



BOARD OF HEALTH MEETING MINUTES
Tuesday, June 24, 2025

BOARD MEMBERS:

Jennifer Riebe, Commissioner, Payette County – not present
Jim Harberd, Commissioner, Washington County – present
Zach Brooks, Commissioner, Canyon County – present
Kelly Aberasturi, Commissioner, Owyhee County – present
Viki Purdy, Commissioner, Adams County – present
John Tribble, MD, Physician Representative – present
Bill Buttici, Commissioner, Gem County – present

STAFF MEMBERS:

In person: Nikki Zogg, Katrina Williams, Don Lee, Beth Kriete, Ben Shatto, Lauren Osborne, Vanessa Ruiz

Virtual: Colton Osborne

GUESTS: Mike Kane

CALL THE MEETING TO ORDER

Chairman Kelly Aberasturi called the meeting to order at 9:04 a.m.

ROLL CALL

Chairman Aberasturi – present; Dr. John Tribble – present; Commissioner Purdy – present;
Commissioner Harberd – present; Vice Chairman Brooks – present; Commissioner Riebe – not present;
Commissioner Buttici – present.

REQUEST FOR ADDITIONAL AGENDA ITEMS AND APPROVAL OF AGENDA

Chairman Kelly Aberasturi asked for additional agenda items. Board members had no additional agenda items or changes to the agenda.

MOTION: Commissioner Brooks made a motion to approve the agenda as presented. Commissioner Buttici seconded the motion. All in favor; motion passes.

PUBLIC COMMENT

No members of the public attended to provide public comment and no public comments were submitted through the online submission mechanism.

INTRODUCTION OF NEW EMPLOYEES

Division Administrators introduced new employees.

APPROVAL OF MAY 2025 MEETING MINUTES

Board members reviewed meeting minutes from the May 20, 2025 Board of Health meeting.

MOTION: Commissioner Brooks made a motion to approve the May 20, 2025 meeting minutes as corrected. Commissioner Harberd seconded the motion. All in favor; motion passes.

FINANCE OFFICER UPDATE

Aaron Howard, Chief Financial Officer, is no longer with SWDH. Interviews to fill this position have been held and an offer has been extended and accepted. The new employee's anticipated start date is July 7, 2025.

APRIL 2025 EXPENDITURE AND REVENUE REPORT

Don Lee, Chief Operating Officer, presented the April 2025 Expenditure and Revenue Report. Revenue and expenditure reports show that revenues are low due to a lapse in contract billing. In addition, several contracts have not renewed this fiscal year so the revenue percentage is not expected to reach 100%.

Luma continues to present challenges and SWDH staff continue to learn how to work in and with Luma. The State Controller's Office (SCO) is providing support as needed.

BOARD OF HEALTH TERM MEMBER RENEWAL CONFIRMATION

Board of Health term member renewal confirmation ballots have been received and all board members whose terms expire June 30, 2025 have been confirmed for new terms beginning July 1, 2025.

SUBSURFACE SEWAGE AND GROUND WATER PROTECTION PROGRAM OVERVIEW

Mitch Kiester, SWDH Program Manager, shared information on the land development program. The team works to improve customer service and functions under statutory authority to protect groundwater with subsurface sewage programs.

AGREEMENT WITH CITY OF NAMPA FOR POOL INSPECTIONS

Mike Kane, SWDH legal counsel, and Nikki Zogg, District Director, discussed a draft agreement with the City of Nampa to provide pool inspections. In the most recent legislative session, the Idaho Legislature removed regulations for public pools from Idaho statutes. Previously, Idaho Department of Health and Welfare delegated pool inspection tasks to health districts and fees to cover costs were set in statute. Following the deregulation, the best route for cities to continue to regulate pools to minimize illness and injury and ensure compliance with insurance requirements is to pass ordinances requiring regulation of pools.

The City of Nampa is reviewing the model aquatic health code and, if that agreement is accepted, SWDH will work with the City of Nampa to develop a mutual agreement for pool inspections.

POOL FEES

With regulations for public pools removed from statute, health districts are allowed to set fees to cover their cost. The six counties SWDH services include 22 pools at 13 different sites that were being inspected. Most of these pools are at municipally run locations. The fee structure takes into account how much we anticipate the service costing the district.

