

STATE OF TEXAS:

COUNTY OF MILAM:

BE IT REMEMBERED, that on Tuesday, the 22nd day of March A. D. 2016, the Commissioners' Court of Milam County, Texas, convened in Special Session in the Commissioners' Courtroom, Milam County Courthouse, 102 S. Fannin, Cameron Texas, with the following members of the Court present, to-wit:

DAVID BARKEMEYER, COUNTY JUDGE

RICHARD "OPEY" WATKINS, COMMISSIONER PRECINCT NO.1

DONALD SHUFFIELD, COMMISSIONER PRECINCT NO. 2

JOHN FISHER, COMMISSIONER PRECINCT NO. 3

JEFF MUEGGE, COMMISSIONER PRECINCT NO. 4

BARBARA VANSAN, COUNTY CLERK

Others present, to-wit

John Redington, Legal Counsel

Kyle Nuttall, Assistant County Attorney

And the proclamation having been made the Court was in session, the following business came on to be considered:

MILAM COUNTY HEALTH DEPARTMENT

1:30 P.M. – Judge called the meeting to order and established a quorum.

Judge asked Maribeth Sexton to introduce the Region 7, Texas Department of State Health Services personnel. After an introduction of the Commissioners Court Maribeth introduced the Texas Department of State Health Services, (DSHS) Health Region 7 (HSR 7) personnel. Present from DSHS was Dr. Sharon Melville, Medical Director for HSR 7; Keith Johnson, Asst Regional Director for HSR 7 and Debra Seamans, Communicable Disease Director for HSR 7.

Maribeth opened the discussion with a Transition Plan for Milam County Health Department (MC) to Texas Department of State Health Services (DSHS) Health Service Region 7 (HSR 7).

- Items were discussed off the background and introduction document (handout) including:
- Assumptions – What Milam County will do and what DSHS will do to transition services
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We have hurdles to overcome determining who owns the client information; equipment

DSHS HSR 7 will bring new services to Milam County such as 'population based services' and tobacco prevention. Examples of population based services are: adult obesity; childhood diabetes; drowning, diving off cliffs, etc whatever is identified as a problem in Milam County.

Maribeth – based on the transition plan the things DSHS HSR 7 will not do that Milam County Health Department does:

- We do test and treat inmates for Sexually Transmitted Diseases and HIV – Dr. Yoffee was informed when Melissa, our other nurse left that we may not be able to keep providing this service to the jail inmates. Legally any jail with over 100 beds is required to test and treat for STD/HIV if needed.
- Private pay services such as services given to Charlotte Pipe or influenza vaccine for the Medicare clients – Region cannot do because they do not have the funds to purchase private vaccines.
 - The county could possibly use AMR services to conduct these types of private pay services – if funding is there and approved. Do not know the hourly rate from AMR at this time.

Muegge – How much have we done for the jail?

Maribeth – In the last six months we have tested 46 clients for STD/HIV – how many are from the jail I don't know at this time.

Rae Beth Summers, MCHD Nurse – In the last six months we have done STD's for the jail.

Judge to Maribeth – you haven't discussed an assistant working with Lori

Maribeth – In the transition plan I have outlined that Lori cannot complete all the septic permitting requirements – today it is done by Olivia receiving the money and issuing the permit and giving to Danielle (our contractor) to review the plans, etc. I do the payment of related septic costs, i.e. Texas Commission on Environment Quality (TCEQ) reporting, research fees, etc) and violation/citation to the Justice of the Peace for prosecution. To have Lori do all of this is not practical – this position to assist Lori could be the clerk for private pay services and to do the Medicare billing for private pay influenza. Also this person could help Lori with Indigent care when she is sick and/or vacation as well as a closer look at the indigent services and billing.

Judge – If AMR goes into an agreement with the county

Rae Beth Summers – we have no idea what AMR will charge

Maribeth – yes, we have approached AMR about providing the services to make sure their medical director is fine overseeing the services and he is; however, we have not gotten to the level of what they charge us....

Shuffield – Will we be available to provide services as usual when setting up the days of operation in Milam County?

Debra Seamans, DSHS Region 7 – Yes unless there is a need for the nurse to be in another county because of a TB outbreak or something. If so, there would be a sign on the door stating where we are if we are not in the office, office is closed. We would provide the other county employees with a schedule of where the Milam County staff will be back as well as surrounding county's schedules incase the client is willing to go to Marlin, Hearne or some other HSR 7 clinic.

Fisher – are the larger counties going to get priority and leave us hanging?

