

**Foothills Health District  
 District Board of Health OPEN SESSION  
 \* REMOTE\* \*COVID\* Meeting Minutes  
 Advanced Manufacturing Center (Universal Building) in McDowell County  
 June 30, 2020**

**Board of Health Members Present:**

<b>Rutherford County Representatives [9]</b>	<b>McDowell County Representatives [6]</b>
<b>Kim Warner            Dr. Jerald DeLaGarza            Gina Harrill            Greg Lovelace, County Commissioner [by remote]            Dr. Christopher Buchanan [by remote]            Dr. David Sutton [by remote]</b>	<b>Lynn Greene, County Commissioner            Dr. Ben Hall            Carol Wolfenbarger            Dr. James M. Gaskill [by remote]            Julie Harris [by remote]</b>

**Board of Health Members Absent:**

<b>Amy Jenkins            Neil Perry            One Vacancy</b>	<b>One Vacancy</b>
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**Foothills Health District Staff/Guests/Counsel Present:**

**HD Staff:**

**Karen Powell, Health Director  
 Nancy Marshall, Finance Director  
 Jason Masters, Environmental Health Director  
 Dottie Wilson, Assist. Finance Officer  
 Renee Nolen, Administrative Assistant**

**Board of Health Legal Counsel**

**Sharon Parker, Board Attorney**

***\*\*Please note: Due to the COVID-19 pandemic and Governor Cooper's Executive Orders limiting the size of indoor gatherings, even with social distancing, this meeting was held in the Conference Room of the Advanced Manufacturing Center (Universal Building) in McDowell County so BOH members could socially distance and some could participate in the meeting by two-way video [zoom]. See the remote meeting provisions in Senate Bill 704 as codified as Session Law 2020-3.***

<b>AGENDA ITEM</b>	<b>BOARD ACTION</b>	<b>REFERENCE DOCUMENTS</b>
<p><b>CALL TO ORDER:</b> Chairman Dr. Ben Hall called the meeting to order at 6:35 pm. <b>A quorum was present when counting the in-person Board members and the members attending remotely under the COVID-19 procedures because the Foothills BOH had two vacancies at the time of the meeting.</b></p>	<p><b>Chairman Dr. Ben Hall</b></p>	<p><b>N/A</b></p>
<p><b>PUBLIC COMMENT PERIOD:</b> The Board Public Comment Policy had been circulated with all Notices for the meeting and posted. No members of the public were present for this meeting.</p>	<p><b>No Board action required</b></p>	<p><b>N/A</b></p>
<p><b><u>ACTION ITEMS</u></b></p>		
<p><b>SWEARING IN OF Foothills BOARD OF HEALTH MEMBERS</b></p> <p>Gina Harrill, a school nurse, was sworn in as a Foothills Board Member for Rutherford County and she was filling the expired term of Sarah Bradley. Mrs. Harrill’s term on the Foothills BOH will run from June 30, 2020 to June 30, 2023.</p>	<p><b>Sharon Parker, Board Attorney</b></p>	<p><b>N/A</b></p>
<p><b>APPROVAL OF MINUTES FROM MAY 26, 2020</b></p> <p>The Foothills Board of Health Minutes from May 26, 2020, which had been emailed to the BOH for review before the meeting, were presented.</p>	<p><b>Lynn Greene, McDowell Commissioner, moved to approve the May 26, 2020 minutes as presented, with a second by Kim Warner. The motion was approved with remote votes from Greg Lovelace, Dr. David Sutton, Dr. Buchanan, Dr. James Gaskill and in person votes by Lynn Greene, Kim Warner, Dr. Hall, Carol Wolfenbarger, Dr. Jerald DeLaGarza, and Gina Harrill.</b></p>	<p><b>Documents on file</b></p>

**HEALTH DIRECTORS REPORT: COVID-19**

June 30 was Day 107 of the Covid-19 response for the Emergency Operations Center [EOC] in McDowell. As of June 30, 4,255 persons had been tested of which 3,901 were negative, 135 were pending results, 219 were positive and, sadly, 2 person had died in McDowell.

[Dr. DeLaGarza joined the meeting in person.]

June 30 was Day 100 of the Covid-19 response for the Emergency Operations Center [EOC] in Rutherford. As of June 30, 4,798 persons had been tested of which 3,844 were negative, 309 were positive and, sadly, 9 persons have died.

Public Health is a leader during a pandemic. Many people never really understood all of what Public Health does. In a pandemic, the Health Director decides what the approach will be for that county or district. It is important to find out who has the disease and trace concerning contacts so those contacts can be isolated and tested. People now understand why the funding for Public Health is important.

