



**Public Health**  
Prevent. Promote. Protect.

Idaho Public Health Districts

# IDAHO ASSOCIATION OF DISTRICT BOARDS OF HEALTH

## Executive Council Special Meeting

Friday, January 8<sup>th</sup>, 2021

10:30 a.m. to 12:00 p.m. MST/9:30 a.m. to 11:00 a.m. PST

Conference Call Instructions below:

<https://zoom.us/j/94691300731?pwd=QzV3czgrbFBvTWZYMHRjVEVvZFBsQT09>

Dial-In: 1-720-928-9299

Passcode: 433764

### Executive Council

Glen Bailey, District 1  
Greg Johnson, District 2  
Tom Dale, District 3  
Elt Hasbrouck, District 4  
Bob Kunau, District 5  
Ken Estep, District 6  
Bill Leake, District 7

### District Directors

Lora Whalen  
Carol Moehrle  
Nikki Zogg  
Russ Duke  
Melody Bowyer  
Maggie Mann  
Geri Rackow

1. Call to Order & Roll Call ..... Bob Kunau
2. Additional Agenda Items ..... Bob Kunau  
Bill made the motion to amend the agenda to talk about how public meetings are held. Bill wanted to confirm that this special meeting is in compliance with the Open Meeting Law (OML). Bill questioned and Melody confirmed that the notice and agenda of the special meeting were posted more than 24 hours in advance of the conference call. A discussion ensued about the different types of meetings, regular, special, and emergency, and their specific notification and agenda posting requirements. It was determined by the group that this conference call met the requirements of a special meeting. Bob asked the group for consensus to have the call. All agreed to proceed.
3. Approval of November 10, 2020 Conference Call Minutes..... Bob Kunau  
Elt moved to approve the minutes. Glen seconded the motion. All in favor. Motion passed.
4. Preparation for the 2021 Legislative Session ..... All
  - a) Update on what is being heard about legislative session topics .....Seth Grigg
    - Follow-up discussion from last legislative session with IAC, on consideration of the counties to take over LPH and fund LPH with county funds rather than the counties losing their revenue sharing from the state
      - Seth predicted the 2021 legislative session to have a fast and furious start. There is a lot of urgency to get the legislations out. He expected the house to roll out their plans on

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Robert Kunau  
PHD 5  
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Ken Estep  
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Bill Leake  
PHD 7  
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Tuesday, with similar early action from the senate announcing their intent for the session. He anticipates a robust discussion on the authority of PHDs. There continues to be misconceptions about the authority of PHDs out there. PHDs are being accused of ordering schools to close and activities to cease.

- Senator Vick talked publicly about requiring county board of commissioners to issue any orders, not PHDs. Seth foresees challenges with this proposal since the authority of the Board of County Commission is only outside the incorporated limits of cities. It is unclear whether the orders can be enforced inside the city limits because the issue with law enforcement.
  - Governance issue of PHDs regarding whether appointed officials can continue to serve on the Board of Health. The concern is the perceived lack of recourse and accountability of the appointees.
  - The legislature may try to do something about appropriation. However, since the State is obligated to fund PHDs, Seth thinks this might not be a real threat but more of posturing.
- Medicaid expansion and the implication of the higher than expected cost
    - Counties' available funding to support public health could potentially be connected to Medicaid expansion.
    - Last legislative session's estimate of Medicaid expansion was \$40 million. However, the annual obligation is looking closer to \$60M instead of \$40M. The legislature is looking at how to fund the difference. The concern is that the State could draw funds away from counties to fund Medicaid expansion. Another concern is the possibility of diverting revenue sharing away from counties to pay for Medicaid expansion.
    - Also, there is a concern that the State will no longer fund local public health districts (PHDs) and have counties pick up the tab to fully fund PHDs. So far, Seth has not seen any legislation on this matter. The State is more interested in diverting revenue sharing away from the counties because there is more money in that than the \$10M State funds the PHDs. Furthermore, it is unclear whether the Governor and the legislature are willing to let the counties solely fund PHDs, given that one county declared recently to defund PH. At this point, Seth and Chairman Wood are not aware of any legislation pertaining to PH.
    - Tom asked about the property tax relief/reduction and whether the property tax payers are expected to pick up the state PH funding reduction. Seth said that this has not come up. The legislature is more interested in instituting new caps and leaving the local government to meet PH funding obligations.
    - Elt mentioned that appointees are appointed by the county commissioners. The public still has recourse by voting out the commissioners. Elt thinks the appointees are valuable assets of the PHDs.
    - Seth agreed with Elt that we need diversity of opinions and medical perspective on the health boards. Health board appointees usually work in concert with their county commissioners and consult with their county commissioners before casting votes
    - Tom asked if Seth had a timeline on when the legislature will take up the PHD's issues. Seth stated that the legislative priorities are the authority of the executive branch and the legislature's ability to call itself into session. As part of that discussion, some actions on IDHW and PHDs are expected. The initial focus of the legislature will be on the authorities of the governor vs. legislature in a statewide emergency.

