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BERKSHIRE COUNTY BOARDS OF HEALTH ASSOCIATION

BCBOHA Executive Committee Meeting

December 19, 2012 – 12:45 PM

BRPC, 2<sup>nd</sup> Floor Conference Room, 1 Fenn St., Pittsfield, MA

Executive Committee Members Present: Jeff Kennedy, Erin Kirchner, Scott Koczela, John Olander, Mark Pruhenski

Executive Committee Members Absent: Manny Serrano, Ron Stant

Others Present: Nat Karns (BRPC)

BCBOHA Staff Present: Laura Kittross, Sandra Martin, Diane Persson

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## **12:46PM – Call to order by President Mark Pruhenski**

- *Minutes of November 21, 2012*
- *Minutes Fall Dinner Meeting / Annual Meeting November 1, 2012*
- *Strategic Planning Minutes (informational)*
  - J. Kennedy motioned, E. Kirchner seconded, unanimous approval of all minutes
- *Review of Contractor updates for November 2012*
  - J. Kennedy motioned, S. Koczela seconded, unanimous approval of contractor reports

## **Financial**

- *Grant Budget Reports*
  - L. Kittross reports that spending is on track
    - J. Kennedy motioned, E. Kirchner seconded, unanimous approval of grant budget report
- *Treasurer's Report*
  - As of 11/1/12 the account started with \$37,115.54. There were \$5716.61 in deposits, \$1,927.93 in expenditures, leaving \$ 40,904.22 as of 12/1/12
  - J. Kennedy will certify monthly
  - L. Kittross reports that the Treasurer's Report and bank statements balance
  - S. Koczela motioned, E. Kirchner seconded, unanimous approval of Treasurer's Report
  - Currently, L. Kittross and E. Lovejoy can sign BCBOHA checks
    - E. Lovejoy should be taken off and M. Pruhenski/J. Kennedy should be added
      - Need to go to bank, fill out forms, and make the switch
    - D. Persson will hold checks if L. Kittross is on vacation

## **Old Business**

- *PHEP Deliverables Update*
  - Spending is on track. Many deliverables are due at the end of December. Unclear about what next year's deliverables will be.
- *Grants*
  - HSC TTX Grant for Food & Water Emergency

- 4 Western MA Counties tested Food & Water and PIO SOGs
          - H. Barbieri, D. Persson and T. Williams facilitated
          - 2 small exercises and 1 larger exercise was done (Hampden, Franklin & Hampshire, and Berkshire)
          - AAR and Improvement plan to be completed
          - Great feedback from all of the groups
          - L. Kittross would like a mini version presented to the Executive Committee
  - CIC Grant (Sharps)
    - Requested \$50,000
    - About half of the program has been cut with the Governor's recent cuts
      - N. Karns reports that the odds of getting one of the remaining awards are slim; but, they hope to hear in January 2013
    - Group is still motivated to develop a program even without a grant; but, start-up funds would be helpful
      - M. Pruhenski pointed out that it would be very expensive for towns to come up with start-up funds on their own
        - L. Kittross said that some of the grant elements would need to be eliminated to help towns afford a program on their own (education campaign)
  - FEMA Grant (REAL Partnership)
    - Waiting to hear
  - SABIC Grant w/ Hospitality Green
    - Have already worked to train BOH members and staff for food inspections
    - Would like to work with schools on bettering air quality with cleaning products (3 trainings total)
  - Alliance BOH Training
    - A DPH approved orientation training is requirement of DIG grant
      - LPHI has an online program, MHAB has a program but it is seen as cost prohibitive
    - BRPC put out RFQ – BCBOHA submitted bid
      - All 32 BOH would be welcome
      - DPH has asked that we welcome other BOH from the State
      - There would be 3 trainings annually with refreshments
      - J. Olander asked about content requirements
        - S. Martin said it would need to include everything in the LPHI training, an exam, and a certificate of completion
        - LPHI has a 2 ½ hour online training with lots of videos
          - BCBOHA's would be another option
    - V. Nickerson Bird, J. Huebner, and T. Matuszko are on the review committee
      - Expect to hear within the next few weeks
- *Employees*
  - PHEP monies began in 2004/2005 initially to purchase equipment. By 2006, deliverables were attached to the money. In Berkshire county it made sense to centralize people and work with towns because of the distance and size of the County

