From: Kopsa, Ryan
To: Kopsa, Ryan
Cc: Pinkerman, Justin
Subject: Governor"s Office Daily Update - 11-12-20
Date: Thursday, November 12, 2020 9:12:59 AM
Attachments: image001.png

Ag Valley Co-op
Eustis, NE

Commodity	Delivery	Price	Basis	Date (as of)
Corn	Nov 2020	3.95	-19.00	09:02
Corn	Oct 2021	3.59	-45.00	09:02
Milo	Nov 2020	4.79	65.00	09:02
Milo	Oct 2021	3.99	-5.00	09:02
Soybeans	Nov 2020	10.77	-69.00	09:02
Soybeans	Oct 2021	9.42	-90.00	09:02
Wheat	Nov 2020	4.94	-54.00	09:02
Wheat	Jul 2021	5.06	-60.00	09:02

TV and Radio
WNAX: Border States Concerned with South Dakota Marijuana Vote
WOWT: Nebraska governor criticized for unmasked photo-op
KTIV: Gov. Ricketts: Nebraska has dedicated $40B to hospitals for staff and hazard pay
NET: Ricketts, Quarantining, Asks Nebraskans To Help Contact Tracers
WNAX: Public Restrictions Reinstated in Nebraska
WOWT: UNMC virus expert: Omaha less than 2 weeks away from overrun hospitals
KETV: 'We just want to get in front of it': Restaurant goes to curbside only as metro COVID-19 cases surge
KETV: 'There's definitely a demand': Clinics increase COVID-19 test appointments as cases rise
KMTV: Sarpy Co. poll worker says he caught COVID on election day
KETV: State lawmaker with coronavirus says he got his 'wish'
NCN: Masks now required to enter Jefferson, Thayer County Courthouses
KMTV: Severe nursing shortage in Nebraska

Governor
KETV: Gov. Pete Ricketts says marijuana can 'create psychosis'
OWH: Blair lands $85 million Dollar General distribution center, 400 jobs
OPPD The Wire: Dollar General bringing 400 jobs to Washington County
AP: Dollar General plans $85M distribution center in Nebraska
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High Times: Governor of Nebraska Weighs In On Legalized Cannabis in South Dakota
OWH: Gov. Ricketts, first lady to quarantine after being exposed to COVID at dinner
LJS: Gov. Pete Ricketts, first lady quarantining after close contact with someone positive for COVID-19
AP: Nebraska Gov. Ricketts and first lady exposed to coronavirus

Courthouse News Service: Nebraska Governor, Mask Naysayer, in Quarantine After Covid Exposure
OWH: Omaha extends mask mandate until Feb. 23 amid surge in cases
LJS: Do masks work? Data, doctors in Nebraska suggest they do
OWH: CDC says face masks protect the wearer and those around them
Kearney Hub: Two Rivers pleads with public to wear masks, but says changing behavior 'takes leadership'
KGFW: Two Rivers asks local leaders for mask mandates, says Governor won't let them issue
Gothenburg Leader: Gothenburg: Our healthcare workers need your help!
OWH: UNMC docs will talk about virus at virtual Science Cafe on Tuesday
AP: Nebraska hospitals plan for more increases in virus cases
AP: Virus surge engulfs the US, Texas at 1M cases, Calif. Nears
Fox News: Biden wants mask mandate in every state to fight coronavirus — but these governors won't commit

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Kearney Hub: Two Rivers says masks save lives and mask mandates makes sense, but only municipalities can pass a mandate
OWH: Approximately 255 Siena Francis House residents in quarantine after COVID-19 outbreak
LJS: 3 deaths, 192 new COVID-19 cases reported in Lancaster County
Platte River Radio: South Heartland COVID-19 Risk Level Rises to Red
NP Telegraph: GPH expects to get COVID-19 vaccine by late December
LJS: Health Department revokes Lincoln concert venue's event permit after crowded concert

State Capitol
OWH: Nebraska AG joins friend-of-the-court brief challenging some Pennsylvania mail-in ballots
NCN: Southeast Community College dedicates new Lincoln Campus Health Sciences Center
LJS: Legislature's two-day gathering in Mullen hits COVID-19 wall

State, Local and Regional
LJS: Study: Nebraska lags behind in high-tech jobs
LJS: E-cigarette indoor workplace ban begins Saturday
OWH: 'Grievous' shortcomings at Sarpy County Treasurer's Office prompt state audit
OWH: Judge reviews whether Omaha police can declare peaceful march illegal, use chemical agents
OWH: State Farm to shut Lincoln office permanently; employees to work from home

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OWH Editorial: Let concerns be heard, but the election outcome is clear
OWH Erica Wassinger: Here's why established businesses should partner with startups
OWH Midlands Voices: Legal process is best way to achieve public trust in the election
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AP: ACA seems likely to survive

KETV: Gov. Pete Ricketts says marijuana can 'create psychosis'

LINCOLN, Neb. —

On Election Day, South Dakota residents voted to legalize recreational marijuana, becoming the first state to legalize recreational and medical pot on the same ballot.

At a press conference Tuesday, Gov. Pete Ricketts was asked for Nebraska's response to the legalization and asked what bordering counties should be prepared for.

Keeping in line with his firm stance against medical and recreational marijuana, he responded:

"Well, we've certainly seen in other states like Colorado when you pass legalization of recreational, as well as medicinal, marijuana that you see an increase in traffic fatalities that are caused by marijuana use and an increase in a number of other things such as young people getting a hold of the marijuana," Ricketts said. "The marijuana has the opportunity to create psychosis in people and that could lead to a number of very bad outcomes as well, so those bad health effects happen when you legalize marijuana."

Ricketts said he expected that Nebraska counties that border South Dakota will see an increased number of people trying to illegally traffic marijuana across state border lines.

The Nebraska Supreme Court blocked medical marijuana from being on the ballot this year.

Shortly before they handed down their decision, Ricketts made waves by claiming that, in states where its been legalized, people "show up to work stoned" and have a greater risk of accidents.

"This is not a benign thing, this is a dangerous thing," he said.

OWH: Blair lands $85 million Dollar General distribution center, 400 jobs

Nebraska officials welcomed an $85 million Dollar General distribution center set to break ground in Blair yet this year, saying Tuesday that the anticipated 400 jobs will help diversify that city's employment base and infuse a projected $106 million a year into its region.

Currently, Blair relies heavily on agriculture-focused businesses, said City Administrator Rodney Storm. "So adding a new dimension to our economy through the jobs provided by the distribution center will help diversify our jobs, the economy and add to the tax base for the city, county and school district," he said.

Economists at the Greater Omaha Chamber projected that when fully operational, the distribution center will add $106 million annually to a 10-county area in and around Blair. Of that, $53.5 million would be specific to Blair's Washington County.

The distribution center is to be built on an 85-acre site and span about 800,000 square feet.

When selecting Blair, national spokeswoman Crystal Ghassemi said, Dollar General looked at proximity to its stores, customers and a workforce.

“Really it comes down to great partnerships with local workforces, the local business environment — all those combined we’re really excited to work in Blair,” she said.
Storm said the City of Blair approved $200,000 in LB 840 funds as an incentive to attract the project, and will extend 10th Street to provide access from the site to Highway 75. The state will cover about $500,000 of that nearly $1.3 million road construction cost, he said.
A state official also said it provided $300,000 in job training funds.
Mike Rooks, director of Washington County Economic Development, noted that the facility stands out as Dollar General’s first dual distribution site to be built to handle both “dry” items, such as toilet paper, seasonal decor and cleaning supplies; and “fresh” items such as pizzas and vegetables.
Ghassemi said Dollar General may replicate the Blair model elsewhere in the future.
Ghassemi said the goal is to have the center up and running in 2022. She said she didn’t have the wages that Dollar General plans to offer, though the jobs range from managers to forklift operators and warehouse workers.
Blair Mayor Richard Hansen said he was excited about the jobs. “With approximately 400 quality jobs, it will give our youth the ability to continue to live, work, and raise family in the great school system and community they call home.”
Gov. Pete Ricketts said the investment “speaks to Nebraska’s business friendliness and natural advantages as a logistics and supply chain hub.”
Dollar General opened its first Nebraska store in 1992 and today employs about 1,100 in 130 stores in the state, its officials said.
By Cindy Gonzalez

OPPD The Wire: Dollar General bringing 400 jobs to Washington County

Dollar General announced a major investment in Washington County Tuesday, Nov. 10, as the company unveiled plans to build a distribution center outside Blair, Neb.
The distribution center, which will have both dry and cold storage, marks an $85 million investment in the area. At full capacity, the 800,000-square-foot facility will create around 400 jobs and support more than 1,500 stores in the Midwest.
The facility will be the first combination facility the company has built. Dollar General opened its first store in Nebraska in 1992. They employ about 1,100 people at more than 130 stores statewide.
Working together
OPPD officials have worked with the company on the project since 2017. Construction will begin this month for the facility, which is located southwest of Blair.
“This project is a great example of how both private and public partnerships united together to make this project a success,” said Devin Meisinger, senior Economic Development coordinator. “It also demonstrated the importance of having controlled sites and the due diligence done so prospects can move quickly.”
Mike Rooks, director of Washington County Economic Development, said a variety of factors are involved with this type of project, including “access to reliable, affordable energy resources.”
“OPPD offers just that,” Rooks said. “Their economic development team worked collaboratively with stakeholders to ensure Dollar General had exactly the right solutions available for this large-scale venture. It’s a team effort, and we’re glad OPPD is here to help everyone win.”
Nebraska Gov. Pete Ricketts said the new distribution center adds to the “tremendous job growth Blair has been experiencing.”
“This $85-million investment by Dollar General speaks to Nebraska’s business friendliness and natural advantages as a logistics and supply chain hub,” Ricketts said.

Bringing jobs
Once completed, the facility will be one of the largest of its kind in the state. OPPD officials were involved in landing the facility. Meisinger is on the board of directors for Washington County Economic Development.
It is the second large distribution center that OPPD has helped locate to the area in recent weeks. Amazon announced their fulfillment center in Sarpy County on Oct. 27.
The new Dollar General facility, when fully operational, will be among the top employers in the county. The Greater Omaha Chamber estimates the local economy will see an annual boost of about $106 million, $53.5 million specific to Washington County. Dollar General plans to begin initial hiring for management positions by summer 2021. Filling general warehouse and private fleet team positions will occur by fall 2021.
"The OPPD team actively supported the infrastructure and engineering plan for this site," said Brook Aken, manager of Economic Development at OPPD. "We worked closely with partners to think outside of the box in solving for the site development needs."
By Jason Kuiper

AP: Dollar General plans $85M distribution center in Nebraska

BLAIR, Neb. (AP) — Dollar General plans to build a new $85 million distribution center in eastern Nebraska.
The 800,000-square-foot facility in Blair will employ about 400 people after it opens in early 2022. The facility will handle both dry goods and fresh items that are sold by the discount retailer.
The company said it picked Nebraska for the new distribution facility because of its proximity to its stores and the local business environment, including incentives the community offered. The facility will serve roughly 1,500 stores across the region.
Nebraska Gov. Pete Ricketts said the new distribution center will boost the economy in Blair and add to recent job growth in the area.
Dollar General said it currently has 17 dry goods distribution centers and eight fresh food distribution centers across the country.

LJS: Charles Herbster prepares 2022 gubernatorial bid

Charles Herbster, a wealthy agribusinessman with close political ties to President Donald Trump, has begun to lay the groundwork for a 2022 gubernatorial bid.
Herbster, who operates Herbster Angus Farms in Falls City, has established a campaign committee and named Omaha City Councilwoman Aimee Melton as campaign treasurer.
Reached by telephone Tuesday, Herbster said he does not want to talk about his plans before next week.
Herbster, who is chairman of Trump's agriculture and rural advisory committee, has been an occasional White House guest and was on hand last Tuesday night for the president's Election Night watch party.
The highest-priced bull in auction history is on his way to Nebraska, to visit his new owner's ranch near Falls City.
"I am at the White House with the Trump family and a small group of dignitaries eating a beautiful dinner and getting ready to watch a victory tonight," he tweeted early in the evening.
His Twitter account contains a number of photos of Herbster with the president.
Herbster is closely associated with former Gov. Dave Heineman, whom he named to the board of directors of the Conklin Co., a Kansas City-based agricultural and manufacturing firm that he owns and

operates as CEO and president.
In 2013, Herbster launched a campaign for the 2014 Republican gubernatorial nomination, but subsequently withdrew, citing his wife's health issues.
Following his departure from the race, Herbster funded state Sen. Beau McCoy's bid for the GOP nomination. Omaha investor Pete Ricketts edged out Attorney General Jon Bruning for the Republican nod, was elected that November and is about to begin the final two years of his second and final four-year term.
The 2022 GOP gubernatorial battle promises to be a wide-open battle with no incumbent in the race and Herbster appears to be the first candidate ready to begin.
By Don Walton

High Times: Governor of Nebraska Weighs In On Legalized Cannabis in South Dakota

Even as historically conservative states have embraced legalization, reefer madness is alive and well in Nebraska.
At least with the state's governor, Pete Ricketts, who on Tuesday once again sounded the alarm on something that a growing majority of the country is cool with.
"Well, we've certainly seen in other states like Colorado when you pass legalization of recreational, as well as medicinal, marijuana that you see an increase in traffic fatalities that are caused by marijuana use and an increase in a number of other things such as young people getting a hold of the marijuana," Ricketts said, as quoted by Omaha-based television station KETV. "The marijuana has the opportunity to create psychosis in people and that could lead to a number of very bad outcomes as well, so those bad health effects happen when you legalize marijuana."
Ricketts made the comments in response to last week's election results in the Cornhusker State's northern neighbor, South Dakota, where voters approved separate measures legalizing medical marijuana and recreational pot. The results mean that Nebraska will soon border two states where cannabis is legal for adults, with Colorado voters paving the way for an end to prohibition back in 2012.
Consistency in Ricketts' Comments
For Ricketts, a Republican currently serving his second term as Nebraska's governor, the comments are hardly a surprise. In August, ahead of his state's expected vote on a medical marijuana measure, Ricketts was highly dismissive of cannabis as a treatment for patients.
"There is no such thing as medical marijuana," Ricketts said at the time. "This is not something that should be prescribed by a doctor. It's not something we distribute through a pharmacy, right? These are dispensaries that will be in your communities, and we have seen the effect in other states when they do this, people show up to work stoned, and that puts him at greater risk for accidents on the job."
Ultimately, Nebraska voters were denied the opportunity to decide, after the state's Supreme Court ruled in a split opinion in September that the ballot initiative was unconstitutional.
"If voters are to intelligently adopt a State policy with regard to medicinal cannabis use, they must first be allowed to decide that issue alone, unencumbered by other subjects," the court said in the ruling. "As proposed, [the Nebraska Medical Cannabis Constitutional Amendment] contains more than one subject —by our count, it contains at least eight subjects."
The ruling was a blow for advocates, particularly given that it came after Nebraska's secretary of state, Bob Evnen, said in August that backers of the initiative had rounded up enough verified signatures to qualify for the ballot. Following the Supreme Court's decision, Carly Wolf, the state policies director for the National Organization for the Reform of Marijuana Laws (NORML), urged Nebraska legislators to take up the issue.
"It's extremely disappointing that Nebraskans with debilitating conditions will continue to be denied

access to a therapeutic treatment that could provide significant benefits," Wolf said. "An overwhelming majority of Nebraskans support this policy change, which I hope will propel state lawmakers to take action next year and approve legislation to reform Nebraska's outdated and unjust marijuana policies."
By Thomas Edward

OWH: Gov. Ricketts, first lady to quarantine after being exposed to COVID at dinner

LINCOLN — One day after warning Nebraskans that COVID-19 is being spread through social gatherings, Gov. Pete Ricketts and first lady Susanne Shore are in quarantine after being exposed at a small dinner gathering.
The couple ate outdoors with three other people at their Omaha residence on Sunday, Ricketts said. One of the three tested positive for the coronavirus Monday.
Ricketts said Tuesday that he doesn't believe the exposure was a case of letting his guard down. The dinner was outside to take advantage of the good ventilation and the unseasonably warm weather, and the guests wore masks when they came inside the house.
"It does demonstrate that we just all need to be careful with regard to social interactions and try and keep them to small group gatherings because the virus spreads from person to person, so it will always take the opportunity to do that if it can," he said.
Critics used the announcement to point out Ricketts' refusal to mandate statewide mask-wearing, although his latest public health measure does require masks in businesses when staff and patrons are within 6 feet of each other for at least 15 minutes.
Nebraska Democratic Party Chair Jane Kleeb said Ricketts had "failed in his duty to — first and foremost — protect Nebraskans from this pandemic. He needs to follow Utah Gov. Gary Herbert, who declared a state of emergency and issued a mandate for all residents to wear masks in public until further notice."
"Nebraska COVID-19 cases are soaring and our hospitals are dangerously close to reaching capacity," she said. "This is failed leadership. His office even stooped to attacking several doctors on social media for doing their duty to save lives."
Nebraska just finished its sixth straight week of record new COVID-19 cases and hospitalizations and ranks fifth nationally for new cases per capita.
Douglas County officials reported an additional 592 cases of COVID-19 on Tuesday, bringing the county total to 27,399. The virus killed nine more people, bringing the total to 255. Statewide, there were 85,551 cases of the disease and 710 deaths as of late Monday.
The governor also has faced criticism on social media over whether he has been following his own social-distancing and mask-wearing rules. Events in question have included a recent hunting trip near Arnold, a speech sponsored by Hillsdale College and the preelection rally for President Donald Trump attended by an estimated 29,000 people, many who were not wearing masks.
In response, Taylor Gage, the governor's director of strategic communications, said the governor follows the rules that the state has promoted, which, generally speaking, call for people to wear a mask indoors when social distance cannot be maintained.
He said the governor wore a mask at the Hillsdale (Michigan) College event in Omaha when he was not speaking or taking a photo. Audience members at the speech were seated more than 6 feet apart, although not all wore masks.
Gage said Ricketts often removes his mask for photo-taking for a moment and then puts it back, as he did Monday after a press conference highlighting the need for people to adopt foster children.
Ricketts also wore a mask at the Trump rally when he was not speaking, Gage said, although he noted that the rally was outdoors and not subject to the same rules as indoor events.
He said the governor does not wear a mask for socially distanced activities such as hunting.