- Elt expressed concerns about counties taking up the full funding of PH. He thinks long term continued funding reduction will diminish PHDs. He asked about sales tax revenue sharing to counties, which is in excess of \$100M. Diverting revenue sharing will significantly cut the county budgets and devastate PHDs. District Directors are already struggling with funding PHDs by their counties. Seth advised this session will have a dozen big and heavy issues, a number of those involving PHDs and many of them will involve counties. Given that the authority of the PHDs regarding stay home order, etc. has been a divisive issue for counties, Seth anticipates it is going to be a difficult session for PHDs.
  - Bill pointed out that the legislators should look at what worked and what did not work. He hoped that legislators will be thoughtful and not make any hasty decisions. Bob concurred.
  - Elt asked about Mike Moyle’s property tax proposal and the changes suggested. Seth stated that there are two big issues and two property tax drafts. One relates to county government’s ability to accumulate fund balance. The current proposal caps fund balance at 3 month operating revenue and 1 month of reserves. This draft will adversely impact the counties’ ability to plan. The other proposal is a property tax cap – a hard 4% property budget growth cap. For some counties it is 3% and for others it is up to 4%. This can have a significant impact on counties, especially growing counties. This could create pressure point where counties will lose county revenues. If counties lose revenue sharing and have the added property tax cap, there will be a huge challenge for counties to fund public health adequately.
  - Elt just find out that SRS will not be renewed in 2023, an impact of \$1.1 to 1.2 M to his county. This could devastate counties and schools.
  - Seth was thanked for his comprehensive update.
- The Senate’s plan to introduce legislation based on their priorities, possible changes to PH powers and duties  
No discussion on this agenda item.
- b) Approval of hiring and paying a lobbyist to represent LPH using IAB funds (Action Item).....All  
The group discussed the time and the value of hiring a lobbyist to represent the PHDs. All agreed that given the current political climate and the potential issues facing the PHDs, the money will be well spent to prepare the health districts to better address any potential issues. Tom indicated that even though he is retiring this month, he still has a keen interest in public health and is willing to stay engaged and offer his help.  
Elt moved to hire Mike Kane for 3 months’ worth of work, approximate \$15,000, with the cost split amongst 7 PHDs. Seconded by Tom.  
Carol clarified that IAB conference office budget has the funds to pay for the lobbyist. The conference office currently carries a balance of \$51,435 in the IAB account. D2 currently is managing the IAB account and can handle the billing statements, invoices from Mike, and monthly reports for the EC Committee, if desired. Elt amended his motion to allow IAB to be the financial monitor of hiring Mike Kane. Seconded by Tom. All in favor. Motion passed.
- c) Communication channels and frequency for update on issues (Who does the lobbyist report to? How often?).....All

After a brief discussion, the group voted to have Mike Kane give weekly updates to the EC via regularly scheduled conference calls on Fridays at 10 a.m. MST. Melody agreed to check for Mike’s availability.

Tom moved to have weekly updates from Mike Kane on Fridays at 10 a.m., with the option to cancel if needed, pending Mike Kane’s availability. Greg seconded. All voted yes. Motion passed.

- d) Approval of reimbursing PHD5 for the legal bill incurred on behalf of IAB for the legal opinion on the permissibility of using public funds to pay for a lobbyist (Action Item).....Bob Kunau  
Glen moved to approve the payment of the invoice from D5’s lawyer using IAB funds. Seconded by Elt. All in favor. Motion passed.

- 5. Discuss DHR’s directive on 2% retroactive increase for targeted positions and health district employee salary compression issue .....Bob Kunau  
EC members shared their thoughts on this DHR directive. Bob also asked district directors to share their thoughts. Not all districts intend to implement this directive from DHR. It was pointed out that the 2% equity adjustment was included in last year’s CEC report published by DHR as well as in the Governor’s FY-2021 budget but was temporarily suspended due to the pandemic.

Bob asked if other districts are experiencing salary compression issues with long time employees. Maggie confirmed that D6 has a similar issue due to pay structure upward movement, but D6 has not done any adjustment this year due to the hardship experienced by counties during the pandemic. Additionally, PH is facing many uncertainties and potential negative budget impacts in the upcoming 2021 legislative session.

- 6. Contact Tracing Update.....All  
Bob asked how the districts are doing re contact tracing and expense reimbursement. Lora stated that most districts are not doing contact tracing anymore and are only able to do contact investigations, due to case surges. Geri reported that D7 is still doing some contact tracing. A contact tracing expense reimbursement spreadsheet was shared with the group. Elt requested the documents for contact tracing be sent to the group.

- 7. Meeting adjourned at 11:50 a.m.

- 8. Schedule next meeting.....Bob Kunau  
Friday, 1/15/2021, at 10 a.m. MST