



**Williamson County and Cities Health District
Board of Health Meeting Wednesday,
September 14, 2022, 1:30 p.m.
355 Texas Avenue
Round Rock, TX 78664**

The meeting was called to order at 1:30 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), Christopher Copple (Cedar Park), Laurie Hadley (Round Rock), David Morgan (Georgetown) [Left Early], Robert Powers (Leander/Liberty Hill), Jeffery Jenkins (Taylor) [Left Early], Ed Tydings (Williamson County) [Arrived Late], Dr. Caroline Hilbert (WCCHD).

Absent: Bob Farley (Hutto)
- 3) Acknowledge staff and visitors; hear any comments.
Staff members and visitors present: Richard Hamala of Tiemann, Shahady & Hamala, Martha Dickie of ABDM Law, Leigh Wallace of the City of Georgetown, Matt Wojnowski of the City of Hutto, Jimmy Romell of Maxwell, Locke and Ritter, Lori Murphy, Nancy Ejuma, Dr. Amanda Norwood, Susanna Thornton, Cindy Botts, Michelle Broddrick, Kaitlin Murphee, Zully Rios Velazquez, Nicole Evert, Sierra Roberts, Travis Casner of Weaver and Tidwell (via Zoom), Anthony Pabillano of Weaver and Tidwell (via Zoom), Boone Almanza of ABDM Law (via Zoom).

CONSENT AGENDA

- 4) Approval of minutes, Regular Meeting, 08/10/22

Motion to approve the Minutes, as presented.

Moved: Laurie Hadley
Seconded: Jeffery Jenkins
Vote: Approved unanimously
- 5) Ratification of Notice of Award of CDC Strengthening Capacity to Improve Latent Tuberculosis Infection (LTBI) Surveillance and Outcomes Grant

Motion to approve Item 5
Moved: Ed Tydings
Seconded: Robert Powers
Vote: Approved unanimously

REGULAR AGENDA

- 6) Presentation – FY21 Single Audit and Annual Financial Report (AFR), Maxwell, Locke and Ritter
Ms. Broddrick introduced Jimmy Romell, partner at Maxwell, Locke and Ritter (MLR), who presented the Financial Statements and Independent Auditor’s Report for the Health District, for the year ending December 31, 2021. Mr. Romell walked the Board of Health through the following schedules: Statement of Financial Position and Statement of Revenues, Expenses and Changes in Net Position. Mr. Romell also presented a budgetary comparison of the final amended budget to the originally approved budget for FY21 and clarified that a footnote was included for the second year, as a disclosure that COVID-19 might have an uncertain impact upon future operations. Mr. Romell also explained the impact of two recently issued accounting pronouncements, GASB 87, related to leases and effective for FY22, and GASB 96, related to subscription-based IT contracts and effective for FY23. Lastly, Mr. Romell presented the Schedule of Expenditures of Financial Awards schedule.

In summary, the auditors issued an unmodified or “clean” opinion on the audit. Mr. Morgan asked how the various Health District

programs are “tested”. Mr. Romell explained that the District programs are separated into “Type A” and “Type B” programs. The “Type A” programs are those that expanded more than \$750,000 in the year. The program is then evaluated to determine if it is a high risk or low risk program. If it is high risk, then it must be tested annually, if it is low risk, then it must be tested at least every three years. “Type B” programs also have a risk assessment done for determining when they are tested. Mr. Morgan also asked how long MLR has been contracted with the District. Mr. Romell answered seven years of a ten-year contract.

Motion to accept and approve the FY21 Single Audit results.

Moved: Jeffery Jenkins
Seconded: Laurie Hadley
Vote: Approved unanimously

1:49 p.m. – Executive Session called

3:27 p.m. – Reconvened to Regular Session

REGULAR AGENDA

- 18) Discuss, consider, and take appropriate action on pending or contemplated litigation, settlement matters and other legal matters, including the following:
- a. The forensic audit being conducted on behalf of WCCHD by Weaver and Tidwell, L.L.P.
 - b. Litigation or claims or potential litigation or claims against WCCHD or by WCCHD, including claims by former Executive Director Derrick Neal
 - c. Status Update-Pending Cases or Claims
 - d. Employee/personnel related matters
 - e. 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.
 - f. 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.
 - g. EEOC Charge of Discrimination 451-2022-00024: Constance Quilter v. Williamson County and Cities Health District.

Motion to authorize legal action, as necessary or advisable, to preserve evidence in relation to potential claims or by or against the Health District.