Ricketts said he and his wife will quarantine for 14 days and plan to get tested about three or four days after the exposure. Health experts say that testing too quickly after an exposure can miss an infection that is still incubating.
The governor said he is feeling fine so far and rode more than 23 miles on his stationary bicycle Tuesday. He spoke at a previously planned press conference via an online connection.
Also Tuesday:
Contact tracing. Ricketts urged Nebraskans to “allow a little space for grace” if they are called by contact tracers. He said those workers are playing an important role in trying to control the virus. Their job is to reach people who have tested positive, find out who they might have exposed and then contact those people to ask them to quarantine.
The state has about 1,000 contact tracers at work this week, up from the numbers in early September. More tracers have been brought on as the number of coronavirus cases has increased.
Coronavirus aid. Struggling restaurants and bars have snapped up the $20 million pool of coronavirus aid that the state made available last month. Livestock producers also have claimed all the money set aside to help them through the pandemic but some other aid programs still have money available, Ricketts said.
The programs draw on more than $1 billion of federal CARES Act money that went to the state government. The governor said the state has no plans for additional aid unless Congress acts.
Legislative meet. The pandemic disrupted plans for state lawmakers to meet this week at the Dismal River Club near Mullen, Nebraska. Several lawmakers already had bowed out of the gathering out of concern about social distancing.
The final straw came when State Sen. Mike Hilgers of Lincoln, who chairs the Legislature’s Executive Board, and his office staff got word Tuesday that they had been exposed to a person with the virus. Without them, Hilgers said he couldn’t ensure that the health of those who showed up in person could be protected properly or that the planned virtual option could be managed successfully for senators who did not attend in person.
By Martha Stoddard and Kevin Cole

LJS: Gov. Pete Ricketts, first lady quarantining after close contact with someone positive for COVID-19

Gov. Pete Ricketts and first lady Susanne Shore are quarantining for 14 days after close contact with someone who has tested positive for COVID-19, the governor said Tuesday.
On Sunday night, Ricketts and Shore had three friends at their home for dinner outside, Ricketts said at a Tuesday afternoon news conference.
"One of the folks who came over for dinner since has tested positive (for the coronavirus)," he said. Their guests were not identified.
Ricketts said he and Shore would not consider the exposure as letting their guard down, as some others have talked about in their own cases with the current surge of COVID-19 in Nebraska.
"We had the dinner outside because we knew it would be the last time we would be able to do something like this with the nice weather, at least before the end of the year, so that we'd have good ventilation," he said.
The guests wore masks when they came into the house, he said.
"It does demonstrate that we just all need to be careful with regard to social interactions and try to keep them to small group gatherings because the virus spreads from person to person," he said.
The couple's 14-day quarantine period will be from Sunday evening through Nov. 22.
"We, like many people across this country, are going to adapt to the new world we're in, and do things

virtually," he said, addressing the news conference by Zoom.
He will continue to work remotely during the quarantine period, he said.
Ricketts and Shore aren't showing symptoms but will get tested after waiting at least three or four days, he said. An early exposure may not have had enough incubation time to be picked up by testing.
The governor said Shore was able to get testing times in the Omaha area for later this week. Turnaround time for a test is generally 24 to 36 hours.
Ricketts is getting tested about once a week, he said, the last time about a week ago, and it was negative.
Ricketts took pictures with people at a news conference Monday, without any of them wearing masks. He said the masks were off for a short period of time to take the photo and they were not in close contact for 15 minutes or more.
He has talked about the increased spread of the virus in Nebraska being a result of informal small gatherings, as reported by local health departments. One of those was a slumber party after an event, and a significant number of those attending later tested positive.
"Obviously, somebody who you know can give you the virus," he has said as a reminder.
The Nebraska Department of Health and Human Services reported 2,182 new cases statewide Tuesday for a total of 87,733. The number of deaths in the state linked to the disease is 730.
Also at the news conference, Dr. Gary Anthone, the state's chief medical officer, saluted nurses and other health care workers who have been "working tirelessly (and) doing a fantastic job" in rising to the challenge of the COVID-19 outbreak and sharply increasing hospitalization numbers.
"Now I am seeing and hearing about more of a mental fatigue" following the physical fatigue that the pandemic has imposed on health care workers, he said.
All of that is "stretching our health care workforce," he said.
Anthone urged nurses who may be available to go to center4nursing.nebraska.gov/covid19-resources for information.
Answering questions, Ricketts said federal pandemic funding assistance for restaurants and bars in Nebraska impacted by COVID-19 has been exhausted and "there are no additional plans at this time" for another round of federal aid.
By JoAnne Young and Don Walton

AP: Nebraska Gov. Ricketts and first lady exposed to coronavirus

OMAHA, Neb. (AP) — Nebraska Gov. Pete Ricketts and first lady Susanne Shore have gone into quarantine after both were exposed to a person with the coronavirus, the governor's spokesman announced Tuesday.
Ricketts and Shore had dinner outside at their home in Omaha with three other people on Sunday night, spokesman Taylor Gage said. One of the people who was with them tested positive for the coronavirus on Monday.
Gage said Ricketts and Shore will quarantine for 14 days. Neither is showing any symptoms, and both will get tested. Ricketts said he and his wife will wait several days before getting tested to make sure the virus could be detected by the testing if it is present.
Ricketts hosted his Tuesday news conference virtually, and he plans to continue working remotely while his quarantine continues through Nov. 22. He urged everyone to wear masks and try to maintain social distancing in public and wash hands often to help limit the spread of the virus.
"Of course me quarantining is a great reminder that we still have the virus in our community. We still have a pandemic going on," Ricketts said.
Nebraska has seen a recent record-setting surge in new, known virus cases and hospitalizations,

prompting Ricketts to reimpose some of the public health mandates that were lifted in September. Some Nebraska medical officials have said those steps aren't enough, and they're concerned that growing caseloads will soon overwhelm the state's hospitals.

The state said the number of people hospitalized with the virus continued to grow Monday and set another new record at 820. Nebraska reported 1,582 new cases and seven new deaths Monday to give the state 85,551 cases and 710 deaths linked to the virus.

Nebraska had the sixth-highest rate of new cases in the nation Monday. And the 7-day rolling average of daily new cases in the state increased over the past two weeks from 818.43 new cases per day on Oct. 26 to 1,757.57 new cases per day on Monday.

On Tuesday, Nebraska officials announced a new online program to help connect nurses and nursing assistants with openings across the state. Dr. Gary Anthone, Nebraska's chief medical officer, said he hopes this new program will help hospitals and other facilities handle the surge in patients the state is seeing. The state has already allocated $40 million to help hospitals hire additional staff or offer extra pay to current workers to add capacity.

"We have seen quite a bit of an increase in our hospitalizations which is stressing our health care workforce," Anthone said.

By Josh Funk

Courthouse News Service: Nebraska Governor, Mask Naysayer, in Quarantine After Covid Exposure

LINCOLN, Neb. (CN) — As Covid-19 surges in Nebraska, the state's Republican governor — who has resisted mask mandates and safety restrictions — has been forced into quarantine after he and his wife were exposed to the virus at a Sunday dinner party.

Governor Pete Ricketts went into quarantine Tuesday morning as a press release revealed that he and first lady Susanne Shore were exposed while dining al fresco, but in close contact to an infected person.

"On Sunday night, Governor Ricketts and the first lady joined three people for dinner outside," said Taylor Gage, a spokesperson for the governor, in the statement. "One of the people they joined tested positive for coronavirus on Monday. Neither the governor or first lady are showing any symptoms, and they will get tested at the appropriate time."

Both will quarantine for 14 days at home in Omaha.

The news broke at an embarrassing time for Ricketts, who has been a staunch opponent of stay-at-home orders and mask mandates. His state has seen a dangerous rise in Covid-19 infections and hospitalizations in recent weeks, ranking in the top 10 among states for Covid-19 cases per capita, a dubious distinction.

The contiguous block of largely rural Plains states is suffering from the worst outbreaks in the country. According to U.S. Centers for Disease Control and Prevention data, these include North Dakota (155 new cases per 100,000 residents); South Dakota (130); Iowa (101); Wisconsin (99); Nebraska (91); and Wyoming (88).

According to numbers provided by the state, Nebraska's positivity rate has risen from 7.3% on Oct. 3 to 17.3% on Nov. 7. Its largest county, home to Omaha, posted a worrisome positivity rate of 31.3% at the end of last week.

The state has consistently announced over 1,000 new infections per day this autumn, with a high of 2,681 new infections on Nov. 6 being the latest in a string of exponentially rising record numbers. The previous high before the autumn surge was 677 new cases on May 7. To date, 710 people have died of Covid-19 in Nebraska.

While the initial wave this spring mainly hit cities like Omaha and Lincoln and centered around

the meatpacking industry, this latest wave includes outbreaks in rural counties where people believed they were largely safe from exposure. All but two of Nebraska's 93 counties is currently dealing with Covid-19 infections.

With 794 Nebraskans hospitalized with Covid-19 symptoms, the state currently has 31% of ICU and total hospital beds available. While the availability numbers look OK, medical experts in the state worry that the rapidly rising number of infections could quickly overwhelm health care systems, particularly with Thanksgiving and traditional holiday season gatherings only weeks away.

"Gov. Ricketts, like Trump, has failed in his duty to — first and foremost — protect Nebraskans from this pandemic," Nebraska Democratic Party chair Jane Kleeb told Courthouse News. "Nebraska Covid-19 cases are soaring and our hospitals are dangerously close to reaching capacity. This is failed leadership."

Dr. John J. Lowe, an assistant vice chancellor for health security training at the University of Nebraska Medical Center, issued a similar warning on Twitter, stating that "deaths are set to overwhelm our health care system" if these trends continue.

Just yesterday, Ricketts announced new directed health measures that limit the capacity at indoor gatherings to 25% of capacity, and require masks at salons, barbershops, tattoo parlors and similar establishments where maintaining six feet of separation is difficult. However, at that same press conference, the bare-faced governor refused to observe social distancing standards while presenting a certificate to honor adoption advocates.

That Ricketts chose to not wear a mask during the press conference Monday, when he had unwittingly been exposed to the virus, has not escaped the notice of his critics.

State Senator Megan Hunt, a Democrat from Omaha and frequent foil to Ricketts, posted this message on Twitter: "Sending the Gov, his family, and all who have been around him my best wishes for their health and safety."

By Ted Wheeler

OWH: Omaha extends mask mandate until Feb. 23 amid surge in cases

Omaha's indoor mask mandate was extended for more than three months on Tuesday amid a continuing surge of coronavirus cases in the city and state.

The City Council voted 4-1 to extend the mandate to Feb. 23, bucking a trend of month-by-month extensions since the mandate first took effect in August.

The mask requirement had been set to expire Nov. 24.

Councilman Pete Festersen, who introduced the amendment that lengthened the mandate's expiration date beyond another month, said Tuesday that it was clear the city needs to continue the mandate. He said he was concerned about Douglas County's recent virus numbers, including a 29.2% positivity rate for the week that ended Saturday.

On Tuesday, the Douglas County Health Department reported nine additional deaths and 592 new cases of COVID-19, bringing the county's total since the start of the pandemic in March to 27,399.

Some local high schools have begun to scale back in-person learning for students — another reason the mandate is important, Festersen said.

Council President Chris Jerram and Councilmen Ben Gray and Vinny Palermo joined Festersen in voting for the amended ordinance.

Councilwoman Aimee Melton, the lone no vote, said she was concerned about Omaha's rising virus cases and encouraged people to wear masks. But she said a mask mandate needs to be in the form of a directed health measure, not a city ordinance.

Gov. Pete Ricketts on Monday unveiled new health measures that he said are to curb the spread of COVID-19. The measures require social distancing in places like bars, restaurants, gyms, clubs and

churches. If that is not possible, masks are required.
Occupancy at indoor gatherings will be reduced to 25% starting at midnight Wednesday.
Melton said people need to heed other public health advice, such as practicing social distancing, staying home if they feel sick and hand-washing, in addition to wearing masks.
“It’s not just masks that will keep you from getting this or spreading it,” Melton said.
Councilman Brinker Harding watched the meeting and made comments via video on Zoom because he said he had been exposed to someone who tested positive for the virus. He said the city attorney advised that he could not vote virtually.
Harding said he believes the steps being taken by Ricketts, which apply to the entire state, are more strategic than Omaha acting on its own to require masks. He said he thought the February end date was too far in the future.
Councilman Rich Pahls was absent.
A different amendment by Gray would have tied the mandate’s expiration to two benchmarks: 5% or less of all coronavirus tests coming back positive for two consecutive weeks; and the seven-day rolling average of positive cases equaling 10 people per 100,000 or fewer for two consecutive weeks. No action was taken on Gray’s proposal.
By Reece Ristau

LJS: Do masks work? Data, doctors in Nebraska suggest they do

COVID-19 case spikes in Lincoln and across Nebraska have raised questions about whether wearing masks makes any difference in the spread of the virus, but health officials' opinions are that they do, and anecdotal data seems to back up that theory.
Though there are mask mandates in Lancaster County and Omaha, Gov. Pete Ricketts has expressed opposition to them, which has likely prevented other cities and counties around the state from implementing them.
For example, last month, the Central District Health Department, which covers Hall, Hamilton and Merrick counties, sought Ricketts' permission to institute a mask mandate and was declined.
Over the weekend, several Omaha-area doctors tweeted pleas to the governor that he institute a statewide mask mandate. In response, Ricketts spokesman Taylor Gage suggested the tweets were politically motivated, noting the doctors had expressed support for Democrat Joe Biden, the presumptive winner of the presidential election.
During a news conference Monday, Ricketts said he has no plans to issue a statewide mask mandate and would not do so even if Biden becomes president and directs states to do so.
But data seems to show masks may be helping to blunt the spread of COVID-19 in the two Nebraska metro areas that have mandates.
According to data produced daily by the New York Times, Lancaster and Douglas counties have case rates that are much lower than other large counties in the state.
As of Tuesday, the COVID-19 rate for Lancaster County over the past seven days was 63 cases per 100,000 people. That was the lowest rate among Nebraska counties with at least 10,000 people.
Douglas County's rate was 87 cases per 100,000 residents, which was lower than all but a half-dozen counties with more than 10,000 people.
Thirty counties in Nebraska had rates of at least 100 cases per 100,000 people over the past two weeks, and while that number includes larger counties such as Scotts Bluff, Lincoln and Buffalo, it also includes a number of smaller counties.
The virus is spreading uncontrollably in many rural areas, causing smaller hospitals to become overwhelmed and have to transfer patients to larger hospitals.

On Tuesday, Bryan Health set another record for the number of patients with active COVID-19 infections in its two Lincoln hospitals, with 102. What's notable about that number is that 68, or two-thirds, are from outside Lancaster County.

Bob Ravenscroft, Bryan's vice president of advancement, said it has had coronavirus patients from 26 other counties besides Lancaster so far this month, with most of those patients coming from surrounding counties but also from as far away as Scotts Bluff County, which currently has the state's worst outbreak.

