



**Williamson County and Cities Health District
Board of Health Meeting
Wednesday, June 8, 2022, 1:30 p.m.
City of Round Rock
231 E. Main Street, HR Training Room
Round Rock, TX 78664**

The meeting was called to order at 1:36 p.m. by Board of Health Chair Kathy Pierce.

- 1) Pledge of Allegiance
Ms. Pierce led the Pledge of Allegiance
- 2) Roll call was taken.
Present: Chair Kathy Pierce (Williamson County), Ed Tydings (Williamson County), David Morgan (Georgetown), Jeffery Jenkins (Taylor), Chris Copple (Cedar Park), Dr. Caroline Hilbert (WCCHD).

Absent: Robert Powers (Leander/Liberty Hill), Laurie Hadley (Round Rock), Bob Farley (Hutto)
- 3) Acknowledge staff and visitors; hear any comments.
Staff members and visitors present: Carl Shadady of Tiemann, Shahady & Hamala, Cindy Botts, Nicole Evert, Kaitlin Murphee, Jason Fritz, Rousner Ermonfils, Meghan Murray, Matt Wojnowski

CONSENT AGENDA

- 4) Approval of minutes, Special Meeting, 05/25/22; Correction on Regular Meeting, 01/12/22

Motion to approve the minutes.

Moved: David Morgan
Seconded: Jeffery Jenkins
Vote: Approved unanimously

- 5) Approve Data Use Agreement between Centers for Disease Control, National Healthcare Safety Network and WCCHD

Motion to approve item 5.

Moved: David Morgan
Seconded: Jeffery Jenkins
Vote: Approved unanimously

1:38 p.m. – Executive Session called

1:50 p.m. – Reconvened to Regular Session

REGULAR AGENDA

- 14) Discuss, consider, and take appropriate action on pending or contemplated litigation, settlement matters and other legal matters, including the following:
 - a. Litigation or claims or potential litigation or claims against WCCHD or by WCCHD, including claims by former Executive Director Derrick Neal
 - b. Status Update-Pending Cases or Claims
 - c. Employee/personnel related matters
 - d. Other confidential attorney-client matters, including contract and certain matters related to WCCHD defense issues in which the duty of the attorney to the governmental body within the attorney/client relationship clearly conflicts with Chapter 551 of the Texas Government Code. e. EEOC Charge of Discrimination 451-2021-02587: Derrick Neal v. Williamson County and Cities

- Health District and investigation of claims and conduct of former Executive Director Derrick Neal.
- e. Weaver and Tidwell, L.L.P. Phase 2 workplan and fee estimate for conducting a forensic audit on behalf of WCCHD.
 - f. Consultation with attorney regarding EEOC Charge of Discrimination 451-2022-00024: Constance Quilter v. Williamson County and Cities Health District.
 - g. Consultation with attorneys regarding Attendance and Leave Policy and claim relating to payment for accrued vacation leave.

Motion to approve definition “A”, under item 14g.

Moved: Ed Tydings
Seconded: Jeffery Jenkins
Vote: Approved unanimously

6) Discuss, consider, and take appropriate action regarding FY22 Budget to Actual, 1st Quarter Financials

