

**Three Rivers District Health Department  
Board of Health Minutes  
June 28, 2010  
12:00 Noon**

**Members Present:**

Pendleton County	Henry Bertram, Judge Executive, Chairman Delbert Cox
Owen County	Carolyn Keith, Judge Executive Aileen Miller
Carroll County	Harold Tomlinson, Judge Executive Ben Kutnicki, MD
Gallatin County	Kenny French, Judge Executive Joe Mylor

**Staff Present:**

Georgia Heise DrPH, District Director  
Amy Young, Administrative Manager  
Marsha Kemper, District Secretary  
Justin Pittman  
Christy Ricketts  
Christel Buffin  
Sandy Forsee  
Ruth Kingkade  
Denise Bingham  
Michael Boisseau  
Carolyn Stewart  
Melody Stafford  
Allison Napier  
April Harris

**WELCOME AND CALL TO ORDER**

Judge Bertram welcomed everyone, declared a quorum present and called the meeting to order at Three Rivers District Office at 510 South Main Street, Owenton, KY at 12:00 noon.

**Topic:** Minutes of Meeting – March 24, 2010

**Discussion:** The Board reviewed the minutes of the March 24, 2010 meeting.

**Motion:** Judge French made a motion to approve the March 24, 2010 minutes as prepared. Judge Tomlinson seconded the motion, which passed unanimously.

**OLD BUSINESS**

**Discussion:** Amy Young reported to the board members concerning the problems with the entrance at the district office. Ms. Young said there was a meeting on March 29<sup>th</sup> at the district office that she had attended along with Judge Bertram, Judge Keith and Marsha Kemper. They met with Brian Young and Rick Davis from the local road department and Robert Han, Executive Director of the Transportation Cabinet. They reviewed the outside entrance and went over the paperwork and the approved permits that were filed by McDonalds. They discussed that Mayor Wotier had filed for a permit and gotten it approved to widen the entrance. Mr. Han also explained that Three Rivers has frontage rights in that area. He also said that five years ago when McDonalds was approved for the permit there was a stipulation that it would be reviewed periodically to see if there was a safety hazard with that entrance and exit. Mr. Han indicated that in order for McDonalds to get the documentation they agreed to negotiate with us and get our approval to share the entrance. To our knowledge that never took place and they went ahead with the idea that we agreed to everything but we did not. Mr. Han said he would investigate and see if there was any proof that there was an agreement between McDonalds and Three Rivers. He thought that if that agreement did not take place then Three Rivers could prohibit McDonald's from accessing our entrance. We did get notification from our lawyer, Todd Spurgeon, that McDonalds had legally asked us for an easement. Mr. Spurgeon says its on file that they no longer needed the easement because they had purchased the right of way from the state.

Judge Bertram told the board members that Mr. Han made some suggestions on how to widen the entrance down toward the city and would allow a permit for that. He suggested Three Rivers meet with the owners of McDonalds and explain we have a safety problem.

A discussion followed with the board members giving suggestions on how to alleviate the problems. It was decided Judge Keith and Ms. Miller would meet with James Payne about accruing 9 ft. of right away on his property for Three Rivers to use. If he agrees to this then a meeting should take place with the owners of McDonalds to discuss them sharing some of the cost.

**Motion:** A motion was made by Judge Tomlinson to have Judge Bertram, Judge Keith, Mr. Han, and our attorney, meet with the owners of the property where McDonalds is located to discuss these problems. Joe Mylor seconded the motion, which passed unanimously.

## **TRDHD Board of Health Minutes**

**June 28, 2010**

**Page 3**

### **NEW BUSINESS**

**Topic:** Operational Updates:

**Discussion:** Dr. Heise gave each of the board members a document developed by Dr. Rice Leach and several health department directors in 1999 titled Mandated Services. She explained the document lists services that the health departments are required by law to do and the services that are done because there is federal money associated with them. Dr. Heise said she has been asked to be on a committee of 10 directors and 10 members of the state health personnel office to review this document again. She stated they would be reviewing programs that are currently being done. Some of the programs may be stopped at the federal level because of the cost associated with them but the programs that are required by law would be harder to stop because it would take legislation to make those changes.

Dr. Heise reviewed items that are affecting our budget for the new fiscal year such as the retirement cost increase from 12% of the employee's income to 17% and the cut in our flexible money from the state by 52%. She stated we do not know yet what the insurance increase will be this year.

Dr. Heise gave out an organizational chart and told the board that we have 10 less employees than we did last year at this time because of retirement or resignations. She also gave the board a copy of the Three Rivers' Reduction in Force Plan Policy that the board had approved in 2004. Dr. Heise explained we have one employee that is affected by the lay-off proposal. The employee is a women's health nurse practitioner. In this position the employee can only perform the programs associated with women's health such as cancer screening, family planning, and STD. The employee's salary and benefits cost Three Rivers approximately \$90,000 a year and she saw an average of two patients a day at an average reimbursement per day of \$187. Dr. Heise explained that Three Rivers has contracts with physician's offices for the prenatal program and we can extend these contracts to include the services this employee performs at no cost. Dr. Heise told the board that is why she is proposing laying off this employee going into the new fiscal year.

Dr. Heise then explained to the board how the school nursing program has changed. She said Medicaid has changed the rates and how you could code to receive money and as a result we lost money in that program. Dr. Heise said she had met with each county involved and asked the schools to make up the difference. Gallatin County said they did not have the money. Pendleton County said they wanted to keep the nurses and would make up the difference. Owen County told us they wanted to keep the two nurses and will come up with the money also. Our budget does contain the school nurses and the home health agency without any lay-offs.

**TRDHD Board of Health Minutes**

**June 28, 2010**

**Page 4**

Dr. Heise ended her operational update by stating for the first time since she had been at Three Rivers we will have to take money out of the reserve to balance our financials for FY 09/10.

At the end of Dr. Heise's updates there was a lengthy discussion concerning the employee that was being laid off, the cuts from the state, the increases in the insurance premiums and the issues the home health agency is facing.

**Motion:** A motion was made by Judge Tomlinson to approve the lay-off of the employee, Lisa Glass. Judge Keith seconded the motion, the motion passed unanimously.

**Topic:** Budget FY 11

**Discussion:** Amy Young reviewed the handout the board members had received concerning the budget for FY 11. The first area Ms. Young went over was the expenditures. She reviewed the employees' salaries and fringe benefits, travel expenses, contracted expenses etc. She compared the projected numbers for the new fiscal year with last year's budget. She pointed out that this budget is approximately \$5.254 million as compared to last year's budget which was approximately \$5.8 million. Ms. Young then reviewed the receipts area of the budget and compared the receipts this year to last year's receipts at this time.

Ms. Young stated this budget has been made without any pay increases for the staff for this next year. She also stated we did not budget any money coming out of the reserve for the new year budget.

There was quite a lengthy discussion concerning the budget and the problems the home health area is facing. It was decided there should be a quarterly report sent to the board members concerning the budget and the issues with home health.

**Motion:** A motion was made by Joe Mylor to pass the budget on the condition that a quarterly report would be sent to each board member for their review of the home health issues and the budget. The motion passed with seven members approving the budget and one member voting no.

**Motion:** A motion was made by Judge French that the board members receive a copy of the budget next year a week before the board meeting with explanations of the various categories. Joe Mylor seconded the motion, which passed unanimously.

**TRDHD Board of Health Minutes**

**June 28, 2010**

**Page 5**

**Topic:** Policies

Cell Phone Policy

**Discussion:** Amy Young reviewed the Cell Phone Policy. Three Rivers is requiring our employees that we have issued cell phones to in the past to use their personal cell phones for business use. Ms Young stated she had consulted with several different auditing firms and found that the employees do not have to claim this on their W2's however, if they don't they are required to document each line item call as to whether it was for personal or business use. We have worked with our computer vendor and found a way of giving the qualified employees a \$25.00 stipend each month on one of their paychecks for the use of their cell phone. In doing this the money will be reflected on their W2's.

**Motion:** Judge Keith made the motion to approve the Cell Phone Policy. Ms. Miller seconded the motion, the motion passed unanimously.

Three Rivers District HIPAA Policy Revision

**Discussion:** Ms. Young stated we received a HIPAA template from a law firm through the Kentucky Home Health Association when HIPAA first came about. That law firm notified us that the American Recovery and Reinvestment Act required changes to our HIPAA Policies. That entity sent a template of the new HIPAA requirements. She asked the board members to approve the section for Breach of Notification in the HIPAA policy. This policy indicates who can report a HIPAA violation and what kind of agencies have to react to that. This also has larger penalties compared to what the other set of law was. We also had to have the language from the Breach of Notification reflected in our business association agreement. The Cabinet for Health and Family Services revised their business associate agreement.

**Motion:** Judge French made the motion to approve the policy. Ms. Miller seconded the motion, the motion passed unanimously.

**Topic:** District Office Parking Lot

**Discussion:** Judge Tomlinson stated he was still concerned about the back parking lot. He stated that he noticed Owen County was on the list due to the flooding. He asked Judge Keith if she would talk to NRCS and show them the bank at the back parking lot and see if we would qualify for funding to stabilize the bank. We may have to pay up front and then get reimbursed 80%. Judge French said the board can apply for this.

**TRDHD Board of Health Minutes**  
**June 28, 2010**  
**Page 6**

**Motion:** Judge Tomlinson made the motion to allow Judge Keith and Dr. Heise to meet with the personnel from NRCS to inquire about fixing the back parking lot. Joe Mylor seconded the motion, which passed unanimously.

**Topic:** Summer Work Program

**Discussion:** Judge Tomlinson suggested Three Rivers participate in the summer work program. It gives a chance to put some people to work and it doesn't cost anything.


**Topic:** Surplus Property

**Discussion:** Judge Tomlinson wanted to know about having a surplus sale. Dr. Heise said there was a surplus sale scheduled. Judge Tomlinson also questioned the status of the blue truck in the back parking lot.

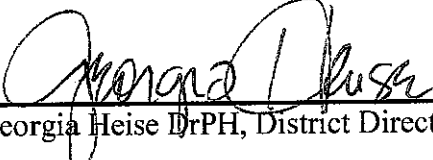
**Motion:** Judge French made the motion to sell the truck to the Owen County Fiscal Court for \$1.00. Joe Mylor seconded the motion, which passed unanimously.

**Adjournment**

Judge Tomlinson made the motion to adjourn. Joe Mylor seconded the motion, which passed unanimously.

  
\_\_\_\_\_  
Carolyn Stewart, for District Secretary 10/26/10  
Date

  
\_\_\_\_\_  
Henry Bertram, Chairman 10/26/10  
Date

  
\_\_\_\_\_  
Georgia Heise DrPH, District Director 10/26/10  
Date