Eight days ago, Bryan had 57 COVID-19 patients, 30 of which were from outside the county.

John Woodrich, CEO of Bryan Medical Center, said the lack of mask wearing in counties outside of Lincoln and Omaha is "stressing the system."

Both Woodrich and Ravenscroft said a state-level mask mandate would likely help cut down on COVID-19 cases.

"I think we've proven that wearing masks stops the spread," Ravenscroft said.

They join a chorus of doctors and other health professionals who have been advocating for the governor to institute a statewide mandate.

Dr. Bob Rauner, chief medical officer of OneHealth Nebraska, said Monday in his weekly coronavirus update video that while the mask mandates in Lincoln and Omaha are "better than nothing," they aren't that effective because they generally aren't enforced.

"We need an enforced mask ordinance, and this needs to be statewide," he said.

Rauner said Nebraska needs a direction change on coronavirus policy "right away" or it's going to wind up in the same boat as North Dakota and South Dakota, which have the highest case rates in the U.S. and are running out of hospital beds.

Ricketts, who Tuesday announced he and first lady Susanne Shore would quarantine for 14 days after being exposed to a person over the weekend who later tested positive for COVID-19, announced a number of new steps Monday aimed at reducing the spread of the virus.

They include reducing capacity to 25% for meetings and events held indoors, mandating 6 feet of separation in bars, restaurants, churches, gyms and other settings, and mandating masks at businesses where close contact occurs for more than 15 minutes, such as hair salons and tattoo parlors.

But he reiterated his resistance to a mask mandate, saying it "would create resistance from people."

At least one of the state's top doctors agrees with that theory.

"I think a mask mandate ends up creating other issues and ends up creating some pushback that's not really necessary," said Cliff Robertson, CEO of CHI Health.

Robertson, who said his hospital system now has about 25% of its beds occupied by COVID-19 patients, noted that wearing masks "is a health care issue and it shouldn't be a political one one way or the other."

He likened it to other health issues, such as smoking. Doctors tell their patients not to smoke, that it's bad for them, and many will ignore that advice.

All health professionals can do is to continue to hammer away on advice about mask wearing, social distancing, hand washing and other mitigation efforts, Robertson said.

"The best thing we can do is continue to deliver the message that we know these things can help," he said.

Bryan's Woodrich said he supports a statewide mask mandate, but he also believes that whether there is a mandate or not, people need to take personal responsibility for wearing one.

"Why do we have to wait for somebody to mandate us to wear a mask?" Woodrich asked.

"Just look at the evidence. It's the right thing to do to protect yourself but to also protect the people that you're with."

By Matt Olberding

OWH: CDC says face masks protect the wearer and those around them

Masks protect the people who wear them from infection with the coronavirus, in addition to helping shield those around them, the federal Centers for Disease Control and Prevention said Tuesday.

The agency also noted in the update to its guidance on face coverings that the benefits of mask-wearing increase the more people wear them consistently and correctly.

That's a change from April, when the agency first recommended that Americans mask up. Then, the agency said the virus that causes COVID-19 could be transmitted by people who don't have symptoms and might not be aware that they are infected. Such people account for an estimated 50% of transmissions. Masks, the agency said at the time, can block the virus-laden particles that infected people emit when they cough, talk or even sing.

In its update Tuesday, the agency said that reducing those emissions, known as source control, is still the main aim behind mask-wearing. However, the agency said that studies demonstrate that cloth masks "can also reduce wearers' exposure to infectious droplets through filtration." In other words, masks reduce inhalation of infectious droplets, including fine droplets and tiny particles.

The update comes as no surprise to public health officials, who have been urging mask-wearing by the public, backed by mask mandates, for months.

They also have said that mask-wearing should be paired with social distancing, specifically avoiding crowds, close contact with those outside one's household and confined spaces that aren't well ventilated.

Dr. James Lawler, a director of the University of Nebraska Medical Center's Global Center for Health Security, said he hopes the fact that the message is coming from the CDC will provide added assurance that the scientific evidence supporting mask-wearing is clear.

The Omaha City Council on Tuesday voted amid a continuing surge of coronavirus cases in Nebraska to extend its mask mandate until Feb. 23.

Nebraska Gov. Pete Ricketts has refused to mandate mask-wearing statewide, although his latest public health measures require masks in businesses when staff and patrons are within 6 feet of one another for at least 15 minutes.

The CDC noted that data regarding the "real-world" effectiveness of community masking is limited to observational and epidemiological studies.

However, the agency cited a list of studies in which masks have prevented outbreaks. In one, two Missouri hairstylists who had COVID-19 and wore masks interacted with 139 clients for an average of 15 minutes each over an eight-day period. None of the 67 who later consented to interviews and testing developed infections.

In addition, the agency cited seven studies that have confirmed the benefits of universal masking. They include analyses in a hospital system, several U.S. states and in Canada and the United States as nations. "Each analysis demonstrated that, following directives from organizational and political leadership for universal masking, new infections fell significantly," the agency wrote.

University of Kansas researchers found a 50% reduction in the spread of COVID-19 in Kansas counties that had mask mandates compared with those without such a directive.

"Masks do not eliminate COVID, it is important to note, but they significantly slow the spread of the disease, at least here in Kansas," said Donna Ginther, director of the KU Institute for Policy & Social Research and a co-author of the report.

Kansas Gov. Laura Kelly put in place a statewide mask mandate July 3. However, counties could opt out. About 14 counties kept mandates. Some cities, including Manhattan and Wichita, adopted their own mandates.

Ginther and Carlos Zambrana, an associate researcher with the institute, compared case rates based on new cases per 100,000 in population on a seven-day rolling average in counties before and after the mandates, over a period from March to mid-October.

Immediately after July 3, counties with mask ordinances had higher rates of new cases. About 14 days later their cases began to decrease and flatten. But those without mandates saw cases begin to exceed those of counties with mandates. They also saw similar effects in two counties with large populations: Johnson, which includes parts of the Kansas City metro area, and Sedgwick, home of Wichita.

Ginther said the researchers now are updating their analysis. While increases are happening everywhere in Kansas, the increases in counties with mask mandates are much lower.

Why aren't mandates stopping increases entirely?

Ginther said residents in mandate counties are wearing masks in public settings. "But chances are when they're getting together with their friends, they're not," she said. "The mask is only good if you wear it. And if you have a trusted relationship with people — neighbors, friends — you may not be wearing your mask."

Lawler said family gatherings and indoor venues such as restaurants, bars and clubs, where people remove their masks to eat and drink, are other places where transmission is occurring.

While it's no scientific analysis, both Douglas County (dominated by Omaha) and Lancaster County (which has a countywide mandate) have lower rates of new cases per capita than Nebraska as a whole, according to COVID Act Now. Nebraska currently is adding new daily cases at a rate of 101 per 100,000 people. Among the 93 counties in the state, Douglas County is 50th with a rate of 95 new cases a day per 100,000 people and Lancaster County is 76th with 65 new daily cases per 100,000 people.

The Kansas researchers also found that it took six weeks before mandate counties started seeing the effects of their mandates. "It's not like overnight people start wearing masks and things get better," Ginther said.

So even if the United States adopted a mask mandate, as urged by Dr. Anthony Fauci, the nation's top infectious disease expert, it would take six weeks to two months before it's fully reflected in cases. "And it would take adherence not just going to the grocery store ... but (also) in personal settings," she said.

"If we have any hope of opening up the economy, or keeping the economy moving in the right direction," Ginther said, "we're going to have to modify our behavior until there's a vaccine."

The CDC, in fact, noted that an economic analysis found that increasing universal masking by 15% could prevent the need for lockdowns and reduce associated losses of up to $1 trillion or about 5% of gross domestic product.

"Adopting universal masking policies can help avert future lockdowns," the agency wrote, "especially if combined with other non-pharmaceutical interventions such as social distancing, hand hygiene, and adequate ventilation."

Ginther noted that Fauci has said it most likely will be April before the nation starts to see a vaccine.

"I'm very concerned about the holidays and getting together with family," she said. "We tend not to wear masks around people we know."

By Julie Anderson

Kearney Hub: Two Rivers pleads with public to wear masks, but says changing behavior 'takes leadership'

KEARNEY — Two Rivers Public Health Department is pleading with the public to wear masks as COVID-19 cases continue to blast through the city like a runaway train.

Two Rivers Health Director Jeremy Eschliman told community leaders Tuesday via Zoom that masks were the only effective way at present to stop the virus. Two Rivers favors a county or city measure

requiring masks to be worn in public, although it realizes that may be unlikely.
"I've seen the science. Data from Lincoln that shows that COVID cases decrease after mask requirements are implemented, We can't do this alone," he said. "This is a gold standard aimed at changing people's behavior, but it takes leadership. If we continue to do nothing, we're going to see health systems under duress."
Masks do not prevent COVID-19, but they are a strong deterrent, said Aravind Menon, Two Rivers' epidemiologist. He said cotton masks are "not like a pill" but a barrier that "just makes sense."
Leah Gleason of the Fye Law Office in Holdrege said mask regulations are not locally enforceable without a memorandum of understanding, and each of Buffalo County's 50-plus municipalities would need a memorandum of understanding. "Some municipalities passed them last March, but some refused to bring them to a vote, and others rescinded them," she said.
On the state level, Dr. Gary Anton, the state's chief medical officer, who is appointed by Gov. Pete Ricketts, will not implement a statewide law requiring masks, and the Nebraska Department of Health and Human Services has said such laws are not enforceable, she said.
Here, Eschliman said, attorneys told Two Rivers that the health department could not implement a mask mandate.
The Kearney City Council has approved a resolution supporting masks in public places, but it has no legal teeth. "We went as far as we could," Eschliman said.

'Best protection'

Two Rivers is frustrated.
"Masks are one of strongest (COVID-fighting) strategies we have, the best protection against COVID-19 and its spread," Eschliman said. "People are reluctant to engage in economic activity if they are concerned about the virus. Masks can help economic activity."
He told the story of visiting friends who were headed to a "great restaurant" when they visited Kearney, but when they walked in and saw nobody in masks, "they walked right out."
Menon said the most effective masks are two-layered, "and the tighter the weave, the better," he said. The best masks have two layers of different materials, such as cotton and silk, which he said "can catch aerosol particles more efficiently. Even a cotton T-shirt can block half of inhaled aerosol particles, and about 80 percent of exhaled particles," he said.

Positive cases chart

This chart shows a rolling 7-day average of positive COVID-19 tests, scaled by each 100,000 in population.
For the USA, positives are divided by 3,282 (328 million population). For Nebraska, positives are divided by 19.34 (1.93 million population). For the Two Rivers area, positives are divided by .97 (97,000 population).

Overseas evidence

Also making powerful pro-mask arguments was Ali Khan, dean of the College of Public Health at the University of Nebraska Medical Center. He said countries that mandate masks have far fewer cases of COVID-19 than does the U.S., which is currently the world leader in COVID cases.
Australia's goal is "double donuts," or zero cases and zero deaths. "It is possible to get to zero cases," Khan said. He called many cases of COVID a "choice" because people refuse to wear masks.
"In Nebraska, we see seven unnecessary deaths a day. Someone died who didn't need to die," he said. "The U.S. response has been problematic to say the least."

TTIQ

Khan said COVID-19 can be traced back to one person in China last October or November. "I like to frame it that way to get to what a prevention strategy looks like," he said.
He said the best way to get it under control is simple: Test. Trace. Isolate. Quarantine.

“But this is something we haven’t done well in the U.S.,” he said “We also need community engagement, and we’ve had a lot of difficulty with this within the state,” he said, including the refusal of state leaders to require masks.

“This is not a secret. I am not saying it’s easy, but we know what it takes, and a real important part of that is leadership,” he said. He praised Eschliman and Two Rivers for providing that here.

Virus before economy

Khan also disputed the political belief that officials must choose either the virus or the economy. “China taught us that until you focus on the virus, you won’t fix the economy. If people’s loved ones are sick and dying, they won’t go to the mall. You won’t get kids back into school or fans back into stadiums,” he said.

He said states such as Maine, Vermont, Connecticut and Rhode Island have succeeded in stopping the spread of the virus through community cooperation. “They have one-tenth of the cases compared to what we’re seeing, but I don’t believe the people in Maine are any different from people in Nebraska,” he said.

Behavior must change

Eschliman said the crisis — its hospitalizations and deaths — will get worse unless behavior changes. “Cases in Kearney have significantly been above average for quite some time. It’s pretty stark. We see long-term care facilities with the majority of staff and residents coming down with COVID. We have 20-, 30- and 40-year-olds coming down with severe disease. Can we do more? Absolutely,” he said. He said mask mandates are essential.

Khan urged community leaders to show the way. “I know we all have COVID fatigue, but we’re not showing people a brighter horizon. We’ve failed to do that from the beginning,” he said.

He said the Two Rivers communities cannot wait for a vaccine.

“Step up and do what we need to do now so we can get back to normal,” he said.

By Mary Jane Skala

KGFW: Two Rivers asks local leaders for mask mandates, says Governor won’t let them issue

KEARNEY, Neb. (KGFW) – Two Rivers Public Health Department is going directly to community leaders – asking them to implement local mask mandates.

Leah Gleason, member of Two Rivers’ legal team told Kearney area leaders on a Tuesday Zoom meeting that Gov. Pete Ricketts says he and Nebraska’s chief medical officer will not approve any DHM’s issued by local health departments. Gleason says even if approved, there would be little enforceability in the Two Rivers district anyway.

“Within the district, which included 50-plus municipalities that needed to have these ‘memorandums of understanding,’ various municipalities have signed it, some have not and some have refused to bring it to a vote,” Gleason said. “We’ve also had some municipalities that have decided in the beginning that they were going to agree to it and since have rescinded the ‘memorandum of understanding.’ So, kind of through the district we have a whole patchwork of different MOU’s meaning that it might be a little different in Gibbon versus Kearney, versus Riverdale, versus Pleasanton. And so the enforceability is kind of all over the place. This kind of created a situation that needs to be fixed through more legislative action. And so it’s not exactly a viable route moving forward during the current pandemic.”

That means a mask recommendation is as far as Two Rivers can go.

Board of Health Medical Director, Dr. Brady Beecham, says they hope local leaders will take things further.

“We went as far as we could,” said Dr. Beecham. “And our hope in doing that is to provide support for communities that wanted to take this to the city council or a local board and try to do something that

had a little bit more of a mandatory component – that they would feel well supported by the board of health."
The Two Rivers Public Health Dept. risk dial remains in the 'red' or 'pandemic' stage – the highest of the four stages. There have been 4,789 total positive cases and 41 deaths since tracking began. More than half of those cases have come in the past 48 days. Individuals 18-29 years-of-age have been the greatest spreader. We'll hear more on that tomorrow with Two Rivers epidemiologist Dr. Aravind Menon on KGFW's 'Morning Report' at 8 a.m.
By Andrew Mihm

Gothenburg Leader: Gothenburg: Our healthcare workers need your help!

Two Rivers Public Health Department reported 102 new cases of Covid in the seven-county region it serves for Sunday, Nov. 8. Health professionals predicted that the country would likely see a surge in positive cases in the fall, and it appears that prediction was accurate.
The state of Nebraska has seen the highest number of positive cases in the past month that it has since the pandemic began. That has prompted Gov. Pete Ricketts to issue new guidelines for the state's Directed Health Measure (DHM), which went into effect on Wednesday, Nov. 11.
The color tiered risk dial being used by health districts across the state has moved farther into the red pandemic level this week for the Two Rivers Public Health Department. Aravind Menon, Epidemiologist with Two Rivers, explained in his weekly report that testing availability has expanded over the past two weeks due to the addition of test appointments available to the public in Gothenburg and Kearney at TestNebraska sites. Between Oct. 28 and Nov. 3 Two Rivers saw an average of 51 individuals hospitalized due to Covid. ICU availability has dropped, and ventilator usage has increased, although prolonged hospitalizations are not seen currently. The weekly positivity rates of tests are now consistently above the statewide average, with rates continuing to climb among seniors over age 60. Dr. Menon said it is for those reasons that the risk dial has been shifted to a position of heightened pandemic risk.
"We have seen a steady rise in the positivity rate locally. In May and June it was about 3%. We had a brief spike to 15% in mid-summer, then it settled down to around 8%. Starting in late September it rose to 15%, and has never dropped below 11%," said Dr. Carol Shackleton of Gothenburg Health. "Recent weeks have been 14%, 21%, and 27% most recently. This increase is not just due to an increase in testing. This is absolutely an increase in the prevalence in the community."
Dr. Shackleton said they have seen the virus affect all ages, but the elderly and those with underlying health problems, including obesity, tend to fare worse. "We were fortunate that in the beginning we had little exposure," she said. "As our numbers increase, the probability of seeing severe cases also increases. Given the large number of people that have tested positive, I don't believe the severity ranges are atypical compared to what the rest of the country has seen."
Dr. Shackleton noted that healthcare providers have been seeing a wide range of symptoms in people who test positive, making it difficult for people to really know what to look for. "This is part of why it is so difficult to pinpoint. Allergies, common colds, regular bronchitis, influenza – all share the same symptoms as Covid," Shackleton said. "Most common are runny nose, sore throat, cough, body aches, chest achiness with breathing, mild or worsening shortness of breath. Some have nausea and vomiting, some profound weakness or fever. Loss of taste and smell seem to be hallmarks for Covid, but are not present in everyone that tests positive."
Dr. Shackleton said that while it's tempting to think we should just let the virus run its course, we can't. Many people have minimal or no symptoms and feel just fine, while many others are sick for a few days, fatigued for a week or so, but seem to recover. Others, she said, have body aches, shortness of breath and profound fatigue for weeks on end.

