

Catawba County Board of Health
Minutes
October 5, 2015

The Catawba County Board of Health met on Tuesday, October 5, 2015. The regular meeting of the Board of Health convened at 7:08 p.m. at Catawba County Public Health, 3070 11th Av Dr SE, Hickory, NC 29602 in the Boardroom.

Members present: Mr. William Mixon, Chair
Mr. John Dollar, Vice-Chair
Mr. Dan Hunsucker, County Commissioner
Dr. David C. Hamilton, Jr.
Ms. Brenda Watson
Ms. Naomi East
Dr. Sharon Monday
Mr. Brian Potocki
Ms. Dana H. Greene
Dr. Matthew Davis

Members Absent: Dr. David L. Harvey

Staff present: Mr. Doug Urand, Health Director
Ms. Kelly Isenhour, Assistant Health Director
Ms. Jennifer McCracken, Health Services Manager
Mr. Mike Cash, Environmental Health Supervisor
Ms. Julie Byrd, WIC Nutrition Supervisor
Ms. Sarah Rhodes, Interim Home Health Manager
Ms. Amy McCauley, Community Outreach Manager
Mr. Scott Carpenter, Environmental Health Supervisor
Ms. Chantae Lail, Medical Lab Manager
Ms. Martha Knox, Administrative Assistant III

Visitor: Mr. Dewey Harris, Assistant County Manager

CALL TO ORDER

Mr. John Dollar Vice-Chair called the meeting of the Catawba County Public Health Board to order at 7:08p.m.

APPROVAL OF THE AGENDA

Mr. William Mixon, Chair stated that the agenda for the October 5, 2015, meeting of the Board of Health was included in the packet and with the exception of Doug Urand presenting item F. he asked if there were any further changes. Hearing none, Mr. Mixon asked for a motion to accept the Agenda as presented. Mr. Dan Hunsucker so moved and Dr. Sharon Monday seconded the motion. The motion passed unanimously.

APPROVAL OF MINUTES

The minutes for September 9, 2015, were included in the Board packet. Mr. William Mixon, Chair asked if there were any corrections, hearing none, he asked for a motion to accept the minutes as presented. Mr. Dan Hunsucker so moved and Dr. Sharon Monday seconded the motion. The motion passed unanimously.

PUBLIC COMMENTS

Mr. Mixon asked if anyone presented to speak before the Board. Ms. Martha Knox, Administrative Assistant III, stated that no one had presented to speak.

COMMISSIONER'S COMMENTS

Mr. Dan Hunsucker, County Commissioner, stated that the Board of Commissioners met on this date for their annual retreat and also met in regular session. Mr. Hunsucker shared the following items:

- The Board of Commissioners approved an incentive package requested by the Economic Development Corporation and an agreement between Catawba County and Axjo America, Inc. Axjo America, Inc plans to utilize an existing manufacturing facility located in Conover, NC, and will invest a minimum of \$11,100,000 and create 14 new jobs. The new jobs will have wages that are above the current county average. Mr. Hunsucker stated that although this agreement does not create a large number of jobs, it will mean bringing money to Catawba County.
- The Board of Commissioners approved the Fiscal Report and Settlement of the 2014 taxes collected for Fiscal Year 2014-15. Ms. Lori Mathes, Tax Collector reported that the 2014 Tax Year was collected at 97.83%
- The Board of Commissioners also passed a resolution that Catawba County intends to sell Catawba County Home Health and that a public hearing will be conducted on November 2, 2015 on this Resolution of Intent.

This ended Mr. Hunsucker's report to the Board, and he asked Mr. Doug Urland to share additional information regarding the Intent to Sell the Catawba County Home Health agency.

