Williamson County and Cities Health District
Board of Health Meeting
Wednesday, November 9, 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 Vice Chair Jeffery Jenkins.

1) Pledge of Allegiance
Mr. Jenkins led the Pledge of Allegiance

2) Roll call was taken.
Present: Chair Kathy Pierce (Williamson County) [Arrived Late], Christopher Copple (Cedar Park), Laurie Hadley (Round Rock), David Morgan (Georgetown), Robert Powers (Leander/Liberty Hill), Jeffery Jenkins (Taylor), Bob Farley (Hutto), Dr. Caroline Hilbert (WCCHD).

Absent: Ed Tydings (Williamson County)

3) Acknowledge staff and visitors; hear any comments.
Staff members and visitors present: Richard Hamala of Tiemann, Shahady & Hamala, Leigh Wallace of the City of Georgetown, Lori Murphy, Nancy Ejuma, Dr. Amanda Norwood, Cindy Botts, Michelle Broddrick, Kaitlin Murphee, Ivah Sorber, Tara Jempty, Ivah Sorber, Zully Rios Velasquez.

CONSENT AGENDA

4) Approval of minutes, Regular Meeting, 10/12/22

Motion to approve the Minutes, as presented.

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

REGULAR AGENDA

5) Discuss, consider, and take appropriate action regarding FY22 Budget to Actual, 3rd Quarter Financials
Ms. Broddrick began by stating that as this information is through September 2022 and has pool program revenue reported. As the Board voted to discontinue the program on September 14, 2022, required refunds from the program totaled approximately $29,000, which will be reported as part of the FY22 4th Quarter Financials. Ms. Hadley stated that she had a question on the budget-to-actual expenditures, for the category of Vaccines and Meds. The budget was $80,000, with only $7,000 spent through the end of the 3rd quarter. Is this correct? Ms. Murphee, the Clinical Services Director, answered that most of the spending in that category takes place in the 4th quarter. Vaccines historically cost approximately $50,000-$70,000, and the first order has just been placed, in anticipation of the beginning of flu season in October.

Ms. Broddrick stated that FY22 4th Quarter Financials will be presented in the same format, but for FY23, as WCCHD now has access to a software platform that will allow for additional graphing and detail in presentation, Finance and Executive Leadership will be working on an updated format.

6) Discuss, consider, and take appropriate action regarding FY23 Budget Update – Reserve Fund Recommendation
Ms. Broddrick stated that while the Board has approved Staff to work with the investment officer, Mr. Heselmeyer of the Williamson County Treasurer's Office, on investing the current reserves, Staff would like the Board to also approve, at least for FY23, a practice of holding more than the standard 90 days of funding in available reserves. Staff is requesting approval for at least 180 days, the equivalent of 6 months, of operating expenses for that year. This will safeguard these investments from the volatility of the stock market. By formally approving this as a practice, Staff will feel more confident that they are following the Board's request. Ms. Ejuma added that the move from 90 days to 180 days is because WCCHD is primarily funded by grants that reimburse expenses. These funds must be expended by WCCHD prior to requesting reimbursement, and if the reimbursement is not timely, that puts a hardship on WCCHD. The adjusted practice of 180 days will allow for a larger buffer. Mr. Morgan asked how many days exist in all the current WCCHD Reserves. Ms. Ejuma answered that it was nearly 360 days, however, much of that is currently tied up in the market and is not currently available. Mr. Powers stated that if an

investment policy is how much of the funds are kept liquid, what is the District's reserve policy. Ms. Broddrick stated that the District does not currently have a reserve policy. Ms. Ejuma added that the reason that Staff is bringing forth this adjustment as a practice, is because staff will also be asking for a portion of the existing reserves to be used for funding a project. This practice will then ensure that sufficient operating reserves will be kept protected, and is not to be considered as part of the "spendable" funds. Mr. Powers stated that because part of the budget is funded from the Member Cities, and is likely to paid without any delays, the 180 days should be based on the grant-funded portion of the budget and the Member City portion would be at 90 days. Mr. Morgan agreed that stated that the investment policy should ensure that there is sufficient cash management to operate, but also provides how all the dollars are dealt with.

Motion to approve, based on the annual budget, 180 days of operating reserves of the grant-funded revenue, and 90 days of operating reserves, of the Member City contribution revenue.

Moved: Robert Powers
Seconded: David Morgan
Vote: Approved unanimously

7) Discuss, consider, and take appropriate action regarding FY23 Budget Update – WCCHD FY23 Proposed Budget
Ms. Ejuma began the presentation by stating that the slide deck is intentionally high-level, but she will be pointing to the companion document throughout the presentation for the additional detail, should the Board wish to "follow along".

