

BOARD OF HEALTH MINUTES

TAMA COUNTY PUBLIC HEALTH & HOME CARE

Monday June 26, 2023 – 12:00 P.M.
Meeting held at Tama County Annex building and via Zoom

Members Present:	Curt Hilmer – BOS Liaison	Casey Schmidt	Dr. Polly Hineman
	Lori Johnson	Jolynn Harger	
	Sherry Parks, PA-C – via Zoom	Micki Ferris	
	Shannon Zoffka	Sally Custer	

Members Absent: Chris Behrens

Others Present: Brent Heeren, Richard Arp, Jon Winklepleck, Al Shaupbach, Karen Murty, Bill Faircloth, Dan Anderson, Laura Kopsa, Karen Rohrs, Tammy Wise, Kayla Sproul, Carlton Salmons, Mike Davis, and several members of the public via Zoom.

The meeting was called to order by Sherry Parks, Chairman at 12:08 p.m.

Dr. Hineman moved to accept the Revised Agenda tabling #7 under New Business, except for #7B-12 and 7E, due to time constraints. Micki Ferris seconded. Motion carried unanimously.

Dr. Hineman moved to accept the Minutes of the May 22, 2023 meeting as presented. Sally Custer seconded. Motion carried unanimously.

Dr. Hineman moved to accept the Minutes of the June 1, 2023 meeting with a change on the second page, 6th paragraph, the phrase that says “however it has appeared to Casey that Todd has put us in a situation” adding the word “difficult” before situation. Casey Schmidt seconded. Motion carried unanimously.

Dr. Hineman moved to accept the Minutes of the June 5, 2023 meeting as presented. Sally Custer seconded. Motion carried unanimously.

Dr. Hineman moved to accept the Minutes of the June 19, 2023 meeting as presented. Sally Custer seconded. Motion carried unanimously.

Reports:

Environmental Report: In Chris’ absence, Shannon Zoffka gave his report.

Chris inspected 5 pools in Tama County this past month. He also needs the Board to make a decision for the cleanup of the property at Union Grove Lake. The Board members received emails with the bid information. This will be voted on under New Business Item 4.

Director’s Report - 10 Essential Public Health Services Framework

1. *Assess and Monitor population health status, factors that influence health and community needs and assets*
 - CHA CHIP – no new news.
 - Food Pantry – The Mobile Food Pantry in May served 154 households and 433 individuals.
2. *Investigate, diagnose, and address health problems and hazards affecting the population*
 - Communicable Disease Investigations Started in May: 0
 - Active & Latent TB Cases: 0 current cases
 - Animal Bites: 2 dog bites followed in May
 - Immunizations Given: 7 in May through the Vaccines for Children Program.

3. *Communicate effectively to inform and educate people about health, factors that influence it, and how to improve it*
 - Social Media Strategy: Food Bank Information, Medicare Scam Alerts, Mental Health Month, Lyme Disease, Strokes, Sunscreen Safety @ STC Elementary, Nurses Week, Weather Awareness, Water Safety, Police Week, EMS Week. Most interactions were with Nurses Week post.
 - Posts: 27
 - Coffee Talks: 5 Talks held in May, 27 attendees total
 - The new Tama County website is set to go live. We have organized information on programs and Public Health for the new site.
4. *Strengthen, support, and mobilize communities and partnerships to improve health*
 - Maternal Health: no new news
 - Nest: June meeting focused on Summer Safety. 13 attendees.
 - SKIP: Supper with Superheroes was on May 18th. 240 burgers were served that night.
5. *Create, champion, and implement policies, plans, and laws that impact health*
 - Pumper Inspections were completed by the deadline.
 - The Board of Health has had two special meetings with the Board of Supervisors
6. *Utilize legal and regulatory actions designed to improve and protect the public's health*
 - PHEP: Pocket talk language translation devices received. Continue to work on PHERP. Attended Quarterly Coalition meeting June 15th.
7. *Assure and effective system that enables access to the individual services and care need to be health*
 - Home Health: 62% of referrals in April were admitted to Home Health services.
 - Success Story: Patient with a below the knee amputation and subsequent infection was admitted to Home Health and received wound care assistance for months, was discharged from services to go to a rehab center and was denied by insurance. We readmitted the individual who had just received prosthesis and worn 3 times total. In 3 weeks time with our Skilled Nurse and Physical Therapy, the individual is walking with prosthesis, doing stairs and driving. The patient was even able to go on a motorcycle ride again.
8. *Build and support a diverse and skilled public health workforce*
 - HR issues: Interviews conducted for RN positions. Mileage reimbursements.
9. *Improve and innovate public health functions through ongoing evaluation, research and continuous quality improvement*
 - QAPI: no new news.
10. *Build and maintain a strong organizational infrastructure for public health*
 - No new news.