Mr. Doug Urland, Health Director stated that the resolution passed today by the Board of Commissioners is the first of the public steps in the process to complete the sale of the Home Health agency. The Public Hearing on November 2, 2015, will be the 2nd step, after that another public hearing will be scheduled to discuss the "proposed sale" on December 7, 2015. The public hearings must be advertised and therefore this requires that the steps in the public process be adequately spaced out. It is anticipated that the Board of Commissioners will adopt the Resolution for Sale at a scheduled meeting of the Board in January, 2016.

Mr. Urland stated that several members of staff worked diligently to gather information required during the "due diligence" process and the Home Health staff continue to provide services to clients in the community. Home Health staff continues to take referrals and provide services to citizens in Catawba county and surrounding areas. As the process continues, Mr. Urland stated he will keep the Board informed.

END OF YEAR REPORT AND GRANT REPORT

Mr. Doug Urland, Health Director, stated that Ms. Sindie Sigmon, Business Manager, was unable to attend the meeting and that he will share information that Ms. Sigmon provided regarding the end of year report on 2014-15 fiscal year. Regarding Attachment II, the grant report, Mr. Urland stated some of the funds that come from collaboration with organizations do not result from applications for grants, such as, the funding for school health nurses form Catawba Valley Medical Center. However, some grants are applied for such as, the Duke Endowment Grant that has been applied for and is currently in review by that foundation. He encouraged the Board to review the information in the attachment and staff will provide additional information at a later meeting.

Attachment I is the end of year report for 2014-15. It shows approved budget amounts for 2014-15, actual revenues and expenditures for 2014-15, and differences in expected versus actual funds. There are notes on the far right to give explanations why a revenue or expenditure is substantially higher or lower than expected. Mr. Urland pointed out the item of State grants – it was less than anticipated. STD Drugs the note states that a new method was used by the state to estimate what health departments would use.

Revenue in general Public Health received 92.1% of revenues budgeted. County share we received 154% this increase was due to staff reductions and lower Home Health revenue in the amount of \$884,950 and reduced cost settlement in the amount of \$140,929.

State Grants are paid as staff time and expenses are reported to the State. Most of these have come in at 100%. Regarding STD Drug funds, Mr. Urland stated those funds are never paid directly to Public Health, The drugs are ordered for the clinic and the actual drugs are shipped to Public Health. For 2014-15, the State changed the process and now allocates the money for the STD funds. They estimated for Catawba County a much higher amount than what was needed. Therefore there are a large amount of funds that have not been expended. It has required our agency to be part three part review process, which requires staff must go through an attestation process with the federal government and the health director must act as administrator and ensure the information has been submitted correctly. The State found that this was a better process and this year was a transitional period to the new method.

Mr. Urland stated regarding school nurse funds, that the expenses for the programs have been paid and added that if funding was not received it means that there was not an expense submitted for those funds. This past year there were months of school nurse vacancy, and there was a gap until the position was filled.

Fee Revenues – Mr. Urland stated there were two items. One was the Home Health revenue deficit and the Adult Preventative Health, where our clinic days were reduced to four days instead of five effective December 2014.

Medicaid Cost Settlement – The escrow payments are received from the State for prior fiscal years. The funds are generally paid in June of the year; however, our agency is just now receiving funds and is still owed funds. The funds are accounted for as receivables and revenues are listed as actual revenues received. In past years back to 2010-11, 2011-12, 2012-13, 2013-14 (2014-15 cost report has not been completed at this time), there have been 10% held from funds owed to Catawba County Public Health for audit purposes. Division of Medicaid Assistance held those funds for up to 18 months; however, those funds have still not been paid. Department of Health and Human Services and DMA, seeks to change the statistical methodology thus influencing how reimbursement was handled in the cost accounting process. This would change the calculation of the cost reports, reimbursement to counties, and the Local Health Departments have disagreed with the approach and the decision to go back years later and applying a new standard. The Health Director's association has been involved with numerous discussions and has hired counsel to represent the association in this matter. This will impact all counties in North Carolina and could put some counties in jeopardy of losing millions in funds that they have been owed.