Ms. Ejuma highlighted the Health District's strategic plan goals, which the FY23 Budget is intended to support. She noted that the mission and vision statements may change, as part of the upcoming FY24 Strategic Plan, but for FY23, these will also guide how the budget is developed. For instance, most of the funding in the budget is allocated to Direct Services divisions. Additionally, staff is proposing to support an investment in the Environmental Health Program to ensure that WCCHD is equitably regulating the individuals and organizations serving food to Williamson County residents, as part of addressing health disparities, and to demonstrate its commitment to being an employer of choice in public health by proposing a compensation plan aimed at competitively recruiting and retaining staff. The proposal for merit and COLA for this presentation, is based on feedback from the Board at the last meeting.

Ms. Ejuma briefly went over FY23 Funding Sources and Funding Allocations and discussed the year-over-year increase in budget for the last five years. Each year, from FY18 through FY22, the increase varied from 4.5% to 7%, with a 14% increase from FY21 to FY22, mainly due to new COVID-related funding. The increase from FY22 to FY23 is less than 1%. This does include the new compensation plan and has a "locked" salary for the following fiscal year, for all new staff, per the Board's request. Mr. Morgan requested clarification on if a merit is also included in this budget for FY23. Ms. Ejuma stated that it was. The compensation plan salary adjustments ($216,571), a 5% cost of living increase (COLA) for all staff ($336,541), an allocation for a recurring merit program of 3% of base compensation rate salaries ($190,000 in salaries (not including equipment stipends) and ~$45,000 in fringe), and six proposed positions (1 Public Health Nurse II, 4 Sanitarian I's, and 1 Program Specialist I: $325,828) are all included in the FY23 Proposed Budget. She added that results from Baker Tilly were also received and while the compensation plan adjustments, as identified by WCCHD are approximately $217,000, Baker Tilly's suggested adjustments would add another $667,000. Due to the differences, Staff asked for the raw data behind this total, including the organizations that compensated their staff at the stated levels, but Baker Tilly responded that they could not provide that information to us, as it was proprietary. Ms. Ejuma stated that from her opinion, WCCHD needs to be able to defend whatever numbers are chosen and without that data, WCCHD couldn't duplicate the information or address any questions as to why one position is getting paid its current number. Due to this, WCCHD is recommending that only the WCCHD-created compensation plan be used for the FY23 Budget. Additionally, given that the State of Texas, from whom the current compensation plan is derived, is expected to have large increases in salary next year, Staff suspects that WCCHD may naturally move towards the higher rates, as proposed by Baker Tilly over time, but without the data underlying the compensation rates, Staff does not feel comfortable recommending that be done just yet. Ms. Hilbert also added that one reason for the higher numbers might be that Baker Tilly is also including private sector rates. While Staff has requested that they adjust their recommendations to exclude that data, Ms. Hilbert echoed Ms. Ejuma's sentiments that it is imperative to be able to clearly address any employee questions on why their base salary is what it is, as part of the culture of transparency that WCCHD Leadership is trying to build. Mr. Jenkins added that should WCCHD find the higher rates are accurate, a "phasing in" approach could be taken, but the data would need to support those higher rates, and without the data, that is difficult to do. Ms. Hilbert added that as HHSC and DSHS are currently the Health District's current largest competitors, starting with the WCCHD compensation plan makes the most sense, and would be beneficial for a review, done next year and every two years thereafter, for continuing to build that culture of trust and fair compensation. As Staff has been waiting for this salary study for over a year, including the existing compensation plan into the Budget provides something towards those goals.

Ms. Ejuma continued on with her presentation and noted that in the comparison of prior year budgets by category, the large increase in Equipment from FY22 to FY23, is primarily due to the purchase of four additional vehicles, as part of the Environmental Health expansion that is being requested. For FY23, approximately 72% of the budget is being allocated to the Direct Services divisions. She then presented on the individual division budgets and identified any points of note specific to each Division. The Executive Leadership division carries the full agency's merit funding of approximately $190,000 in its budget, making the budget seem much larger than its true expenses. It also absorbed three employees in the QSM Division, which was disbanded in late FY22.

2:07 p.m. – Kathy Pierce arrived

Ms. Ejuma briefly went over the changes in proposed Merit Program for FY23. The largest of which is that in FY22, an assumption that each employee could potentially earn up to the full merit cap, for the employee's existing funding source, was used for budgeting purposes.