Ms. Broddrick began by stating that the presented Budget to Actual report for FY22 was adapted to the Board’s previously identified requests, including cleaner, high-level presentation of data and overall trends. Items of note for the Budget to Actual Revenue for the first quarter of FY22 include a large payment, the last of its kind, from WCCS, as well as higher than budget investment income. Ms. Pierce asked for clarification on a slide discussing the breakdown of fee revenue, by program. She questioned the breakdown of percentage for the Environmental Health fees where the list of various fees were significantly lower than the “permit fees” category. Ms. Broddrick explained that the fees percentage identified how much of the total Division fees came from each of the categories, and that the overarching “money maker” was the restaurant inspection permit fee category. Other fees, including daycare permits, temporary permits and farmers market permits were much lower contributions to the fee revenue total. Mr. Jenkins asked if the total revenue for the first quarter should be approximately 25% of the total budgeted revenue. Ms. Hilbert clarified that in the case of some programs, yes, but in others, such as Environmental Health, permit fees are typically collected at the beginning or end of the year, which does not equate to an estimated 25% receipt of revenue each quarter. Items of note for the Budget to Actual Expenditures include higher than budgeted amounts in the Fuel and Tolls category, due to the cost of fuel nationwide; Subscriptions, Dues and License Support, which includes license support for grant-required software; and Biowaste Disposal, which staff will be reviewing to determine if there are more cost-effective options. Mr. Tydings asked why the Health District was paying tolls, as many emergency services agencies are exempt, and the Health District might be as well. Ms. Broddrick stated that tolls are rarely paid, and those that are, are paid on staff personal vehicles, not the typically utilized District owned vehicles. She stated that she would be happy to gather more information on this topic. Ms. Pierce asked what was contained in the Equipment and Facility Rental category. Ms. Broddrick explained that that expenses in that category were primarily related to copiers. Mr. Morgan added that he did not see fuel becoming less expensive soon, so from a budgeting perspective, as this category is already over budget and will likely continue to be so, how is this going to be addressed? Ms. Hilbert replied that to amend the budget for any grant-related items, including fuel, a budget adjustment would need to go to the funder, which can be an arduous process. Ms. Broddrick added that Division Directors are encouraged to find a surplus in another area within their budget to combat any deficits in others. Any true budget adjustments would need to be brought to the Board for justification and approval prior to being made. Ms. Broddrick concluded her presentation on the FY2022 1st Quarter Budget to Actual financials and explained that for the total budget, revenue is 13% under budget and expenses are 34% under budget.

No Action Taken – Informational Item Only

7) Discuss, consider, and take appropriate action on new part-time Data Analyst III position – Epidemiology

Ms. Hilbert began by stating that in December, in conjunction with the annual budget, the Board approved the list of approved positions. However, due to salary savings and the need to spend down money in between grant periods, there is now the opportunity to bring on a part-time position with the Epidemiology team. There is a need for someone to do data analysis, quality assurance, and streamlining of the COVID-19 reporting process. The current processes are very manual and take a lot of staff time to manage. This would be a maximum of a 12-month position and would be approximately \$38,000, funded via the COVID-19 Expanded funding. Mr. Morgan asked for additional information on the job duties of the new position. Ms. Evert explained that the current process for COVID-19 reporting is extensive copying and pasting out of Excel spreadsheets and the duties of the new position would focus on updating those processes as the WCCHD COVID-19 Dashboard continues to be updated daily. Currently if an Excel Macros breaks, then trying to retrieve the data and repair the Macros is a significant challenge. Ms. Hilbert added that the Health District still gets a lot of community feedback on the data and ensuring that it is accurate and running properly is still a priority for this Division. Unfortunately, staff is staying late to diagnosis and fix issues in an antiquated process that started at the beginning of the pandemic. Ms. Hilbert also added that this position could also be used to review processes and procedures for other notifiable procedures, including the Health District’s Flu Dashboard data. Ms. Pierce asked if this person could work on “automating” the process of updating the dashboard, and Ms. Evert stated yes, that would be a priority of the position. Mr. Tydings asked if the position would be 20 or 30 hours per week. Ms. Hilbert stated it would be 20 hours per week.

Motion to approve item 7.

Moved: Ed Tydings
Seconded: Christopher Copple
Vote: Approved unanimously

9) Discuss, consider, and take appropriate action on WCCHD Procurement Card Policy

Ms. Hilbert began by stating that the WCCHD Procurement Card policy was a new policy and would be helpful in onboarding new supervisors and Division Directors, who may have access to Health District credit cards. The policy defines what the cards may be used for, purchase limits, how to find the Health District's tax-exempt identification number, and a statement that these cards should not be tied to personal accounts, such as for hotel reward accounts or ride share accounts, like Uber. Ms. Hilbert added that in relation to the requirement that no personal purchases are permitted on District cards, Mr. Powers suggested prior to the meeting that this requirement be expanded to include that should it occur, the personal purchase would be paid back within 10 business days, would include a 10% surcharge and a written statement as to why the purchase occurred. These additional measures would be to ensure that there are no repeat offenders. These additional suggestions are currently in use in the City of Leander and are working well. Mr. Morgan and Mr. Copple did not agree with this suggestion and stated that if the issue is recurring, it should be addressed as a performance issue. Mr. Tydings and Mr. Jenkins agreed. Ms. Pierce suggested that only the portion that stated the employee would repay the full amount within 10 business days be added. Mr. Tydings and Mr. Morgan added that a written statement as to why the error occurred should also be included. The Board agreed. Mr. Morgan asked if the policy includes a caveat that misuse of the card could include action up to termination, in the case of gross misuse. Ms. Hilbert stated that it does, later in the document. Mr. Jenkins asked what the limit is on the cards. Ms. Hilbert stated that it was \$3,000 for a single purchase, but up to \$5,000 with prior approval from the Finance Director.

