

BENTON COUNTY BOARD OF HEALTH MEETING MINUTES

May 3rd, 2023

4:00pm to 5:00pm

Phone Conference ID: 896 804 168#

CALL TO ORDER @ 4:02pm

Introductions: Completed.

BOH Members Present: Dr. Maggie Mangold, Wendy Michels, Lisa Staab, Kaitlin Emrich, Braxton Morrison (via telephone)

BOS present: Gary Bierschenk

Staff: Barbara Greenlee, Matt Evans

Guests: Scott Hanson

Approve 4/13/23 Minutes: 1st Michels, 2nd Morrison, motion passed unanimously.

Approve 4/26/23 Minutes: Morrison requests change of verbiage to investigate scope of involvement in opioid before committing. 1st Morrison, 2nd Michels, motion passed unanimously

Approve Agenda: Morrison requests wording change from “discuss and approve” on items 2 and 3 to “and/or” 1st Morrison, 2nd Staab, motion passed unanimously.

OLD BUSINESS

1. Update from May 1st and May 2nd BOH and Supervisors meetings:

Mangold gave report that our minutes reflect that the on April 26th meeting the BOH voted unanimously to approve a structure of BOH that would include a joint EH/PH administrator with separate EH and PH staff. (With land use becoming its own separate department and staff controlled by BOS)

This was explained to the supervisors on May 1st as the preferred and selected option, and outlined how this differ from the current structure of a joint Land Use/EH administrator and a

separate PH administrator. Primmer stated he felt they will need to go into “closed session so we can openly discuss the what ifs.” Minutes from that meeting reflect “Supervisor Primmer suggested another board meeting with just the 3 supervisors tomorrow afternoon and then reporting back to the Board Of Health so they can act accordingly at their upcoming meeting.” They did not take action at the joint meeting on the BOH request regarding the structure.

Agenda from BOS May 2nd shows the BOS went into closed session at the request of Barb Greenlee and Matt Even (Land Use and Health Department) pursuant to Iowa Code 21.5(1)i. Mangold read this portion of Iowa code to the BOH. She informed the board that she was not asked to be in this meeting as a representative of the BOH who oversees Environmental Health.

Mangold explained the next agenda item on the May 2nd BOS agenda was “4. Discuss/Approve public health structure to report back to the Board of Health”

Mangold stated that an audio clip of the BOS meeting was provided to her and that immediately upon exiting closed session, there was a motion and second with unanimous vote to proceed with the structure not favored by BOH (shared EH/Land use administrator and separate PH administrator).

Mangold requested minutes or audio from that meeting regarding the discussion from action item #4 but was told by Haylee Rippel that “that was the only discussion they had coming out after the closed session”

This leaves the BOH having voted for a structure different from the one approved by BOS without understanding the rationale the supervisors had for this decision.

Mangold spoke with the county attorney Ray Lough today regarding the discrepancy between the voted and approved structure by BOH and the differing structure approved by BOS. She asked if the BOH was required to recast a vote for the structure approved by the BOS, and Mangold reported she was not given a clear answer.

Mangold explained that the BOH has control and responsibility regarding both public health and environmental health pursuant to Iowa Code Chapter 137, but that funding is the discretion of the BOS.

NEW BUSINESS

1. Discuss/Take action in regard to BOS recommendation on structure.

Gary Bierschenk was asked by several BOH members to explain the supervisor’s rationale behind their structure decision, but declined to answer. He stated he would not discuss things that were discussed in closed session. He was asked to explain his own personal thoughts, but he

declined to answer that as well. Members of the BOH expressed frustration in not understanding this.

