

**CITY-COUNTY BOARD OF HEALTH MINUTES**  
**Monthly Board Meeting**  
**November 24, 2015**

**PRESENT:** Sharon Buhr, Chair  
Dr. James Buhr, Secretary  
Cindy Schwehr (left at 4:55 p.m.)

Tom Overn, Vice Chair  
Madeline Luke

**ABSENT:** None.

**ALSO PRESENT:** Theresa Will, RN, Director  
Angie Martin, Office Manager  
Beth Didier, Barnes County Auditor  
Marcie Bata, EHP

**CALL TO ORDER:** Meeting was called to order at 3:34 p.m. by Sharon Buhr, Chair, in the CCHD conference room.

**AGENDA:** Old Business: add under 9) On-Site Septic Policy 10) On-site septic compliance issues. Approved as amended.

**MINUTES:** Board members reviewed the minutes of Oct. 27, 2015 regular Board meeting. Overn made a motion to approve the minutes. Second by Dr. Buhr. Unanimous vote, motion carried.

**DIRECTOR’S REPORT:** Reviewed.

**VOUCHERED EXPENSES:** Luke made a motion to approve the November/December vouchered expenses, with the notation by Theresa Will that the approved AED unit was to be installed at CCHD this week (\$1,906.60). Second by Dr. Buhr. Unanimous vote, motion carried.

**FINANCIAL REPORT:** It was noted that Home Health is \$20,000 in red right now due to Medicaid’s “black days” while changing to MMIS computer system. Reviewed cash reserve analysis. If CCHD pays an additional loan payment the ending reserve balance will be approximately \$373,408.37, of which approximately \$80,000 to \$100,000 is for SPF SIG. Discussed interest buy-down on building. CCHD pays total 5.5% interest up front (1% paid by CCHD and 4.5% paid by Bank of ND and VC-BC Development Corp. through grant) and is reimbursed through an account at the Credit Union (\$10,176 in account so far). By about the end of 8 years, there should be enough money in that account to pay off the remainder of the building loan. CCHD has paid \$1,997.26 in interest to date (1%). Overn made a motion to accept the financial report. Second by Luke. Unanimous vote, motion carried.

*(Moved ahead on the agenda to item 9 and 10 – Environmental Health issues, as Board member Schwehr had to leave the meeting early.)*

On-site septic policy: Carl Martineck, Barnes County States Attorney, has decided that since CCHD has signed a Joint Powers Agreement (JPA) and we have a contract with Central Valley Health District for environmental health services, and having agreed in the past to adopt their policies for environmental health, that CCHD should adopt this policy. Under their policy, CCHD would charge \$400 to hear a variance request. Martineck

believes we should follow state law (the septic code that CCHD adopted in 1999) or we could set ourselves up for liability if a variance is granted. Marcie Bata, EHP, told the Board that a person cannot apply for a variance hearing if there is a “permissible” option for their property (if they can follow the code, they must do so – if they can’t physically fit it inside their property, then a hearing could be requested for \$400). Fee deters people from asking for a variance hearing. Environmental Health Practitioner (EHP) would be on hand at a variance hearing (\$160 of variance hearing fee is for their time/travel expense). Options for the Board: 1) adopt CVHD policy; 2) break JPA/contract with Central Valley Health for environmental health services. Dr. Buhr made a motion we acknowledge and confirm CVHD’s new on-site septic variance policy. Second by Schwehr. Discussion. Unanimous vote, motion carried. We will continue with JPA and CVHD and follow their environmental health policies.

On-site septic systems/compliance: Because there is a lot more attention being paid to environmental health issues in Barnes County and violations regarding compliance, EHP Marcie Bata presented an algorithm sheet to the Board explaining the process for gathering information on unknown on-site sewage treatment systems. She also presented a list of non-compliance issues in the county. EHPs work with county tax equalization office to find out who is getting required permits. Board discussed process to get offenders to comply with regulations. Could consider sending a letter from EHP stating that offender has 30 days to give CCHD their receipts and the schematic of their system, and if we don’t hear back from them it could be turned over to the Barnes County States Attorney’s office. A complaint would need to be signed by the Health Board. Stutsman County sends out a letter delivered by the sheriff, and Sheriff Randy McClafin has stated his office is willing to do this. Will suggested that fines should be set across the region. Planning and Zoning sets their own fines, said Schwehr. The goal is to set up a state code regarding septic issues. The algorithm needs to set up a fine/fee to get costs back for pursuing offenders. Board requested Will talk with state’s attorney and see if CCHD can issue fines and/or charges when there is no compliance.

Procedure would be: 1) update the Board on situation; 2) send letter by sheriff service 3) discuss wordage, include “may turn over to state’s attorney.” Sheriff may charge \$30 for letter delivery. Will and Bata will refine the algorithm regarding fine/penalty when decided. Letters will be sent to eight county offenders. Letter will note: need to see receipts, their plan, have a copy of the license of the installer, and name of pumper. If we don’t get that information within 30 days, it will be turned over to the state’s attorney. Depending on review, CCHD may not approve the corrective plan and EHPs would start at the beginning of the algorithm again. Luke made a motion to confirm acceptance of Central Valley Health District’s Process for Gathering Information on Unknown On-site Sewage Treatment Systems. Second by Overn. Unanimous vote, motion carried.