- Independent contractors were hired because it was unclear as to how long the funds would be available (hourly rate, no benefits, contractors pay all of social security, no workers compensation, no unemployment)
- About 1 year ago, FRCOG (Franklin County's version of BCBOHA) was audited by the IRS & IRS determined their contractors should be employees
- 24 factors determine whether someone operates as an employee or as an independent contractor
  - Legally, we may be operating as employees
  - N. Karns said the US and MA Department of Labor are getting involved and has most recently fined a town \$30,000 for using independent snow plow operators
- BRPC has consulted their attorney (Brackett and Lucas) who say that now that we know about it, we have to do something about it
  - Alliance staff have to become employees
  - BCBOHA has several options
- Assumptions and Options with pros and cons handed out and gone through by L. Kittross
  - L. Kittross is looking for policy decisions from the Executive Committee – what is best for BCBOHA, not for the individual contractors.
    - Regardless of which way the Executive Committee decides to go, we can probably make the money work, although there will probably be fewer contractor hours available. Four options – two where contractors become BRPC employees, 2 where we become BCBOHA employees.
  - N. Karns said that if a person is a BRPC employee and works 20 or more hours, s/he has to be offered health benefits where person pays 25% and BRPC pays 75%
  - Alliance staff have no choice but option #1 (to become BRPC employees)
  - S. Martin asked if a grant was received by BCBOHA, could L. Kittross manage it as an employee of BRPC
    - N. Karns said it would be workable
  - S. Martin asked if a person could only be an employee of BRPC
    - N. Karns said that the contract could be written so, as a special employee, we could work for multiple agencies
- Poll of Executive Committee was taken:
  - J. Kennedy thinks that option 2 and 4 should be taken off the table and options 1 and 3 should be looked at further
  - E. Kirchner thinks option 2 should be eliminated
  - M. Pruhenski thinks that option 2 and 4 should be taken off the table and options 1 and 3 should be looked at further
  - S. Koczela favors option 3
  - J. Olander favors option 1 or 3
- If bid occurs, L. Kittross has asked T. Matuszko to have 6 months between bid process and start date so that if BCBOHA losses bid, staff could find alternate work
- If option #3, RFP and evaluation would need to be carefully crafted to reflect value of local knowledge and experience

- It is unclear as to which option costs more vs saves more
- J. Kennedy said he is leaning towards option #3 (if the numbers work out) because BCBOHA maintains more control
  - N. Karns cautioned to look at what BCBOHA would be maintaining control over (it's no fun to be the boss and supervise/evaluate people)
- S. Koczela said that we have to look at what is best for the organization
  - N. Karns said that the contract could be written so that the day-to-day operation does not change substantially
- S. Koczela asked what infrastructure would be needed
  - L. Kittross explained that a payroll company would have to be brought in to pay staff and file quarterly taxes with DOR, an accountant to file taxes, and an auditor (perhaps annually)
  - L. Kittross said she was concerned about loss of deductions for self-employment and health insurance
    - N. Karns said that BRPC has a flexible spending account option – costs are minimal to set up
- S. Koczela asked about additional duties/liabilities for Executive Committee
  - Not sure if there are additional liabilities
  - Annual performance reviews should be performed
    - Could be tasked out to the Director
  - Supervisory structure would need to be figured out
- J. Kennedy motioned, S. Koczela seconded, unanimous approval for pricing out option # 3 and # 1 with option # 3 being the focus

## **New Business**

- *Clerical help – Alliance*
  - J. Kimball has been ill and has made the Alliance think about having a back-up
  - Alliance has asked D. Persson to help cover meeting, minutes, mail, phone, etc.
    - S. Koczela asked if it would take D. Persson's time away from BCBOHA activities
      - No, it would not impact BCBOHA
    - Executive Committee agreed that it was a good idea, if it all worked out for D. Persson
- *Upcoming Conferences*
  - ServSafe for BOH members and staff – January 30<sup>th</sup> in Northampton
    - Taught by M. O'Leary
    - Being heavily subsidized by WMPHA
  - WMPHA Food Conference Feb 27, 2013
    - 4 hour training (disease investigation – 2 hours, food inspection – 1 hour, TBD – 1 hour)
    - Location – TBD in Northampton
  - WNV/EEE Conference April 24, 2013
    - Will be in Berkshire County
    - Vet, Agriculture, Mosquito Control Project representatives
      - May use WMPHA/LPHI money to help provide refreshments

**2:32PM – Adjourn – J. Kennedy motioned, J. Olander seconded, unanimous approval to adjourn**

**Documents distributed for meeting:**

- Agenda
- Minutes – November 21, 2012
- Contractor Updates – November 2012
- 2012 Fall Dinner Meeting Minutes – November 1, 2012
- Strategic Planning Minutes – November 1, 2012
- BCBOHA Consolidated Budget as of 11/16/12
- BCBOHA 2012 Treasurer’s Report as of 12/18/12 balanced through 11/30/12
- Employee Assumptions and Options handout

**Next meeting: January 16<sup>th</sup> @ 12:45PM**