“Then there are those that we are seeing in the hospital, fighting to breathe. Many of them are older individuals, but we have had people in their 30s, 40s, and 50s here as well. We have had deaths in the community directly related to Covid.”

Dr. Shackleton supports the new DHM requirements for masks and distancing, and reminds us that gatherings of any kind are simply not a good idea right now. “We are social creatures and need the support of extended family, but we need to be very careful at this time. Over and over I hear that someone went to a wedding, funeral, family dinner, or social event, and learned 2-3 days later that someone at the event is now positive,” she said. “A week after that we are seeing some of those people that were exposed becoming ill. Yes, you can still hug your child/grandchild – but keep it brief, face away, wear your mask, and wash your hands frequently.”

She admitted the local healthcare staff is wearing very thin. “Yes, exhausted! Many staff are working extra shifts, with limited personnel to go around as people drop out for isolation or quarantine. As we watch our friends and co-workers get sick and struggle, it takes an emotional toll as well as a physical one,” she explained. “We are frustrated that our work is so much harder because community members are not listening to or following the recommendations. We are angry that vulnerable people are being put at risk by carelessness on the part of their own families, friends, or even themselves. We feel helpless because we have so little to offer to heal our patients.

“The people that seem to suffer the most are the ones that have been infected by the carelessness and inconsideration of others,” Dr. Shackleton continued. “We - and especially the nursing staff - are putting ourselves at risk by taking care of our most ill. And while that is a part of our job, it hurts knowing that the community’s indifference may ultimately cost us our health or life. So how do we cope? One day at a time, one victory at a time, one negative test at a time. Each thank you note from the community or patients means a LOT. Each voice of support, each precooked meal, each prayer that is offered up helps.”

While the health department and Gothenburg Health work to keep us all healthy, Dr. Todd Rhodes and the rest of the administrative team of Gothenburg Public Schools is keeping close contact with those entities in determining how to proceed with the school district. And though the risk dial has moved to red for the health district, that doesn’t automatically transfer to the school district.

“We continue to monitor Gothenburg school’s pandemic plan in relation to our region and local community. While we know the importance of seeking guidance and gathering data regionally and locally our number one metric in determining the placement of our SCHOOL risk dial is the number of confirmed cases we have within our school community,” Dr. Rhodes explained. “Currently through the afternoon of Oct. 29 we have low numbers of positive cases (less than 1% of our PK-12 student body and 2% of our school staff). More encouraging is that through contact tracing guidelines, it has been determined that transmission of Covid has occurred outside of our school. With that said, Gothenburg Schools will remain in the Orange risk tier of the school pandemic plan and students will continue to attend school in person. It is important to note that both Two Rivers and Gothenburg Health are recommending schools stay open at this time.”

Though the situation locally, statewide and nationwide is serious, Dr. Shackleton shares some words of encouragement. “We cannot allow fear to dominate, as fear gets us nowhere but panic. However, we should and must respect this disease. We try within our doors to be optimistic, to reward courage and service, to flex as much as we can to accommodate the extra stress. But ultimately it will be the community’s support and cooperation that brings us as a facility - and as a larger community - through this.”

By Ellen Mortensen

OWH: UNMC docs will talk about virus at virtual Science Cafe on Tuesday

Infectious disease experts from the University of Nebraska Medical Center will discuss COVID-19 in Nebraska during the next Omaha Science Cafe.
The virtual event, featuring Dr. Kelly Cawcutt and Dr. Mark Rupp, is at 10 a.m. Tuesday on Facebook Live. To watch, visit facebook.com/ScienceCafeNE.
During the Science Cafe session, Cawcutt and Rupp will give a brief presentation followed by a question-and-answer portion.
Cawcutt is an assistant professor in the department of internal medicine and associate medical director of infection control and epidemiology. Rupp is a professor in the department of internal medicine, as well as chief of the division of infectious diseases and medical director of infection control and epidemiology.
Nebraska last week had its sixth straight week of record new COVID-19 cases and hospitalizations.
The record numbers prompted health care providers over the weekend to call for Nebraska Gov. Pete Ricketts to adopt stricter health measures to stem the virus's spread and ease pressure on hospitals.
Ricketts on Monday announced a string of new health measures, adding to a set he announced Oct. 21.
By Kelsey Stewart

AP: Nebraska hospitals plan for more increases in virus cases

OMAHA, Neb. (AP) — Nebraska continues to set records with the number of people hospitalized with the coronavirus and health care providers expect that to continue because of the recent surge of cases in the state.
Cliff Robertson, CEO of CHI Health, said his group of 14 hospitals in eastern Nebraska and western Iowa is preparing for COVID-19 cases to keep increasing over the next three to four weeks. He said COVID-19 patients already account for about 25% of all the patients in his hospitals.
“We highly encourage folks to take this seriously because ... this virus is rampant in our community right now. It is everywhere and is spreading quickly,” Robertson said.
The steady increase in cases raises the concern that hospitals could soon be overwhelmed, said Dr. James Lawler, an infectious diseases specialist at Nebraska Medicine in Omaha.
“In three weeks’ time, our hospitals will be overwhelmed and we will no longer be able to deliver optimal and effective care for COVID, and we will also no longer be able to deliver appropriate care for everyone who comes in with a heart attack or a stroke,” Lawler said this week.
New restrictions to limit the spread of the virus in the state took effect Wednesday. Those rules include requiring masks at businesses where employees have close contact with customers for more than 15 minutes, such as barber shops, and limiting large indoor gatherings to 25% of a building’s capacity. Bars and restaurants can continue operating as long as they maintain 6 feet of distance between tables.
Masks are required in the state’s largest communities of Omaha and Lincoln, but Gov. Pete Ricketts continues to reject imposing a statewide mask mandate.
The state said the number of virus hospitalizations jumped to 860 on Tuesday from the previous day’s 820. Nebraska also reported its second-highest one-day total of new cases at 2,182 to give the state a total of 87,733 illnesses since the pandemic began.
Twenty new deaths linked to the virus were also reported Tuesday to give the state 730 deaths, and the rate of new cases in the state ranked sixth-highest in the nation.
Over the past week, one out of every 141 people in Nebraska was diagnosed with COVID-19, according to data from Johns Hopkins University.
The 7-day rolling average of daily new cases in Nebraska also increased over the past two weeks from 811.71 new cases per day on Oct. 27 to 1,847.29 new cases per day on Tuesday.

By Josh Funk

AP: Virus surge engulfs the US, Texas at 1M cases, Calif. Nears

Texas on Wednesday became the first state with more than 1 million confirmed COVID-19 cases, and California closed in on that mark as a surge of coronavirus infections engulfs the country.

In New York, Gov. Andrew Cuomo said all restaurants, bars and gyms statewide will have to close at 10 p.m. starting Friday, a major retreat in a corner of the U.S. that had seemingly brought the virus largely under control months ago. He also barred private gatherings of more than 10 people.

Texas, the second-most populous state, has recorded 1.02 million coronavirus cases and over 19,000 deaths since the outbreak began in early March, according to data compiled by Johns Hopkins University. California, the most populous state, has logged more than 995,000 cases.

The U.S. has recorded over 240,000 deaths and more than 10.3 million confirmed infections, with new cases soaring to all-time highs of well over 120,000 per day over the past week. Health experts have blamed the increase in part on the onset of cold weather and growing frustration with mask-wearing and other precautions.

Cases per day are on the rise in 49 states, and deaths per day are climbing in 39. A month ago, the U.S. was seeing about 730 COVID-19 deaths per day on average; that has now surpassed 970.

Among the many health officials sounding the alarm was Dr. Julie Watson of Integris Health in Oklahoma.

“We are in trouble,” she said. “If nothing is done soon to slow the rise in cases, our hospitals will be more overwhelmed than they already are and we won’t be able to be there for all of those who need it.”

Oklahoma's health department said Wednesday that 1,248 people were hospitalized for confirmed or probable coronavirus, shattering the previous one-day record of 1,055.

Texas reported 10,865 new cases on Tuesday, breaking a record set in mid-July. One of the hardest-hit places is the border city of El Paso; its county has nearly 28,000 active cases and has suffered more than 680 COVID-19 deaths.

The American Medical Association renewed its plea for mask-wearing, physical distancing and frequent hand-washing.

“With the holidays quickly approaching, each of us must do everything possible to reduce the spread of COVID-19," AMA President Susan Bailey said. “Failing to do our part will prolong the suffering and disruption to our lives and inevitably lead to more deaths of our friends, neighbors and loved ones.”

Meanwhile, many traditional Veterans Day celebrations gave way to somber virtual gatherings Wednesday. Many veterans homes have barred visitors to protect their residents from the virus.

In New York City, a quiet parade of military vehicles, with no spectators, rolled through Manhattan to maintain the 101-year tradition of veterans marching on Fifth Avenue.

More than 4,200 veterans have died from COVID-19 at hospitals and homes run by the Department of Veterans Affairs, and nearly 85,000 have been infected, according to the department.

Around the country:

— The NFL’s Minnesota Vikings said it will close its remaining home games to fans, as the state blew past its record for new deaths in a day. Minnesota Gov. Tim Walz announced new restrictions on bars and restaurants and said he wishes the neighboring Dakotas would take more aggressive steps to slow the spread of the coronavirus. He said this summer’s Sturgis Motorcycle Rally in South Dakota was “absolutely unnecessary” and helped spread the virus beyond that state.

— Ohio Gov. Mike DeWine issued new orders on mask enforcement at businesses, while threatening to close bars, restaurants and fitness centers if infections keep surging. The Republican governor shifted the authority over mask enforcement from the counties to the state. If a business receives more than

one violation, it must close for 24 hours. He's also requiring businesses to display 'No Mask, No Service' signs and refuse service to customers who don't comply. But DeWine's orders Wednesday were not as far-reaching as in March, when Ohio became one of the first states to go into lockdown.
— In Nebraska, which is setting records for COVID-19 hospitalizations, new restrictions took effect Wednesday. Those include a requirement to wear masks at businesses where employees have close contact with customers for more than 15 minutes, such as barbershops, and a limit on large indoor gatherings to 25% of a building's capacity. Gov. Pete Ricketts and his wife have gone into quarantine after being exposed to someone with the virus.
— North Carolina reported its highest single-day increase in coronavirus cases since the start of the pandemic, with 3,119 people — 8% of those tested — testing positive for the virus.
— Kentucky posted a record daily high for new confirmed cases, at 2,700, as the governor implored people to wear masks to counter the accelerating outbreak.
— A group of Utah teachers is encouraging colleagues statewide to call in sick Thursday and use the day to get tested for the virus. Some teachers believe the action could prompt state officials to do more to increase classroom safety.
— In Sioux Falls, the largest city in hard-hit South Dakota, Mayor Paul TenHaken cast a tie-breaking vote that defeated a proposed mask mandate. Violations would have carried a $50 fine.
— North Dakota continues to have the most new COVID-19 cases per capita in the nation, according to Johns Hopkins data, with one in every 83 residents testing positive in the past week.
By David Crary

Fox News: Biden wants mask mandate in every state to fight coronavirus — but these governors won't commit

President-elect Joe Biden has laid out several ways to combat the coronavirus at the beginning of his term, including working with state and local leaders to enact a national mask mandate -- but for now, not every state has committed to help.
Fox News reached out to governors' offices across the country to ask if they'd help enforce a mask mandate. While the majority of America's governors already have issued statewide mask requirements, 16 states have not — and nearly half of their governors have suggested they would defy orders from the Biden administration to implement such a mandate.
"It's time to end the politicization of basic, responsible public health steps like mask-wearing and social distancing," Biden said on Monday during a speech in Wilmington, Del. "The single most effective thing we can do to stop the spread of COVID: Wear a mask."
With more than 10 million confirmed cases of COVID-19 and 239,000 deaths in the U.S., Biden's transition team unveiled this week a 13-member task force to address the virus, as well as a website outlining the new administration's plan to combat the pandemic.
Although the former vice president initially said he would use executive power to require Americans to wear a mask in public, he's since backed away from that stance, instead saying he would appeal to governors and mayors to adopt a mandate.
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Gov. Mike Dunleavy, a Republican, has previously resisted imposing one and maintains that such decisions are best made by local governments.

Arizona

Arizona's governor's office, which did not respond to a request for comment, has not installed a mask requirement in the state.

Biden previously blamed Republican Gov. Doug Ducey for Arizona's rise in coronavirus cases in June. “Just look at what happened in Arizona. Republican governor initially tried to bar local governments from implementing mask mandates in their communities,” Biden said in mid-October.

Ducey gave authority to local governments in mid-June to determine whether they needed a mask mandate.

Florida

Florida's governor's office did not respond to a request for comment. The state has never imposed a statewide mandate.

Several Republican lawmakers suggested this week it was unlikely to happen, even if Biden reaches out to Republican Gov. Ron DeSantis.

“Reaching out is one thing, but reaching out and demanding that you do something that you didn’t choose to do and that you don’t have to do is not bipartisanship,” said State Rep.Randy Fine.

Georgia

The Peach State does not have a mandate in place, although Georgians are "strongly encouraged" to wear face coverings when possible.

Republican Gov. Brian Kemp's office did not respond to a request for comment.

Idaho

Republican Gov. Brad Little's office did not respond to a request for comment. The state's biggest cities currently require masks in public, but there is no statewide mandate.

Iowa

Republican Gov. Kim Reynolds, whose office did not answer a request for comment, has previously said that cities and counties do not have the authority to enact mask mandates.

Mississippi

Mississippi Gov. Tate Reeves, a Republican, told Fox News that pressure from the Biden administration for the state to adopt a mask mandate would "have no impact."

“Mississippi has always developed our own protocols, and they’ve worked," Reeves said in a statement. "We’ve had a statewide mask mandate when the numbers reached a crisis-level, and we’ve lifted it when the numbers no longer justified it. This is the role of governors—not a president. ‘State managed, federally supported’ is how we’ve always dealt with crises in this country, and it’s not changing.”

Missouri

Several cities and counties in Missouri have enacted mask mandates, but there is no statewide requirement. Republican Gov. Mike Parson's office did not respond to a request for comment.

Nebraska

During a press conference this week, Gov. Pete Ricketts, a Republican, said that he would not implement a mandate if asked to do so by the president-elect.
“I would not be going along with a mask mandate,” Ricketts said during a Monday. “I’d be keeping the same policy.”
Masks are currently required for both clients and staff at barbershops, salons and other personal-care businesses, and are recommended for restaurant employees. Lincoln and Omaha have both adopted broader local orders that require people to wear face coverings in most indoor spaces.

New Hampshire

Gov. Chris Sununu, a Republican, who was overwhelmingly re-elected last week thanks in part to his strong approval rating on the coronavirus, told Fox News that he supported allowing local communities to make their own decisions regarding a mandate.
"New Hampshire has managed this crisis well and I have supported local communities in their decision to enact mask mandates, but a one-size-fits-all approach out of Washington is not the answer to combatting this crisis," he said. "It’s ensuring that each state has flexibility to attack this pandemic in a targeted, data-driven way.”

North Dakota

The North Dakota governor's office declined to comment. The state currently does not have a mask mandate in place.

Oklahoma

Gov. Kevin Stitt, a Republican, has resisted calls for a statewide mask mandate. His office did not respond to a request for comment this week.

South Carolina

Gov. Henry McMaster, a Republican, has been clear from the beginning of the pandemic: he will not issue an unenforceable statewide mandate. Local officials – who best know their communities, businesses and needs – are best suited to make those decisions and enact any ordinances they deem necessary.

South Dakota

South Dakota recommends that individuals wear a face covering in public, but it has not made masks mandatory. The governor's office did not respond to a request for comment.
Tennessee
Several jurisdictions in Tennessee have adopted mask mandates, but the state has not done so. The governor's office did not respond to a request for comment.