Moved: Jeffery Jenkins
Seconded: Christopher Copple
Vote: Approved unanimously

- 9) Discuss, consider, and take appropriate action on Statement of Policy Regarding Pool Complaints
- Ms. Hilbert began with a reference to the Pool Program Statement of Policy document that was included in the Board Agenda packet. This document provided two options for the Board’s consideration, based on discussions from the prior meeting. The first option would allow for previously trained staff to provide an educational component, as a service, to those who might request a pre-opening inspection. There would be no requirement, this option would service as a customer service option. The second option would be to cease inspections of any existing or current pool construction for reasons other than public health complaints, including those that might be requested by the pool owner. Ms. Hadley and Mr. Morgan stated that in instances where the pool is in a municipal utility district (MUD), an inspection might be requested or needed and the City would not be able to provide the inspection within MUDs. Mr. Tydings asked if Option 1 would be strictly voluntary and would still adhere to the Order repealing the program, should the Board approve that Order. Ms. Hilbert confirmed that it would be. The Board discussed what information might be needed from the Health District regarding communication of either change to the program. Mr. Powers asked if the City Code Enforcement departments would be included in the communication of the change. Ms. Murphy and Ms. Hilbert stated that they would be. Mr. Powers also requested that in instances where a voluntary inspection was done and an area of concern was found, that the owner of the property be notified of the issue prior to notifying the City’s Code Enforcement, to allow the owner the chance to correct the issue before another agency is involved. Ms. Hilbert and Ms. Murphy agreed. Mr. Morgan added that the fee structure for conducting these inspections will need to be thought through. Mr. Tydings agreed and further suggested that the time allocation for these voluntary inspections be capped at 10% of staff time, to ensure that retail food inspections continue to be the priority for the department. Mr. Copple suggested that the Board move forward with a recommendation for Option 1. Mr. Jenkins concurred. Mr. Tydings made a friendly amendment to include revisiting Option 1 in six months to determine the viability of continuing with the adjusted program, which Mr. Copple agreed to.

Motion to move forward with Option 1 of the Pool Program Statement of Policy and revisit the item again in six months.

Moved: Christopher Copple

Seconded: Jeffery Jenkins
Vote: Approved unanimously

- 8) Discuss, consider, and take appropriate action on Order to Repeal WCCHD Pool Ordinance (Order 2019-001)
Ms. Hilbert began by stating that at the request of Board, during the August meeting, an Order repealing Order 2019-001, the WCCHD Pool Ordinance, was drafted. The Order would go into effect immediately, upon approval by the Board. Ms. Hilbert also explained that any fees submitted in conjunction with pending plan review, permit applications, permit renewals and variance request applications would be refunded. Mr. Morgan asked if the wording of the Order would need to be adjusted to account for the Board's approval of Option 2 of the Pool Program Statement of Policy, given that fees associated with the voluntary inspection might be charged. Mr. Hamala, Ms. Ejuma and Ms. Pierce discussed optional wording changes. Mr. Morgan suggested in the interest of time that the item be tabled until Legal Counsel and Ms. Ejuma, as WCCHD Staff, determined the appropriate wording for the Order. Ms. Pierce agreed and tabled the item until later in the meeting.
- 7) Election of Board Officers – Vice-Chair and Secretary
Mr. Morgan commended Mr. Copple and Mr. Jenkins on their service as Board Officers. Mr. Tydings asked Mr. Copple what duties the Board Secretary was responsible for. Mr. Copple and Ms. Botts explained that Mr. Copple signed the approval of the Board minutes, monthly, and attested to any Public Health Orders the Board approved, including, the Order to Repeal WCCHD Pool Ordinance, approved earlier in the meeting, by the Board.

Motion to approve Jeffery Jenkins as Vice-Chair and Christopher Copple as Secretary for 2022-23.

Moved: David Morgan
Seconded: Laurie Hadley
Vote: Approved unanimously

- 10) Discuss, consider, and take appropriate action on WCCHD Internal Controls – Cash Handling Policy
Ms. Broddrick gave a brief overview of the policy and asked if the Board had any questions. Ms. Hadley asked if a couple of items could be added to the policy or addressed as part of the policy process. The first, that an acknowledgement that the policy was read and understood by Staff. The second, a clarification that staff cannot cash checks, meant for other entities, including the Health District, to their personal accounts. Ms. Hadley added that both issues had arisen at the City of Round Rock in the past and encouraged the inclusion of these additions to the Policy to ensure that they don't also occur that the Health District. Ms. Broddrick agreed.

3:49 p.m. – Mr. Jenkins left the meeting.

Motion to approve item 10, with the previously stated revisions.

Moved: Laurie Hadley
Seconded: Jeffery Jenkins
Vote: Approved unanimously

- 8) Discuss, consider, and take appropriate action on Order to Repeal WCCHD Pool Ordinance (Order 2019-001) - CONTINUED
This item was resumed from earlier in the meeting. The updated language, as drafted by Mr. Hamala and Ms. Ejuma, was presented to Ms. Pierce. Ms. Pierce read the updated portions of the Order to the Board, which included removing "inspections and" from the preamble and "plan review applications" from Section 3. The Board briefly discussed and had no additional language changes.