The Health Department started early with contact tracing and usually traces three contacts back to a positive. All Covid-19 tests are sent to the State Lab. We have been aggressively testing with very few mistake. We have been pushing testing in minority communities where Covid-19 has hit hard. Other than nursing homes, the biggest outbreaks to date are inside families.

State Lab results were taking 24-48 hours, but are now pushing about 72 hours to return results. LabCorp charges \$51.00/test. If we had to test at a Long-Term Care facility, we would used insurance and LabCorp. Governor recently announced that State will start taking care of all Long-Term facilities through CVS Care.

There is a representative from DSS in each county at the EOC that is in contact with all administrators

**Karen Powell, Health Director**

**N/A**

of Long-Term facilities. The Health Department is working with nursing homes trying to get them masks and PPE to keep residents and staff safe.

McDowell has a community testing site almost every day either at Health Department or in the community. Rutherford has community testing at Health Department three days each week and then at a community site one day. We have been testing 100-150 people at these sites. Mrs. Powell works the Community sites so she can ask why people are there. At this time, anyone can be tested and does not need symptoms to be tested.

We have a great relationship with the Emergency Operations Center in both counties and have hotlines in both counties. Mrs. Powell expects Covid-19 to be an emergency until the end of the year. We are not out of the Phase I yet. Hospital numbers are being closely monitored. Mrs. Powell stated that the public health jobs will never look the same.

[Julie Harris joined the meeting remotely.]

Health Department teams are rotating through the testing sites as the department continues to offer services/clinics not related to Covid-19. Staff has been amazing, many working 15 hour days for 7 days a week. Everyone is playing a role to support the Covid-19 response.

McDowell County has relationship with Mission; if there is a test that needs immediate response, they will turn around results in the same day.

The goal is to try to keep Covid-19 out of nursing homes and long term care facilities, jails, Police, Fire, EMS, Hospitals, and schools.

No Health department staff have tested positive for Covid-19.

Lynn Greens, McDowell County Commissioner, indicates that his Board meeting once a week with Mrs. Powell or EMS. The County Commissioners appreciate the good relationship with Mrs. Powell and the Health Department.

**CLOSED SESSION:**

**At 7:08 pm, a Closed Session was requested for discussion of information that is privileged, confidential or not a public record under NC General Statute 143-318.11(a)(1) and NC Gen Stat 130A-42; To consult with the Board Attorney retained by the Board regarding legal matters pursuant to NC General Statute 143-318.11(a)(3); and To consider other matters relative to personnel matters a pursuant to NC General Statute 143-318.11(a)(6).**

The BOH went into Closed Session at 7:10 pm.

At 7:24 pm, there was a motion made by Lynn Green and seconded by Kim Warner to leave closed session and to return to open session.

**At 7:08, Carol Wolfenbarger made a motion to go into closed session for discussion of information that is privileged, confidential or not a public record under NC General Statute 143-318.11(a)(1) and NC Gen Stat 130A-42; To consult with the Board Attorney retained by the Board regarding legal matters pursuant to NC General Statute 143-318.11(a)(3); and To consider other matters relative to the personnel matters pursuant to NC General Statute 143-318.11(a)(6). The motion was seconded by Lynn Greene, McDowell County Commissioner. The motion was approved with remote votes from Greg Lovelace, Dr. David Sutton, Dr. Buchanan, Julie Harris, Dr. James Gaskill and in person votes by Dr. Hall, Kim Warner, Dr. Jerald DeLaGarza, Carol Wolfenbarger, Lynn Greene, Gina Harrill.**

**At 7:24 pm, there was a motion made by Lynn Green and seconded by Kim Warner to leave closed session and to return to open session. The motion was approved with remote votes from Greg**

**Closed Session Minutes are maintained by the Board Attorney, Sharon Parker, at her office at Sharon L. Parker, PA at PO Box 983, Marion, NC 28752, Phone 828-652-2441.**

