

**Calhoun County Board of Health Meeting**  
3<sup>rd</sup> Floor Courthouse, 315 W. Green St., Marshall, MI 49068  
January 24, 2005  
**Meeting Minutes**

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**ATTENDANCE**

**Board of Health**

Larry Anderson, Chair  
Jean Cook-Hughes, Vice Chair  
Ben Miller  
Jeff Mitchell  
Ken Ponds

**Health Department**

Heidi S. Oberlin  
Kathy Ferguson  
Ted Havens  
Paul Makoski  
Brigette Reichenbaugh

**Calhoun County Administration**

James Latham  
Nancy Mullett  
Wendee Woods

**I CALL TO ORDER AND INTRODUCTIONS**

Ken moved. Ben seconded. Jean supported. All in favor

**II APPROVAL OF AGENDA**

All in favor.

**III PUBLIC COMMENT**

Larry reviewed the three fee schedules that are presented, the first reflecting the current fees, the second with a decrease in the County subsidy and the third reflecting no County subsidy.

- Ben clarified: If these fees were going to go into affect this year, the BOH needs to approve the fees today and the fees will be presented to the Board of Commissioners (BOC) at the February 3, 2005 meeting. Ben asked Kathy F. if, financially, per the 2005 budget passed in 2004, where does an increase in the fees leave the Health Department (HD).
  - Kathy stated that the current budget does not include the current fees under review.
- Ken asked what is involved in issuing a temporary food license.
  - Ted stated the following procedure: 1. Complete the application; 2. Sit down and review application form, menu, setup, operation times, food obtainment, and preparation with applicant; 3. Once all requirements are met, an inspection is completed; 4. Review with operator at the site.
- Ben asked for clarification of the difference between a temporary food license and temporary non-profit license.
  - Ted stated that a temporary license is issued for 14 days at one location for one vendor. The temporary non-profit is the type of organization, e.g., church, Scouts, or other non-profit organization.

- The temporary licensing requirements were changed last year and are mandated by the Department of Agriculture and the State of Michigan.

#### IV PUBLIC HEARING ON FEES

- John Foltz, Irish Pub, 833 North Avenue, Battle Creek: How long did it take to issue a temporary permit before the new regulations were mandated? Ted answered that the previous application was ½ sheet of paper, it was issued in the field; vendors had to list some of their foods, probably 30 minutes total.
- Dr. Mitchell asked the public for their opinion on what they feel the county subsidy should be.
- Evencio Sanchez, Mexicali Restaurant, 595 W. Columbia, Battle Creek. Mr. Sanchez had five concerns as follows: 1. 9-1-1 affected the restaurant industry. 2. Environmental Health (EH) instructed him to install a grease trap within 90 days and to come up with the fees; 3. There have been significant increases in insurance because of 9-1-1; 4. Last year the HD increased the fees from \$250 to \$450, this year they want a 100% increase in fees and food fees can't increase that easily; 5. Restaurants have expenses too but year after year there are more taxes. The government is not the only one who doesn't have a blank check to write.
- Larry reiterated that the Board is not recommending a 100% increase in fees.
- Phil Morris, Wacky Willies, 515 S. Kalamazoo Street, Marshall. Stated that he is feeling like the farmer that is selling corn for \$1 a bushel. He recognizes that everyone is cutting costs and raising fees. However, the small business has paid their share for the past eight years. Without the little guy, nobody would have the smoke stacks. The County and others cannot continue to keep coming back to the little guy while leaving the big guy out there. Get the "big guy" a little harder and leave the little guy alone.
- Ben asked the public specifically about the temporary food license (e.g., how many times a year do you renew). What does an increase to you mean? A member of the public stated that she applies for a license once a year and would not pay the \$198 fee. However, Ben asked her if she would pay the \$80 fee (partial county subsidy; increase of \$20 per fee), clarifying that the County would share the cost with the patrons. Ben stated to the public these fees are being presented today per the request of the BOH to obtain public input.
- Deborah Hunt, Picadilly, 103 S. Superior, Albion. She has owned and operated her business for six years this month and spoke out in support of the temporary license fee recipients here today.
- Paul Makoski (EH Staff) clarified the temporary food license. They are not good for 14 days at multiple locations. They are good for 14 days at one location. Most of the temporary food vendors are very small operations.
- James Bicknell, Copper Bar, 133 W. Michigan, Marshall. We carry insurance and pay our taxes. He asked why we are subsidizing the churches. Fee went from \$130 to \$375 last year. Business owners have health insurance fees, other service fees. How does the County justify increasing fees again?
- Dave Stevenson, Speedy Chick, Ice Cream Dream, Shirley's Sweet Treats, Marshall. Does the County need to raise costs? Why not lower costs to the small business, cut employees, why complete two inspections per year? Can the Health Department implement a quarterly or monthly billing cycle?

- Greg Eberhard, NG's Coney Island, 4550 W. Dickman, Battle Creek. Who is the county subsidizing and what does the fee cover? Ben responded that the fee covers the costs to provide the service. Ted answered that the other costs include travel, health insurance, clerical, state mandates, county's overhead, and are a part of the total cost. Mr. Eberhard also stated that the inspection takes a maximum of a couple of hours per year. He feels that all the other things that go into it are the pieces of the cost. Independents do not have health insurance. He has to help the County pay for health insurance for their employees even though they can't provide health insurance to their employees.
- Mike Rahn, Cereal City Snacks, 9840 Bellevue Road, Battle Creek: Maybe the Health Department needs to get a man hour summary.
- Dave Stevenson. The County needs to lower their costs. The big restaurant corporations love the increase. He feels that it drives the small businesses out.
- Jason Taft, Mr. Don's, 3431B 20<sup>th</sup> Street, Battle Creek. We are a small business, helping the community, creating the majority of the jobs in our community, yet our costs are a lot higher than the 'big' guys. We're tired of being squeezed to where there is nothing left and can't carry the cost over to its customers.
- Lynn Lake, Lake's Sunrise Cafe, 117 E. Coolidge, Battle Creek supported previous speakers. She also described her business as a 37 seat restaurant where customers sit at stools.
- John Hugget, Mr. Don's, 1275 E. Columbia, Battle Creek. Branch and Hillsdale are \$367 for comparable restaurant around us. Kalamazoo is \$389; Jackson is \$450. Mr. Don's is \$475. Suggested that EH and the HD also review what the market will bear.
- Mr. Huggett distributed a letter to the Board.
  
- Larry called the Public Hearing closed and opened the public hearing on the Nursing Clinic and Student Health Center. No one rose to speak on these fees.

Close the public hearing. All in favor.

## V CONSENT AGENDA

- December 20, 2004 Meeting Minutes  
Jean moved. Seconded. All in favor.

## VI RESOLUTIONS

- Resolution 1-2005 Approval of the Fee Schedule for the Student Health Center (SHC) and the Nursing Clinic of Battle Creek (NCBC)
  - Ben moved. Ken supported. All in favor. These fees are nationally recognized published codes. Nancy M. asked if the SHC and the NCBC currently provide all of the services for which fees were established. Heidi and Kathy answered that between the SHC and the NCBC, most of the services listed are being provided and we are able to meet the criteria for all of those services. The NCBC and the SHC use the same software; therefore the fee schedule can easily be used by both. There is a basis for relevant reasonable cost. Jean asked for clarification on Nancy's request. Nancy requested definitions for all of the mental health services. Kathy clarified that these services can be provided by a Nurse Practitioner or an

MD. No, we are not legally required to bill for these mental health services now, but have been strongly encouraged to identify all services where there is reimbursement. Smoking Cessation groups are an example of a possible billable service under the Mental Health Counseling codes. Heidi and Kathy will provide Nancy Mullet with definitions of the services. Ben asked if we are performing these services now. We are performing some of these mental health services now, such as smoking cessation groups or counseling on an as needed basis.

- Jeff moved to amend the resolution to exclude the mental health fees. Ken moved. Ben supported. All in favor as amended.
  
- Resolution 2- 2005 Approval of Environmental Health Fee Schedule
  - Jean moved for purpose of discussion. Jeff supported. We don't have an exact fee schedule before us. Ben asked Ted if we need to pass the entire fee schedule today. Ted answered no. Ben clarified that we could pass the other fee schedule and hold off on the temporary fee schedule. Larry stated that our challenges are likely to be the State cutbacks this coming year.
  - Ted informed the Board that we may be requested to do additional inspections to comply with the USDA's hot lunch program. Inspections may be required in order for schools to meet their requirements to receive federal money. We are not obligated to do these inspections; however, we are the people who do these inspections. It is the opinion of the Michigan Department of Agriculture that these inspections do not fall under the Michigan Food License because it is being requested by the USDA.
  - Ben feels that at this time an increase in the fixed or complex restaurant licenses isn't going to pass at the next step. Ben asked if it would be appropriate to not do anything today to further discuss the fees. Jean confirmed that we need to revisit. McDonald's, Schuler's, and other large restaurants were not represented at the hearing, although staff did call those individuals. Larry asked Nancy what options we have for fees. Nancy is not questioning the amount because they are reasonable, but do we want to implement it. Let's compare to surrounding counties and determine the difference in services. Ted has this information with him today for distribution to BOH members.
  - Paul M. reminded members that with their license fee, owners have the ability to send an unlimited number of individuals to the food manager's class (a cost of \$50 built into the fee).
  - Ben: Vote against our motion to pass Resolution 2-2005 until further review. All against motion to approve.
  
- Resolution 3 – 2005 Concurrence with the Board of Commissioners' approval of the updated staffing plan for the Health Department.  
Moved and supported. All in favor. Approved.

## VII FINANCE REPORT

- Kathy Ferguson, Finance Officer
  - ♦ December Financial Summary and Narrative

## VIII HEALTH OFFICER UPDATE

- Accreditation – first full week of March.
- Minority Health Partnership/The Health Partnership Council of Advisors – Providing an overview and update at the February or March BOH meeting. Ken stated that the Council is developing a primary focus for the Health Partnership.
- Nursing Clinic of Battle Creek Advisory Council – Brigitte handed out the January meeting minutes of the NCAC and the minutes from November 2004 meeting for the Board’s review.

## IX BOARD BUSINESS

- Resolution 4 - 2005 Approval of the Bylaws – Ben moved approval of the bylaws. Larry supported. All in favor. These will go to the Board of Commissioners for final approval.
- Board/County Administrator Assessment of the CEO – Wendee indicated that Nancy would be updating Heidi’s contract per Greg’s direction when he returns. Ben stated that there was a goal summary developed; many goals will be accomplished in conjunction with the Board of Health.
- Larry informed the Board that he signed a letter of support for a grant that was submitted to the MDCH for the cardiovascular disease grant.
- Ted wanted to mention that the TYPE II water program staff sent a letter of appreciation and praise for Ryan Tetrault’s “high quality of work” that he maintains. They noted the following, “He has taken extra steps to insure the facilities he regulates are aware of their obligations under the safe Drinking Water Act.”

Motion for adjournment. 10:10 a.m.