*(Board resumed Old Business agenda, beginning with item #1)*

**OLD BUSINESS:** Barnes OTM Partnership update: Sharon Buhr encouraged all Board members to join On The Move program this fall.

CCHD facilities update/building report: Motor on boiler is making noise – parts ordered by Bakkegard & Schell. Noise on roof noted. It was a bathroom exhaust vent motor that was hot and was turned off. Bakkegard & Schell will take a look at it. Regarding second floor bathrooms, Dave Anderson, city building inspector, is fine with installing unisex handicapped bathroom to replace the existing men’s/women’s bathrooms. It should be between \$1,300 and \$1,500 to remodel the bathroom, according to Dennis Pommerer,

Wick Construction. Tile will be the same as first floor bathrooms. It will likely be a couple hundred dollars for new fixtures. Schwehr made a motion to remodel the existing two bathrooms into one unisex bathroom. Second by Dr. Buhr. Unanimous vote, motion carried.

Carpet bids for stairway and second-floor hallway: Valley Flooring carpet tile bid (\$7,508.88) or broad loom carpeting (\$4,400). Tile is easily replaceable. Valley Paint & Glass bid on broad loom (from original building specs) was \$6,349 and tile was \$5,679. Schwehr made a motion to go with tile carpeting. Second by Overn. Unanimous vote, motion carried. Valley Paint bid didn't include the stairway step stringers and Valley Flooring bid did. Luke made a motion to approve the Valley Paint & Glass bid, provided the stringer and labor come in at less than \$500 over the original estimate. Second by Dr. Buhr. Unanimous vote, motion carried.

Will noted that the Department of Homeland Security will be coming to do security assessments after Jan. 1 in the area, and they will also be assessing CCHD. We will wait until after the assessment to purchase security cameras.

Commissioner Mike Metcalf talked with Will regarding the possibility of putting a library drive-through book drop box by the CCHD generator. This is only in the "thinking stage." It would be mailbox size.

LED replacement light on west side of building will cost approximately \$400, according to Bob Koeplin, building maintenance. This light is beneficial to both CCHD and the library for security reasons.

Parking lot: Luke noted that the library has an EPA grant that will pay for the engineering/landscaping (not the project) regarding their parking lot. They will come up with a plan to redo the parking lot to minimize storm water runoff. It is still an option to include CCHD's parking lot in the engineering assessment. They will also be assessing the parking lot behind the post office. Low priority to CCHD as we are still dealing with possible HVAC issues. Sharon Buhr also noted that the traffic flow in the CCHD lot needs to be one way.

Board discussed heat loss issue over recent weekend. Overn suggested "SensaPhone" to alert staff if there is a heating issue in building. Luke questioned if CCHD has a back-up plan to keep water pipes from freezing if the heat dips below a certain level. No plan is currently in place. Will stated that Bob Koeplin has a meeting set up Dec. 8 with Bakkegard & Schell to tour building regarding thermostats and what each controls. Want B & S's ideas regarding how to improve the system.

BC State's Attorney Carl Martineck found additional information regarding leases. Stated it isn't clear whether a government entity can rent to a private business. CCHD should forego a lease agreement for now and just go month to month. Rents must be at fair market value to avoid anti-gifting statute violation. CCHD will be charging \$9/sq. ft. across the board as of Jan. 1, 2016 for second floor offices. Theresa will visit more with Martineck regarding this issue. Will noted CCHD pays property taxes on rental space.

SPF SIG: Theresa, Sarah Hansen and Barb Bjorum met with the North Dakota Winter Show Board regarding alcohol sales. NDWS may make some changes in this area. Planning Dec. 4 Mental Health Access Coalition meeting from 1-3 p.m. at the Hi-Liner Activity Center.

Tobacco smoke-free workplace and e-cig ordinances: Luke noted that everything in state law is included in the last draft of the city ordinance. If city attorney doesn't set meeting date soon, Luke suggested starting letter-writing campaign Jan. 1 seeking movement on this ordinance. State rule went into effect Aug. 1, 2015.

AEDs: Will noted that CCHD purchased an AED for the office and it will be hung in the main entry hallway.

Community Health Assessment: Survey is essentially completed. Anticipating approximately 600 responses. Center for Rural Health will start analyzing the information next month. Key informant interviews will follow.

Program evaluations: Tabled. Will move up on the agenda for the next meeting.

NEW BUSINESS: County Employee Policy changed. County has elected to allow carryover of 240 vacation hours instead of 200 hours. They also talked about the use of county vehicles for personal business when out of town. Will doesn't recommend increasing carryover vacation hours to 240. CCHD isn't required to comply with county policy though we do try to stay in step with them. Lunch breaks are mandatory by law. CCHD has waiver for lunch breaks. At least two people must be in office 8 a.m. to 5 p.m. and they must take an hour lunch break. County requested that a note be hung on door if an office will be closed for more than one hour, which CCHD already does. The Board made no recommendations for policy-related changes at CCHD.

ADJOURNMENT: With no further business before the Board, the meeting adjourned at 5:36 p.m. The next regular monthly meeting will be **Tuesday, Dec. 22 at 3:30 p.m.** in the CCHD conference room unless Will notes that the agenda would be small and the meeting can be cancelled.

Respectfully submitted,

Dr. James Buhr, Secretary