Sharon K. Melville, MD,MPH, DSHS – Set schedules for every clinic in the region, even if we don't get the extra positions we are asking for if needed we can pull staff from other counties to get extra resources if needed.

Rae Beth Summers – only 1 day each in Cameron & Rockdale

Seamans – Let me clarify for the Commissioner. HSR 7 does not provide nurses in larger counties such as Waco-McLennan County that have their own local health departments. We only take care of the 23 counties outside of the local health departments in HsR 7. If we do get the extra two staff (registered nurse and human service technician) we will provide services in Milam County and in one other surrounding county. We work four – ten hour days so every week we would serve

Cameron one day; Rockdale another day and the 3rd day would be in another city in the surrounding county. The 4th day would be where the need is the greatest. If it is Cameron, then we would be in Cameron an extra day that week. That 4th day could be flexible depending on the needs. IF we do not get funded the extra positions then we will pull staff from other counties to provide services in Milam County at least one day a week switching between Cameron and Rockdale.

Judge - presuming you get the additional staff, you anticipate you would be in Cameron & Rockdale one day a week?

Seamans - we will pair Milam County with another county and could serve Cameron and Rockdale as described earlier. But know Milam County clients do not have to use only Milam County they can go to any other DSHS clinic for services. Traditional model is we have a registered nurse and a technician that cover two counties.

Johnson - For example, the people in Gause may go to our Lexington office because it is closer or they have business in Lexington.

Judge- what is the best timing?

Maribeth - we are in a holding period until a decision is made but the Preparedness grant is expiring on July 1, 2016 and they will be asking for us to renew on or around April 2016. The other grants expire on September 1, 2016.

Judge - If we are to continue with the Milam County Health Department because some of the staff is paid through the grants, we will need to re-apply for those grants.

Muegge - affects the Milam County Health Department staff?

Shuffield - how many employees do we have?

Maribeth - if fully staffed we have 7

- County Budget - myself, Dr. Richardson & Rae Beth
- If/when Region 7 gets their two new positions - they would have to open applications to the public but since our staff is qualified to work in a public health clinic and is bilingual I am sure they would be excellent candidates to become a state employee.
- My position and Dr. Richardson wouldn't continue as staff

Frank Summers - what happens to Preparedness?

Maribeth – Susan & I have talked about it; we talked about the Region taking it over and the pros/cons of trying to keep it within the county....it was decided to let the Region 7 take it over but Susan has agreed to manage the assets bought through preparedness here locally if it is allowed. Understand that any equipment bought with Preparedness money is available to anyone within the State of Texas and can be pulled if there is a hurricane in the valley or to wherever the need is

Frank Summers – Preparedness brings in lots of money

Muegge – we're in the center, would make more sense to keep the equipment here

Susan Reinders – I for one know what is here. The Judge and Maribeth know I am very strong on it staying here because we need it for training as well as to help ourselves in case we have something happen.

Melville – I think we would have it staying here

Maribeth – everyone knows Susan better than they know me; most everyone respects Susan and knows that if Susan says she will take care of the equipment – she will.

Muegge – what would the salaries for the new DSHS employees be?

Seamans – salaries – DSHS current RN starts at \$42,244 and Human Service Technical starts at \$23,781. We are allowed to hire within a range based on experience, location of the clinic etc.

Muegge – so that's what the starting out pay would be?

Seamans – not necessarily – depends on employee's experience and other factors

Sheffield – I would like for ya'll to say our employees would be considered for the positions. I'm not one for cutting employees.

Shuffield – would septic & WIC stay where they are?

Maribeth – the transition plan describes where departments would be; some small offices may not be needed & could used for others; we don't know what we will do with the space, my office & where Melissa (the nurse that left) sits. Would need to meet with the Region 7 folks to see what they need for clinic space.

Watkins – who would these two people remaining in the county answer to?

Maribeth – the Judge or whatever you all decide is appropriate

Judge – Indigent, Septic and WIC staff can answer to me on day – to – day operations, time/leave but if need something special would go before the Commissioners Court just like any other County office.

Judge – Lori and the other clerk can handle septic

Shuffield – keep inspector?

Maribeth – yes if commissioners agree to the plan I presented it has in the plan to keep the existing inspector.

Muegge – who would be doing the hiring for the clerk position?

Maribeth – Lori can hire the clerk and I would help if needed or Tiffany could sit in on the interview.

Fisher – has anybody from the Region looked / walked through to see if the space is ok

Maribeth – no they have not but I have been in a lot of Region 7 clinics in the past and what we have in Cameron and Rockdale will definitely meet or exceed their needs.