Mr. Urland added that local health directors are currently pay additional fees to the Local Health Director's Association to assist with the legal fees, however, it is necessary as the association navigates this Medicaid Cost Settlement resolution. Board members asked about the line item and Mr. Hunsucker asked if that line item was just for one of the fiscal years outstanding and Mr. Urland stated it is, however, there are several that are outstanding. Mr. Mixon asked who is escrowing money and Mr. Urland stated that is for Child Health/Medicaid. He stated there is an allocated amount for the different program areas and when the funds are received those funds are put back in that program area. He will update the Board as information becomes available.

Expenditures – Overall expenses were paid at 92.5% of the budgeted amounts. Mr. Urland stated that staff worked very hard to curtail expenditures as much as possible. He stated that he appreciated staffs hard work and dedication. Some line items realize a savings such as education and this is due to utilizing webinars and less travel. Staff has made use of technology and better technology such as in-house printers and phones that have realized a cost savings. Regarding the part-time wages line item, Mr. Urland stated that with the vacant positions that were held and not fill, increased the need for hourly employees to assist in providing the services required. This was especially true in the areas of home health nursing and clinic reception.

The Kids in Need fund expenses are not in one line item and not broken out by each school. It will be tracked internally to identify the KIN funds used per each school system. The school systems like to know the amount funds raised and used by their schools to benefit students needing medical and dental services.

Mr. Urland asked if there were any questions. Hearing none, the Chairman introduced Kelly Isenhour, Assistant Health Director.

ADJUDICATION AND RULE MAKING

Kelly Isenhour, Assistant Health Director, stated that the role of the Board of Health is to protect the public's health. This is accomplished by making policies or rules. If the Board wants to adopt a rule to protect the public's health there is a five part test, the rule must be related to protection and promotion of health, it must be reasonable in light of the risk that is being addressed, cannot violate any constitutional laws, can't be discriminatory, and cannot make any distinctions based on policies that traditionally has been made by another legislative body. Kelly stated that Debra Bechtel has stated that in previous legal updates to the Board. Kelly gave an example: the Board cannot state – "our rule is going to affect a business and the money or economic impact is such that we can just let smaller businesses not comply to the rule". The rule must be applied equally and be related to the health risk being addresses.

She stated that over the past 48 months the Catawba County Board of Health has not adopted any rules as a Board of Health. Accreditation in North Carolina requires that we state in the minutes that rules have not been issued in the past 48 months, and the chairman will sign a statement to that effect.

Adjudication Body – This function of the Board of Health means that the Board would hear any grievances of any rules or penalties that have been applied. The Board would hear an appeal of the interpretation of rules or policy. The Board would hear the case and determine if the Health Department made the correct judgment and make a ruling on the appeal. If the person appearing before the Board of Health feels they did not get a fair hearing they would appeal to the District Court.

No one has appealed the interpretations of rules or policies in the past 48 months and Mr. Mixon will also be signing a statement to that effect. Ms. Isenhour stated that Ms. Debra Bechtel will continue to come annually to give a legal update to the Board of Health and Management Team. As our County Attorney, Ms. Bechtel is available to the Board at any time to give them legal guidance. Martha Knox, Administrative Assistant, also has the published "Public Health Statutes" available for reference by the Board as needed for each meeting of the Board.

Ms. Isenhour stated that if Board members have any question about their role in rule making or as an adjudication board, they should contact Ms. Isenhour or Mr. Urland and they will provide the information to answer the question.

Mr. Mixon asked if a rule is made by the Board would it apply just to Catawba County. Ms. Isenhour stated yes, and it would apply to the entire county including the municipalities existing in the county. Mr. Urland stated that a good example is the local well ordinance that was passed in Catawba County. In 2008 the State implemented better well rules for the entire state, therefore, the local rule was allowed to expire or "sunset" and the county adopted and implemented the State well rules. Ms. Isenhour stated that the local Board of Health has the authority to adopt a local rule that is more stringent than a State rule or law, however, the Board must prove there is a justifiable need for a more stringent local rule to protect the health of the jurisdiction. Mr. Urland stated that there is a specific process in the Public Health statutes that must be followed to pass a local rule.