Wyoming

Wyoming does not have a mask requirement in place, and has said installing such a mandate is the state's decision -- not the federal government's.
"I believe any decision on a statewide mask mandate would be Wyoming's to make," Gov. Mark Gordon, a Republican, said in a statement to Fox News.
The following states already have some form of a mask mandate in place:
Alabama
Alaska
Arizona
Arkansas
California
Colorado
Connecticut
Delaware
Hawaii

Illinois
Indiana
Kansas
Kentucky
Louisiana
Maine
Maryland
Massachusetts
Michigan
Minnesota
Montana
Nevada
New Jersey
New Mexico
New York
North Carolina
Ohio
Oregon
Pennsylvania
Rhode Island
Texas
Utah
Vermont
By Megan Henney

LJS: Is COVID-19 more contagious? Or are more restrictions needed?

Dr. James Lawler has a direct and critical message he wants the people of Nebraska to hear.
"Their health system is going to be overwhelmed and will collapse in a matter of weeks, unless we do something different," the director of clinical and biodefense research at the University of Nebraska Medical Center said.
In Nebraska, nearly 75% of hospital beds are in use and about 70% of intensive care beds are full, according to the Nebraska Department of Health and Human Services. And case numbers are doubling every two to three weeks.
Nebraska cases are nearing 90,000, and about 770 people have died from the virus. Lancaster County cases are nearing 12,000 with 54 deaths.
What is causing the surge in Nebraska cases? Has the virus become even more contagious, or are there other reasons?
Two studies, one in October of more than 5,000 COVID-19 patients in Houston, found the virus was accumulating genetic mutations, and one, located in the spike protein that pries open cells to make its entry, may have made it more contagious.
It's mutating in part because of random genetic changes, and because of pressure from people's immune systems, said Ilya Finkelstein, co-author of the study at the University of Texas at Austin.
During the initial wave of the pandemic, 71% of the novel coronaviruses identified in patients in Houston had this mutation, according to a report in Science Daily. By the second wave of the outbreak this summer, the variant had leaped to 99.9% prevalence. And that mirrors a trend observed around the world and in a July study published elsewhere.

A study of more than 25,000 genome sequences in the United Kingdom found that viruses with the mutation tended to transmit slightly faster than those without it and caused larger clusters of infections, the report said. Natural selection would favor strains of the virus that transmit more easily. The mutation could allow the spike to evade a neutralizing antibody that humans naturally produce to fight SARS-CoV-2 infections.

Some scientists suggest the mutation might have been more common in the first viruses to arrive in Europe and North America, essentially giving them a head start on other strains, the report said.

Lawler favors different explanations for the surge of cases in Nebraska. And those reasons have to do with missed chances to enact health directives and make good decisions to protect the state's residents.

"The bottom line is you don't need a more infectious virus to explain this," Lawler said. "This is easily explained by the natural epidemiology of the virus and the fact that we're not doing the things that we know we need to do to stop transmission."

SARS-CoV-2 is an RNA virus, and these viruses mutate frequently, he said. Their genetic evolution is constant, and multiple varieties and changes are expected.

The virus continues to mutate as it rips through the world, Finkelstein said. "And people are giving this virus a lot of chances," lead author James Musser of Houston Methodist told the Washington Post. Each new infection is a roll of the dice, an additional chance to develop more dangerous mutations.

UNMC has not done sequencing on the scale as the one in Houston, Lawler said. But he is not aware Nebraska researchers have seen any specific mutations that are predominating or indicate viruses with enhanced transmissibility.

The rate and rapidity of infection being seen in Nebraska and other places in the Midwest is similar to what was experienced in New York and Europe in the spring, and Europe now.

Nebraska is testing more than in the spring and finding a lot more of the cases than it did then. It's also experiencing a higher positivity percentage.

In the spring across the country, Lawler said, only 1 out of every 18-20 cases was being detected. Now, it's 1 out of every 4-5.

"We're still missing quite a lot. But we're catching a lot more than we did," Lawler said. "Our true infection rates are probably similar to, and in some areas of the country certainly exceeding, what New York saw during the spring."

The outbreak is much more widespread than in the spring, affecting a much larger geographic area.

"We are watching exponential growth in action. That's how these epidemics grow," Lawler said. "We're not even close to the ceiling yet. So if you think case counts are high now, wait three weeks or six weeks."

Around Omaha, restaurants are full. Bars are full. People are having events at their houses. People are having 200- and 300-person weddings. Lincoln's Royal Grove nightclub recently had a concert with 500 attendees and pictures showed concertgoers crowded near the stage, many without masks.

"This is how a respiratory virus transmits," he said. "We did the things in the spring necessary to stop transmission. We are not doing them now."

Limiting gatherings and mandating face masks will mean people more commonly comply, he said. He compared it to the history of seat belt use. When laws were passed, compliance went way up.

Here's what he and other medical personnel say they would like to see:

* Ban all gatherings of greater than 10 people.
* Temporarily close all indoor dining, bars and clubs.
* Lower numbers of students at schools.
* Mandate wearing of face masks in public.

"If we do all those things, we'll control the epidemic," Lawler said.

Herd immunity has been suggested by some Nebraska politicians as a way to get through the pandemic, but is a bad strategy, and could result in 2 million deaths, Lawler said.
"That's when the health system is functioning well," he said.
The fatality rate goes up considerably when health systems are overrun.
"Our health systems are about two weeks away from being overrun in Nebraska," Lawler said. "Three weeks from now, when you have a heart attack, I'm not sure who's going to be able to treat you."
By JoAnne Young

Kearney Hub: Two Rivers says masks save lives and mask mandates makes sense, but only municipalities can pass a mandate

KEARNEY — Jeremy Eschliman, health director of Two Rivers Public Health Department, compares wearing masks during the COVID-19 pandemic to wearing seat belts in cars.
“Seat belts save lives. Science has proven that. The same could be said about COVID-19 if a wide swath of the population wore masks,” he said.
Eschliman made that request at a Two Rivers Zoom session with community leaders in Holdrege Monday. Identical sessions are set for noon today in Kearney and again Thursday in Lexington.
His plea came several hours after Gov. Pete Ricketts announced new statewide Directed Health Measures that will take effect at midnight Wednesday. Masks are encouraged but not required, Ricketts said, and that concerns Two Rivers. “The numbers are not going in the right direction,” Eschliman said.
Added Aravind Menon, Two Rivers epidemiologist, “Cases are like a stepladder, increasing every week. There is a huge ballooning of cases in Buffalo County.”
In Buffalo County, there were 111 new cases Monday, 102 on Sunday, 54 Saturday and 142 Friday. There have been 671 new cases in the last four weeks. Masks would slow that down, Menon said.

Cotton is best

Menon said masks must fit snugly and cover a person’s face from the top of the nose to the bottom of the chin.
He talked about the benefits of masks made of two layers of cotton. He said a study at Virginia Tech said that “even a cotton T-shirt” is more effective than a mask of wool or muslin because cotton keeps out up to 67 percent of COVID-19 droplets.
“We see tightly woven cloth masks are really effective. Small particles can’t get through, and large particles are stopped almost completely. Mostly small/medium particles are a problem with COVID, but masks manage to capture a large part of them,” he said. “The fear is not the virus passing through the mask, but the virus piggybacking on other things like phlegm, etc.”

Beds filling up

As cases spike, the region’s hospital beds are filling up.
As of Monday, COVID patients occupied 36 percent of the 238 hospital beds in the seven-county Two Rivers area, said Katherine Mulligan, Two Rivers planning section supervisor. She said 75 percent of the region’s ICU beds are in use.
“With masks, there would be less prevalence of COVID-19 in the community. There would be more children in schools, more businesses prospering and fewer people in hospitals,” Eschliman said.
He said masks have helped slow the spread of COVID-19 in schools. “There is very little school-based transmission. (School districts) have done a fantastic job,” Eschliman said.
Todd Hilyard, Holdrege school superintendent, was on the Zoom call. He said the district decided to require masks just a few days before the new school year began in August because COVID-19 cases in the county had begun to rise.

Mask mandate headaches

While mask mandates make sense to Two Rivers officials and others, Holdrege attorney Tana Fye, the legal counsel for Two Rivers, said it's not that simple. The Nebraska Department of Health and Human Services has said mask laws passed by Two Rivers could not be enforceable throughout the region unless there was a formal memorandum of understanding between Two Rivers and each of its region's 50 municipalities.

Without blanket enforced rules, the region would have "a patchwork system," she said.

Rules passed, say in Kearney, Lexington and Holdrege would not be enforceable outside their borders.

The Two Rivers board passed a resolution in August calling for people over age five to wear masks unless they are at least six feet beyond another person. It also recommended that indoor businesses require face coverings. "That was a fairly robust discussion," Eschliman said.

But those resolutions are not mandates. They remain recommendations.

Public weighs in

The public remains divided over the issue.

At the Zoom event, state Sen. Dave Murman of District 38 said business people have told him they "are very much against more restrictive regulations from the health department or the state."

He explained, businesses like cafes, bars and restaurants are struggling right now with the loss of business. Many are just hanging on. I'm all for recommendations, six-foot distancing and even limiting large groups, but I haven't seen any support for a mask mandate."

But Menon said businesses need to prove to customers that they are safe. "Perhaps masking might convince people that a place is safe. If I knew everyone working in a business wore a mask, I'd be more encouraged to go there," he said.

Meanwhile, Menon and Eschliman are worried. Cases keep rising.

"The slope is steep and seems to be getting steeper. Holdrege was really quiet, but now we're seeing the magnitude of the pandemic increasing week to week," Menon said.

Last spring, cases of COVID-19 were largely concentrated around I-80, he said, but now, they are "quite far-flung from that, in Holdrege and Franklin County and smaller towns in that area," Menon said. Cases are also on the rise in Gothenburg.

Cases are rising quickly in people aged 18-50. They then pass COVID-19 on to their parents and grandparents, who often become very ill, he said. Some do not survive.

Without masks and tighter restrictions, Eschliman said hospitals will be hit hard. "This will be a real challenge in the near future when there is no room for people who are severely sick to go," he said.

He said mask mandates have been issued in Omaha and Lincoln. He believes they should be issued here, too.

"I'm interested in hearing from you. Call us. E-mail your thoughts," he said.

By Mary Jane Skala

OWH: Approximately 255 Siena Francis House residents in quarantine after COVID-19 outbreak

The Siena Francis House has about 255 residents in quarantine or isolation because of a COVID-19 outbreak.

Executive Director Linda Twomey said that residents have been in quarantine or isolation for about two weeks. The center is in daily contact with the Douglas County Health Department on steps to take, she said.

At latest count, 54 of those individuals had active cases of COVID-19, and they are in isolation, she said. Some of those cases are people who tested positive in the community but had no place to stay, so they were sent to the shelter.

The shelter has sent about 25 people off campus to quarantine because their underlying health issues made them especially vulnerable to COVID-19. Those people are still getting help from the shelter in partnership with the Open Door Mission.
The shelter has been testing its clients and noticed a surge in positivity rates about 10 days to two weeks ago, she said.
About 35% of the shelter's tests are coming back positive. That's similar to the positivity rate for tests of the general public in Douglas County — 31% at latest count.
Twomey estimated that about 100 residents left the shelter rather than quarantine. For the time being, the shelter is closed to new admissions. Siena Francis House is working with other shelters to find housing for those in need.
By Nancy Gaarder

LJS: 3 deaths, 192 new COVID-19 cases reported in Lancaster County

Three more Lancaster County residents have died of COVID-19, and 192 new coronavirus cases were confirmed Tuesday, according to the Lincoln-Lancaster County Heath Department.
In a news release, the Health Department identified those who had died as a man in his 60s, a woman in her 60s and a woman in her 90s. All three had been hospitalized.
The new deaths raised the local toll to 54, and to date, the county has confirmed 11,513 coronavirus cases during the pandemic.
Health officials have documented 4,460 recoveries.
Lincoln hospitals cared for 121 hospital patients, including 74 patients who came from outside Lancaster County, according to the Health Department.
Tuesday's hospitalizations marked a local record.
Health Department officials continue to encourage people to limit their trips outside the home, telework if possible and wear masks around people not from their household.
On Tuesday, Lincoln Public Schools reported 17 new cases in 16 buildings.
Bryan won't do elective surgeries
Bryan Health on Tuesday announced additional restrictions on elective surgeries as it deals with a continued surge of COVID-19 patients.
The health system said it had 102 patients with active COVID-19 infections in its two hospital campuses, 68 of them from outside Lancaster County.
Because of the continued increase in COVID-19 patients, Bryan announced it will postpone the scheduling of any new elective surgeries that require an overnight stay until at least Nov. 27. The change will apply to future surgeries but not ones that are already scheduled.
Bryan Medical Center CEO John Woodrich said COVID-19 patient numbers have doubled at Bryan over the past two weeks, and taking the drastic move to postpone all inpatient elective surgeries is necessary because, "we need all these available beds."

Platte River Radio: South Heartland COVID-19 Risk Level Rises to Red

HASTINGS – South Heartland District Health Department (SHDHD) executive director Michele Bever reported on current COVID-19 conditions in the South Heartland District. The district COVID-19 risk moved to 3.0, into "severe" risk (red).
Bever said key measures used to determine the level of risk have worsened, including the health care capacity (ICU bed availability, ventilator availability, number of COVID patients requiring hospital care) and the average daily new cases reported to the department. Positivity continues to remain above 15%,

which is indicative of severe community spread.
Bever said the movement of the SHDHD risk does not automatically result in changes to school plans. "The school districts each have their own phased COVID plans," she said. "They use the risk dial as one tool in making their decisions about how best to provide instruction and activities, keeping in mind the safety of students and staff. We believe that it is best for the health of the students and best for the overall health of the community to keep students in school and we are working closely with the schools to maintain that objective as long as we can," she said.
Bever reported that fourteen school districts in Adams, Clay, Nuckolls and Webster counties are affected by COVID-19 as of Wednesday. Overall, there were 260 students and staff out from PreK-12 schools including thirty-nine (39) individuals (33 students, 6 staff) in isolation due to testing positive for COVID-19. "The schools continue to do a good job assuring COVID prevention practices are in place to protect their staff and the students," she said. "We continue to encourage school families and community members to follow their example."
As for healthcare settings, Bever said there are nine long-term care facilities in the South Heartland district with staff, residents, or both who have tested positive for COVID-19 in the past 2 weeks. In addition, today there were twenty-one (21) patients being cared for in South Heartland hospitals due to COVID-19, including seven (7) requiring critical care and five (5) needing ventilators.
Bever noted that with twice-weekly testing of staff at long term care facilities (LTCF), which is required by the Centers for Medicare and Medicaid Services (CMS), the amount of testing in the district has increased dramatically. "Forty-eight percent (48%) of the tests last week are attributed to long term care testing, but only 0.01% of the LTCF test results were positive," she said. By comparison, twenty-nine percent (29%) of the test results from the community (non-LTCF) were positive. "We will begin reporting out separately the LTCF positivity and community positivity for a more accurate picture," she said.
South Heartland's average number of daily new cases for the 14 days ending November 7 was 73.6 per 100,000. "If we had low community spread, we would expect an average of eight or fewer new cases per day per 100,000," Bever said. "Already, in the first four days of this week, we have received 196 positive lab reports, averaging 49 cases per day, which equates to an average of 108 new cases per day per 100,000," she said.
Bever reminded residents that guidance for severe COVID spread includes staying at home when symptomatic, maintaining six feet of distance from people you don't live with, and masking up to reduce risk of close contact exposures. "Our hospitals, locally and across Nebraska are feeling the strain. If hospitals are caring for patients with severe symptoms of COVID-19, they have less capacity to care for any of us or our loved ones when we have other critical needs, like strokes and heart attacks," she said. "We can all help reduce this burden by avoiding the three Cs: avoid Crowded places, avoid Close Contact and avoid Confined spaces," she said.
"We are urging you to help protect our hospitals, keep our schools open, and keep our local workforce healthy so our businesses may thrive and our loved ones – young and old – and their caregivers remain healthy," she said. "It is up to all of us to take care of our communities."
The levels of risk for COVID-19 spread are indicated on the risk dial as low (0-1.0, green), moderate (1.0-2.0, yellow), elevated (2.0-3.0, orange) and severe (3.0-4.0, red). The COVID Risk Dial & Community Guidance can be found on SHDHD webpages at www.southheartlandhealth.org. South Heartland District case counts and trends can be found on SHDHD's dashboard of local COVID-19 case statistics. This dashboard, along with updates, guidance, news releases and other COVID-19 information and links can be found on the SHDHD website: www.southheartlandhealth.org. The Nebraska Department of Health and Human Services (DHHS) provides daily updates to Nebraska's coronavirus COVID-19 cases on their Data Dashboard at http://dhhs.ne.gov/Pages/Coronavirus.

