

Health District
OF NORTHERN LARIMER COUNTY
BOARD OF DIRECTORS
REGULAR MEETING
September 27, 2022

Health District Office Building
120 Bristlecone Drive, Fort Collins

MINUTES

BOARD MEMBERS PRESENT: Molly Gutilla, MS DrPH, Board President
Julie Kunce Field, JD, Board Vice President
Joseph Prows, MD MPH, Board Treasurer
Celeste Holder Kling, JD, Liaison to UCH-North/PVH
Ann Yanagi, MD, Board Secretary

Staff Present:

Robert B. Williams, Executive Director
Dana Turner, HR Manager
James Stewart, MD, Medical Director
Karen Spink, Deputy Director
Richard Cox, Communications Director
Mike Ruttenberg, Connections Director
Jessica Shannon, Resource Development
Yaz Juneau, CIT Sr. Projects Coordinator
Gail Sheafor, Human Resources Specialist

Staff Present:

Xochitl Fragoso, Finance
Rosie Duran, LHC Program Coordinator
Julie Estlick, Communications Specialist
Maggie Mueller, Community Health Nurse
Julie Kenney, HR Administrative Assistant
Chris Roth, IT/Network Manager
Anita Benavidez, Executive Assistant

Public Present:

Terri Taylor

CALL TO ORDER; INTRODUCTIONS & APPROVAL OF AGENDA

Director Molly Gutilla called the meeting to order at 4:02 p.m.

MOTION: To approve the agenda as Presented

Motion by Julie Kunce Field / Second by Ann Yanagi / Carried Unanimously

DISCUSSION & ACTIONS

• ***Board Retreat Review – Molly Gutilla***

Board President Molly Gutilla thanked the Board again for their engagement in the retreat as they worked to define priorities and move forward together.

Executive Director, Robert Williams highlighted the statutory requirements for completing the Draft 2023 Budget. The draft budget must be to the Board by October 15. Anita will work with Board members to determine best delivery methods. The October 27, 2022 Board meeting is the opportunity to ask questions and have discussion on the proposed/draft budget. There will be a public hearing on November 14 with the requisite Notice of Public Hearing. The final budget will be approved in the December 13 Board meeting.

The Executive Director, Deputy Director, and Finance team have been working with staff to finalize the draft budget. A work session and executive session will be scheduled in conjunction with the October 27 Board meeting. Staff will send a budget timeline to the Board.

- ***Employment Policies and Employee Handbook – Dana Turner***

There are six Employee Handbook policy updates as well as two internal policies. The hope is for these policies to be effective October 1, 2022. Two include full internal policies as well. Ms. Turner acknowledged that she is new to this role and her intent is to finish the revisions that had been started by Deputy Director, Karen Spink. There has not been a full review of the handbook for quite some time and it is in need of updating with relevant policies. The typical process includes an annual review and there were emergency policy changes made throughout COVID but while changes to the law were addressed, a full review of the handbook did not occur. None of these policies are related to immediate changes in the law so there is no statutory urgency. Legal counsel and the Employers' Council have reviewed and provided input on the policies prior to submission to the Board. It was explained that the Employers' Council is a membership firm that specializes in employment law and are available for consultation. There has been research on remote work, discerning relevant information given the dramatically changing landscape in the past three years. Input from the Employers' Council, state and local governments, as well as Larimer County best practices, were considered.

There is a memo attached to each revision giving an outline and purpose of the changes. There are also new policies. New policies have no red-line version but revisions include both the final version and the redline version.

