidewalk sales, demonstrations, etc. on the areas in front of their businesses. Restaurants would also be encouraged to have seating outside as well. We will not have any vendors or live music but will stream music throughout the day. We have also discussed some ideas about incorporating a window display contest or possibly a scavenger hunt throughout Town with a patriotic twist. We will market through social media and work with the downtown businesses to promote any specials or offers they have and also post restrictions/guidelines required and efforts being made to help keep everyone safe.

**Fireworks** - We don't feel comfortable making a decision on the fireworks and would like to leave that up to the Board of Mayor and Aldermen and Public Safety. If the decision is made to have fireworks, we will make arrangements to have them livestreamed to our social media pages and offer viewing from home.

Board members discussed the fireworks issue and the different ways of controlling the crowd downtown and the traffic along 11-E. Operations Manager Craig Ford commented with respect to the fireworks that the last few years the Town has shot fireworks from the Library parking lot and there were more people on Boone Street shoulder-to-shoulder than on Main Street and added that a crowd that large is hard to deal with. Mr. Ford said Public Safety feels this year

with July 4<sup>th</sup> being on Saturday and with all the surrounding communities having cancelled their fireworks, that Public Safety will not be able to handle the traffic that it is going to be generated on 11E and would have more than what they could physically control. Mr. Ford said when Freedom Hall had their first big fireworks show in Johnson City, people stopped to watch the fireworks and parked in the middle of the interstate and completely shut down I-26, and he feels we would have a similar situation on 11-E.

Alderman Countermine said he did not know how much it would help the businesses, but he feels that the money that is spent on fireworks could possibly be better spent to help locally-owned businesses.

Alderman Countermine made the motion to approve closing Main Street from Fox Street to First Avenue, on Saturday, July 4<sup>th</sup>, for Small Business Saturday, and that a time schedule with more information be brought back to the June 8, 2020, Regular BMA meeting for discussion and approval. Alderman Callahan seconded the motion and it was duly passed.

The Board then reviewed the recommendations for Brews and Tunes, Mill Spring Makers Faire and the David Crocket High School Pioneer Pride 5K Run, as follows:

- 5.
6. Brews and Tunes – The Committee decided to postpone the event until capacity restrictions and distancing guidelines are lifted, hoping for this to occur in July or August.
- 6.
7. Mill Spring Makers Faire – The event is scheduled for Saturday, August 29<sup>th</sup> and they are waiting to make a decision on August 3<sup>rd</sup> as to whether the event will be held this year.
- 7.
8. David Crockett High School Pioneer Pride 5K – The Town received an update from Mark Jennings, the high school sponsor of the run, scheduled for Saturday, August 8<sup>th</sup>. A decision has not been reached on being able to have the event safely or to postpone the event until late fall or around Christmas.

The next event for discussion was the proposal for the JRT 1940's USO Show and the request to hold the performances at the McKinney Center.

- 8.
9. Jonesborough Repertory Theatre (JRT) – The JRT Board of Directors met on May 14<sup>th</sup> to discuss performances, both live and virtual; their desire is to have live performances, but they agreed it had to be done right. As far as live performances, the McKinney Center was deemed a viable option because of the size of the audience seating area. As the seats are not fixed, they could be moved around to fit the circumstances. CDC guidelines related to the Coronavirus were discussed, and they all agreed that if the situation at the time required more restricted interaction, the live audience aspect of the performances would have to be cancelled. Thundertix, the ticketing software service used through the Visitor Center, has a component in the software to allow ticketing for virtual performances or using a “pay what you can” donation option. Before the BMA is a request to carry out a production of the USO Show to be performed July 3 – July 7 at the McKinney Center on the condition that all safety measures as discussed would be implemented by the JRT during the production and with the continued monitoring of CDC guidelines that might apply to the performances.