This meant that for grant-funded positions, merits meant reducing other operating expense and increasing salaries and fringe categories in the grant budget, as well as additional paperwork for the supervisor to get approval from the grant to do so. For FY23, staff is proposing that the equivalent of 3% of base salaries and fringe set aside in ELT budget for annual merit program, and that these funds are pulled from General Funds, to ensure that no staff are disadvantaged. Where possible, available grant funds will be used first, then supplemented with general funds as needed. While the funding would be set aside in the budget, a merit program proposal will be presented to the Board later in the year, for FY23 implementation of those funds, with criteria to include multiple factors. This would require that instead of the year-round, on the employee's anniversary date implementation of merit, the merit will be given to all eligible employees once annually, likely in July. Mr. Morgan asked if the $190,000 added to the ELT budget, for the merit program assumes a 3% merit for all employees. Ms. Ejuma stated that it is 3% of the base salaries, but one person could get 1%, one person could get 5%, etc. A variety of options would be presented to the Board, which would then be adopted, but for budgeting purposes, 3% of all employees' base salaries will be the "bucket of funds" from which to draw from.

Ms. Ejuma continued on with her presentation on individual division budgets and identified any points of note specific to each Division. For Administration/Finance, this Division, over the past five years, as held both the HR and ELT budgets, both of which have since split off. They also hold several of the agency-wide contracts, including Wilco IT and printers/paper purchases. One part-time position is only funded through the first six months of FY23 and would be inactivated as of July. For Clinical Services, the largest increase in the division budget is the salary and fringe categories, due to the implementation of the compensation plan, where all the lowest salaried staff in the agency are expected to see increases. This division also includes 90% of the salary for the Medical Director/Local Health Authority position. One new full-time position is also being requested. There is a decrease in the Contractual category of $242,000, due to the ending of COVID funding for contractual nurses. Ms. Hadley asked about the variability in the Contractual category over the past several years. Ms. Hilbert explained that this was due to COVID funding coming in, but that we don't usually have a need for those funds or personnel. Mr. Morgan asked why that wasn't reflected in the approved FY21 budget and Ms. Hilbert stated that we were not aware of the funding opportunities until May of 2021, and that money was received in the Summer and Fall of 2021, continuing in FY22, where we did include it in the proposed and approved budgets.

Ms. Ejuma continued onto the Environmental Health division budget, where staff is proposing an increase in FTEs. For Phase 1, five new positions, one Program Specialist I and four Sanitarian I. This would increase the Salary and Fringe categories, as well as the Equipment category, for vehicles for those positions to be able to do their jobs. Staff is proposing the entirety of the EH Surge funds to come from Reserves. Ms. Hadley asked about the standard procurement of vehicles and if it is handled through the County. Ms. Broddrick stated that the procurement is done through the Health District, but that the County does maintain the WCCHD fleet, which is charged to the District monthly. Mr. Morgan asked if the Health District has a vehicle replacement plan. Ms. Broddrick stated that the current plan is to replace every 5-7 year, but that has not been done regularly, as many of the vehicles were purchased at the same time and the replacement cost has been prohibitive. She stated that in the future, she would like to start setting aside funds for a true replacement schedule. Mr. Morgan suggested that staff come back to the Board in the future, not part of this budget process, with a full replacement plan, based on the County's replacement schedule, so that the Board can fully understand the financial implications of the District's current fleet. Ms. Hadley, Mr. Morgan and Ms. Broddrick all commented on the challenges to find affordable vehicles for City or District business needs. Ms. Ejuma presented on the FY22 year-to-date retail food inspection summary. She first noted that the system the Health District uses does not allow for the Health District to register entities- they must register themselves. Therefore, the Health District is only inspecting those entities that have registered with us. Staff is aware that entities that have not registered with us for permitting, exist and need to be inspected. Mr. Morgan asked how the Health District coordinates with Cities on gathering that data. Ms. Murphy stated that while there has been no communication in the past, Staff is working on an initiative to coordinate more fully on that data. Ms. Ejuma stated that information from CAD, ESRI, Google Maps, etc., suggests that there may be potentially hundreds of unregistered food establishments in the County. Thus far in FY22, with the known, there are 1,897 food establishments, 117 daycares, 155 schools, 204 mobile food vendors, 20 farmer's markets, 563 temporary food establishments, and 195 general sanitation requests that were done. The Board asked several questions about the different types of the permitted establishments, which were answered by Staff. Ms. Ejuma then stated that of the 1,791 ranked food establishments, 12% were considered to be low risk, 64% at medium risk and 24% at high risk, with the highest risk establishments getting more inspections per year. Of the registered food establishments, however, WCCHD is only meeting approximately 62% of the minimum number of inspections with the current staffing, and only 40% of the total establishments. This is only of the known facilities. It does not address the potentially hundreds of unknown facilities that exist. Staff is hoping to get to 60% of the known facilities in FY23 and 80% in FY24, with the proposed EH Expansion. Mr. Powers asked for more information on how many inspections can be done per day and why. Ms. Murphy stated that two inspections are scheduled per inspector, per day – morning and afternoon. This allows for the staff member to address anything they see and stay until the issue is resolved, as opposed to needing to run out to the next appointment. The current FDA standard is 1.5 inspections per day, for a similar reason. The half day appointment is not just the physical inspection, but a lot of documentation as well. Mr. Morgan asked about the percentage of complaints received. Ms. Botts stated that approximately 13.5% of the total inspections were complaints. Ms. Ejuma stated that with the proposed EH Expansion, two Sanitarians and one Program Specialist would be onboarded, along with two new vehicles, in the first quarter of 2023, along with two additional Sanitarians and two vehicles in the second quarter of 2023. A midpoint check-in would take place, as part of the preparation for the FY24 budget, and data for the unregistered and registered facilities would be reviewed. Part Two of the Expansion would be another two Sanitarians and two vehicles for the first and second quarters of 2024. This would be a total of eight new Sanitarians and 1 new Program Specialist, over a two-year period. Mr. Farley asked for confirmation that there is no intended fee increase on inspection fees for FY23, which Staff confirmed. Mr. Powers asked if Staff intended to focus first on the known or unknown establishments for "catching up" with inspections. Ms. Murphy stated that Staff would start with the known, but address those that are "found", by at least getting them registered and starting the process with them.