100.07 FLSA & Employment Types. This is an update with a focus on simplification and clearer understanding of employment classifications and categories. It is important to note that a new category has been added: Acting/Interim Appointments. The intent is to provide more opportunities for growth within the Health District, thereby increasing employee retention. These positions are limited to six months before posting for a competitive hiring process. Staff has started to do more internal posting prior to external. It was clarified that in Section 4 of the redlined version, the “and” for exempt employees is a “therefore”. The verbiage will be changed to reflect that clarification (i.e.,...and applicable state law and, therefore, are exempt from minimum...” Full-time employment status was changed from 30 to 40 hours and staff is considering prorating benefits based on employment status (full- or part-time). It creates continuity across the organization and provides simplification for budgeting purposes. There was discussion about how this change will affect benefits and the Health District's competitive edge in today's market place. There have been issues in the past with employees wanting to reduce hours while keeping full benefits. A Board member suggested that another situation that could lead to fewer hours would be a mandatory work slow-down due to budget concerns. The Board collectively expressed concern about limiting full benefits to 40-hour employees only, suggesting that full benefits could be offered at 32+ hours. The part-time status is based on an employee's regular work schedule, if the reduced hours go beyond five weeks it triggers some changes to benefits. The Board, in general, requested more time to consider full-scale revisions. Grant-funded employees are in a category of their own based on required monitoring and reporting, as well as tracking the end of a grant. A classified position is a position that meets the FLSA definitions. The new “Acting/Interim” position is an appointed position with salary determined by Human Resources with no mention of input from the leadership team. Staff assured the Board that the onus is on HR to collaborate with the leadership team in setting these salaries. A question was raised about whether an employee in their initial evaluation period could seek assignment. While an employee in their initial evaluation period is prohibited from seeking this position, the Executive Director can, in an emergency, make an exception to the policy.

Discussion circled back to the standard for full-time employees at forty hours. It was explained that this standard varies across the country and government statutes. The Board, again, expressed their concern about limiting full benefits to only 40-hour employees. Staff was requested to gather

additional information on this topic and an amended policy draft will be presented for consideration at a future board meeting.

100.09 Initial Evaluation Period and Internal Policy 3-22

This is a new subsection to the Employee Handbook as staff are rethinking the onboarding process. The Initial Evaluation period of six months applies to all new employees as well as employees transitioning to a new position. It places responsibility on the supervisor to provide guidance and creates dual accountability. If it turns out the position is not a good fit, it eases the process for release of the individual. The intent is that this 6-month period will be used to learn the job and establish a relationship with one's supervisor. Concern was raised about the potential for this to be perceived negatively by employees. The staff assured the Board that the intent is to ensure an interactive and participatory process. The Board requested that a self-evaluation component be added to the policy. Under the proposed policy, an employee who is in their initial evaluation period is not eligible for any competitive promotion. The Board collectively raised concern about the fairness to employees when the public can apply. A request was made to remove that limitation. Staff will make revisions and submit the amended policy for consideration at a future board meeting.

100.08 Residency Requirements. This is a new subsection based on prior discussions with the Board regarding ongoing out-of-state employment. Out-of-state employment complicates payroll and other elements required to meet different laws. With the exception of Wyoming, assuming the distance is commutable, there will be no out-of-state employment. There are currently two employees in this position. A Board member noted that the State requires Colorado residency and concern was expressed about taking care with regard to Wyoming requirements.

MOTION: To approve Employee Handbook Section 100.08: Remote Work
Motion by Joseph Prows / Second by Ann Yanagi / Carried Unanimously

100.10 & Internal Policy 3-21 Remote Work. This is a new subsection intended to clarify guidelines for employees authorized to work some portion of their schedule remotely. This is a simplified process that provides flexibility for the supervisor while prioritizing service delivery and the organization's mission. It is clearly stated that no position will be 100% remote. There is no minimum requirement for in-office hours as this is meant to be an interactive conversation between employee and supervisor. A question was raised about the impact of this policy on defining position descriptions. Staff indicated that position descriptions have been revised to focus on the job itself. Any opportunity for potential remote work will be included in the job posting. It gives each Program the flexibility to work within the needs of the team and service to our community. Procedures will be developed for remote work consideration. A question was raised about who, exactly, is executive leadership? That is evolving and will be posted to the intranet to let employees know the title and who currently fills that role. Staff will update the policy with suggested changes and will present the amended policy for consideration at a future board meeting.

Policy 3-21: Purpose. The Board felt that the phrase "no employee is entitled or guaranteed a remote work arrangement" isn't in full alignment with the employee handbook. Perhaps terms like "partially remote"; "option to work remotely"; and/or "eligible for consideration for remote work" could be used in the policy. The Board requested additional wording under Policy: add "or partner organizations" so the bullet would read "The necessity to interact with the public, other employees, or partner organizations in-person." Item 4 under the Policy subheading, the Board requested the addition of "or organizational extenuating circumstance" so that the statement would read "May authorize remote work on a temporary basis only due to extenuating circumstances the employee is facing or organizational extenuating circumstances." Staff will revisit changes to the policy and present an amended policy for consideration at a future board meeting.

