



**BOARD OF HEALTH MEETING MINUTES**  
**Thursday, February 28, 2023**

**BOARD MEMBERS:**

Jennifer Riebe, Commissioner, Payette County – present  
Lyndon Haines, Commissioner, Washington County – present  
Zach Brooks, Commissioner, Canyon County – present  
Kelly Aberasturi, Commissioner, Owyhee County – not present  
Viki Purdy, Commissioner, Adams County – present  
Sam Summers, MD, Physician Representative – present  
Bryan Elliott, Gem County Board of Health Representative – present

**STAFF MEMBERS:**

In person: Nikki Zogg, Katrina Williams, Josh Campbell, Colt Dickman, Doug Doney

Via Zoom: Troy Cunningham, Jenifer Spurling, Jeff Renn

**GUESTS:** One member of the public attended.

**CALL THE MEETING TO ORDER**

Vice Chairman Lyndon Haines called the meeting to order at 10:02 a.m.

**PLEDGE OF ALLEGIANCE**

Meeting attendees participated in the pledge of allegiance.

**ROLL CALL**

Chairman Aberasturi – not present; Dr. Summers – present; Commissioner Purdy – present; Vice Chairman Haines – present; Commissioner Brooks – present; Commissioner Riebe – present; Mr. Bryan Elliott - present

**REQUEST FOR ADDITIONAL AGENDA ITEMS; APPROVAL OF AGENDA**

Vice Chairman Haines asked for additional agenda items. Board members had no additional agenda items or changes to the agenda.

**MOTION:** Commissioner Riebe made a motion to approve the agenda with the requested changes. Dr. Summers seconded the motion. All in favor; motion passes.

**IN-PERSON PUBLIC COMMENT**

One member of the public made comment.

**OPEN DISCUSSION**

Board members had no topics for open discussion.

**APPROVAL OF MEETING MINUTES – JANUARY 24, 2023**

Board members reviewed meeting minutes from the meeting held January 24, 2023.

**MOTION:** Commissioner Purdy made a motion to approve the January 24, 2023 Board of Health meeting minutes as presented. Commissioner Riebe seconded the motion. All in favor; motion passes.

### **INTRODUCTION OF NEW EMPLOYEES**

Division administrators introduced new employees.

### **JANUARY 2023 EXPENDITURE AND REVENUE REPORT**

Troy Cunningham, SWDH Financial Manager, presented the January 2023 Expenditure and Revenue Report. Revenues outpace expenditures due to some contract funds being received in advance. Based on the revised budget, fee revenue remains near target. Contract revenue remains low due to adding grant funds during the revision process. These grants from Idaho Department of Juvenile Corrections (IDJC) are large and skew that metric. As billings are submitted over time, this will start to balance out. Troy also reported that interest revenue is leveling out. Other revenue is representative of private grants with work still ongoing.

Personnel expenditure is very close to target based on the revised number. Troy noted several openings remain vacant. Operating remains in a low threshold as the \$5.3 million in operating includes a lot of the crisis grant work.

Board members had no questions regarding the expenditure and revenue report.

### **ENVIRONMENTAL AND COMMUNITY HEALTH SERVICES FEE SCHEDULE APPROVAL**

Colt Dickman, Environmental and Community Health Services Division Administrator, presented the Fiscal Year 2024 fee schedule for board member approval. He noted that a proposed fee for temporary sewage disposal of recreational vehicle (RV) living is pending implementation. Colt also clarified that the new installer late fee applies only when an installer does not submit their application or complete their training on time.

Board members discussed waiting to implement the pending fee for temporary sewage disposal until April or May. Nikki reminded board members these fees being presented are for fiscal year 2024 (FY24) implementation, which will begin July 1, 2023.

Board members asked for an explanation of how solid waste inspection charges for each county are established. Colt explained that each county's fee for solid waste inspections is calculated based on the actual time to complete the inspections.

**MOTION:** Dr. Summers made a motion to approve the Environmental and Community Health Services fee schedule as presented. Commissioner Riebe seconded the motion.

No vote was taken on Dr. Summer's first motion.

Board members continued discussion of the temporary sewage disposal fee and questioned approving a fee with no implementation plan. Colt explained that the fee was included in the plan in an effort to provide an efficient fee approval process. Staff members are in the process of meeting with Planning and Zoning offices across the district to provide input. Fee approvals for this coming fiscal year are being requested to assist with the development of the next fiscal year's budget. Board members asked

Colt to bring the temporary sewage disposal fee process and fee to the Board in April for discussion and approval.

**AMENDED MOTION:** Dr. Summers made an amended motion to approve the Environmental and Community Health Services fee schedule with the removal of the temporary sewage fee which will be discussed at the April Board of Health meeting. Commissioner Riebe seconded the motion. All in favor; motion passes.

#### **FAMILY AND CLINIC SERVICES FEE SCHEDULE APPROVAL**

Rick Stimpson, Family and Clinic Services Clinic Manager, presented the FY24 fee schedule. Rick proposed keeping fees the same apart from passing along savings where possible. He explained that this fee schedule reduces the cost collected for certain pharmaceuticals SWDH receives through the 340b program and allows certain pharmaceuticals such as anti-viral medications, birth control, and antibiotics to be purchased at a drastically reduced rate which is then passed along to clients.

**MOTION:** Commissioner Riebe moved to accept the Family and Clinic Services FY24 fee schedule as presented. Dr. Summers seconded the motion. All in favor; motion passes.