Waiver: May: Three patients were served under the Frail and Elderly Waiver. There were 2 Maternal Health Home visits in May.

Financial Report:

Admissions decreased for the month of May. Skilled Nurse visits increased. Home Health Aide visits and hours increased for the month of May. Our revenue increased for the month of May. We have exceeded the revenue that we received last fiscal year.

We have an opportunity to purchase a 2010 Ford Edge from K&K Auto with 66,000 miles for less than \$10,000. This will be a replacement for our fleet, since we are down a vehicle.

Dr. Hineman moved to approve the Financial Report. Sally Custer seconded. Motion carried unanimously.

New Business

- A. Dr. Hineman moved to Approve & Authorize Board of Health Chair to sign Iowa Department of Natural Resources Contract #23ESDWQBTGROT-0001-86 between Iowa Department of Natural Resources and Tama County Board of Health for 2023-2026 for Pumper Inspections. Micki Ferris seconded. Motion carried unanimously.
- B. Micki Ferris move to Approve & Authorize CEO/Executive Director to sign Contract #5885BT486, Amendment #19, for Emergency Response Multi-Year Program Budget Revisions. Casey Schmidt seconded. Motion carried unanimously.
- C. Micki Ferris moved to Approve & Authorize the Revisions of the Recruitment/Hiring Process Policy. Dr. Hineman seconded. Motion carried unanimously.
- D. Dr. Hineman moved to Approve & Authorize the bid from Junk Relief in the amount of \$2,200 for cleanup at 2170 C Avenue, Garwin. Micki Ferris seconded. Motion carried unanimously.
- E. Micki Ferris moved to Approve & Authorize CEO/Executive Director to sign Contract #28-2023-PTT-86, Amendment #1 for Pool & Tattoo Inspection. Dr. Hineman seconded. Motion carried unanimously.
- F. Discussion was held regarding 2 records requests received. One was for all policies and procedures governing the Tama County Board of Health that are presently in effect. A copy of all policies and rules approved by the Board of Health for the years 2019 to 2023. A copy of all Board of Health meeting minutes for the years 2019 through 2023. Because these policies are in a large binder and would require a lot of time to compile and send, it was offered for the Board of Supervisors to come to our office to view the binder. Jolynn was off last week so we were unable to get this requested completed. The second was a verbal records request for the Time of Transfers for all properties from July 2021 to present. This is also a huge amount of information to gather. This would require a lot of time working with Chris to locate files. Some of this information is on the DNR website, which anyone can view. If we have to make copies of every Time of Transfer from that time frame, there is a lot of paper for each file, it could be up to 4 reams of paper, staff time, and Shannons time. If we were to charge for that it could be \$13,000 +. Micki Ferris felt that we needed the 2nd request in writing and not just verbal, stating exactly what the Board of Supervisors wants. She said there is an Open Records Request document that they could fill out which would help when figuring out exactly what information they wanted copies of. Curt Hilmer asked the other Supervisors why they were wanting this information? Bill Faircloth said that he will pull that verbal request for right now. Dr. Hineman asked if they really wanted all of the policies that we have: the Gait Belt Policy, the Blood Draw Policy, etc. Is this an efficient use of TCPH staff time to give them off all the policies? Are they really going to read all of these policies? Carlton Salmons said that he was the one that put them up to requesting these policies. He had some questions about how we conduct BOH meetings and implement policies. He said that he would talk further when we went into closed session. Curt Helmer asked why it had to be a closed session and why we couldn't talk about it right now? Carlton said that he wanted to talk to the Board of Health members without the TCPH employees present. He wants to agree to disagree about the policies regarding Time of Transfer. He has concerns about a line item in the budget that was approved by the Board of Supervisors. Dr. Hineman said that she doesn't think it is a good use of time to copy all of the Policies and Procedures. Carlton spoke of the Open Records Law – Iowa Code Section 22. Brent Heeren said that it was his understanding that the offer was made for the Board of Supervisors to schedule a time to come to TCPH's office and look at the policy binder. They could take a look at the policies and then make a request for the ones that wanted copies of. Carlton said that he doesn't disagree with that. He wants to see how we come about our policies as well. Micki Ferris asked if copies of our Agendas and Minutes would be adequate for that. Brent Heeren said from what he understands the issue Carlton has is the process in getting to the 4 inch binder of policies not the actual policies themselves. Carlton agreed. Brent asked if there was a BOS Liaison on the Board. Dr. Hineman said that prior to Curt Hilmer coming on it was Larry Vest and Bill Faircloth. Brent said then he assumes that there is a direct line of communication with the Board of Supervisors. He said he feels the Board of Health is under the impression that whatever they are doing is being reported back to the BOS. Curt Hilmer asked how we got to this point, when a county employee was the one that made the mistake. Carlton said that we cannot pay the Homeowners claims as it is past the statute of limitations. Tammy Wise said that the Homeowners were sent letters stating their claims were denied. Comments were made by several members of the public. Carlton stated that the Homeowners that had denied claims can file a lawsuit and let the judge decide. Curt said that he is looking at an email from Shannon to Tammy Wise in December of 2022