Rae Beth – TB would need more ventilation

Seamans – Region 7 normally do not do TB in the office – we go to the client’s home or we walk outside to do the services

Maribeth – what I can project is possibly just two-way locks on doors to allow security but allow fire exits if needed

Fisher – they (DSHS) may have other ideas

Judge – we did up the septic fees to better cover the costs of the inspector’s fee

Maribeth – all citations have been accepted by JP’s and all are paid fines – now that money does not come back into the health department’s budget – goes into the general fund

Shuffield – we will pay the utilities?

Danica – Currently all utilities are paid out of the General fund – not the health department budget

Maribeth – Danica will see decrease in her workload due to not having to pay all the bills from the grants and health department as well as payroll – also Tiffany keeping up with timesheets will go away.

- \$19,800 billed so far for Medicare reimbursement for private pay Influenza vaccine
- Can go up to \$25000 because we have several Medicare bills we could not process because we did not have all the information we needed to bill

Rae Beth Summers – we would do the Medicare & Medicaid billing?

Maribeth – if the commissioners agree with continuing private pay services as outlined on the plan, the clerk helping with Lori could bill Medicare for influenza vaccines.

Shuffield – if you (DSHS) see we need more ventilation who would pay?

Melville – DSHS would negotiate with County who pays what

Seamans – again if we see a TB patient we would more than likely go to the patient's home – so ventilation is not that important – a lot of our Region 7 clinics do not have the correct ventilation systems and we do fine

Maribeth – I do know we have enough space for clinics – have been in Region 7 clinics and ours will do just fine – just don't know if they will need all the space we have

Shuffield – we don't want to be blind sided with \$25,000 or \$30,000 in renovations

Maribeth – I would be truly shocked if it would be lot more than \$1000.00

Seamans – again we will work with the county on what has to be done not what we would like to have done

Shuffield – how soon could someone come look at the building?

Johnson – I can check with the part of the agency that does the memo of understandings with other counties to see how soon.

Maribeth – I have done an ADA assessment of the Cameron clinic and it looks like all that would need to be done would have one handicap bar needs to be put back on wall in bathroom that clients for Indigent and Septic would use

Johnson – Rockdale Office would stay the same

Judge – suggest approve this agreement with the understanding if the facility aspect is too much money the decision would change

Muegge – badge machine has our fire departments information data base so I would like that to be a condition as well

Reinders – so if we have an event our badge machine could be pulled, correct?

Rae Beth Summers – when would we get the badge machine back? We need it for our indigent clients.

Maribeth – we have just started badging our indigent clients since December 1st and Lori could schedule them out to avoid if machine is not here but we also could go back to the way we were giving the indigent clients a blue card with their information on it – if needed. There are other badge machines exactly like we have in Region 7 – ours is not the only one so maybe if one is needed another one could be pulled and not ours

Muegge – how many badge machines are in the region?

Melville – don't know how many badge machines are in the Region

Muegge – who is trained on it? The county needing badges could come here and it wouldn't have to leave here

Maribeth – Lori and Maribel are trained on how to make the badges. Some counties that have them are not using as we do.

Johnson – If it is needed it would only be a short period of time...we don't need it for our everyday business our badges come from DSHS in Austin.

Summers – from both sides; I am hearing all the ifs, ands, mights, possibilities – how can the region ask this group to make a decision? As a certainty of a concerned citizen “I'm hearing about the possibilities” not facts.

Maribeth – all the Commissioners were given information a copy of the transition plan that outlines what/how the services would be delivered. We are the only department in the County that can take this cut and still provide services to the citizens in Milam County. We want the citizen to see it as only changing the sign on the door from Milam County to DSHS but there are a lot of things that have to take place soon.

Judge – we need to give the Region something to work with; final pieces can be determined

Seamans – Region can provide services; services that we do for other counties

Judge – we have determined what can, shall stay with the county. My opinion – we need to make these changes in order to prepare for the 2017 budget.

Judge made motion to make decision to move Preparedness, Immunizations, Sexually Transmitted Disease, HIV and Tuberculosis to the Region with a memo of understanding with us retaining WIC, Septic, Indigent and possible private pay services for Charlotte Pipe, etc. We would house equipment here and not expect to incur any major costs. No second.

Patsy Gaines – I would like to say something if I may – if you decide to do away with the health department and if you ever wanted to bring back a health department to Milam County it would be almost impossible to do so.

Judge – that’s the reason I asked Maribeth to point out to you there are only 4 health departments with similar population size as Milam County. If we had the tax base like we did with Alcoa all of this would be different.

Maribeth – Dr. Richardson stated yesterday in 1952 the population was 25000 people which is about the same now

Judge – we are a county with a small tax base

Fisher – can we know what is going to happen?

Frank Summers – what happens if we have a turn around?

Judge - we won’t – there is no new industry coming to the county – we are getting away from coal

Muegge to Patsy Gaines – why would you never be able to go back to a Health department?

Gaines – the County doesn’t have the money. I know of a couple counties who tried and it didn’t happen.

Shuffield – I need to think about it a little more; I would like to put it on the agenda for Monday and vote on it then.

Maribeth – some of our grant money will be cut anyway – we are looking at a 30% reduction in Preparedness

Shuffield – maybe but I need more time to think about it

Fisher - hate to give it away

Curtis Chubb - so it would be open 1 day in Cameron & Rockdale? Would an additional nurse be hired?

Melville - shared information on the current schedule. One day in County if we don't get additional staff - at least two days a week if we get additional staff

Judge - if we go to the Region we will have less clinic time available for clients

Shuffield - if a year or so passes and you see we need more staff would more staff be hired?

Melville - we try to move our resources where the greatest needs are

Shuffield - I say we table the motion for Monday's meeting (3/28/16).

Maribeth - can we take a break for a few minutes so the Regional staff can depart if they want to?

3:05 break

3:15 Judge started meeting back up

Maribeth reviewed the 2nd Quarter Financial Report -

Septic complaint fee is new category want to capture on the financial report because it is a \$200.00 fee that the inspector charges to investigate. If the complaint results in a fine - that money is collected by the JP office it does not come back to our budget.

Grants -

- 30% reduction on preparedness if we remain Health Department
- we don't have enough money to run the department with ONLY the grant moneys and DSHS does not want 100% funding of a local health department - then it becomes a region model
- STD clients - we charge them \$20 - the Region will see everyone one for free
- Like Debra said if you have a outbreak DSHS goes where the need is and have a larger pool of staff than we do now
- TB testing we no longer do for the jail - they test and treat their inmates

Rae Beth Summers - we do have a MHMR client who we administer injections to; we do TB for employment and schools

Maribeth – I know Donald said it's not a big deal to delay but there is a lot to get done if the decision is made to go the Region

Shuffield – I did not say that

Maribeth – I hope you have been given enough information to make an informed decision on Monday if you have any questions please contact me and I will give you or find out the answer to what you need

Item #5 – CONSIDER AND POSSIBLY APPROVE AN EXTENSION OF THE MILAM COUNTY POWER CONTRACT THROUGH TEXAS ENERGY AGGREGATION –

Mike Carlisle representative for Texas Energy –

You are 2 years into a 4 year contract with Champion

The current contract ends January 2018

Champion is 0.05496 Energy charge per kWh

We have additional meters not on the contracts in Rockdale

TXU – 0.04070 January 2018 for 39 months

Delivery charge may change.

Motion made by Judge Barkemeyer, seconded by Commissioner Watkins to secure the rate of 0.04070 per kWh with TXU effective January 2018 for 39 months. The motion having been put to vote prevailed, the vote being unanimous.

Motion made by Commissioner Shuffield, seconded by Commissioner Muegge to adjourn the meeting at 3:40 p.m. This motion having been put to vote prevailed, the vote being unanimous.

The above and foregoing Minutes examined and approved in Open Court this 28th day of March 2016.

County Judge

State of Texas:
County of Milam:

I, Barbara Vansa, County Clerk, Milam County, Texas, attest that the foregoing is a true and correct accounting of the Commissioners' Court authorized proceedings for March 22 2016.

County Clerk and Ex-Officio Member of
Commissioners' Court, Milam County, Texas

STATEMENT OF APPROVAL

March 22 2016

Commissioner of Precinct No. 1

Commissioner of Precinct No. 3

Commissioner of Precinct No. 2

Commissioner of Precinct No. 4

SUPPORTING DOCUMENTS

HEALTH DEPARTMENT

Transition Plan for Milam County Health Department (MC) to Texas Department of State Health Services (DSHS), Health Service Region 7 (HSR7)

DSHS – HSR 7 (Map showing Local Health Departments & HSR7)

Chart referencing the Service Category, Currently Provided by, HSR 7 to Assume if LHD Discontinued, Describe Changes to be made by HSR7, Comments & Staffing

Charlotte Pipe 2015 – Itemization & Reimbursements

Medicare Billing September 2015 thru February 2016

Financial Quarterly Review

Milam County WIC – Project 105

November – December 2015 and January – February 2016

TEXAS ENERGY AGGREGATION

Information Booklet

Contract Management Agreement

Minutes from the March 22 2016 Milam County
Commissioners Court meeting ends on