<p>The Board returned to open session at 7:25 pm.</p> <p><b>FINANCE REPORT:</b></p> <p><b><u>Final Budget Presentation</u></b>  Mrs. Marshall reviewed the Budget for 2020-2021. At our last BOH meeting in May, the Board had not been able to balance due to deficient of \$598,000.00, which staff has worked on daily to try to balance the budget. In this proposed budget, Total Revenue and Expenses balance with a total of \$6,053,167.00 which includes a Reduction in Force of negative \$267,704.00. Mrs. Powell feels comfortable with the \$28,000 for Other Grants even though money is not in hand yet, because they are specifically for Health Department services. The CARES Covid-19 funds is money that we hope we will receive from the counties if they can figure out how to make that work for us.</p> <p>There is some FEMA reimbursement in the State &amp; Federal amount. We can only get overtime, direct Covid-19 supplies, and travel from FEMA. The March submission has not been approved yet. The District submitted \$15,000.00 for March and \$20,000.00 for April and we are waiting to see what FEMA will cover.</p> <p>Mrs. Powell and Mrs. Marshall have been in many discussions regarding what services that can bring in more revenue.</p> <p><b><u>Financial Reports</u></b></p> <p><b><u>Review of the May 2020 Profit &amp; Loss vs. Actual</u></b>  During May, the health department was closed for clinics due to Covid.  The McDowell County allocation was paid in full prior to May. The Rutherford allocation final</p>	<p><b>Lovelace, Dr. David Sutton, Dr. Buchanan, Julie Harris, Dr. James Gaskill and in person votes by Dr. Hall, Kim Warner, Dr. Jerald DeLaGarza, Carol Wolfenbarger, Lynn Greene, Gina Harrill.</b></p> <p><b>Nancy Marshall, CFO  Karen Powell, Health Director</b></p> <p><b>Kim Warner made a motion to approve the Budget 2020-2021 as presented with a second from Dr. DeLaGarza. This budget includes ad Reduction In Force [RIF] of six positions to be handled under the Foothills RIF policy, which is included in this motion. The motion was approved with remote votes from Greg Lovelace, Dr. David Sutton, Dr. Buchanan, Dr. James Gaskill, Julie Harris and in person votes by Lynn Greene, Kim Warner, Dr. Hall, Carol Wolfenbarger, Dr. Jerald DeLaGarza, and Gina Harrill.</b></p>	<p><b>Documents on file</b></p> <p><b>Documents on file</b></p>
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payment was made in May for \$54,000.00.

State Funds were higher than budgeted due to DHHS, CDC, Covid-19 response funding of which \$103,000.00 was drawn down making “Gross Profit” on the P and L currently \$454,000.00.

Standard expenses: Salaries - pending reimbursement from FEMA for overtime, travel, and supplies. Final installment was paid out for the School Nurse Contract.

**Review of Profit & Loss vs Actual for July 2019 through May 2020 –**  
 Disregard the \$18,000.00 in County Allocations from Polk, which was from prior year that should have been entered differently. Mrs. Marshall is currently working with auditors to see how to handle that due to changing financial software on July 1. The Hep C grant of \$8,000.00 was prior year also.

Actual Gross Profit for the FY 2019-2020 is \$5,009,045.00 and Actual Expenses \$6,040,662.00 with a Net Loss of \$1,031,618.00. We had budgeted for a net loss of \$864,000.00, which was brought forward from last year’s Medicaid Cost Settlement. However, there is actually a \$256,964.00 Net Loss greater than budgeted, which is driving cuts to the 2020-2021 budget since the Fund balance is almost depleted.

**Review of 2019-2020 Budget Amendments –**  
 Patient Fees dropped significantly due to the clinics being closed several months due to the pandemic. A small, \$14,000.00, adjustment was made to Medicaid Cost Settlement due to the 2015, 2016, 2017 state hold backs of 10% because 2015 & 2016 were released but not 2017. Other Earnings were lower because of lower interest receipts because lower funds here held in the bank. The Appropriation of Fund Balance changed when \$150,000.00 was borrowed, with Board approval, from the Money Market and was used to pay expenses. As directed by the Board in the authorizing motion, these funds were re-paid to the Money Market by June 30, 2020.

\$30,000.00 of the RHI Hep C Grant will be rolling

**A motion was made by Dr. Delagarza to approve the 2019-2020 Budget Amendments as presented seconded by Kim Warner. The motion was approved by in person votes from Gina Harrill, Kim Warner, Dr. DeLaGarza, Dr. Hall, and remote votes from Julie Harris, Dr. Gaskill, Greg Lovelace, Dr. Sutton, and Dr. Buchanan. Lynn Greene was opposed to the**