Glenn Rosenoff said staff has discussed scenarios that if guidelines and restrictions were lifted, putting social distancing into practice and health and safety guidelines, what would be the capacities of our facilities to hold an event or program. Mr. Rosenoff said the main concern is all about safety for not only employees but also the people attending the performances. He said the safety measures being proposed by the JRT Board of Directors and staff are as follows:

- Everyone in the audience has to wear a mask and has to keep it over his or her mouth and nose during the hour-long performance.

- The audience area would be “deep cleaned” between performance by the JRT staff and volunteers.
- Thermometers would be used to make sure no one attending has a fever.
- Sanitizing stations would be at the entrance door.
- Everyone would be handed a sanitizing wipe so they could go over their seat themselves if they wanted.
- The stage would be extended so the cast was further away from the audience and the first row of seating would be further from the cast on stage.
- The JRT staff would come in and take care of the lighting and sound, but the McKinney Center has a very good sound and lighting system.

9.

Mr. Rosenoff said safety measures, in accordance with state guidelines, have been reviewed in all events and programs. He said as far as the JRT building itself, it has fixed seats, and the advantage of using the McKinney Center or possibly another facility is that seats could more easily be spaced six-feet apart for social distancing. The Board then discussed the responsibility for cleaning and sanitizing the Town facility; is it the Town’s responsibility or the person or group(s) renting the facility, and whose responsibility is it for covering the costs for deep cleaning and sanitizing. Mayor Vest said he feels the Town should take the responsibility for cleaning and sanitizing a Town facility to make it safer, and those costs should be factored into the cost of the event holder renting the facility. Discussion then took place on entry and exit points in order to keep patrons in compliance with the six-foot social distancing space. Attorney Wheeler commented that unless he overlooked it, he did not see anything in the JRT proposal about renting the McKinney Center. He said that could be important because you are talking about rehearsals and performances, and the Board would have to decide if they intend for the McKinney Center to be rented by the JRT. Mayor Vest said he thinks there are some expenses that the JRT would have to pay or reimburse the Town for. Attorney Wheeler said the Town has a policy that sets those guidelines, so if you decide the facility will be rented to the JRT, those fees are set and the Board may want to look at that. Mayor Vest said so we need to update the rental policies. Attorney Wheeler said that is correct and temporarily, while this epidemic is going on, a sanitizing fee may need to be added. Mr. Wheeler said at this stage, when the Board votes on this, you may want to include whether or not you are renting the McKinney Center to the JRT, and if so, what you will charge. He said another question is would you be charging for performance time only or performance and rehearsal time or anytime the JRT is in the building. Mayor Vest said he feels they are responsible every day they are in the facility to make sure when they leave, they have done their part on what they have committed to which includes sanitizing. Discussion took place about cleaning and sanitizing all Town facilities to keep the facilities safe and to make sure our staff is maintaining that day after day or if they are stretched thin, to look at the possibility of additional staffing with the sole responsibility of cleaning and sanitizing, and to look at the possibility of raising fees on rentals at Town facilities with an additional cleaning fee. The Board also discussed the possibility of the JRT doing a livestream performance, charging a fee to view it, and the possibility of curbing the attendance at live performances.

Board members discussed the option of tentatively approving the JRT holding the 1940’s USO Show at the McKinney Center with the understanding with JRT that the final decision could change at the June 8<sup>th</sup> BMA meeting based on state guidelines related to the virus and with staff refining and revising the capacity numbers after the Governor’s guidelines are announced on Friday, May 22<sup>nd</sup>.

Attorney Wheeler said the Board needs to be careful in how it communicates this because the JRT is going to incur costs. He said if the Board communicates to JRT that it must meet State guidelines and is not clear in the agreement that JRT will be charged for cleaning, it could become a problem. Mr. Wheeler said the agreement needs to include meeting guidelines set forth by both the State and the Town, and that the JRT and the Town reach a Memorandum of Understanding (MOU) including terms on how the cleaning is going to be done and who is responsible for it. He said if we do not

make it clear, then the Town will end up being responsible for it. Attorney Wheeler said he suggests that if the Board votes to do something today, that the appropriate way for that to be communicated is in writing from the Town Administrator to the JRT.