Ms. Ejuma continued with the final few Divisional budgets. For Epidemiology and Emergency Preparedness, there are very few overall changes, but there are 1.5 positions that will not be moving into FY23, due to loss of funding. The large increase in FY22 in the Contractual category, which will not be included in FY23, was the large-scale tabletop exercise that was grant funded. The HR Division also has stable

funding but will not be moving forward with a part time position in FY23. Similarly, MarCom will also have one position inactivated in FY23, and the large increase in FY23 in the Contractual category is due to a grant in which WCCHD will distribute six $25,000 community award mini grants. PESS is fully funded by the County, so no large changes there, year over year. Lastly, in WIC, two positions will be inactivated. Ms. Hadley asked about the loss of funding in FY22 for four PESS employees. Ms. Hilbert stated that they were funded solely by the "Access to Care" funding, which were given to WCCHD each month, by St David's hospital, and was tied to DSRIP funding. With the loss of that funding, the program has shifted to focusing existing staff on the Indigent Health Care program. Ms. Wallace asked about the line-item detail provided to the Board Members, in which each line item was categorized into recommended, wish list, etc. Ms. Ejuma stated that this information was used by ELT, internally, to go through the first round of cuts for the draft budget and that everything listed is in the budget presented. What was cut, is not included in the line-item budget given to the Board Members.

Mr. Powers requested additional information on the employee compensation piece of the budget. He requested detail on how many employees will be getting an increase because of the compensation plan, verses how many will just be receiving the COLA. Of those receiving the compensation plan increase, how many employees fall into each grouping of the range of the increase. Ms. Ejuma stated that she had that information currently. With the current compensation plan, 62 employees would have no impact, with 38 employees getting an increase. Fourteen of the 38 would be getting between a 0 and 5% increase, 11 between a 5-10% increase, 7 between a 10-15% increase and 6 between a 15-20% increase. Mr. Powers thanked her but stated that the reason he was asking for this information is that the information is based on the State's compensation rate, which likely isn't that high. Together with most of the employees not seeing an increase from this compensation plan, he would be inclined to have an increased COLA to address this for FY23. As the Cities do compensation studies regularly, a smaller COLA is less of a concern for them, than for an agency that is so far behind on keeping up with employee pay. Mr. Powers also asked if loss of employees, due to the loss of grant funding, happens regularly. Ms. Hilbert stated that while there are a significant number of employees on relatively stable funding, many are on the "timelines". Unfortunately, in the past, employees have been kept without consideration for how to address their loss of funding, so the current leadership is trying to balance that, as possible. The Board discussed and asked for a comparison of local agencies with both their COLA and Merit. Though WCCHD is only able to provide a maximum of a 5% COLA, to match what the County approved, if other agencies have a 7% COLA and a 2% Merit, for a total of 9%, then the Board could consider a 4% Merit to match the total of the other agency. Ms. Hilbert stated that they would do additional research and come back to the Board with this information for the next meeting. Ms. Ejuma stated that while the compensation plan and the COLA would go into effect at the beginning of FY23, the merit would be delayed until July when an agency-wide merit was distributed, according to the plan that will be brought to the Board for approval next year. Mr. Morgan stated that he thought July was too long and it should be pushed to April.