Staab mentioned that in reviewing the 2022 Local Public Health Systems Survey Report it appears as though some Boards of Health delegate their BOS to take on environmental health. She requested clarification today from Becky Nowacheck, who reported:

“According to Iowa Law; the Local BOH has jurisdiction over all PH matters within the county which does include Environmental Health. However, there are a few BOH that have agreements with their BOS for the BOS to oversee the EH staff with EH still providing a report to the BOH on Grants to Counties (water testing, septic, etc.) because this Grants to Counties is a contract between IA HHS and BOH”

Several BOH members expressed that this would solve the issue of sharing staff for EH between both BOH and BOS (land use), which had been cited as part of the rationale by the BOH for the preferred BOH structure.

Matt Evans stated he would not be in favor of this option and would like to see Environmental Health remain under the control of the BOH.

Motion made by Morrison to table the discussion until further discussion with the BOS. Motion died

Further discussion regarding the need to get this resolved quickly due to the need to post this position.

Additional discussion regarding the PH budget and concerns that the budget can only support one PH staff if this person is an administrator. Staab and Emrich shared the findings of the budget subcommittee and stated that with the favored BOS structure and the need to pay higher wages for an administrator, there would likely not sufficient funds to hire additional staff.

Mangold stated that given this, the PH administrator would have to be available 365 days per year with no cross coverage for following up on communicable diseases (required to be done within 24 hours). Discussion was made about possibly subcontracting this, but the BOH revisited their findings that no county they contacted was willing to take this on.

Motion made by Emrich to proceed with favored BOS structure, but to make note that she does not feel this is the most fiscally responsible decision for the county. Motion died

Further discussion regarding the structure and lack of PH cross coverage with the favored BOS structure.

Mangold stated the only way she would be willing to adopt this structure was if there was more than one staff in the PH department so that cross coverage could occur during illness or vacation and that she could not in good faith recruit someone for this position without providing them with adequate support. Mangold reported that Katie Cox, acting PH director, stated that 1.5 FTE would be her minimum recommended staff for PH.

Discussion occurred regarding the need for a budget amendment in September.. Bierschenk was asked if he felt the BOS would support additional PH funding at that time of the budget amendment. He asked what the dollar amount needed would be, and Emrich/Staab of the budget subcommittee said this would depend on the salary of the Administrator and what funds were left.

Motion made by Mangold to adopt structure of a shared EH/Land use Administrator with a separate PH administrator (BOS favored structure) if we could get verbal assurances from BOS that during the September budget amendment they would support additional funds to hire a part time staff for PH.

Roll call vote: passed unanimously.

Mangold will attend May 9th BOS meeting to relay this information to Supervisors.

2. Discuss and/or approve public health title.

Brief discussion regarding Administrator vs Director. Mangold asked EH what their administrator title was, and they stated it was "Environmental Health Administrator." Scott Hanson was asked the same and stated he is "Emergency Management Coordinator."

Emrich motioned to approve job title as "Public Health Administrator."

3. Discuss and/or approve public health job descriptions.

Example job description provided by Buchanan county.

Discussion regarding this job description and need for edits. Discussion by BOH members regarding this document and some small edits as follows:

Replace all mention of Buchanan county with Benton County

Replace: Supervises to "staff."

Add "preferred" to work experience

Under Trained or willing to be trained in appropriate Public Health functions – add that this needs to be completed within 1 year

Change reviewed date to today

Public Comments: Scott Hanson requesting assurance that new PH administrator aware of partnership with EMS. Scott requested verbiage be added to Public health job posting to reflect "responsible for EOC coverage during declared disaster or emergency."

Motion made by Emrich to adopt this job description with above edits.

Second by Morrison

Motion passed.

4. Discuss findings from salary subcommittees and discuss/act on salary.

Emrich asked Bierschenk to explain the Benton County Pay scales and how salaries are decided. He stated there is no pay scale and that each position's pay is decided individually.

Discussion occurred regarding the desire for the PH position's pay to be commiserate with other administrators/department heads. No action taken.

Motion made to take this back to subcommittee to further investigate appropriate salary range.

Wendy Michels exited at 1700.

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ADJOURNMENT @ 1840

1st Morrison 2nd Staab (Unanimous BOH Approval)

Next Meeting: May 17th at 4pm