COAL ASH UPDATE

Mr. Mike Cash, Environmental Health Supervisor, gave a brief presentation regarding the latest information provided on the Coal Ash issue in North Carolina. Catawba County does have a coal ash facility at the Marshall Steam Plant. Therefore, the executive order lists the responsibilities that Duke Power has to manage the coal

ash facilities to protect the environment, health and safety of the public. Duke has been providing the State officials with assessments and they generally are related to well water monitoring near coal ash sites.

Mr. Cash stated that Duke Energy in cooperation with NC Department of Environment and Natural Resources (NC DENR) is required to provide sampling, analysis, and source determination of contaminants in drinking water wells located in the vicinity of coal ash ponds. At this time 39 total wells in the affected area of our county have been identified for sampling and the main contaminants are or hexavalent chromium (chromium 6) and vanadium. Out of those 39 wells that were assessed, 14 of those wells were re-sampled, with some being sampled multiple times. Ms. East asked what the total number of wells that were checked. Mr. Cash stated that is not known at this time. The number identified may not have all been sampled. There were 82 wells at the being that were identified and out of that 82 we do not have a number of the ones that for some reason or another were not sampled. 35 of those wells were recommended *not to be used for drinking, cooking, and consumption*. Not all of the wells are used for drinking water at this time.

Additionally, some wells outside of the prescribed 1500 ft radius (and some wells more than a mile away from the coal ash pond) were sampled as comparison study data to help determine if the contaminants identified in the original samples, were affected by coal ash input or if they were naturally occurring in the ground. If it is determined that groundwater is impacted by ash ponds then Duke is responsible to provide a clean safe alternative water source for those residents. If the ground water assessment shows that these contaminants are naturally occurring then it will be the responsibility of the well owner if they want to install a treatment system.

Mr. John Dollar asked if Environmental tests the wells and Mr. Cash stated that EH is required to test water on all new wells, however, the testing they conduct is not specific to Chromium 6. State Lab does check for those samplings of Chromium 6 and will be putting a kit out for home owners to test for that in their drinking water.

Dr. Matthew Davis asked why there is a need to separate out Chromium 6 in the testing that is conducted. Mr. Cash stated that Chromium 6 because of the health risks associated it merits specific testing when there is a concern and if it is not tested for separately the test may not indicate the correct information.

Mr. Cash shared a map of the Sherrill's Ford area that indicates where the testing occurred. Most samples were taken along Sherrill's Ford Road and Island Point Road. Catawba County Public Health is in a supportive role with NC DENR and the NC Department of Health and Human Services, NC Division of Public Health. Our staff gets homeowners in touch with the people that can answer their questions. At this time there has not been a large amount of questions from the public.

Dr. David Hamilton Jr. asked about the 1500 ft radius. Mr. Cash stated that sampling for the coal ash pond area was up to 1500 ft radius, however, other testing occurred outside that area (indicated by light blue*); it gave sampling that was used as a comparison for naturally occurring contaminants. **(See Minutes Attachment I)*

Mr. Dan Hunsucker asked about animals and whether the wells were being allowed to be used for animals. Mr. Cash stated that the question has not come up. However, Mr. Cash stated if it was his animals and the wells were unfit for human consumption he would be concerned about providing that water to animals. Mr. Cash added that they have not done any stream sampling that he is aware of. Ms. Brenda Watson asked if the coal ash pond is the same size as in the beginning. Mr. Cash stated that he doesn't have information on the coal ash pond. Mr. Urland stated that Catawba County is one of 19 counties that are affected by the Coal Ash ponds. He added that once the assessment determines that the coal ash pond has contaminated homeowners well, then it will be going through the process to get Duke Energy to pay for them to get connected to a waterline. All of the affected counties will have the same issues in getting a resolution for the affected wells.

