

## **Metropolitan Board of Health of Nashville and Davidson County November 12, 2015 Meeting Minutes**

The meeting of the Metropolitan Board of Health of Nashville and Davidson County was called to order by Chair Sam Felker at 4:15 p.m. in the Board Room, on the third floor of the Lentz Public Health Center, 2500 Charlotte Avenue, Nashville TN 37209.

### **Present**

Sam Felker, JD, Chair  
Carol Etherington, MSN, RN, Vice Chair  
Alicia Batson, MD, Member  
Francisca Guzmán, Member  
Margreete Johnston, MD, Member  
William S. Paul, MD, MPH, FACP, Director of Health  
Jim Diamond, Interim Director of Administrative Services bureau  
John Finke, Director of Pollution Control division  
Corey Harkey, JD, Metropolitan Department of Law  
Josh Lee, JD, Metropolitan Department of Law

### **BOARD OF HEALTH**

#### **Title V Fee Schedule for Calendar Year 2015**

Mr. Finke presented the Title V Fee Schedule for Calendar Year 2015 (Attachment I) and requested the Board approve the schedule.

**Ms. Etherington made a motion to approve the schedule as presented. Dr. Batson seconded the motion, which passed unanimously.**

#### **Approval of Grant Applications**

Jim Diamond presented one grant application for approval:

Application to Robert Wood Johnson Foundation and Pew Charitable Trusts – Health Impact Project.  
Term: February 1, 2016 through October 31, 2016. Amount: \$45,000.00.

**Dr. Johnston made a motion to approve the grant application as presented. Ms. Etherington seconded the motion, which passed unanimously.**

#### **Approval of Grants and Contracts**

Jim Diamond presented one grant for approval:

Notice of Awards from HRSA: Ryan White Part A HIV Emergency Relief Grant Program. Term: March 1, 2015 through February 29, 2016. Amount: \$169,125.00 (carry-over).

**Dr. Johnston made a motion to approve the grants as presented. Dr. Batson seconded the motion, which passed unanimously.**

#### **Approval of October 22, 2015 Meeting Minutes**

**Ms. Guzmán made a motion to approve the minutes of the October 22, 2015 meeting as submitted. