

**CALHOUN COUNTY BOARD OF HEALTH MEETING MINUTES**

190 East Michigan Avenue, Suite A100, Battle Creek, MI 49014

Date: July 21, 2003

**PRESENT**

Board of Health

Larry Anderson, Chairperson  
Jean Cook-Hughes, Vice Chairperson  
Byron McDonald  
Ben Miller, County Commissioner  
Dr. Jeffrey R. Mitchell

Health Department

Heidi Oberlin, Health Officer  
Kathy Ferguson, Finance Officer  
Dr. Greg Harrington, Medical Officer  
Ted Havens, Environmental Health  
Paul Makoski, Environmental Health  
Michele Thomas, Program Coordinator  
Brigette Reichenbaugh, Administrative Assistant

Calhoun County

Greg Purcell, County Administrator  
Nancy Mullett, Legal Counsel  
Jim Latham, County Finance Director

- I. The meeting was called to order at 8:10 a.m. by Larry Anderson in the Public Health Department conference room, George W. Toeller Building, 190 E. Michigan Avenue, Suite A-100, Battle Creek, Michigan.

Heidi Oberlin introduced Michele Thomas to the Board.

- II. Larry Anderson asked for a motion for approval of the agenda. Moved by Jean Cook-Hughes, seconded by Dr. Jeffrey Mitchell. Approved.
- III. Larry Anderson asked for a motion for approval of the consent agenda. Moved by Ben Miller, seconded by Jean Cook-Hughes. Approved.

IV. Contracts

**Resolution 21-2003** Approval of the CPBC Amendment #3 with the Michigan Department of Community Health. Heidi Oberlin and Kathy Ferguson summarized the resolution/contract changes including an increase in the WIC allocation.

Larry Anderson motioned for approval. Moved by Jean Cook-Hughes, seconded by Ben Miller. Approved.

## V. Finance Report

Kathy Ferguson introduced and summarized the new format and the financial report. Kathy updated the Board on the Senior Millage shortage of approximately \$20,000. Byron McDonald asked for a background on the senior Millage funding.

Kathy Ferguson stated that last fiscal year expenses were less than what we billed for per the contract. Since we cannot receive more income than we spend for this program, the Health Department had to return approximately \$20,000 in FY 2002/2003. The number of screenings performed was more than expected, however, the cost per screening was less than expected.

Larry explained that over the next few months we will review our budget reporting and new procedures/standards.

## VI. Other Business

Michele Thomas, Nurse Coordinator, provided an overview of the School Nurse Program to the Board. Handouts were in the Board Packet.

Michele explained the role of a school nurse includes linking the students and often their parents to community health providers. The image of a school nurse who was there to put a band-aid on a scraped knee is long gone. In June 1999, a school nurse definition was adopted by the National Association of School Nurses. The school nurse can see the child, assess, treat as needed, and return them to class instead of automatically sending the child home.

To illustrate how valued this program is, Michele related how the secretaries and school personnel within Harper Creek rallied when there was talk of a potential cutback. There has also been interest in support from service clubs; Michele passed around several student drawings that were presented to the Battle Creek Rotary Club upon their request for a "hands-on" reason for the school nurse program.

During the 2002/2003 school year, 29,132 students were seen by a school nurse and 8,125 students were seen by BCCHS Adolescent Health Center.

One new focus for the school nurse program this next year will include asthma training (providing educational materials, training to teach children how to control their asthma, etc., and collecting outcome data).

Byron stated that he feels this program has done the most for the children in Calhoun Co. and knows that this is bigger than other counties around Calhoun.

Ben Miller commended the Health Department staff for this program.

In response to a question from Larry about the impact of school budget cuts, Michele explained that Battle Creek Public School System changed their student nurse ratio. It has now become evident to the schools how important and valuable the school nurse program is, and schools within Calhoun County are looking for ways to increase the nurse to student ratio.

Jeff Mitchell asked what was before this program (approximately 8 years ago). Michele and Heidi answered that a previous Public Health Nurse model was followed that specified a territory for each nurse to complete immunizations, communicable disease control, etc. These territories would include the schools. Jeff also asked, since this program is funded primarily by the schools, what makes this program “go.” Heidi answered that it is more practical for the health department to employ school nurses due to standards that are imposed upon the schools who employ their own nurses. Many schools do not want to be in that position.

Jeff asked in many schools, the school secretaries dispense medication to the students. What training or certification must the secretaries receive in order to dispense? Michele answered: The Michigan Department of Education has established guidelines for schools and staff to follow for medication administration. The Michigan Association of School Nurses has a program that teaches school staff on medication administration following Michigan Department of Education guidelines. Within Calhoun County, BCPS and CISD provide training to school staff with the assistance of the Health Department school nurses.

## **Environmental Health Report**

Ted Havens, Environmental Health Director, presented the Environmental Health (EH) Fee proposed changes and the Sanitation Code Amendment.