MOTION: Commissioner Buttici made a motion to accept the pool inspection fees as presented. Commissioner Brooks seconded the motion.

After further discussion, Board members requested clarification of the mileage fee included and that the fee allow for that mileage fee to adjust as needed.

AMENDED MOTION: Following discussion, Commissioner Butticci made an amended motion to accept the pool inspection fees as presented with the correction of the mileage fee referenced. Commissioner Brooks seconded the amended motion. All in favor; motion passes.

LAWFUL PRESENCE VERIFICATION (HOUSE BILL 135)

Mike Kane, SWDH Legal Counsel, provided background to this recent legislation. About 25 years ago, the federal government passed a series of federal statutes dealing with requirements to qualify for benefits. If an individual cannot show lawful presence, no public benefits are available. The law was designed so the U.S. would not be providing free services at taxpayer dollars' expense. Exclusions to provisions include emergency treatment and diagnosis and treatment of communicable diseases.

As a result of H135, effective July 1, 2025, to receive public services, the client must provide an indicator of lawful presence, including a self-certification of lawful presence and provide a social security number.

To assist with this process, SWDH is working on a policy to account for individuals needing to confirm lawful presence verification. The verification forms for lawful presence confirmation must be retained and provided if requested via a public record request. Redaction of personal information is acceptable.

Lawful presence can also be established by going through the SAVE (Systematic Alien Verification for Entitlements) program – an electronic verification – or by signing the attestation and providing a social security number.

Mike advises following federal law to avoid the possibility of a lawsuit under section 1983. The federal law says that public benefits should be excluded from governmental entities except for communicable diseases.

BOARD OF HEALTH DELEGATED AUTHORITIES TO THE DIRECTOR

Mike Kane led discussion of the Board of Health's delegation of authorities to the District Director. He explained that statute is clear that the director's duties are those that the board delegates. The Board is able to delegate power to the director around contracts and grants to the extent the board deems appropriate.

Board members asked that a list of SWDH grants and contracts be brought back to the board for review, particularly specialty contracts. Dr. Tribble stated that he disagrees and thinks the Board should go back and review the grants, what they are ahead of time, where they are coming from and what the grant is required to fulfill to ensure that the grants benefit a whole group rather than a certain group. Commissioner Brooks agrees that the Board of Health should review all of the contracts prior to the director executing the contract.

Nikki will provide follow up information to the Board on:

- List of subgrants and contracts
 - Scope of work
 - Match or restrictions required
 - Target population

- Funding amount
- Funding period

MOTION: Commissioner Purdy made a motion to table this action item until next month when more information can be provided. Commissioner Brooks seconded the motion. All in favor; motion carries.

This action item will be carried over to the July 22, 2025 meeting.

DIRECTOR'S REPORT

Open Meeting Law and Board Conduct Best Practices – 2025 Board Workplan

A learning session for open meeting law and board conduct best practices is included on this year's Board of Health Workplan. Board members feel additional education is helpful and directed Nikki to include the learning session.

Board of Health SharePoint Site

An informational site for board members has been set up on SharePoint. The site includes bylaws, orientation materials, roles, and responsibilities for board members to access for their reference.

EXECUTIVE SESSION PURSUANT TO IDAHO CODE 74-206(b)

Pursuant to Idaho Code 74-206(b) Board members entered Executive Session at 11:26 a.m. Commissioner Purdy made a motion to go into executive session. Commissioner Harberd seconded the motion. Roll call taken.

At 12:09 p.m., board members came out of executive session.

Board members discussed which grants may be impacted by funding pauses, changes or delays. Nikki asked the Board to allow 90 days for SWDH staff to figure out a transition plan for any funding changes that may or may not happen. Nikki explained this allows time to develop and implement a plan by September 30. It also gives staff time to pursue other opportunities and allows time for communication with any partners.

ACTION FOLLOWING EXECUTIVE SESSION

MOTION: Dr. Tribble made a motion to allow 90 days for development of a transition plan for any grant funding changes that may or may not happen. Commissioner Purdy seconded the motion. All in favor. Motion passes.

There being no further business, the meeting adjourned at 12:11 p.m.

Respectfully submitted:



Nikole Zogg
Secretary to the Board

Approved as written:



Kelly Aberasturi
Chairman

Date: July 22, 2025