NP Telegraph: GPH expects to get COVID-19 vaccine by late December

The first doses of a pioneering vaccine for COVID-19 should be available in North Platte by late December, Great Plains Health officials announced Wednesday.

Jason North, the hospital's pharmacy director, said GPH is working with state officials to obtain the two-dose vaccine developed by Pfizer and BioNTech SE.

Pfizer, a major U.S. pharmaceutical firm, and its German partner said Monday that it was proving more than 90% effective in clinical trials in warding off COVID-19 symptoms.

GPH's announcement comes with COVID-19 accounting for nearly one-third of the hospital's patient load and nearly 1,100 active cases in the six-county West Central District Health Department.

North said GPH front-line workers would receive the vaccine first, followed by the community's first responders. It should be available for the health district's general population before winter's end, he added.

As soon as Pfizer announced its promising trial results, he said, GPH officials reached out to the Nebraska Department of Health and Human Services to secure doses as soon as they're cleared for use.

On top of "the newest cutting-edge medications and therapies" GPH already is using with COVID-19 patients, early vaccine access "puts us in the same playing field as many large academic institutions and large hospitals," North said.

GPH has ordered a $9,000 "super-cold" freezer needed to store the Pfizer-BioNTech vaccine at the required 94 degrees below zero Fahrenheit.

North said the vaccine doses, which will arrive in boxes packed with dry ice, have to be administered within an hour of being taken out of the super-cold freezer.

That essentially means vaccines given through GPH will have to be given at locations in North Platte, with people in West Central's other five counties — Arthur, Hooker, Logan, McPherson and Thomas — coming there to receive them.

North said regional hospitals will have to make similar preparations but likely also will receive vaccines directly from Pfizer around the same time for their front-line health workers and first responders.

If they don't get them or can't store them right away, GPH can vaccinate their front-line workers in North Platte, he said.

The Pfizer-BioNTech vaccine's two doses must be given 21 days apart, North said. Additional vaccines being tested by other makers could be either single-dose or two-dose, with some of them able to be stored at room temperature.

By the end of March, "we should be able to see pretty widespread community vaccination" throughout the region, he said.

Despite the vaccine news, North and GPH marketing manager Megan McGown renewed the hospital's plea that people wear masks and maintain social distancing to limit COVID-19's spread and protect health-care workers and first responders.

GPH had 23 coronavirus cases among its 70 patients Tuesday, McGown said, occupying 16 beds on the main tower's third floor — the hospital's original "COVID unit" — and seven more on the fourth floor.

"If the community could peer into a window into our ICU, if they could see a (COVID-19) patient, they would not hesitate to do everything they can to protect their loved ones," North said.

WCDHD's Tuesday evening COVID-19 report showed 1,088 active cases in its six counties, more than half the 1,806 cases confirmed since March.

Fifteen people have died from COVID-19, with the deaths of 15 others being investigated for connection with the virus, according to the department's website.

By Todd Von Kampen

LJS: Health Department revokes Lincoln concert venue's event permit after crowded concert

The Lincoln-Lancaster County Health Department revoked the event plan a Lincoln concert venue needs to host larger shows after the venue failed to enforce social distancing Saturday night.

The estimated 500 concertgoers who attended the sold-out Sada Baby show at the Royal Grove on Saturday should quarantine for 14 days, Health Department Director Pat Lopez said, calling the show a potential super-spreader event.

Images of dozens of maskless fans at the concert standing in front of the stage as the hip-hop artist performed spread through social media and prompted complaints to the Health Department, which had worked with the venue ahead of the concert.

On Facebook this week, the Royal Grove said its COVID-19 precautions and mask requirements were overwhelmed by the energetic crowd and that the 22 staffers working the event couldn't adequately enforce the health directives.

Venue officials didn't immediately return a call seeking comment Wednesday.

Lopez said the venue cannot hold events without an approved event plan and the City Attorney's Office is considering legal action.

“Having an event plan is important, but ensuring your patrons comply with that plan is essential to prevent the spread of the coronavirus in our community,” Lopez said.

“Our health systems are seriously stressed right now and are caring for more COVID-19 patients than ever before. Activities like this are simply not acceptable at this time and impact our whole community.”

The Health Department strongly urged all those who attended the event to self-quarantine for 14 days to protect others. Those who develop COVID-19 symptoms are also urged to get tested.

Lancaster County recorded its second straight day of record hospitalizations during the pandemic, with 127 coronavirus cases needing care at Lincoln hospitals, according to the Health Department.

Of those 127 patients, 79 were from outside the county.

Lancaster County confirmed 234 new COVID-19 cases Wednesday but no new deaths.

During the pandemic, the county has recorded 11,747 cases, 54 deaths and 4,520 recoveries.

The rate of positive tests among overall tests remains at a pandemic high of about 30%, according to the department's data dashboard.

Health officials continue to recommend residents stay home as much as possible, telework if they can, wear masks and avoid gatherings with other households.

The Nebraska Department of Health and Human Services reported 2,209 new cases Wednesday, bringing the total to 89,942. One new death was reported, raising the state total to 731.

Lincoln Public Schools reported 20 positives cases from 15 buildings.

By Riley Johnson

OWH: Nebraska AG joins friend-of-the-court brief challenging some Pennsylvania mail-in ballots

LINCOLN — Nebraska Attorney General Doug Peterson filed a friend-of-the-court brief Monday in a legal case challenging some Pennsylvania mail-in ballots.

The case is one of many filed over last week’s national election. It concerns a Pennsylvania Supreme Court decision allowing the counting of ballots that were mailed by Election Day and received within three days.

The Republican Party of Pennsylvania, which filed the challenge, is asking the U.S. Supreme Court to hear it. Several Republican attorneys general across the country are filing amicus, or friend-of-the-court, briefs in support of the Pennsylvania GOP.

Nebraska joined a brief filed by Oklahoma Attorney General Mike Hunter, which argues that the Pennsylvania high court usurped legislative authority to set election rules. Indiana, Kansas, Tennessee and West Virginia also joined in the brief.
“Amici states have important interests in enforcing the absentee ballot deadlines created by their legislatures and ensuring such statutes cannot be amended by state courts merely because some voters will not act in a timely fashion to comply,” the brief said.
Peterson’s spokeswoman, Suzanne Gage, said he joined in brief “to maintain the proper separation of powers within state governments.”
She said he had no response to President Donald Trump’s contention that the election is being stolen through election fraud.
The ballots in question have been set aside pending the resolution of legal challenges. They are not included in the unofficial election returns that show Democrat Joe Biden ahead of the GOP president by more than 47,000 votes in Pennsylvania.
Republican attorneys general from 10 other states, led by Missouri, filed a separate amicus brief Monday. It argues that Pennsylvania overstepped its constitutional authority in accepting late ballots, that voting by mail creates voter fraud risks and that the decision to accept ballots after Election Day exacerbated risks of absentee ballot fraud.
By Martha Stoddard

NCN: Southeast Community College dedicates new Lincoln Campus Health Sciences Center

LINCOLN – Southeast Community College dedicated a new Health Sciences Center on the school’s East “O” Street campus in Lincoln, holding a ribbon-cutting for the new 82,000 square foot facility.

"I believe....I have no doubt this will be one of the highest quality health science teaching facilities in the country. It is designed to promote innovation and collaboration among all of our health science programs."
The center will be home to sixteen health science programs offered through Southeast Community College. SCC President Dr. Paul Ilich says it will provide state-of-the-art training for students seeking employment in high-demand career fields.

"SCC produces approximately two thousand health science graduates every ten years, with ninety percent of these individuals finding employment in Nebraska. The challenge we have in Nebraska is that we have a tremendous shortage of skilled workers in these same health science occupations. Nebraska community colleges are uniquely positioned to address this barrier to Nebraska's economic growth."

SCC Dean of Health Sciences, Jill Sand gave one example where students will be able to seek a licensed practical nursing degree.
"For our LPN practice nursing program, they will have new spaces on both the Lincoln and Beatrice Campus.....new labs and an interdisciplinary space on both campuses will connect students like never before....and grow a hope for the future for quality health care. Our students will have access to some of the latest innovations in health care education, like a home-care setting in our interdisciplinary center apartment...flexible and versatile nursing labs...that will open doors to students across our fifteen county area who otherwise believed getting a nursing degree, wasn't an option."

Nebraska Lieutenant Governor Mike Foley described the new center as “a game changer”, with it comes to developing students for careers in health-related fields.

"Oh, the places they will go...the students that will study here, come January. This is going to be a beehive of activity. Those young people are going to be earning degrees in fields where they will be instantly in demand. They're in demand, today, because there is a great shortage of workers in health sciences career paths. They'll find so many wonderful opportunities not only in Lincoln, but beyond."

Community college board members, administrators and staff attended the ribbon cutting at the facility Tuesday morning. It’s located just east of the main campus buildings and the Career Center, on the Lincoln Campus.
By Doug Kennedy

LJS: Legislature's two-day gathering in Mullen hits COVID-19 wall

The coronavirus has been slipping itself into people's calendars for most of 2020, plundering in-person meetings and forcing people out of board rooms and conference venues.
Sen. Mike Hilgers, chairman of the Legislature's Executive Board, thought his thorough planning and attention to detail could defeat this meeting wrecker and allow senators to gather this week as the Legislative Council outside of Lincoln at a beautiful Nebraska Sandhills site.
Uh-uh. The virus gets wind of it and wins again.
Legislative Council — canceled.
Hilgers — in quarantine.
Senators were to gather Thursday and Friday, either in person or remotely, to hear speakers and discuss what is coming Jan. 6 when the Legislature convenes for the 107th session.
Hilgers had promised to make it as safe as possible, with plans for temperature checks, mandatory masks, social distancing and limiting capacity. A system was put in place to allow those who didn't want to meet in person to be able to fully participate.
On Tuesday, as he was finalizing weeks of preparations for senators to meet at the Dismal River Club near Mullen, Hilgers learned he had a direct exposure to someone who tested positive to COVID-19. That meant he couldn't attend the council gathering.
It's not that the meeting couldn't go on without him, he said, but the timing for getting those critical last steps of spacing, cameras, Wi-Fi and compliance with the directed health measures in place was now in jeopardy.
"The problem was at the 11th hour, there was no way I could be 110% confident that ... the promises that I made, that people relied on, that I could fulfill," he said.
And he couldn't, in good conscience, foist it on someone else.
So he and others will try to figure out how they can comply with statutory obligations to meet as a Legislative Council this year, even if it's a much smaller group, socially distanced, for a much shorter time.
Certainly not in the grand way he had planned, with speakers and presentations and the beautiful view.
"Could we be in 2021 back in the Sandhills? ... Potentially. I wouldn't take that off the plate," he said.
By JoAnne Young

LJS: Study: Nebraska lags behind in high-tech jobs

Despite an emphasis on creating high-tech jobs over the past few years, Nebraska is still lagging behind other states when it comes to the number of those jobs.
That's according to a new study from the Bureau of Business Research at the University of Nebraska-

Lincoln.
Only 4.4% of the state's jobs in 2018 were in the professional, scientific and technical services sector, according to the study, compared with 6.23% nationwide. Study author Eric Thompson said that's one of the widest gaps between state and local numbers of any job category.
That gap has widened over the past decade. From 2009-18, professional, scientific and technical services sector jobs grew about 8.6% in Nebraska, but they grew 22.9% in the U.S. as a whole.
“Nebraska’s slower growth is partly the result of Nebraska’s urban structure, characterized by small and mid-size metropolitan areas and a large non-metropolitan population,” said Thompson, who is director of the Bureau of Business Research.
But even Omaha and Lincoln lag peer cities when it comes to the percentage of those jobs, the study says. Omaha's 5.29% of professional, scientific and technical services sector jobs, is below its peer group average of 6.3%, while Lincoln's 4.74% lags its peer group average of 5.13%.
Thompson said it's important for the state to do whatever it can to support growth in this employment sector, because the jobs have high wages, with an average weekly salary of $1,800 nationwide in 2018. The average salary in Nebraska was considerably lower at $1,330 a week, but that's still higher than the average salary in almost every other job category.
“Faster growth in the industry would raise household income, per-capita tax revenue and support the retention of college graduates,” he said.
By Matt Olberding

LJS: E-cigarette indoor workplace ban begins Saturday

The use of electronic cigarettes within indoor workplaces will be prohibited in Nebraska, beginning Saturday.
The only exceptions will be within electronic smoking device retail outlets or vape shops.
The prohibition was enacted by the Legislature effective Nov. 14 and includes office buildings, manufacturing facilities, retail services, restaurants and bars.
"Tobacco Free Nebraska encourages all businesses, especially those that currently allow the use of e-cigarettes indoors, to take steps to inform employees and visitors about the upcoming change," the Nebraska Department of Health and Human Services stated in a news release.
"The change is about protecting Nebraskans from exposure to secondhand aerosol from e-cigarettes (and) it is also a great time to try, or retry, quitting e-cigarettes or tobacco," said Amanda Mortensen, program manager for Tobacco Free Nebraska.
For more information or assistance, Mortensen urged Nebraskans to call 1-800-784-8669 or visit QuitNow.ne.gov.
By Don Walton

OWH: 'Grievous' shortcomings at Sarpy County Treasurer's Office prompt state audit

State auditors say the Sarpy County treasurer has failed to balance some county financial records, lacks an understanding of bookkeeping practices and allowed the deputy treasurer to take a Hawaiian vacation while officially on the clock.
State Auditor Charlie Janssen’s office in January plans to begin an audit of the operations led by Sarpy County Treasurer Brian Zuger, who was elected to the $101,000-a-year position in November 2018.
A report released by Janssen’s office this week detailed county financial records that were incomplete or inaccurate and a patchwork system of record-keeping that made it difficult to reconcile some financial data. The audit, called an attestation, will cover the period from July 1 through Dec. 31.

“The treasurer is in control of over $130 million on a daily basis, making his obvious accounting shortcomings particularly grievous,” the report says.
The county will be on the hook for the cost of the audit, as well as some work the State Auditor’s Office has already completed.
Zuger on Tuesday said that the concerns identified by the state are the result of an “antiquated” system of record-keeping and the need for more employees, better training and updated technology. He said that his office has been making changes to its practices but that the pandemic caused delays.
“I want to have a transparent and open office,” Zuger said.
Don Kelly, chairman of the Sarpy County Board, said in a statement Tuesday that board members and Zuger welcome the audit. The County Board has hired an independent firm to conduct a separate audit.
The state began working with the County Treasurer’s Office in April. Obtaining information over the past several months was “extremely challenging,” and as of Monday, auditors had not received full access to necessary records, the report states.
One example of the auditors’ findings: The county’s most recent semiannual financial report contained an apparent $1.9 million discrepancy that the report says could not be explained. In another instance, county investment records initially indicated a shortage of $8.6 million; further examination showed that investments held at the bank actually exceeded county records by more than $500,000.
Zuger chalked up those kinds of discrepancies to bookkeeping or system errors — nothing more sinister.
“There’s not money missing,” Zuger said. “We reconcile to the bank. It’s a clerical error that got blown out of proportion.”
Some bank reconciliations were not completed in a timely manner, while others were not provided to auditors, according to the report.
Zuger said the county is in the process of replacing a controller position in his office, as well as adding accounting technology that will automate some processes.
Auditors also said that Deputy County Treasurer Dan Templeton took a two-week vacation to Hawaii in July 2019 that was not documented on his employee timesheet.
A response in the report by a deputy Sarpy County attorney stated that Templeton’s work hours are considered round-the-clock. The attorney wrote that Templeton often works 12-hour days in addition to evenings and weekends.
Zuger agreed to allow his deputy to go on the family vacation without taking leave because of those excess hours, the county attorney wrote.
Auditors did not find a state statute or county policy that addressed the vacation situation. But the agency “believes that government pay should be received only for actual work performed or actual leave earned,” the report states.
State statute doesn’t require Zuger to be a certified accountant. He is responsible “for hiring adequate staff to ensure that the office runs smoothly, accounts are balanced, and all monies received by the County are recorded accurately,” the report says.
Zuger, who served two years on the County Board before he was elected treasurer, said he has a master’s degree in public administration with a specialization in finance from Bellevue University.
The report notes that the County Board has the ability to remove the treasurer from office and appoint someone else.
By Reece Ristau

OWH: Judge reviews whether Omaha police can declare peaceful march illegal, use chemical agents

A federal judge heard arguments Tuesday on the ACLU of Nebraska’s request to curb the Omaha Police