Ted explained that all environmental fees were reviewed and revisions are proposed for the upcoming budget year based on time records and the services provided over the fiscal year, budget, and known costs for EH. EH received other fee schedules from surrounding and comparative counties as indicators for comparison (enclosed in the Board packet). However, he can not be certain of what other counties include in their fees. He explained that one county hires a consultant to review their costs; however, other counties may just adjust fees based on budgets and services or by a percentage.

Larry asked when fees are recalculated, did we complete in the same manner as previous years. Ted responded yes. Jean explained that there aren't many

changes and she would support. Larry asked if the Board needed further explanation.

Greg Purcell asked about the proposed food service fees. Ted explained the changes in the food inspection program are due to changes in the law from the state health department and the Department of Agriculture. Food inspections have been changed entirely. There is no longer a checklist and inspections are now very extensive/inclusive. The current food inspections include critical points on handling food (e.g., preparation, receipt, refrigeration and reheating practices). We provide food training for food service operators and employees currently. However, it is voluntary. The food training is intended to help prevent an outbreak of foodborne disease. We believe that our training efforts are paying off as we have not had a foodborne disease outbreak. Our recent accreditation commended our training efforts.

Menu classifications have been developed to include simple and complex menus. Simple may include very little hazardous food (e.g., Taco Bell – all items come in a bag) whereas Complex includes homemade items (Clara's on the River, Schuler's, etc.). The type of restaurant/food preparation determines the amount of time for an inspection. This is the reasoning for the proposed change/increase in food inspection fees. The fee is proposed at \$300 flat rate for Simple Menu and \$500 flat rate for Complex Menu per year. Both rates include unlimited employee training during the year. NOTE: Food safety training certification is good for three years. Paul Makoski and other EH staff have reviewed Calhoun County establishments, including menu, and determined which are Complex or Simple.

Food training classes are a critical part of these proposed fees. A portion of the fees include a food training program for restaurant managers. As part of the sanitation code, this will include a restaurant manager on duty while the restaurant is open for business. The new regulations require an individual certified in food safety and preparation to be on-site during food service operations. Some establishments may need additional certified staff due to their hours of operation. The certified individual will oversee the food operation (e.g., handling, temperature, and possible contamination) and could make an appropriate and timely decision on what to do (throw away or serve).

Paul is certified by the National Restaurant Association to conduct the trainings.

The amendment presented in the Board packet addresses the reasoning for these changes.

Ben asked what differentiates Simple and Complex. Would a pizza parlor be classified as Simple? Paul Makoski answered yes, generally. Hazardous Analysis Critical Control Point (HACCP) was developed to support the increasing

educational information needs of industry and foodservice professionals in implementing HACCP programs to reduce assumptions about the food. Food preparation is divided into seven classes.

Clara's, Schuler's, Old Country Buffet, for example, will fall under Complex. They prepare many items from scratch. There is a written definition in the Food Code, as adopted by the State of Michigan, Act 92, P.A. 2000 explaining Simple and Complex. The definition is provided by the state, but each county has the right to change or add on to as long as we aren't in opposition of the written code. Calhoun County has approximately 550 restaurants. The split between Simple and Complex is approximately 50/50.

Heidi Oberlin asked if the definition is clear-cut. Paul answered "Yes." Larry asked about the Calhoun County McDonald's for example. Paul stated that all McDonald's managers have been trained for many years and indicated that the McDonald's restaurants in Calhoun County are some of the cleanest.

Ben asked approximately how many of the 550 restaurants in Calhoun County currently have people on-staff that are food service trained. Paul answered that due to turn-around of people within the restaurant industry, it is hard to provide an estimate. However, certifications remain good for three years, therefore, if a manager moves to another restaurant, their certification remains effective. The employer pays the employee's wages, but the inspection fee covers the training. The fee that a restaurant currently pays for an employee is on top of their license fee per employee.

Ben asked about stores like Meijers that prepare food. Ted stated that all grocery stores are governed and inspected by the Department of Agriculture. We do, although, inspect school cafeterias.

Byron asked what the current fee is. Paul answered \$212 to \$352 (determined by the number of seats). Paul: We have a basic fee and fines are issued on top of that.

Larry asked about caterers. The rules for caterers are the same as restaurants (e.g., Paula's catering in Marshall is considered complex because all items are homemade).

Jeff asked if an employee leaves, does a restaurant owner have a window to replace and train another individual. Ted answered that yes there is a 60-day window, however, an additional fee is added to the next license if they don't replace/train another individual after those 60 days.

Paul explained that we are looking into changing the availability and times of Manager classes [morning (2) & afternoon(2)] and shortening the training length.

The current class length is eight hours. Therefore, we could provide two trainings per day.

Byron: What do we generate now for license? And what will we generate? Our current revenues are \$95,000 and a rough estimated of the new fee is \$155,000. Paul stated that the Health Department now has adequate staff to thoroughly inspect all the restaurants in Calhoun County.