Motion to pre-approve the WCCHD Procurement Card Policy.

Moved: Jeffery Jenkins
Seconded: David Morgan
Vote: Approved unanimously

10) Discuss, consider, and take appropriate action on WCCHD Whistleblower Policy

Ms. Hilbert began by stating that this is also a new policy for WCCHD and contains language primarily from the US Department of Labor and the US Equal Employment Opportunity Commission (EEOC). She added that Mr. Powers had a suggestion for this policy, under the definition of "retaliation", for a slight rewording to clarify. He also had a suggestion to add language to allow HR to coordinate next steps with law enforcement officials for any illegal or dishonesty activity reported. Ms. Pierce clarified that the notification to law enforcement for reported activity would be at the discretion of HR. Ms. Pierce also added that Mr. Power's last suggestion was an inclusion of the word "possible", in relation to the statement on disciplinary action for retaliation against a whistleblower. Mr. Tydings stated he appreciated that the policy includes protection for those who have been "accused", in the event of a false or malicious report.

Motion to pre-approve the policy, with the requested changes.

Moved: Christopher Copple
Seconded: Ed Tydings
Vote: Approved unanimously

11) Update on WCCHD Evaluation of Services

Ms. Pierce began by stating that she requested this item be placed on the agenda on a standing basis, to discuss anything that might need to be addressed in relation to the Evaluation of Services. Ms. Hilbert stated that at the most recent bi-weekly check-in, MRC stated that they would be doing another push for the community surveys, prior to the closing date of June 24th. Their goal is 600 surveys, and they are currently at 283. Board Member interviews have been completed for all of the members and they confirmed they will be attending the all-day, in-person event on July 27th.

8) Division Highlight – Epidemiology and Emergency Preparedness (EEP), Nicole Evert

Ms. Evert began by introducing herself and her EEP team. She explained that while her team is focused on seven of the ten essential public health services, their emphasis is in assessment. The Epidemiology, Integrated Vector Management and Emergency Preparedness teams all work to assess population health and investigate health hazards, in addition to policy development, mobilizing partnerships, and general outreach. Ms. Evert explained that within EEP, there are four teams. The first, Epidemiology (Epi), is currently addressing monkeypox questions, food-borne illnesses, and COVID analysis. There are currently three vacancies on the Epi team. Mr. Morgan asked what the qualifications are for an Epidemiologist position. Ms. Evert stated that it varies and there is no agreed upon standard in the industry. At the start of her career, it was typical to receive a Master's and begin work as an Epi I. Now, it seems to be a Bachelor's degree, as there are now a lot of individuals who are coming out of school with a Bachelor's in Public Health, that have worked the COVID-19 response in contact tracing, and so have much more experience than in the past. Similarly, WCCHD once had degree requirement of a Master's degree, but it has shifted to Bachelors degree, as there were no qualified applicants at the Master's level to be found, as a result of overwork from COVID. Ms. Evert mentioned that the Health District also has nine data entry and two Epi contractors working the COVID response, through DSHS, but those contracts all expire at the end of June. Ms. Evert introduced the Emergency Preparedness (EPR) lead, Rousner Ermonfils, and explained that this team's employees focus on different aspects of Emergency Preparedness, including training, exercises and emergency preparedness specific to the needs of vulnerable populations. Mr. Ermonfils introduced himself to the Board and gave a brief background of his experience prior to his employment with the Health District. Ms. Evert introduced the Integrated Vector Management lead, Jason Fritz. Mr. Morgan asked Mr. Fritz if he thought a hot, dry summer would lead to an increase in mosquito activity. Mr. Fritz stated that it probably would and that the team was actively testing. Ms. Evert stated that the final team was the Medical Reserve