with an attachment of a process for Time of Transfers. Shannon mentioned the Homeowners can submit a claim to the county and the Board of Health can decide which action to take. In it, Tammy said that "it sounds good, this should help streamline the process." That was the purpose of the \$51,000 budget line item, to take care of these kind of claims. Tammy said that she never told them to pay any claims, she said she told us there was no coverage. The Homeowners were sent letters from Heartland Risk Pool in February denying their claims. Lori Johnson said that the Board of Health never received copies of the letters. They probably should have been informed of this. Dr. Hineman moved to approve amended request for records regarding policies and procedures governing the Board of Health. Micki Ferris seconded. Motion carried unanimously.

- G. Much discussion was held about the Travel Compliance and Reimbursable Expenses Policy. Dr. Hineman moved to table this policy until we have more information. Dr. Hineman stated that the Board of Health is a group of volunteers that are trying to do their best, but it makes it extremely difficult when they get varying opinions from authority figures and they don't know which is the right one. She said that if you wonder why there is a hard time getting people to volunteer to be on Boards is because, she feels they do their best, then get in situations like this and then wonder why they volunteer. She said that she volunteers because she has been a resident of Tama County for 30 years, and been a physician in this county, but in situations like this she doesn't want to do this anymore. She doesn't think the Board of Supervisors would want to have this kind of environment continue because then they will be facing lack of volunteers. Micki Ferris said that there doesn't have to confrontation, we all should just be civil. Let's try to bring it back to a healthy conversation. Micki Ferris seconded tabling this policy. Motion carried unanimously.

Sherry needed to leave the meeting to return to work, she suggested tabling paying the Homeowners claims until having more meetings/information from the Board of Supervisors. She thinks at this point we should not pay that July 1st. Casey Schmidt moved to table the payments to the Homeowners. Micki Ferris seconded. Motion carried unanimously. Micki asked if we needed a motion since it was not an Agenda item. Carlton said that it would have arisen out of Item 10 on the Agenda, so a motion can be made.

H. Micki Ferris moved to Approve the 2021-2022 Agency Annual Report. Sally Custer seconded. Motion carried unanimously.

Sherry Parks left the meeting at 1:13 p.m. Dr. Hineman, Vice-Chair, took over the meeting.

Correspondence: None.