600.06 Outside Employment. This policy is being updated with a cross-reference to the 100.10 Remote Work policy. Language has been updated to provide clarity and align with the remote work policy.

MOTION: **To approve Employee Handbook Section 600.06: Outside Employment**
Motion by Celeste Holder Kling / Second by Joseph Prows / Carried
Unanimously

400.06 Work Schedules. This subsection is being updated to remove language referencing an older telework policy (3-12) that will be retired.

MOTION: **To approve Employee Handbook Section 400.06: Work Schedule**
Motion by Celeste Holder Kling / Second by Julie Kunce Field / Carried
Unanimously

The Board requested that staff presents policy changes one month and the Board will make a decision the following month. They also request fewer at any given time. A Board member asked about turnover rate. There are 104 employees currently, including full-time, part-time and PRNs. In the March/April time frame, total headcount was 124 – 127. Human Resources, once they are able to implement an electronic Human Resource Information System (HRIS), will be able to better track turnover rates by program and across the organization. It was pointed out that the dental clinic is currently using temps because they haven't been able to hire needed staff. Other considerations for turnover include grant-supported positions that were hired as time-limited employees and were at the end of their period of time.

PRESENTATION

County Health Ranking and Roadmap – Robert Williams

This presentation will be carried over to another meeting, perhaps a work session.

PUBLIC COMMENT

None

UPDATES & REPORTS

Executive Director Updates – Robert B. Williams

Mr. Williams reported that the landscaping at the 120 and 202 buildings – cleaning up and providing a little more security for employees, is finished. A contract is currently being negotiated with SummitStone for rental of the 2001 Shields facility. The mobile unit will go to auction next month. A human resources audit will be conducted the first week in October, with an awareness that we are currently using out-of-date practices and systems. An outside organization (Employers' Council) has been engaged to perform the audit and a copy of the "Scope of Work" is in your packets. The IT audit, conducted by Istonish, is underway to avoid infrastructure issues moving forward and to make improvements system-wide. A report will be brought back to the Board for review. Mr. Williams hopes to have both of these reports back in time to inform the 2023 budget. July 2022 financials are in your packets. Generally, funds have been underspent across the organization. A revenue review is coming. Three high-level employees have resigned, including the Finance Director. Karen is currently appointed as the acting Finance Director as HR fast-tracks the hiring process. There are several resolutions around signature authority in the packet.

CONSENT AGENDA

- Approval of the August 23 (as amended) and September 19, 2022 Board of Directors Meeting Minutes

- July 2022 Financials
- Approval of Amendment to Policy 10-01: Financial Accounts Signature Policy
- Approval of Resolutions 2022-23 through 2022-33 updating signature authority

MOTION: To approve the consent agenda as presented

Motion by Celeste Holder Kling / Second by Ann Yanagi / Carried Unanimously

PUBLIC COMMENT (2nd opportunity)

ANNOUNCEMENTS

- October 27, 4:00 pm, Board of Directors Regular Meeting
- November 14, 4:00 pm – Board of Directors Regular Meeting and Budget Hearing
- November 16, 4:00 pm – Joint Board Meeting with UCHHealth
- December 13, 4:00 pm – Board of Directors Regular Meeting

ADJOURN TO EXECUTIVE SESSION

MOTION: To adjourn to Executive Session for *personnel matters regarding an Executive Director Contract review and Executive Director six-month Evaluation Plan per §24-6-402(4)(f) of the C.R.S.*

Motion by Joseph Prows/ Second by Celeste Holder Kling / Carried Unanimously

The Regular Board Meeting was adjourned at 6:05 pm.

Executive Session opened at 6:16 pm and closed at 7:17 pm.

Respectfully submitted:

Anita Benavidez, Assistant to the Board of Directors

Molly Gutilla, MS, DrPH, Board President

Julie Kunce Field, JD, Board Vice President

Celeste Holder Kling, JD, Liaison to UCH-North and PVHS Board

Joseph Prows, MD MPH, Board Treasurer

Ann Yanagi, MD, Board Secretary