Larry suggested that we have a public hearing at the August Board of Health meeting and a notification/letter go out to all restaurant owners. Ted indicated that in past years we have set up mini-meetings and comments were brought back to the Board of Health. Byron added that every restaurant should receive a mailing/notification of the proposed changes.

Nancy asked if there is a law that states the Health Department can impose fines issued? Nancy's concern is even though it allows for administrative remedies, the only remedies we are acting on, are court imposed.

Ben asked if our costs increased significantly. Paul Makoski answered that the number of staff has increased and the time it takes to inspect each restaurant four times per year. The gross increase in restaurant fee revenue as proposed is \$60,000.

Jim Latham asked when setting fees, why you would have cases where the costs are different and what are the factors for setting fees. Ted answered that it was the theory of the Health Department in previous years to capture about 50% of the costs. Paul Makoski stated that in past years we have never had a fee that reflected real-time costs. Compared to other counties, we have a high rating of food inspections.

Ben asked if there is a need to differentiate between Simple & Complex and if the need to go beyond is state mandated. Paul provided an example. He recently did an inspection in a restaurant where a laid-off electrician was temporarily working in a friend's restaurant.

Greg applauded EH for completing inspections and raising the fees. He feels that EH will take some heat, but is a good approach facing the environmental conditions that we work under. Greg feels that EH has not been charging what EH is spending.

Greg referenced the comment "we are the second in the state to implement such fees." Paul and Ted answered that Oakland County and Genesee County are others.

Ben is concerned about the requirement that a trained certified person on staff at all times will be a burden to the smaller restaurant. Paul answered since we currently have about 50% of restaurants have process in place now and it should not be an issue.

Jean reminded the Board that it is our mission to protect citizens of Calhoun County. We should have a Public Hearing giving them an opportunity to speak.

Greg: Could we back off of this now? If Ted and Paul are interested in getting feedback, August may be too soon to act. Heidi commented that these fees will be implemented October 1, 2003. The certified food manager portion will be phased in over a two year time period (2005).

Ben: How will we implement so soon (public hearing, etc) Send letter out, meet, have official Public Hearing following Board of Health meeting, then two days later for BOC meeting? Byron suggested that we have meetings in and around the community (Marshall, Battle Creek, etc.)

Larry: This is pending legal review.

Kathy: There is about an \$80,000 difference with increased inspection fee.

Upon the Board's review of the proposed fees, Jeff asked why is it acceptable to charge less than what it costs.

Greg commented, particularly looking at the temporary food license fee. Ted replied that if temporary licenses are too high, this will eliminate establishments participating in events.

Jeff asked do we charge what our cost is or an area average. Paul answered for example, the Boy Scouts – if we charge too high of a fee, they would not be able to hold an event/fundraiser. Jeff suggested a tiered system. We have a fee for nonprofits and a fee for others. Ted replied that there is a fee for nonprofit (Boy Scouts, etc.) and all others.

Greg asked about the mobile license fee. Paul: We have three in county and they get inspected once a year. Two mobiles are at the zoo. Therefore, when they are inspecting other items within the zoo, they will also complete a food inspection as it reduces our costs.

Greg asked about the water sample fee. Our calculated cost is \$92 but we are only charging \$50. Ted responded that we do not believe that people would pay \$100 for a water sample analysis. Also, there are private companies competing for water sample and loan evaluation services, and they are charging less than the Health Department. Ted believes that we need to be competitive. We do

about 400 samples per year. Our current budget for water samples is \$51,000; however, this also includes other water services we conduct such as inspection of newly installed wells.

Larry: Consensus is to proceed with a letter going out to communities, August Public Hearing, and Board adoption of the code changes and fees.

**Resolution 22-2003** Approval of the Board of Health adopted Executive Limitation Policies 1 through 7.

Larry clarified that these policies are adopted by the Board and can be changed. Jeff moved to support, Jean seconded. Passed with one abstention (Byron MacDonald).

**Resolution 23-2003** Approval of the Board of Health adopted Governance Process Policies 1 through 9.

Jeff moved to support, Jean seconded. Passed with one abstention (Byron MacDonald).

**Resolution 24-2003** Approval of the Board of Health adopted Management Linkage Policies 1 through 5.

Greg Purcell stated that in response a question to page 23, the County policies will be applicable to the Health Department. The Health Department can make more restrictive policies but not less-restrictive.

Moved by Jeffrey Mitchell, seconded by Jean Cook-Hughes. Passed with one abstention (Byron MacDonald).

Larry Anderson, Erv Brinker, Jane DeVries, and Heidi Oberlin met regarding primary ends. The Board will have an opportunity to review and make suggestions and additions.

As discussed at the Board Retreat, we will have notebooks for all meetings to handout for reference.

Move to adjourn made and supported by Jeffrey Mitchell, Jean Cook-Hughes, and Ben Miller.

Meeting adjourned at 10:02 a.m.