

CITY-COUNTY BOARD OF HEALTH MINUTES
Monthly Board Meeting
Jan. 27, 2015

PRESENT: Sharon Buhr, Chair
Dr. James Buhr, Secretary
Cindy Schwehr
Tom Overn, Vice Chair
Madeline Luke

ABSENT: None

ALSO PRESENT: Theresa Will, RN, Director
Angie Martin, Office Manager
Shana Anderson, Student Nurse
Becky Kratz, CCHD Financial Analyst

CALL TO ORDER: Meeting was called to order at 3:35 p.m. by Sharon Buhr, Chair, in the County Commission room in the Barnes County Courthouse.

AGENDA: Under New Business add: 4) Zostavax 5) Other. Agenda approved with addition.

MINUTES: Overn made a motion to approve the minutes of the Dec. 16, 2014 regular monthly meeting and the Dec. 22, 2014 special meeting. Second by Dr. Buhr. Unanimous vote, motion carried.

(Board skipped ahead to Old Business Item #4 relating to smoke-free workplace and e-cig ordinances.)

OLD BUSINESS: Luke reviewed all emails regarding the e-cigarette and tobacco/smoke-free ordinances. The most recent e-cig ordinance email (having to do with sales) was dated Dec. 19. Russ Myhre, City Attorney, put down, in the proposed ordinance, that the number of vendors would be 1 per 1,000 residents (which is what is in the ordinance right now). The proposed ordinance also states that vendors cannot sell tobacco products to people under age 18, which includes e-cigs. It doesn't cover handheld devices that can be used as an inhaler that delivers something other than nicotine/tobacco. Was it the Board's intent to not allow anything that even looks like an e-cig to be sold to minors under age 18? If this is the Board's intention, it needs to be clarified in the ordinance as this is a loophole. This intent was part of the model ordinance that the state sent, according to Will. Another change concerns when there's a vending machine, to make sure the license is there because it may not belong to the person who owns the place. The third change involved the wording "the City may invoke these penalties" being changed to "the City shall invoke these penalties." Luke also noted that in a previous meeting it was mentioned that there are currently 13 vending licenses in Valley City. If the number of vending licenses is accepted at 1 per 1,000 residents, it means only 7 tobacco vending licenses will be available. How will this be handled ... through attrition? asked Luke.

Dr. Buhr made a motion to recommend leaving the current number of tobacco vending licenses at 13 in Valley City and dropping it down to 7 licenses through attrition. Second by Luke. Unanimous vote, motion carried.

The Board also recommended that no handheld vapor inhalers (whether they are for tobacco/nicotine delivery or some other purpose) be sold to anyone age 18 and younger, and that the wording be changed to reflect a mandatory penalty rather than a discretionary

penalty. Luke has already e-mailed these changes to Myhre. Luke reiterated that the tobacco and e-cig ordinances are only a piece of a five-part ordinance section. All the changes suggested by the Health Board/Vicki Rosenau have been put into the tobacco/e-cig ordinances, said Luke. Will requested that a final copy of the ordinances be available to Health Board members prior to voting by the City Commission. Luke suggested that someone from the Board/CCHD attend the commission meeting when this portion of the ordinance is presented in case commissioners have questions. She will let Board members know when it is coming up for a vote.

(Return to scheduled agenda items)

**DIRECTOR'S
REPORT:**

Board members reviewed the handout "2015 ND SACCHO Legislative Position Paper." Will briefly explained some of the items contained in the handout. CCHD would like to see a state septic code established for uniformity across all counties. There is still discussion regarding a tobacco tax increase in ND. Rep. Nelson's bill currently has 60% going to the Community Health Trust Fund (which is part of the tobacco settlement that is used for public health). The tobacco settlement was divided 45-45-10, so of the 10% that went into the Community Health Trust Fund, 80% was required to be used for tobacco prevention. With Nelson's bill, 60% of tobacco tax would go into the trust fund to be used for various public health issues across state, and 80% of the original is used for tobacco prevention. The other 40% goes to water and schools.

(Will emailed the following clarification to Board members after the meeting:

House Bill 1421/Rep. John Nelson, would increase the tax from .44/pack to 1.54/pack. 60% of revenue to Community Health Trust Fund, 25% to ND counties for local public health services and 15% to cities for public health and safety. Senate Bill 2322/Sen. Tim Mathern, would increase to \$2.00/pack; I haven't heard what the plan for distribution of the tax is, but assume it would be something similar.)

**VOUCHERED
EXPENSES:**

Will pointed out that a client's name was inadvertently listed in the vouchered expenses. Auditor's office was contacted, but message was dropped due to the dismissal of the employee who usually handles this. CCHD contacted client. Schwehr then noted that the bill list in question had not been sent for publication yet and she would contact Beth Didier, Auditor, to omit the client's name. Becky Kratz, CCHD financial analyst, explained that the Health Board receives the current month's vouchered expenses (white sheet) and the preliminary expenses (blue sheet) for the next month. The Board approves both of these sheets. There are some expenses that are unknown at the time the Board approves the expenses such as the telephone bill. Overn noted that this also happens with the Social Services board that he serves on. Dr. Buhr made a motion to approve the Jan./Feb. vouchered expenses. Second by Overn. Unanimous vote, motion carried.