Corps (MRC), which manages the training and coordination of the Health District's volunteers. The Board asked general questions about the various responses the Health District's EPR and Epi Teams responded to. Mr. Jenkins asked who was responsible for spraying if a positive is found in the mosquito surveillance traps. Mr. Fritz stated that through various interlocal agreements, the mitigation spraying is typically done by the Health District's contractor, which the Cities are then billed for. Ms. Pierce asked for the current number of volunteers through the MRC team. Ms. Evert stated that the Health District currently has 111 active volunteers, 381 worked on the COVID vaccine response in 2021, for a total of 8,300 hours. Prior to 2020, the Health District had 8 volunteers, so the team lead, Tim St. Peter, really grew the team tremendously.

15) Discuss, consider, and take appropriate action regarding the WCCHD Employee Grievance Policy

Ms. Hilbert began by stating that while any feedback on the policy was welcome, staff was particularly looking to determine if the Board wanted to have any feedback on a grievance process for terminated employees to be incorporated into this policy. In the 2006 version of the WCCHD Grievance Policy, there was a process for prior employees who wished to be considered re-hirable or did not agree with the termination to appeal up to the Board for a final decision. It was removed in the newest version of the policy. If this is something the Board would like to have put back into the policy, staff can bring that back for your consideration at a future meeting. Mr. Tydings asked what the process was previously, and Ms. Hilbert stated that the grievance was brought to HR, then to the Executive Director, then to the Board, via Executive Session, if the prior employee continued to appeal the decision. Mr. Morgan and Mr. Copple both stated that they do have a grievance policy for prior employees, but the decision stops at the City Manager level. Mr. Morgan added that unless the grievance is against the Executive Director, the decision should stop at that level. Mr. Tydings asked who has termination rights – is it all of the Division Directors, or just the Executive Director? Ms. Hilbert stated that Division Directors have that right and Directors also receive verbal approval/notification from the Executive Director. Mr. Copple requested that the Grievance policy, with the requested changes, come back to the Board for approval at a future meeting.

12) Executive Director's Report

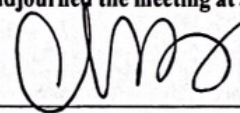
Ms. Hilbert began by stating that staff is trying to get the technology updated at the WCCHD Headquarters so that future Board meetings can be held there, but that meetings will be held in the current location at the City of Round Rock for at least the July and August Board meetings. The Deputy Director has also been hired and will begin July 1st. Ms. Hilbert added that there have been two hires in the WIC division, though they are also losing one, so they are still operating understaffed. There have also been two separations, one in PESS and one in HR. The salary study has been fully signed and a kickoff meeting will be held the following week. The timeline for the results of the study should be late August, early September. Regarding the restaurant warrant, the Fire Marshall was on vacation, then Lori Murphy, Environmental Health Director was on vacation, so once the schedules align, the warrant will be issued. Additionally, the Tuberculosis team from the CDC came to visit the Health District's TB team, and the Health District presented to them and to DSHS. The presentation was very well received, and the CDC team asked for a copy of the presentation to take back and inform others of their team who did not make the trip. Dr. Norwood has been visiting and making connections with local hospitals and both Dr. Norwood and Ms. Hilbert will be visiting ISDs over the Summer, starting East to West, to continue to strengthen connections. Ms. Hilbert added that she has also been visiting local food pantries, as they serve similar populations to the Health District, and are looking for ways to collaborate. Ms. Hilbert stated that she has been asked to sit on the United Way Counsel, to help make decisions on where United Way funding should go in Central Texas. Lastly, Ms. Hilbert stated that she and Michelle Broddrick met with the County Treasurer on investments, and he will be taking the Health District's nearly \$9 million and investing it in staggered \$3 million increments, for different maturity dates- as he mentioned at his presentation on May 25, 2022. This will allow the Health District to have access to some funding, if needed, at any one time.

16) Adjourn

Motion to adjourn.

Moved: Jeffery Jenkins
Seconded: David Morgan
Vote: Approved unanimously

Board Chair Pierce adjourned the meeting at 3:00 p.m.

Recorded by: 
Cindy Botts, Executive Assistant

Reviewed by: 
Christopher Copple, Secretary