**Documents on file**

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<p>forward to this year. The multiyear Mammogram Grant will have \$15,000.00 rolled forward. With the Covid-19 Response Grant, CARES Act money &amp; FEMA reimbursements in the State &amp; Federal Funds, the Net Gain will be \$433,000.00.</p> <p>In Expenses, the extra salaries &amp; fringes was for overtime &amp; crisis response. We spent more for Maternity MD and LabCorp expenses than expected. We removed the \$12,500.00 for school nurses for Polk that was awarded to Polk. We added \$20,000.00 for flu vaccines, and \$9,000.00 for supplies. To balance the budget, there is a change of \$285,000.00 in Revenue; \$285,000.00 change in expenses.</p> <p><b><u>Records Retention Policy</u></b> Mrs. Marshall presents the Record Retention Policies, which had been emailed to the Board prior to the meeting, for approval. The State issued a revised version of the Retention Policy on March 1, 2019. One Policy is for the General Records Schedule and another Policy is for Local Health Departments specific programs.</p>	<p><b>motions and Carol Wolfenbarger responded with reservation.</b></p> <p><b>A Motion was made by Dr. DeLaGarza to approve both Records Retention Policy as presented with a second from Carol Wolfenbarger. The motion was approved by in person votes from Lynn Greene, Kim Warner, Dr. Hall, Carol Wolfenbarger, Dr. Jerald DeLaGarza, and Gina Harrill and remote votes from Julie Harris, Dr. Gaskill, Greg Lovelace, Dr. Sutton, and Dr. Buchanan.</b></p>	<p><b>Documents on file</b></p>
<p><b><u>Auditor Contract</u></b> Mrs. Marshall presented the second year of a three-year contract with the financial auditor for approval. This contract is for \$23,175.00 for this next FY.</p>	<p><b>A Motion was made by Kim Warner to approve the Contract to Audit Accounts-second year-as presented and this motion was a second from Dr. DeLaGarza. The motion was approved by in person votes from Lynn Greene, Kim Warner, Dr. Hall, Carol Wolfenbarger, Dr. Jerald DeLaGarza, and Gina Harrill and remote</b></p>	<p><b>Documents on file</b></p>



	<p><b>votes from Julie Harris, Dr. Gaskill, Greg Lovelace, Dr. Sutton, and Dr. Buchanan.</b></p>	
<p><b><u>INFORMATIONAL ITEMS:</u></b></p> <p><b>ENVIRONMENTAL HEALTH [EH] REPORT—</b></p> <p>Jason Masters review of last year’s numbers to the previous four years made senses when Polk County was removed for comparison purposes. In Fiscal Year 2019-20, EH took in 146 more applications than Rutherford and McDowell did in the year before and \$111,000.00 more dollars than Rutherford and McDowell did the year before. This time last year, EH brought in \$364,000.00 among three counties. This year, we brought in \$370,000.00 between two counties while utilizing 25% less staff, no contract workers, and maintaining a two-week backlog for the year.</p> <p>The food and lodging inspectors have achieved a 100% inspection compliance rate for FY 2019-20 for the first time in the history of either the RPM or Foothills District.</p> <p>EH is assisting in contact tracing efforts with the communicable disease nurses and will contact establishments that have had employees that test positive. We contact the establishment and advise them to follow the guidelines that are already laid out in the establishments "employee health policy", which restricts or excludes employees from certain kitchen duties, If a positive person lists a food establishment as a place they have been, we contact the establishment and let them know the date so they can check to see if any employees working at that time may have been exposed. We expect these tracing efforts to continue and may become an integral part of the food and lodging protocol.</p> <p>At the last BOH meeting , we discussed how our department was focusing a little more closely on</p>	<p><b>Jason Master, EH Director</b></p>	

<p>repairs. With repairs, come complaints. We are re-thinking our process. NC General Statutes allow us to issue a Notice of Violation (NOV) if a septic complaint is legitimate and there is sewage on the ground. That NOV allows the occupants 30 days to bring the issue into compliance. After that 30 days, if no action has taken place, we must issue a second NOV giving them another 30 days. After that, the matter must be handed over to the magistrate's office. Mr. Masters called the magistrates office and they were not aware of the protocol for dealing with septic complaints, so complaints may not have not been handled correctly over the past few years. We are upgrading our response to complaints and hope we will be able to get things handled within this 60-day period. We have certain tools that will allow us to help people, but after the matter is turned over to the magistrate, we no longer have any control over the situation.</p> <p>If there are changes to our food and lodging protocol due to COVID-19 that would mean that our inspectors may end up being out of the restaurants, we have developed a plan to shift those inspectors to assist with the On-Site inspectors in various other EH areas.</p>		
<p><b>Other items of new business or any other action items:</b></p> <p>None.</p>	<p><b>Dr. Ben Hall, Chairman</b></p>	
<p><b>ADJOURNMENT: At 8:18 pm, Dr. Jerald DeLaGarza made a motion to adjourn, seconded by Lynn Greene. The motion was approved with remote votes from Greg Lovelace, Dr. Buchanan, Julie Harris, Dr. Gaskill, and Dr. Sutton in person votes by Dr. Hall, Carol Wolfenbarger, Kim Warner, Lynn Greene, Dr. DeLaGarza and Gina Harrill. The meeting adjourned at 8:18 pm.</b></p>		
<p><b>SIGNATURES:</b> _____  <b>Dr. Ben Hall, Foothills BOH Chair</b></p> <p>_____  <b>Karen Powell, Foothills District Health Director</b></p>		