**FINANCIAL
REPORT:**

Reviewed. There was an error on long white sheet in the financial packet. A correction was made under Revenue -- Block Grant. There should be a current balance (under Revenue) in December of \$167,416.07. Will noted that the end balance for December 2014 was better than anticipated at \$363,103. Home health also ended \$23,311 in the black for 2014.

OLD BUSINESS:

There was nothing new to report regarding the Barnes OTM Partnership. Board members were referred to the January Director's Report.

CCHD building update: Still have \$8,374 in contingency fund. The project has temporarily slowed down because there is some sort of odor in a tunnel under the building. They are concerned as it smells acidic and makes workers cough. Trio will need

to do additional air quality testing in the tunnel which will probably cost \$1,500-\$1,800. This will need to come out of the contingency fund. Bobbi Hepper Olson is completing the energy efficiency grant and sending it in. Need to approve \$2,788.36 for data ports in the “Theresa area” and conference room (this wasn’t in the bid), wiring for two automatic door openers, and demo and install conduit to generator. Dr. Buhr made a motion to approve the change order for Enterprise Electric in the amount of \$2,788.36. Second by Schwehr. Unanimous vote, motion carried.

Does Board want to replace the brown receptacles to white at a cost of \$28.25/receptacle? GFCI receptacle is \$51.35. Overn stated that these are likely “hospital grade” receptacles and the price probably includes labor. Consensus was to replace the brown receptacles.

The architect is going to get bids to replace the ceiling in the north area bathrooms (these were not in the original bid as we were not planning to do anything in this area in the beginning). One will remain a bathroom and the other will house the IT equipment. Cement prep is needed for VCT flooring to even the surface. Estimate will be given for this project. Overn questioned end date for remodeling. It is likely to be the end of March or first part of April before everything is finished, according to Dennis Pommerer, general contractor. More receptacles are also needed in upstairs offices at recommendation of city building inspector (2 are needed in the Wick Construction office and 2 in the Miller Elevator office). This is a safety issue. Sharon Buhr noted that rents may have to be increased to help cover the costs being incurred to update/repair the second floor. Board members received handouts regarding rents. Rent issue tabled until next month.

Schwehr made a motion to fix the electrical issues upstairs at a cost of \$939. Second by Dr. Buhr. Unanimous vote, motion carried.

SPF SIG update: Will reported that the first server training was held in Valley City under the SPF SIG grant, with 29 participating. A second class is being planned with the VC Police Dept., possibly in April. Would like to approach City Commission regarding mandatory training for all bar staff, not just owners or managers. Will was also on the radio (KOV) today with Steve Urness discussing alcohol problems.

Luke posed a question to Board members regarding a citywide ordinance on tobacco. Will explained that was the resolution sent to Russ Myhre earlier. It would codify the state tobacco law in the event that the Legislature ever decides to overturn the state version. Valley City would retain its own law. Luke stated this tobacco ordinance piece needs to be separate from the e-cig ordinance.

NEW BUSINESS:

Election of officers: Schwehr nominated Sharon Buhr as chair on a unanimous ballot. Second by Luke. Unanimous vote, motion carried. It was noted that since Sharon is no longer on the school board, which she currently represents, that a letter of support to keep her as the school board rep should be sent to that board in May, said Schwehr. The school board votes again in July regarding the Health Board rep.

Schwehr nominated Tom Overn as vice chair on a unanimous ballot. Second by Dr. Buhr. Unanimous vote, motion carried.

Home Health Consumer Assessment of Healthcare Providers and Systems: There is Home Care Compare and other online portals where consumers can go to compare services. Will explained that CCHD has been exempt to this point from being required to

conduct client satisfaction surveys (under 60 clients). Since we are very close to having 60 clients now, Paula Thomsen, home care coordinator, has been looking into the cost of conducting this survey by an outside source (vendor). CCHD won't get a 2% increase in the marketplace in 2017 for home care if we don't participate. The payment isn't based on survey scores. An all-paper survey by mail will cost \$600/yr. A mail/phone survey or an all phone survey will cost \$1,200/yr. It was noted that there is a better response to a phone survey. CCHD would get a summary sheet of the results. Schwehr made a motion to go with the phone only survey for \$1,200/yr. Second by Luke. Sign-up is done on an annual basis. Schwehr, Luke, Overn, Sharon Buhr voted aye; Dr. Buhr opposed. Motion carried.

Board of Health bylaws: Dr. Buhr made a motion to approve the bylaws with no additions or deletions. Second by Overn. Unanimous vote, motion carried.

Zostavax: Will stated that CCHD's policy regarding all vaccines is to follow ACIP (Advisory Committee on Immunization Practices) recommendations. Regarding Zostavax (shingles vaccine), we have followed the policy of administering this vaccine only to people age 60 and older. Local pharmacies will administer Zostavax to those age 50 to 59 with a doctor's prescription. The Food and Drug Administration (FDA) has approved Zostavax for all people age 50 and older. Dr. Buhr made a motion we administer Zostavax only at age 50 to 59 with a doctor's prescription. Second by Overn. Unanimous vote, motion carried.

ADJOURNMENT: With no further business before the Board, the meeting adjourned at 5:11 p.m. The next regular monthly meeting will be **Thursday, Feb. 19, 2015 at 3:30 p.m.** in the Commission room (note date change). Board packets will not include financials – these will be handed out at the Feb. 19 meeting.

Respectfully submitted,

Dr. James Buhr, Secretary