#### **COMMUNITY HEALTH ACTION TEAMS OVERVIEW**

Emily Straubhar, Public Health Program Manager, provided an overview of the community health action teams (CHATs). Priority areas and the mission and vision of each CHAT team are re-evaluated each year. The Payette County Community Health Action Team (PCHAT) membership includes representatives of WICAP, Saint Alphonsus, St. Luke's, Valley Family Health, Fruitland Chamber of Commerce, and New Plymouth and Payette school districts. Membership also includes some community members. The group hopes to host a Town Hall meeting to help promote PCHAT and encourage membership.

The PCHAT was helpful in conducting the community health needs assessment, which collects quantitative and qualitative data used to identify the gaps and needs most impacting health. The PCHAT will use information gathered from the assessment to prioritize the issues they feel are most important to the community and develop local solutions to address them. The PCHAT also collaborated with the Payette Library to install two telehealth pods which were recently implemented.

#### **EXECUTIVE COUNCIL AND TRUSTEE MEETING SUMMARY**

The Executive Council and Trustees held an emergency meeting last week to discuss House Bill 154 and House Bill 160. There were no action items on the agenda, but members discussed the legislation and whether there was consensus about the language.

If passed into law, House Bill 154 would make giving an mRNA vaccine a misdemeanor. Council members and trustees were concerned about that language.

House Bill 160 is very specific to public health districts and the amendment would require expanding the authority of the trustee role. Currently, the only role of trustees in statute is to determine how state appropriations are divided among the seven public health districts. This bill would expand their role to require risk and benefit analyses for every medical service provided by the district and would require each district go through the rule making process.

The concern of the district directors that was supported by the trustees and executive council members is that most districts offer hundreds of services and completion of a risk benefit analysis on every service and medication would be very time intensive and would be duplicative of what is put out by manufacturers who have done a lot of research and have completed clinical trials.

Both House Bill 154 and House Bill 160 are still at the Health and Welfare Committee and have not moved forward. Commissioner Purdy noted that for vaccine purposes the point is accountability and if we as a district are going to administer vaccines or provide these programs there must be accountability for our actions. Commissioner Purdy expressed her opinion that the hope is to stop the vaccines until more research can be done and that MRNA is not proven effective and is definitely not preventing COVID.

Nikki Zogg is willing to facilitate a conversation about accountability if there are questions from the Board regarding what the district does. Risk benefit analysis sheets are already provided on all vaccines and some medical services provided. Nikki has tasked our research analyst with compiling data around COVID vaccine safety.

## **DIRECTOR'S REPORT**

### **Legislative Update**

Nikki Zogg provided updates on priority legislative activities. House Bill 82 is a bill impacting dietary supplements. Nikki used Kratom as an example of how this bill would potentially protect a dangerous substance from being controlled. Kratom has some addictive properties and can interact dangerously with other drugs or medications. House Bill 82 would protect Kratom and could allow no future bans on this as it is currently being sold as a dietary supplement. Nikki may email the bill sponsor to provide information about this for consideration. Commissioner Riebe asked what the goal of House Bill 82 is. Nikki is unsure of the bill's goal.

House Bill 199 amends current law to add tax to vaping products similar to other tobacco products. This is one of the priorities of the Idaho Association of Counties (IAC) and also aligns with past resolutions of the Idaho Association of District Boards of Health (IADBH).

Lastly, House Bill 1009 seeks to amend and add to existing law to clarify health rights of Idahoans. This bill was heard in the Health and Welfare Senate Committee yesterday and Nikki provided testimony to express concerns about the language in the bill stating that public health districts and state agencies could not order people to stay in their homes, close businesses, or wear masks "in general". Another part of this bill that could potentially create a challenge for health districts is language that would ban health districts from recommending use of anything classified as experimental. This could mean that the health district could not recommend something for off label use. For example, when COVID hit initially, there was no vaccine.

### **Millennium Fund Update**

In FY 23, Millennium Fund Committee appropriated more than \$1 million, statewide, to public health districts to help fight youth vaping. Funding was directed to staffing and operating costs to provide education to youth regarding risks of vaping. This year, public health districts were invited to present and request ongoing funding. Health districts asked for a broader more flexible way to use the funding to

address the shift in age of users experimenting with and using vaping products and allow for flexibility to use tobacco cessation funds more broadly to address vaping prevention needs.

**Resolutions for 2024 Legislative Session for presentation at 2023 Idaho Association of District Boards of Health (IADBH) Meeting**

Any resolutions that public health districts want to put forward for consideration at the annual IADBH meeting need to be developed within their district, approved by their Board, and put forward to the other Boards for approval. In the past, Nikki has asked her teams which policy issues are most relevant and resolutions around that are then drafted. Nikki asked Board members if there are any resolutions the district should draft to address any of their priority concerns.

One resolution put on pause is food fees. This resolution may be brought up next year. Counties subsidize private businesses to obtain food establishment licenses. The cost of providing the licenses is greater than the fees collected for these licenses.

Commissioner Brooks asked for further discussion around the food fees. He noted that the issue of fees not covering the cost of providing the service seems common and Canyon County also encounters this. Nikki explained that the fee set in statute covers 40% of the health district's cost to provide that license. The history of this is that when the food safety act was first implemented in the state of Idaho there was a handshake agreement to set up a 3-legged stool that involves the county, the state, and the food establishment to share the cost of the food safety program. Any time the districts have attempted to adjust the fees in statute, the industry lobbyists circle back to the 3-legged stool agreement.

Dr. Summers mentioned fentanyl use and deaths associated with it as a possible resolution.

**Executive Session**

At 11:31 a.m., Commissioner Haines made a motion to go into executive session pursuant to Idaho Code 74-206(b), 74-206(c).

At 11:57 a.m., Board members came out of executive session. No action was taken.

There being no further business, the meeting adjourned at 11:58 a.m.

Respectfully submitted:



Nikole Zogg  
Secretary to the Board

Approved as written:

Lyndon Haines  
Vice-Chairman

Date: March 28, 2023