Motion to approve the Order to Repeal WCCHD Pool Ordinance (Order 2019-001).

Moved: Kathy Pierce
Seconded: Laurie Hadley
Vote: Approved unanimously

- 14) Discuss, consider, and take appropriate action on NACCHO Medical Reserve Corps COVID-19 RISE Grant
Ms. Hilbert began by stating that this is a \$75,000 grant benefiting the Health District's Medical Reserve Corps, which serves as the District's volunteer organization. The funding from the grant, should it be approved, would go towards a contractor for a training exercise for the volunteers, to allow them to put into practice what the Health District has previously trained them on. It would also cover costs related to recruiting additional volunteers and training for those volunteers.

Motion to approve item 14.

Moved: Kathy Pierce
Seconded: David Morgan
Vote: Approved unanimously

- 15) Discuss, consider, and take appropriate action regarding Texas Vaccine for Children (TVFC) pram administrative fee funding change
Ms. Hilbert began by stating that the TVFC program provides low-cost vaccines to children from birth through 18 years of age, including those who are uninsured, underinsured and are enrolled in the Medicaid or Children's Health Insurance Program (CHIP). The maximum

fee, that may be charged has decreased from \$14.85 for FY22 to \$13.75 for FY23 and is set annually by Texas Medicaid. No reason for the decrease has been given. WCCHD historically has chosen to charge less than the maximum fee per dose, so the fee to WCCHD clients will change from \$14 per dose for FY22 to \$13 per dose for FY23. She also added that the change was effective for FY23, as of September 1, 2022.

Motion to ratify item 15.

Moved: Ed Tydings
Seconded: Robert Powers
Vote: Approved unanimously

11) Update on FY23 Budget

Ms. Broddrick began by stating that this item was added to provide an update to the Board on the status of the FY23 Budget process and to confirm that the Budget Process Plan Schedule, approved by the Board in November 2021, was still reflective of the timeline in which they wanted information brought to them. Per the approved Schedule, the October 12, 2022, meeting would include a review of preliminary detailed time templates for current and future planned positions at the current rate of pay. The Board inquired as to whether the Salary Study results would be available as part of the October discussion. Ms. Ejuma and Ms. Broddrick answered that the time templates would be based on the current rate of pay. Merit and Cost of Living potential increases would also not be included in this initial presentation.

Ms. Broddrick added that five grants, originally budgeted in FY22, are anticipated to have revenue that will carry over into FY23, including Public Health Infrastructure, CDC Strengthening Civil Surgeon Capacity, Public Health Workforce, Immunization COVID-19 Phase 3 and Phase 4 grants. The revenue carryover, she explained, is due to salary savings, or other expenses that are not projected to be spent in FY22.

No Action Taken – Informational Item Only

4:01 p.m. – Mr. Morgan left the meeting.

16) Discuss, consider, and take appropriate action regarding the annual evaluation of the Executive Director

Ms. Hilbert began by informing the Board that employee evaluations typically take place on the employee's anniversary date. As her anniversary date of employment is the first week of October, she discussed options with Ms. Pierce, as the Board Chair, as to how her evaluation should be conducted this year. An evaluation option for scoring the Executive Director was included in the Board packet. Ms. Pierce added that she wished to bring these options to the Board for further discussion. Ms. Pierce also asked the Board if they would like to form a subcommittee to bring back an evaluation for the full Board to discuss at a closed session of the October Board meeting. Mr. Morgan asked how the prior Executive Director evaluations were conducted. Mr. Hamala stated that while they all took place during a closed session of the Board, each was slightly different. Some evaluations included a subcommittee, others did not. Ms. Hadley stated that she did not think the scoring option was appropriate for the evaluation of an employee at the Director level and that at the City of Round Rock, her process for reviewing her managers was more of an open conversation. Alternatively, for her evaluations to her City Council, as the City Manager, she would draft a letter for their review, stating her accomplishments and challenges for the year. Ms. Hadley said that she would be willing to have either option as part of Ms. Hilbert's evaluation. Ms. Hilbert stated that the current employee policy states that employees' merits are based on achievement of a 70% or higher score, so she was unsure how that requirement would affect the Board's preference of evaluation process. Ms. Ejuma stated that policy could be adjusted to address the Executive Director separate to allow for the Board's preference. Ms. Hadley asked what the current allowable amount of merit was for the Executive Director. Ms. Broddrick, Ms. Ejuma and Ms. Hilbert all stated that the current policy was up to 2% for employees, as approved by the Board, as part of the FY22 Budget. The Board discussed options for potentially providing a merit amount to the Executive Director separate from that of employees, as the Director reports directly to the Board of Health. Mr. Copple suggested that the Administrative subcommittee discuss the various options for evaluating the Executive Director, including a potential merit increase, and bring back a recommendation to the full Board at the next meeting.