Alderman Callahan made the motion to tentatively approve the JRT proposal using the McKinney Center as a location for the 1940's USO Show as long as they are able to meet all State and Town guidelines and that we reach terms on sanitation responsibility and costs via a Memorandum of Understanding (MOU). The motion was seconded by Alderman Dickson. Mayor Vest called for any discussion. Alderman Dickson said we all support the play; the play is worthwhile, the play is needed, and in the information provided it states that if it is determined that the JRT cannot do the live performance, it can do something virtual. He said the JRT could still be working, rehearsing and moving forward with the play. Alderman Dickson said it seems to him that we still need a policy that gives us some guidelines as to what we are going to do inside our facilities and who is going to enforce the guidelines. He said we also need this MOU between the JRT and the Town to include the particulars of sanitizing and a new component of an actual sanitizing fee that needs to be part of our rental policy. Alderman Dickson said he does not feel that the Board needs to give the JRT approval or permission to rehearse, and we don't need to give the JRT a "green light" to move forward. He said this Board supports JRT and what they want to do; it's just that the Board has these other things that we have to define – sanitation, a sanitizing fee, a MOU and then also an actual policy regarding Town events; in the meantime the JRT can be rehearsing and preparing for a July event. Glenn Rosenoff said he agreed with Alderman Dickson. He said the conversation is to give JRT a tentative answer so it knows what to do; whereas, it seems June 8<sup>th</sup> is a better time to be able to give them a definitive answer. Alderman Countermine agreed. Alderman Dickson said he does not see, at least right now, where "no" is even going to be part of the scenario. Alderman Countermine said we are not saying "no" at this point. Alderman Dickson said the question is how do we best make "yes" a reality, and it seems like that answer to him is already a "yes" for the show; we understand the worth of the show and we all want a successful show. He said the Board will be in a better position to make a decision on June 8<sup>th</sup> because hopefully we will have new State guidelines. He said it doesn't seem that "no" will be the decision, but how the decision on June 8<sup>th</sup> will be defined. He said we need to put this all into place, and the JRT will probably be the first event that will agree to the terms we set forth in the sanitation guidelines. Mayor Vest said we are developing the plan and verbally saying we are going to support the JRT play which will make them comfortable in moving forward with the event. He said the Board does have the authority to come back and cancel the event, and the JRT would have to accept that. Mayor Vest said he feels the JRT would feel better moving forward with the play if it had support from the Board: the JRT will have to agree to meet the guidelines and to agree to abide by a Memorandum of Understanding (MOU) that the Town and the theatre will be subject to going forward. He said he feels that gives the Town time to formulate the MOU. Alderman Causey said if the Governor opens up theaters, then it is not a problem. Alderman Countermine said he would like to see the guidelines and Memorandum of Understanding before he votes, but to tentatively agree to the play now with a final decision on June 8<sup>th</sup>. Mayor Vest said the JRT will incur expenses, but they can go ahead and start planning for that. Alderman Countermine asked what additional expenses JRT would incur if they begin practicing now and end up livestreaming the show. Mayor Vest said they would have to sanitize the McKinney Center facility. Alderman Countermine said he was informed that they would be practicing at the theater for now and that they wouldn't go to the McKinney Center until right before the play started in July. Alderman Causey said she agrees with Alderman Countermine; she doesn't think we want to mislead the JRT into thinking we are going to vote at the June BMA meeting to allow the show to take place at the McKinney Center. She said she feels the Board should direct Mr. Rosenoff to prepare the Memorandum of Understanding and work with JRT to make sure they are comfortable with what the Board is asking of them and bring the MOU back to the June 8<sup>th</sup> meeting for consideration. She said the Town needs to establish the guidelines, and if JRT doesn't agree to those guidelines, we are not going to do this. Mayor Vest said Alderman Causey just expressed exactly what the motion was, that it is all subject to come back at the June 8<sup>th</sup> meeting. Alderman Causey said we are giving the JRT the okay to move