Department's ability to take action against nonviolent protesters, such as declaring a peaceful march unlawful because of a traffic ordinance and using chemical agents.
The hearing on the ACLU's petition for a preliminary injunction is part of a civil rights lawsuit filed last month by the group ProBLAC (Progressive Black-Led Ally Coalition) against the City of Omaha, specifically naming Police Chief Todd Schmaderer and Capt. Mark Matuza as defendants.
The lawsuit alleges that police used excessive force by using pepper balls and tear gas against peaceful protesters and says mass arrests after a march in the street from midtown to downtown July 25 restricted their free speech and were retaliatory because of protesters' message against police brutality.
Omaha police arrested about 125 people at the Farnam Street bridge over Interstate 480 that night, citing two city ordinances — against obstructing public roadways and refusing a lawful request to move — to declare a march or protest unlawful. The arrests caused a backlog during the booking process at the Douglas County Jail. Ultimately, the City Prosecutor's Office filed charges against only roughly 25% of the protesters who were arrested.
Eight plaintiffs, including a legal observer, are named in the lawsuit, which said they were unnecessarily injured or hit by pepper balls.
Tuesday's hearing was held so a quick decision can be made on whether Omaha police can continue to cite the city ordinances to make arrests and use chemical agents to deter and disperse peaceful protesters. U.S. District Senior Judge Joseph F. Bataillon said he would need time to research and understand the arguments and would issue his written decision later.
Adam Sipple, legal director at the ACLU of Nebraska, told Bataillon that the "modest and reasonable" request for injunction is needed because the Police Department has said in a statement that "public streets are not forums for protesting" and that more arrests could occur during future protests if ordinances aren't followed.
"There was no active aggression at the Farnam march (by protesters), no evidence of it," Sipple said at the hearing. "To use chemicals to arrest them (for violating a minor city ordinance) is decidedly unreasonable."
Sipple argued that Omaha police cannot decide to declare a spontaneous, peaceful protest unlawful even if it prevents one car from driving down a road. He said the city ordinances are overbroad and unconstitutionally vague, and cannot be used to suppress the protesters' First Amendment rights.
"There has to be room for political expression to breathe," he said.
Bataillon asked several questions and mentioned that he didn't recall any mass arrests when Husker fans congregated at 72nd and Dodge Streets to celebrate a national championship. He also said it would be unlawful if he stood in the middle of traffic on Dodge Street and asked about the process to get a permit from the city. He said one issue is for the police to be able to plan for protests.
Sipple said the July 25 march in the streets was hastily planned after a rally in Turner Park.
Michelle Peters, an attorney for the City of Omaha, referenced the parade permit application process and said that police want to keep the marchers safe, along with other pedestrians or bystanders, and that traffic isn't the only concern.
"They do have a right to protest, to express, but that right is not absolute," Peters said.
Bataillon asked Peters why police arrested the protesters on the bridge, when officers in cruisers had continued to follow them and block traffic during the two-hour march and then finally sealed off Farnam Street just before initiating the mass arrests. Bataillon said if Farnam Street was blocked off by police, at that point, protesters weren't obstructing traffic or in danger.
Peters said that officers made at least 10 announcements on a cruiser loudspeaker that the march was unlawful but that attendees didn't stop. Some protesters have said they couldn't hear the warnings.
Most marched in the streets, but some walked on the sidewalks, the ACLU has said. Peters said some of the protesters arrested on the Farnam bridge sidewalk had been in the street and had jumped the

barrier to get on the sidewalk.
Peters went on to say that the mass arrests that night have not chilled the plaintiffs' free speech because they continue to hold protests. Bataillon questioned that, asking if she knew whether every plaintiff still participated in protests or if anyone contracted COVID-19 after being arrested.
"They are not being prevented from protesting on the sidewalk," Peters said.
"Except the ones you arrested on the bridge," Bataillon responded.
Concerning pepper balls and tear gas, Peters argued that those are low-level force options and that clearly protesters wouldn't want officers to use Tasers, batons, police dogs or firearms. Restricting the use of pepper balls would hamstring officers, she said.
"It fully ties the hands of police officer in rapidly changing circumstances as to what the reasonable response is," Peters said. "Things that start well-intentioned can turn very quickly."
Peters declined to comment after the hearing, but Sipple said it was important for his clients to be heard Tuesday.
"Police don't have absolute authority," he said. "A democratic system provides checks and balances."
By Alia Conley

OWH: State Farm to shut Lincoln office permanently; employees to work from home

State Farm Insurance announced this week that its Lincoln office is one of a dozen around the country that will close permanently, although it will not necessarily mean any local jobs are being cut.
Most of the company's employees have been working from home since March because of the coronavirus pandemic, and State Farm has decided to make that arrangement permanent, said spokeswoman Gina Morss-Fischer.
"As a company, maintaining flexibility in how and where we work is just one of the many ways we can better serve customers," Morss-Fischer said in an email.
State Farm has approximately 750 employees in Lincoln, which is down considerably from the more than 1,300 it reported in 2013.
That's the year it sold its two buildings in Lincoln along with several others around the country to Lone Star Funds, a Dallas-based private equity firm, and then leased them back.
In 2018, it consolidated all of its local workforce into the larger of the two buildings on its campus near 84th and O streets.
Morss-Fischer said State Farm is in the process of finalizing its withdrawal plans and that they will vary by market. She did not say when the company will formally vacate the Lincoln building.
The company has been consolidating its operations over the past several years into large locations in Atlanta, Dallas and Phoenix and already had closed other offices in several states.
The other offices that will be closing are in Austin, Texas; Ballston Spa and New Albany, New York; Birmingham, Alabama; Charlottesville, Virginia; Concordville, Pennsylvania; DuPont, Washington; Greeley, Colorado; Murfreesboro, Tennessee; Newark, Ohio; and Winter Haven, Florida.
State Farm is believed to be the first large employer in Lincoln to move to a totally virtual workforce. A number of the city's large employers have had most or all of their employees working from home since March, but most of them expect their employees to eventually return to the office.
Among the ones who have said they might allow some employees to work from home permanently are Ameritas and NRC Health.
Ameritas spokesman Hunter Reeves told the Journal Star in September that the insurance company was "evaluating some approaches" that would allow some employees to become permanent telecommuters.
NRC Health, which provides a range of management and consulting services to health care companies, said it found that its nearly 400 Lincoln-based employees have been very productive working from

home, and it plans to let most of its employees work from wherever they want long-term.
"We do not plan on making our associates return to working full-time from the office," Chief Operations Officer Jona Raasch told the Journal Star last month.
The company is in the process of remodeling its building at 13th and Q streets to create larger spaces on two of its floors for socializing and collaborative work.
By Matt Olberding

OWH Editorial: Let concerns be heard, but the election outcome is clear

Sen. Ben Sasse and Rep. Don Bacon have this right: Joe Biden is the next president.
Bacon told The World-Herald's Joe Morton the "handwriting's on the wall" that Biden won. "We don't want to delegitimize the elections at all, and so I ask the president to take a higher road on it. Because in the end we've been doing these elections since 1788 and we don't want to pull apart at the seams."
Sasse is one of four GOP senators to congratulate Biden. Thirty-one former Republican House members, including Nebraska's Doug Bereuter, decried President Donald Trump's allegations of vote fraud.
The United States has a formal process through which Biden's victory will be certified, but the outcome is not realistically in question any more than it is in question that Republicans made gains in the House — using the very same ballots that the Trump campaign continues to selectively challenge.
We have had close presidential elections before. Democrats have suffered bitter defeats, including in 2016. The transition has been delayed only once, in 2000, when 537 votes in Florida ultimately decided the election. It's not nearly that close this year, but the Trump administration is blocking transition funds.
Unlike in 2000, the Trump campaign would need to overturn the results in Pennsylvania, where Biden leads by 47,000 votes, and at least one other state, assuming Biden remains ahead in Arizona or Georgia, whose Republican secretary of state said it is unlikely a recount or investigations of fraud allegations will flip the state to Trump.
Trump's claims are of a pattern. He alleged, without basis, that millions of people voted illegally in 2016, depriving him of a national popular vote win. After he finished second to Ted Cruz in the Iowa caucuses in 2016, he tweeted, "Ted Cruz didn't win Iowa, he stole it," and "Based on the fraud committed by Senator Ted Cruz during the Iowa Caucus, either a new election should take place or Cruz results nullified."
Sound familiar?
As Bacon suggests, questioning the fundamental fairness and accuracy of our elections erodes public confidence in a way that risks lasting impact. How many millions of Trump's supporters will doubt election outcomes from now forward?
Legitimate legal challenges must be heard. Biden, seeking to be a unifier, could endorse that with seemingly little to fear. No court has heard a legitimate challenge yet, with thin Trump complaints being quickly dismissed. Republican Sen. Marco Rubio argues that Trump's claims wouldn't be harmed by moving forward with transition work. "We need to have that contingency in place," Rubio said.
It is one thing to pursue legitimate legal questions. It is another to willfully damage confidence in the foundation of our system of government.
Our election system is a marvel. Each of the nation's 3,141 counties tabulates its votes and reports them to the chief election officer of their state, whose office reports statewide totals. We had record turnout this year — which we want — and record mail-in voting because of pandemic safety concerns. Mail-in votes are legal in some form in every state, including five states that have long conducted elections by mail only, with no evidence of fraud.
The big turnout and record mail-in votes slowed counting, particularly in the most populous counties. In

some states, including Michigan and Pennsylvania, where Trump showed early leads, absentee votes, most heavily used by Democrats, were counted last. In Michigan, for example, 1.5 million votes were cast in just two metro Detroit counties, compared with 950,000 for all of Nebraska. It took longer to count them, but as former President George W. Bush said in a statement congratulating Biden, “The American people can have confidence that this election was fundamentally fair, its integrity will be upheld, and its outcome is clear.”
It is time to move forward with American history.

OWH Erica Wassinger: Here's why established businesses should partner with startups

Early-stage startups are susceptible to failure for many reasons. According to CrunchBase, among the top reasons for failure: the team. The wrong person or people in the wrong roles for the wrong company.
What are the roles that needed in an early startup? To oversimplify, it is a blend of business and tech. There’s a sixth (wo)man in this lineup: the early customer.
When startups are well designed, customers add as much input as early employees.
Here’s the rub, though: As a business community, we’re generally not good at being first customers. All too often, corporations and small businesses alike shy away from being an early adopter to new, homegrown technology. Perhaps the decision-maker fears internal politics. Maybe it is the risk of a failed experiment. Or the startup doesn’t meet the criteria outlined in an organization’s vendor parameters.
Whatever the reason, I argue that for established businesses, partnering with early entrepreneurs is a smart risk.
You shouldn’t partner with a startup just to say you did it.
Instead, boldly champion local entrepreneurs who are solving problems in your industry or who are germane to your business.
Suppose a startup shows merit in understanding your pains and offers a unique means of providing solutions. You should partner up.
What to expect as a first customer?
The upside includes:
Influence. First customers and early users get an outsized amount of influence over a startup’s product, pricing, sales strategy and support functions. It’s an influence that shouldn’t be taken lightly. Savvy founders will allow a few key beta customers into the platform at a time. They’ll work hand-in-hand with those customers to build their dream platform and the solution to their customer’s plaguing problems.
Front row seats to innovation and agile development. For your team, this means real-time participation in a high-growth business. Your company will see firsthand how startups approach innovation, business modeling, agile product development and the broader venture industry.
First look at future lines of business and talent. Your role is first as a customer. That could be the beginning of a much more intentional partnership. By working closely with the founding teams, you’ll be better poised to make investments in the companies and even their leadership in the event that you’d want to fully acquire the business later.
Better rates. Great founding teams know your business is helping them build something valuable and are willing to discount their pricing for that. That doesn’t mean as a beta user, you get free access, but you can get a long-term lock on great rates.
Keep your eyes wide open — there are some risks to mitigate when working with early startups.
They are building the plane and flying it too. These risks include working with a young, fragile vendor that doesn’t yet have a fully backed product. You’re a part of that build, but know that the systems and

processes will be a bit buggy.
They may be atypical to your average vendor. They don't have all the forms, files and systems customers may be used to or expect. Consider how you work with your internal teams to set proper expectations.
Their cash reserves are not great. Be up front about what your payment terms are and understand that if your payments are late, they may miss payroll. Consider how you work with your internal team to expedite payments to avoid these common pitfalls.
Time is their most valuable asset. If you choose to take on the role of beta user — or even participant in customer discovery — understand you're spending a founder's valuable time. They're working with you at the expense of identifying other customers that could move their business's trajectory forward faster. You're bigger than a customer, you're their partner in an important point of discovery for their business.
If we really want to change the trajectory of our startup community and innovation economy, we must be much bolder as first customers to these entrepreneurs.
My door is wide open for any executive who wants to better understand how to get the upside.
Erica Wassinger is the lead at the Startup Collaborative, a program of the Greater Omaha Chamber of Commerce. She and co-founder Nathan Preheim recently launched Proven Ventures to capitalize Nebraska entrepreneurs.

OWH Midlands Voices: Legal process is best way to achieve public trust in the election

A lot of politicians are demanding that the Trump campaign not legally challenge the preliminary vote counts in a number of states because, they say, it undermines public confidence in the election results. In fact, it is just the opposite.
Roughly 70 million Americans voted for Trump in this election. When most of them went to bed on election night, Trump led by hundreds of thousands of votes in several swing states. By the next morning, those leads had largely vanished. In order for millions of Trump voters to have confidence in the results of the election, they need to be assured that the election in those states was conducted as required by law. Being "assured" by politicians and the news media that everything was done properly does not assure them.
Biden supporters and the news media should welcome the Trump campaign lawsuits if they truly want the voters to trust the final election results. If the Trump campaign cannot prove that certain votes were improperly counted, then most Trump voters will accept the results. They will not accept the results as things now stand. Why? Consider these few examples.
U.S. Supreme Court Justice Alito twice had to order Pennsylvania officials to segregate ballots arriving after election day so that their validity can be determined. The U.S. Justice Department is investigating election irregularities in several states. A postal worker in one state said orders were given to postmark ballots for an earlier date than they were actually received by the post office. Election workers have signed sworn statements that they were ordered to alter ballots. Many other specific allegations of impropriety have been made in several states.
The way to achieve public confidence in the election results is for evidence of these allegations to be presented to the courts to determine if they are true and, if they are true, whether it changes the outcome of the presidential election.
Election lawsuits are not new to this election. Al Gore litigated the result of the 2000 presidential election until nearly mid-December, when the U.S. Supreme Court put an end to it.
Supporting and completing the legal process is the best way to assure the voters that they can have confidence in the final election results.
Don Stenberg is a former Nebraska attorney general and the author of a new book, "Eavesdropping on Lucifer."

OWH Midlands Voices: Why many combat veterans don't talk about their wars

Veterans Day is not just a day to honor our veterans; it is our day to thank them for what they did. While we need to appreciate what their service did for our country, we also need to understand what their service to our country did to them.

After every war, family and friends ask the same questions. “Why doesn’t he talk about the war? Why doesn’t he tell us what he did?” They worry that he might be hiding some dark, disturbing secret that causes him to stay silent. For a few, that is certainly the case. For most, there are other reasons why a combat solider is reluctant to share his experiences.

For the peacetime solider, that is never the case. Those veterans love to tell their stories, and their family and friends love to hear them. It is exciting to hear him talk about how in basic training he had to low crawl under live machine gun fire, throw live hand grenades without killing himself or others, fire his rifle at human silhouettes on the target range, and how he had to remove his gas mask inside a gas chamber.

These stories are exhilarating for both the storyteller and his listeners. He can tell these stories because they are safe to tell.

It is different for the combat solider, because he knows instinctively that his stories are not safe to tell. There is no mystery he is attempting to conceal. He is honestly fearful that his listeners are not prepared to hear what he has to say, nor prepared for how he has to say it.

Killing is the business of war, and death is its consequence. Civilians do not like to hear about killing, and combat soldiers do not want to talk about it. There is no euphemistic way to talk about killing, and there is no eloquent way to describe a violent death. So, in order to cope, soldiers have invented their own private language to talk about these subjects. In World War I the dough boys “hammered the Huns.” In World War II our GIs tried to “nail the Nazi’s” and “annihilate the NIPS.” In Korea the mission was to “rub out the Reds”. In my war we talked about “wasting the enemy” or “greasing the Dinks.”

We never gave a thought to political correctness, because this is how we talked. This is how soldiers have always talked. It is a soldier’s way to justify his actions. It allows him to sidestep the long dark shadow of the 5th Commandment.