Public Comment: Several members of the public expressed their disapproval with the way the County treats its citizens, the actions of the past Sanitarian, using the County Attorney instead of hiring outside attorneys, performance reviews of County Employees, thankfulness of Volunteers on the Board of Health, concerns about losing our local Board of Health because of merging with another County, why the insurance for the County is not paying for damages that county employee did.

Board of Supervisors Discussion Request: Carlton requested that the Homeowner claims not be paid because of the statute of limitations and being against the law. He suggested going before a judge to settle the issue.

Dr. Hineman said that the job of the Board of Supervisors to manage the County. They should be aware of what is going on in the County, and should read our meeting minutes for our meetings. Our meetings are open and nothing is hidden. If they did not like how we handled things, they should have come to us and let us know instead of being heavy-handed and lawyering up. It was not their intent to break the law. We contacted lawyers and anyone we thought we should ask for guidance. We didn't receive any. We moved forward in good faith, in order to rectify this situation. She feels that we don't need to go in front of a judge to settle this issue. She feels that we could settle this by working it out together.

Casey Schmidt said that he feels frustrated that we have not had effective communication. We are all doing the best that we can. Casey feels that the Board did the best to navigate with the information that they have. He feels they did a good job being objective. He feels this situation is not effective and cannot continue. The Board did what they thought was best for all parties involved. He hopes that we can have some resolution or agreement, and get this taken care of.

Kayla Sproul explained why we were here. She said she understands that we want to pay these Homeowners, but the problem is that we are spending taxpayer funds. There are duties that come along with using public funds. The law states that the statute of limitations is two years, starting from the date of inspection, not the date of discovery. If a Homeowner were to sue over these issues, it would get dismissed. Under the law, if you use public funds for a purpose that is not authorized under the law, then you could be personally liable. There is a possibility that everyone that is in the room that is on the BOS or BOH would be personally liable.

Discussion was held. Questions were asked if there was anything in present Iowa law that would make it right for these Homeowners. The answer was no. There would be more flexibility if not public taxpayer dollars. Taxpayer dollars have their own set of rules.

Sally Custer left the meeting at 1:50 p.m.

Dr. Hineman asked if a claim was ever filed with insurance for these two claims. Tammy Wise, said that yes they were and both were rejected. She said that the Homeowners got a letter.

No one else knew about this letter or received a copy.

Casey Schmidt said that these two septic systems in question should have never been passed inspections. Chapter 69 is clear regarding soil analysis and inspections.

Dr. Hineman said that we have had plenty of discussion but unfortunately, if we go by what council is telling us, because the 2 year statute of limitations has passed, there is nothing we can do. She does not feel good about this, she feels bad for the Homeowners, but she has to follow the law.

Carlton said that the line item should have not been allowed by the Board of Supervisors. One option is that the BOS could pull the line item back. Option 2 would be to let a judge decide.

Dr. Hineman said that she didn't want to get to that point. She said the BOH needs to make a motion to reverse previous approval of paying for these funds.

Micki Ferris said that no one wins in this situation. She feels bad what the Homeowners are going through. She reluctantly makes that motion to rescind approval for these system payments. Casey Schmidt seconded. Motion carried unanimously.

Dr. Hineman commented that she hopes the BOS takes from that this that they need to be more aware of all the meetings and Boards so they know what is going on. She hopes that next time that there is an issue they will come to the Board of Health on their own, not come with their council. She hopes in the future they will endeavor to be more kind to the volunteer Board members and not go through this again.

Micki Ferris asked Carlton and the Board of Supervisors if they still need copies of our minutes, agendas, and policies since it has appears that this issue has been resolved. Carlton said that as it appears the issued is resolved there is no reason to send that information.

Carlton suggested that the Supervisors take the money out of the line item and use it a different way.

Laura Kopsa said that it has to be on an Agenda and have a public hearing.

Future Meeting Dates: The next Board of Health meeting will be held on Monday, July 24, 2023 at Noon. A hybrid option is still being offered as well as in person meeting at the Public Health office.

The meeting adjourned at 2:20 P.M.

Respectfully Submitted,

Jolynn Harger, Executive/Financial Assistant

The full Zoom recording is available. It will be posted on our website or is available by request.