FARMERS MARKET UPDATE

Ms. Amy McCauley, Community Outreach Manager, gave a brief update to the board on the Farmers Market for 2015. Ms. McCauley reported that the 3rd Farmers Market has wrapped up and there were 58 markets over the last three years and those markets served 13,600 customers – this number has grown over the years. Among the customers surveyed this past year, 38% identified as WIC clients, 70% stated that they or their children receive WIC vouchers and 28% paid with WIC vouchers. One of the core missions for the market is to increase the use of WIC vouchers and enable ease of use of those vouchers.

The vouchers were distributed on a first come first served basis, therefore, when they were available the clients were notified and invited to come in and get them. Catawba County's WIC program received 3 distributions of WIC vouchers, which translates to 5,100 WIC vouchers in 2015 and this was a significant increase over 2013 and 2014. The redemption rate for 2015 is not available at this time because the vouchers distributed on September 21st still have not expired, and the vouchers can be used at the Hickory Farmers Market and the Conover Farmers Market. WIC clients have been reminded that they can still use their vouchers at those two markets until their expiration date. Dr. Matthew Davis asked what the value of the voucher is and Ms. McCauley stated it is worth \$4.00.

Another goal for the market was to increase healthier eating through easier access to fresh produce. 90.8% of customers stated that the market increases the amount of fruits and vegetables for their families. Another goal was ensuring easier access to the healthier foods and 61.2% WIC clients stated that the farmers market made it easier for them to utilize their farmers' market vouchers. 40.3% stated the market saved time for them and 19.4% stated the Public Health market reduced the travel distance. The market accepts SNAP food assistance and 76.4% of surveyed SNAP/EBT recipients said their ability to use SNAP benefits at the market increased the amount of fruit and vegetables their families ate. There were over 200 customers surveyed.

The farmers market also benefits the farmers that sell their produce. All of them earn a lot of cash through the market. In addition to cash received, the redemption of WIC vouchers and the bonus bucks program (\$4.00 incentive voucher), the SNAP benefits program and also the EBT cards benefited the farmers in the amount over \$12,000.

Ms. McCauley stated that our staff assisted Conover Farmers Market to implement food assistance benefits. Hopefully, they will get that implemented for the next farmers market season, which will make them the second farmers market in the county to offer the SNAP benefits. There is a standing offer to assist the Hickory and Claremont farmers markets to provide the same assistance for them. Technical assistance has been provided to the Mecklenburg County Health Department, which will be starting a farmers market in their parking lot next summer.

The Farmers Market will return in June, 2016. She asked the Board members if they had any questions. Mr. Dollar asked why there is an expiration date on the vouchers. Ms. McCauley stated that it is so the State can see when the vouchers are utilized and to track it for the State budget.

Dr. Matthew Davis stated ask if it was State funds not federal, and Ms. McCauley stated that the WIC vouchers come from the federal WIC program that is administered through the NC WIC Program. He asked how the program in Catawba County gets more vouchers. Ms. Byrd stated that because Catawba County WIC has the #1 redemption rates for North Carolina, the program received additional distributions and she called requesting more vouchers. She added that the expiration date mentioned is so that the state budget can track how much has been expended. Some counties may not expend the vouchers, which would keep other counties that need them from having access.

He asked if they have to be used in Catawba County if they receive them here. Ms. Byrd stated that they can use them in any approved farmers market for WIC in the state of North Carolina. Ms. McCauley stated the market and the farmers have to go through an approval process to accept the WIC vouchers.

All of the farmers at the Public Health market are approved to accept WIC vouchers. The Conover farmers market and Hickory farmers market are approved to accept WIC vouchers, but not all of their farmers are approved.

Ms. Byrd stated that the State has asked some counties in North Carolina if they want the re-allocation of vouchers and they decline. Catawba County accepts as many vouchers as the State will allocate to the program. She added that the WIC participants start asking in January or February for the WIC vouchers.