3:28 p.m. – Executive Session called

Bob Farley left the meeting during Executive Session and did not return for Regular Session

4:23 p.m. – Reconvened to Regular Session

REGULAR AGENDA

12) 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.

No Action Taken

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

No Action Taken

8) Discuss, consider, and take appropriate action on Interlocal Agreement with Williamson County – Indigent Health Care Program
Ms. Hilbert stated that in July 2022, WCCHD took over billing and the recruitment of medical providers for the WilcoCare program. Previously, a third-party administrator that the County contracted with had done this work, but the responsibilities have now shifted to WCCHD and an Interlocal Agreement with the County is being brought to the Board for approval. The Agreement outlines the expectations of both parties, how the claims are reviewed and other aspects of running the program. Ms. Hadley asked if additional personnel were needed to run this County program. Ms. Hilbert stated that additional staff were not needed, at this time. Current staff includes billers and have processed three batches of claims with increasing specialists being recruited. While billing in-house is more work for the agency,

WCCHD can have a greater oversight of whole program, which will allow for the best service possible being provided to the clients. Mr. Morgan asked for an estimate on how much this additional program was costing the District. Ms. Ejuma gave a broad estimate of $180,000, considering three employee salaries and some general supplies. She confirmed that the whole of this cost is paid for by the County. Ms. Hilbert stated that the County's Auditor's Office and both the County and WCCHD legal teams have reviewed the Agreement.

Motion to approve.

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

9) Discuss, consider, and take appropriate action on FY22 Budget Amendment – Purchase of Integrated Vector Management Truck
Ms. Hilbert began by stating that the current truck being used by the mosquito program is a 2014, with approximately 110,000 miles on it. It is having transmission and air conditioning issues and is due for replacement of tires and shocks. In looking at the County's equipment depreciation replacement cycle, it is eligible for replacement. A replacement vehicle has been identified, and though staff tried to get a Letter of Intent, as backup to this request, but the vehicle dealership stated that it wasn't necessary from their end, and promised hold it for us, with the provision of a purchase order. The funding would be coming from Salary Savings. Mr. Morgan reiterated a need for a WCCHD Vehicle Replacement Plan.

Motion to approve agenda item 9.

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

10) Discuss, consider, and take appropriate action on WCCHD Client Incentives Policy
Ms. Hilbert began by stating that as part of the "Increasing Awareness, Surveillance, and Latent Tuberculosis in Status Adjusters as Identified by Civil Surgeons" grant from the CDC, WCCHD received funds to provide incentives to patients to improve access to care and treatment completion rates. These incentives will be in the form of gift cards for transportation to reach WCCHD clinics and as treatment completion "rewards". The CDC has requested a formal policy for management of these client incentives be approved to demonstrate that the procurement, storage, and handling of incentives is standardized, agency wide.

Motion to approve.

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

11) 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 October. This included an update that the Community Health Improvement Plan (CHIP), is currently being written and will be available in the Spring of 2023. The US Department of State identified WCCHD as a location of interest to bring four government officials from Tajikistan. During this meeting, ELT provided the delegates with an overview of the County, the populations served, and services provided. Much of the delegates' interest was with the WCCHD TB program and retail food inspections. As mentioned in the FY23 Budget discussion, ELT has absorbed the Quality and Strategic Management team and is looking forward to utilizing them in a more strategic manner moving forward. Ms. Hilbert added that staff has been exploring more ways to make the current policy management system more user friendly and accessible for both Board and staff. A Policy on Policies, which will address the types of policies the Board approves will be coming to a future meeting. Ms. Hilbert stated that Austin Public Health received notification that they will receive funding for the Public Health Infrastructure Grant, which WCCHD partnered with them on and staff will work on an ILA with them in preparation for this funding. Lastly, Emergency Preparedness staff completed the CASPER surveys and will be sharing the findings with the City and County Emergency Managers by the end of the year.

16) Adjourn

Motion to adjourn.

Moved: Robert Powers
Seconded: David Morgan
Vote: Approved unanimously

Board Chair Pierce adjourned the meeting at 4:46 p.m.

Recorded by: _____
Cindy Botts, Executive Assistant

Reviewed by: _____
Christopher Coppie, Secretary