This is a hard and callous philosophy, but soldiering is a hard and callous profession. After all, what they were doing was exactly what our country was asking them to do. While we could communicate this way with our fellow soldiers, we knew it would be taboo to talk to civilians like that.

When it came to casualties, it was exactly the same. It had to be that way for soldiers to cope and carry on. When someone asked the first sergeant, where was Randall, he simply responded that Randall had “bought the farm.” How horrified Randall’s parents would be if they heard the first sergeant talk about their son in this way. When someone asked what happened to Sanford, he wasn’t told that Sanford was wounded. He was told simply that Sanford had “caught two in the chest.” How horrified his girlfriend would be if she heard these words.

Sure, soldiers hurt when they lose one of their own. How could they not? Causalities are the byproduct of war. War is graphic and gruesome, and soldiers see it firsthand, but the civilians do not. Every army infantryman carries a first aid kit. In the kit is a plastic sheet he knows how to apply to a fellow soldier who has a sucking chest wound. In that kit is a device that is to be used immediately to stop blood spurting out of a major artery. Civilians should never have to visualize these images.

The world of a combat solider is an X-rated world. It always has been. His language is course, callous and crude. The expressions that he swore like a sailor or cussed like a drill sergeant are not exaggerations. They are descriptions of soldiers at war.

While no solider wants to admit it to their family or friends, the “F” word flows like cold beer on an

August afternoon.
From General Patton down to the lowliest GI, it was used as a noun, a verb and an adjective. It was and still is an integral part of the soldier's vernacular. Acronyms like SNAFU, FUBAR, FNG, and dozens of others bear that out. Just Google the terms to see what I mean.
GI's during World War II all sang a special song to vent their fears and frustrations. It was as profane as it was popular, yet It was the anthem of GIs in five different theaters of war. They sang with gusto, "Blank them all, Blank them all, all the long and the short and the tall." You can fill in the blanks. When Bing Crosby sanitized that song, it became a hit record all over the United States. When a solider returns home it's too easy to slip into bad language.
It takes courage to come face to face with an enemy whose only mission is to see you dead. Taking out an enemy machine gun, blowing up a bunker, or rescuing a wounded buddy are what combat soldiers do. Overrunning enemy positions, breaking out of an ambush or shooting at an enemy that is shooting at you are the acts that define combat soldiers.
Yet to civilians, these exploits seem more like fiction or clips from a Hollywood action movie rather than real-life deeds. Once again, the solider is afraid to talk about these events. In this skeptical world, he knows from experience that if he does, he might be accused of bragging, exaggerating or even fabricating what he did. It is not worth the risk. It is just safer to stay silent.
Even describing ordinary military life is a problem. The military has a language full of abbreviations, acronyms and technical terminology that the ordinary person can never easily understand. How can you tell a story if it has to be constantly interrupted with explanations or punctuated with footnotes? It just not worth the effort.
Veterans day is our nation's day to forgive our veterans for being callous and hard, for being impious and profane and for choosing not to talk about their war. On Veterans Day we should thank them. More than that, we should remember the words of the sanitized version of Bing Crosby's song. Those lyrics say it best:
"Bless them all, Bless them all, all the long and the short and the tall!"
James Martin Davis is an Omaha trial lawyer and a Vietnam combat veteran.

OWH: Virus, Ricketts, freedom

It is refreshing that Gov. Pete Ricketts is concerned with our personal freedom. I am grateful to live in a country where everyone is free to spread a deadly disease to anyone. I am so happy to see your faces and your noses. I am glad you have your freedom, but I have lost mine.
My freedom to read a bedtime story and snuggle with my 5-year-old without worrying that my breath will sicken or kill her and break my heart or that her breath may kill me and break hers. I lost my freedom to safely swim and get massage to treat a chronic illness. I lost my freedom to visit my family. So many others, mostly women and minorities, lost their freedom to work and make a living for their families.
Imagine if Gov. Ricketts had acted quickly to stop this virus. His response to this pandemic is remiss and clearly partisan.
On 9/11, when 3,000 people died in 2001, our personal freedoms were stripped in the name of national safety, and nearly every Democrat and Republican went for it in a New York minute. Now 20 years later, we are still subject to the same racial profiling and degrading searches at airports even though the data is clear that giving up those freedoms has done nothing to improve our safety. Yet, every single day people are harassed by TSA in what amounts to theatrics. (Of course not rich people, who fly privately and make our laws.)
I don't know of any TSA agents shot because they searched someone in spite of the litany of violations

against our personal freedom.
Now, 240,000 American deaths later, Gov. Ricketts is worried about personal freedom? You mean the freedom of people who will shoot someone because they have been asked to wear a mask to protect their community?
I want my freedom, too! And I want my government to protect my freedom. Before there is nothing left to protect.
Crystal Edwards, Omaha

LJS Editorial, 11/12: State mustn't delay on casino gambling setup

After Nebraska voters approved expanding Medicaid eligibility in November 2018, the program took its first applications just last month. That wait, just shy of two years, was the longest of any state in the nation – an inexcusable delay.
Just a month after those initial requests were made, Nebraskans again backed three related ballot initiatives to authorize casino gambling in the state – a measure that, like Medicaid expansion, was opposed by Gov. Pete Ricketts and a significant number of state senators.
Another slow rollout for another ballot initiative enacted by a majority of Nebraskans would be unacceptable – and simply cannot be repeated.
For his part, Ricketts has said he will respect the will of the people. To fully do so, he must ensure what's required of his office to implement casino gambling in the state apace.
In Nebraska's unicameral system of government, voters carry extra weight as the second house of the legislative branch. That authority is intentionally difficult for the Legislature to overturn, requiring 33 of 49 senators to achieve, and must be respected by state government at all levels.
And it's clear that Nebraska voters – nearly two-thirds of them supported the initiative to allow casinos at horse tracks – were ready to stop sending hundreds of millions of dollars across the border to pay other states' taxes when the need for tax relief here is so great. (In fact, the proposal laying out how tax revenue would be directed, Initiative 431, earned 4% more voters than the other two.)
The property tax relief promised by casino gambling – 70% of the revenues the state receives will go to the Property Tax Relief Fund – represents a major win in rural areas of Nebraska. Years of inadequate state funding for K-12 education has overly and unfairly burdened ag producers, as local school districts have had to cover the shortfalls they had no part in creating.
These issues, tax relief and school funding, aren't new. They've been among the Journal Star editorial board's annual priorities for years, and they've been atop Nebraskans' wish lists for much longer.
Of course, the major tax reform Nebraska so desperately needs to rebalance the three-legged stool of taxation – property, income and sales – has failed to materialize for so many years, with a compromise proposal passed by the Legislature this year marking the first meaningful tax legislation in years. However, it fails to address the structural changes needed, and all parties agree more must come.
Because of the state's repeated inability to enact significant property tax reform, Nebraska landowners still need relief – and newly approved casino gambling opens the door to providing it.
That requires expedient approval – that simply didn't happen with Medicaid expansion – from the powers that be at the Capitol.

LJS Editorial, 11/11: Draft give city blueprint for climate challenge

The floods of 2019 scarred the lives and landscapes of Nebraska, and they delivered a horrifying, real-life reminder of what extreme weather events can do. Nebraskans – and our state and federal government – responded as they always do, with grit, ingenuity, sincerity and humor.

But as these emergencies accelerate, it's going to take more than moxie and money to pull us through. Hence Lincoln's recently unveiled 2020 Climate Action Plan Draft. While the goal of the document is to spur change that will lessen the environmental footprint of the city's residents and businesses, "the thrust of this effort is actually about protecting our people and ensuring our good quality of life for the future," said Mayor Leirion Gaylor Baird in releasing the plan for public comment.

Predictably, the document sets 30-year goals for greenhouse gas emissions (down 80% from 2011 levels) and encourages a switch from fossil fuels to electric power (and renewable resources to generate that power). But the plan also goes deeper into the quality-of-life issues we must plan for as temperatures rise along with the frequency of extreme precipitation events.

One of the bigger ticket items – costing more than $1 billion – would be establishing a second water source for the city, a concern that rose during last year's floods when the city's Platte River well field was threatened.

Less costly, but not less important, will be building resiliency into Lincoln's food supply, allowing us to be less dependent on outside sources and transportation to keep grocery store shelves stocked, and aligning government policies and business goals with the reality of a more volatile climate. Minor climate changes and major disasters can have big impacts on how the community survives and thrives based on how we prepare – or what we learn – for them.

It's hard to put a price tag on our peace of mind and security, but at some point we'll have to. We can only afford to spend so much. Our economy now is pinched by pandemic. Affordable housing remains a challenge. No one is eager to pay more in taxes. So we have to be prepared to spend wisely and recognize that spending for what it really is – an investment in the future.

But ignoring the science and sticking out heads into the flood-washed sand of our next catastrophe will be far more expensive. This plan – fleshed out with public feedback – puts Lincoln in a position to get ahead of the coming crisis and set an example for other communities and our state.

LJS: Mandate would protect state

Why is Gov. Pete Ricketts so reluctant to issue a statewide mask mandate?

Nebraska's rising COVID-19 counts reflect the lack of a mandate in Nebraska along with the 17 other states that lack one. For rural communities, the absence of a state mandate puts business owners in a position that they may have to alienate customers to protect themselves.

For me personally, it puts my elderly parents in danger out in western Nebraska when they attend church and shop in their unprotected community. Governor, please, please do your job and protect the residents of this state.

Sandra K. Sullivan, Lincoln

LJS: System makes all votes count

I find it interesting that Gov. Pete Ricketts would even think about changing Nebraska electoral vote system back to a winner-take-all one.

He should be suggesting all states use this guide, since a few votes in a large city negate the vote of others in a state. Even one vote takes an entire state one way.

Governor, keep Nebraska as is. That way all votes really count.

Dale Fink, Lincoln

LJS: Governor has reached his peak

I’m not saying I am feeling sorry for Nebraska Gov. Pete Ricketts, but there is something kind of sad to see somebody reach their pinnacle of power and have nowhere left to go but down.
Ricketts' full embrace of Donald Trump puts him out there on a limb for all to see how bad things have become under both elected officials.
For all the things Trump and Ricketts claim this administration has helped and really has not, the worst was ruining Nebraska's agriculture trade market with ill-thought-out tariffs on China. Then Trump bails out farmers and ranchers with billions of government subsidies which he laughably claims is being paid by China.
With Ricketts being term-limited, even with his money, the state GOP doesn't have to run scared of crossing the governor.
The big dog in the governor's office has lost his bite. Whatever happens to Ricketts' political career after 2020, he most likely won't climb this high again.
I'm not going to lose any sleep over that!
Ricky Fulton, Omaha

Norfolk DN Editorial: Kyle Schneweis served state well as inaugural director of Nebraska Department of Transportation

It’s not usually the case that Northeast Nebraskans pay a lot of attention when the director of the Nebraska Department of Transportation steps down from office.
But Kyle Schneweis serves as an exception to that because he’s been rather exceptional since accepting the post more than five years ago.
He’s departing this month to become chief executive officer of High Street, a national transportation analytics, planning and policy consulting firm. That company’s gain is Nebraska’s loss.
Mr. Schneweis arrived in Nebraska about the same time a renewed push for completing the state’s expressway system was under way, thanks to the efforts of the 4 Lanes 4 Nebraska coalition and others. The desire to collaborate was evident from the start of Mr. Schneweis’ tenure.
Indeed, progress has been made on the expressway front, with additional sections of Highway 275 in the construction pipeline. The progress never comes as quickly as many local and area residents would prefer, but that is forward movement.
In part that’s because Mr. Schneweis considered the economic development impact of highway construction as part of the decision-making process instead of solely focusing on engineering and safety issues. He also was open to other ideas for streamlining the construction progress.
We had hoped that issuing bonds for construction projects might be one of the new ideas put into place, but that’s more due to Gov. Pete Ricketts’ opposition to the idea than anything else.
Mr. Schneweis also found himself in an unexpected position when the March 2019 floods destroyed a multitude of roads and bridges across significant parts of Nebraska.
“Over the last five years, the NDOT team has come together to deliver on an incredible number of priorities for the people of Nebraska,” he said. “I am especially proud of the work our team has done in helping rebuild after the historic floods from last year.”
He has every right to be proud of that accomplishment, as well as shepherding the formation of the transportation department after it was created by the merger of the state roads and aeronautics departments.
In recently announcing Mr. Schneweis’ decision to leave Nebraska, the governor saluted him for “outstanding work setting a vision for the agency. Kyle is one of the best in his field, and I personally appreciate all his contributions to help build quality infrastructure so our communities can grow and thrive.”

That’s exactly the kind of vision that needs to continue.

AP: ACA seems likely to survive

WASHINGTON — A more conservative Supreme Court appears unwilling to do what Republicans have long desired: kill off the Affordable Care Act, including its key protections for preexisting health conditions and subsidized insurance premiums that affect tens of millions of Americans.

Meeting remotely a week after the election and in the midst of a pandemic that has closed their majestic courtroom, the justices Tuesday took on the latest Republican challenge to the Obama-era health care law, with three appointees of President Donald Trump, an avowed foe of the law, among them.

But at least one of those Trump appointees, Justice Brett Kavanaugh, seemed likely to vote to leave the bulk of the law intact, even if he were to find the law's now-toothless mandate that everyone obtain health insurance to be unconstitutional.

"It does seem fairly clear that the proper remedy would be to sever the mandate provision and leave the rest of the act in place," Kavanaugh said.

Chief Justice John Roberts, who wrote two earlier opinions preserving the law, stated similar views, and the court's three liberal justices are almost certain to vote to uphold the law in its entirety. That presumably would form a majority by joining a decision to cut away only the mandate, which now has no financial penalty attached to it. Congress zeroed out the penalty in 2017, but left the rest of the law untouched.

"I think it's hard for you to argue that Congress intended the entire act to fall if the mandate were struck down when the same Congress that lowered the penalty to zero did not even try to repeal the rest of the act. I think, frankly, that they wanted the court to do that, but that's not our job," Roberts said.

In the court's third major case over the 10-year-old law, popularly known as "Obamacare," Republican attorneys general in 18 states and the administration want the entire law to be struck down. That would threaten coverage for more than 23 million people, as well as millions of others with preexisting conditions that now would include COVID-19.

California, leading a group of Democratic-controlled states, and the Democratic-controlled U.S. House of Representatives are urging the court to leave the law in place.

The Supreme Court could have heard the case before the election, but set arguments for a week after. The timing could add a wrinkle to the case since President-elect Joe Biden strongly supports the health care law.

Speaking after the arguments, Biden called the Republican-backed challenge to the law "cruel and needlessly divisive" and vowed to enact reforms to expand coverage when he's in office next January, regardless of the outcome of the Supreme Court case.

Tuesday's arguments, conducted by telephone and lasting two hours, reached back to the earlier cases and also included reminders of the coronavirus pandemic. The justices asked about other mandates, only hypothetical, that might have no penalties attached: To fly a flag, to mow the lawn or even, in a nod to current times, to wear a mask.

"I assume that in most places there is no penalty for wearing a face mask or a mask during COVID, but there is some degree of opprobrium if one does not wear it in certain settings," Justice Clarence Thomas said.

The court also spent a fair amount of time debating whether the GOP-led states and several individuals who initially filed lawsuits had the right to go into court.

The suits are against the federal government and U.S. agencies, "but doesn't it really seem that Congress is the one who's injured the individual plaintiffs here and you can't sue Congress and say: 'Hey, you've

put us under this mandate that's forcing us to buy insurance and that's harming us,' right?" Justice Amy Coney Barrett said to Texas Solicitor General Kyle Hawkins.

A ruling that those parties do not have that right, known as legal standing, would result in the dismissal of the case and leave the entire law in place, including the mandate.

Questions from Barrett, who joined the court late last month following her hurried nomination and confirmation to replace the late Justice Ruth Bader Ginsburg, did not point to a clear outcome. Trump's other high-court appointee is Justice Neil Gorsuch.

The three Trump appointees have never ruled on the substance of the health care law. Barrett, though, has been critical of the court's earlier major health care decisions sustaining the law, both written by Roberts.

The current case stems from a change made by the Republican-controlled Congress in 2017 that reduced the penalty for not obtaining health insurance to zero. Without the penalty, the law's mandate to have health insurance is unconstitutional, the GOP-led states argue.

If the mandate goes, they say, the rest of the law should go with it because the mandate was central to the law's passage.

However, enrollment in the law's insurance markets has stayed relatively stable at more than 11 million people, even after the effective date of the penalty's elimination in 2019. According to the nonpartisan Kaiser Family Foundation, enrollment dropped by about 300,000 people from 2018 to 2019. Kaiser estimates 11.4 million people have coverage this year.

An additional 12 million people have coverage through the law's Medicaid expansion.

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