Ms. Naomi East stated ask about the vouchers and Ms. Byrd stated they are like a paper check and each client gets 6 \$4 vouchers along with the Bonus Bucks. Then the farmers deposit the validated WIC voucher into their bank account. No change is given on those vouchers; however the farmers round up to help the participant get more produce.

Chairman Mixon thanked Ms. McCauley for her update.

HEALTH DIRECTOR'S REPORT

Air Quality update – the Ozone new standard of 70ppb down from 75ppb. Catawba County's current readings average on 2 monitor sites located at Taylorsville and Lenoir average 65ppb for 2013-2015

At the November Unifour Air Quality Committee meeting, there will be a presentation from Western Piedmont Council of Governments. On the new standard and the implications for the region as designations will probably be based on 2014-16 average.

Mr. Urland stated that we did not have any designated Ozone alerts this past summer. The new particulate matter 2.5ppm standard will be coming up in the next year. At this time the federal level is at 15ppm and Catawba County is at 12ppm. Mr. Urland will continue to update the Board as information becomes available.

Mr. Mixon asked about the .65ppb Ozone and how much control we have over that number. Mr. Urland stated that the Early Action Compact agreement listed things people could do to help with Ozone. Some things included mowing the grass after 6:00pm, carpool to work and lunch, do not idle engines and gas up after the heat of the day or early in the morning.

Budget – The General Assembly has passed the budget last week. Public Health staff continues to review it for any items that may cause issues for Public Health. There are a couple of grant opportunities in the budget for different program areas. Once more specific information is available Mr. Urland will provide updates.

Medicaid Reform – this issue will have implications due to the change to private entities managing Medicaid, more information will be forth coming.

Flu Season – Flu shot season has begun and Public Health has two days scheduled October 8 and 9, 2015. Everyone is encouraged to get their flu shot.

North Carolina has confirmed the 1st death due to flu in the Western area of NC.

OTHER BUSINESS

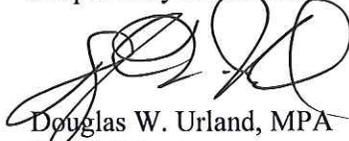
Hearing no further business, Mr. Mixon, Chair asked for a motion for the Board of Health to leave regular session and reconvene in closed session. Mr. Dan Hunsucker made a motion for the Catawba County Board of Health to leave regular session and re-convene in closed session, Ms. Naomi East seconded the motion and it passed unanimously.

CLOSED SESSION

The Catawba County Board of Health met in closed session to review the job description and performance evaluation of Doug Urland, Health Director.

The Board of Health returned to regular session and adjourned the meeting at 9:15pm.