No Action Taken

13) Discuss, consider, and take appropriate action regarding WCCHD Governance Structure Assessment

Ms. Hilbert began by stating that because of the questions posed by the Board on the Measurement Resources Company (MRC) Evaluation Report, presented at the August meeting, WCCHD Executive Leadership has drafted, for the Board's review, a generalized governance structure assessment report to assist in the Board in future discussions and determinations of next steps regarding governance options for the Health District. She explained that due to current time restrictions for the meeting, she would not go over the report, in its entirety, but explained that it covered the responsibility and funding provisions of public health in Texas; the differences between the types of local public health entities; a list of the most populated counties and their local health entities; and possible WCCHD governance models for consideration. She concluded by stating that any additional questions the Board may have on the information contained in the report, Staff would be happy to answer. Mr. Copple and Ms. Pierce stated that they appreciated the depth of the report, adding that it answered many of the initial questions they had when they initially drafted the Evaluation of Services Request for Proposal, including the legal responsibilities of serving the public via a Health District. Ms. Hadley agreed. Ms. Hilbert credited Ms. Ejuma for taking the lead on this project and creating a fantastic and informative document. The Board thanked Ms. Ejuma.

No Action Taken – Informational Item Only

12) Update on WCCHD Evaluation of Services

Ms. Hilbert began by stating that in addition to item 13, WCCHD Executive Leadership also drafted an update of WCCHD Program Performance indicators, based on questions posed by the Board on the Measurement Resources Company (MRC) Evaluation Report. She presented a slide deck of the indicators, comparing charts listed in the MRC report to charts showing the service utilization as a function of the WCCHD target population and as compared to the whole number of services provided. The indicators discussed included Clinical Services Encounters, Vaccinations, Disease Investigations, Epi and Preparedness Events, Mosquito Pools Tested, Social Media Encounters, Social Service Encounters, Program Eligibility Contact and Screening and WIC Participation Rates. Ms. Hilbert explained that with the inclusion of two additional types of charts (target population and total services), a more complete picture of the work the Health District staff do is shown. For example, while the overall population of Williamson County has grown and the median income rate has also grown, the number of individuals in the Health District's population has remained relatively the same. Additionally, while vaccination and disease investigation rates decreased in the 2020–2021 timeframe, this was due to the large number of encounters and investigations done as part of COVID response. With the same amount of staffing, the priority of work changed, its not that the work was not being done. Similarly, short term grants in past years, which provided additional staff, allowed for increases in encounters, particularly in the mosquito pool program, during that time frame. The subsequent drop in later years was due to loss of that grant support. Ms. Hadley thanked Ms. Hilbert for this information and stated that it answered some of her questions from the report.

No Action Taken – Informational Item Only

13) Executive Director's Report

Ms. Hilbert began by giving a brief overview of the items occurring in the Health District since the Board's last meeting in August. This included onboarding three employees and offboarding four and an update on the Compensation Study, including a consultation meeting with WCCHD Division Directors the following week. Ms. Hilbert also provided a reminder that Board representatives serve staggered three-year terms, and a letter will be sent to the City Managers of the effected Cities in October. Those up for appointment in 2023 include Georgetown, Hutto and Williamson County. The following year will be Taylor and the second Williamson County seat. Ms. Pierce asked if current representatives could be re-appointed. Ms. Hilbert and Ms. Botts confirmed that they could be. Ms. Hilbert continued with a notification that the establishment of a Grants Advisory Committee (GAC) will be looking at current grants and trying to bring additional stability to the grants process internally. Staff anticipates this will allow for a more regular schedule of grant opportunities being brought forth to the Board for review with less of a critical turn around time. The CSTE grant, which was approved by the Board at the May meeting, has been extended from August to December, as part of a no-cost time extension. The Program Eligibility team has transitioned to the new software platform for WilcoCare and is going well. The restaurant that required a warrant to inspect was finally inspected. Unfortunately, they failed and will need to be re-inspected in 30 days. Lastly, Ms. Hilbert reminded the Board that she will be out of the Country for approximately ten days. Ms. Ejuma will cover Executive Director duties in her absence.

19) Adjourn

Motion to adjourn.

Moved: Laurie Hadley
Seconded: Ed Tydings
Vote: Approved unanimously

Board Chair Pierce adjourned the meeting at 4:47 p.m.



Recorded by: _____
Cindy Botts, Executive Assistant



Reviewed by: _____
Christopher Copple, Secretary