forward subject to a final decision on June 8<sup>th</sup>, but she doesn't want the JRT to get the false impression that the Board is leaning towards approval at the June meeting. She said she thinks if the Board directs the Town Administrator to prepare the MOU and work with JRT to put all expectations in writing, it makes a big difference. Mr. Rosenoff said he will get with Craig Ford and the staff to quickly come up with a good draft of the Memorandum of Understanding and send that out to the JRT Board and the BMA in anticipation of the June 8<sup>th</sup> meeting, when a final decision will be made. Mayor Vest said the original motion should be amended to include directing staff to work through the details. Mayor Vest asked Alderman Callahan if he would like to amend his motion to direct the staff to enter into negotiations with the JRT and knowing that June 8<sup>th</sup> is the date that the BMA will make a decision. Alderman Callahan agreed to the amendment to his motion. Mayor Vest then asked Alderman Dickson, who seconded the motion, if he was also comfortable with amending the motion. Alderman Dickson agreed to the amendment. Upon call of the roll, the motion was duly passed.

The next item on the agenda was an update on Town programs. Mayor Vest asked Town Administrator Glenn Rosenoff to provide the Board with an update on Town programs. Mr. Rosenoff said the COVID-19 pandemic has hit Town facilities and programs hard just as it has Special Events. He said the Town's devoted staff continues to deal with either postponing or cancelling events due to the time sensitive nature of certain programs. Mr. Rosenoff said the BMA is being provided the actual detailed updates of those facilities/programs relative to a Reopening Plan; as Tennessee Governor Lee continues to release Executive Orders relative to activities, we continue to monitor how Town functions fit into the Governor's guidelines. He said we are also closely monitoring CDC guidelines to ensure we are prepared to provide safe facilities and activities. He said some of the state guidelines are not specific, for example, to the Visitor Center, but the vast majority of Tennessee Welcome Centers are open, albeit under extensive cleaning and sanitizing guidelines. Mr. Rosenoff said Town staff was asked to prepare a plan for reopening their respective facilities. He said staff did a great job by putting in a lot of extensive thought in the development of their plans. The BMA then thoroughly discussed the Town's programs and facility opening plans that were developed and presented by Town staff. Attorney Wheeler reiterated that if the guidelines state masks are recommended but not required, then the Town must be clear that masks are required or not required so that staff knows, the public knows and our Police Department knows what is being required and what is not being required.

1. Chuckey Depot Museum – The Depot's Advisory Committee will meet on June 1<sup>st</sup> to decide on a reopening date for the museum.
2. McKinney Center – The McKinney Center has cancelled all spring classes and suggests cancelling summer camps that had already been moved to July. If summer camps in July are cancelled, there will be no classes and workshops scheduled to take place until August.  
10.
3. Historic Jonesborough Visitors Center – The Center has three sections, including:
  - a) Opening the doors to the public for restrooms, tourist information, ticket sales and shopping within the Old Town Emporium.  
11.
  - b) Working with the Heritage Alliance on reopening the Jonesborough/ Washington County History Museum.  
12.
  - c) Evaluating rental policies and maximum attendees for the two rental areas within the center.
4. Parks and Recreation and Water Park
  - a.) Cancel the Adult Coed Softball program this summer.

- b.) Possibly try holding weekend tournaments in July and August, if the State guidelines and restrictions are eased.
- c.) Bring back a plan for opening all the Town parks at the June 8, 2020, BMA meeting for approval.
- d.) Continue the daily work at the Water Park, making improvements and continue getting the park as close to being ready to open as possible without spending excess costs, and that the final decision on whether to open or not open the water park this season be delayed until the June 8, 2020, BMA meeting.

Full proposals for reopening Town facilities are on file for inspection at Town Hall.

There being no further business, Mayor Vest adjourned the meeting.

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ABBAY MILLER, RECORDER

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CHUCK VEST, MAYOR