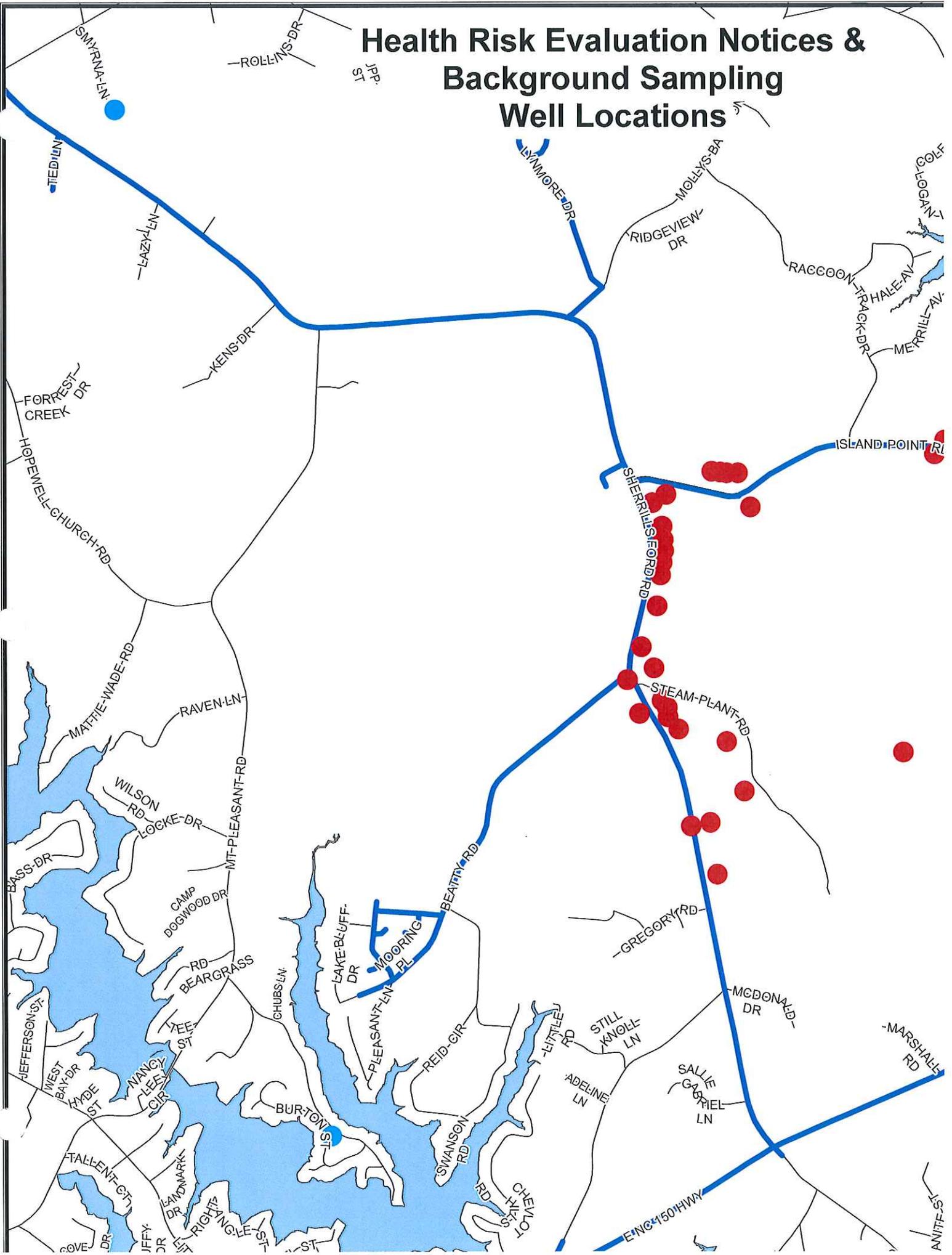
Respectfully submitted:



Douglas W. Urland, MPA
Health Director

DWU:mjk

Health Risk Evaluation Notices & Background Sampling Well Locations



Smyrna Ln
Rollins Dr
J.P. St

Tedlin
Lazy Ln
Kens Dr

Forrest Dr
Creek
Hopewell Church Rd

Mattie Wade Rd
Raven Ln
Wilson Rd
Locke Dr

Bass Dr
Camp Dogwood Dr
Beargrass Rd
Chubs Ln
Lake Bluff Dr
Mooring Pl
Pleasant Ln

Jefferson St
West Bay Dr
Hyde St
Nancy Leely Cir
Talent City
Eanmark Dr
Right Angle St

Lynnmore Dr
Ridgeview Dr
Mollys BA

Sherrills Ford Rd

Steam Plant Rd

Gregory Rd
McDonald Dr
Reid Cir
Swanson Rd
Little Rd
Still Knoll Ln
Adeline Ln

Burton St
Swanson Rd
Chester Ln
Eng 150 Hwy

Island Point Rd
Raccoon Track Dr
Hale Av
Merrill Av

Sherrills Ford Rd

Steam Plant Rd

Gregory Rd
McDonald Dr
Sallie Gabriel Ln
Marshall Rd
Aniff St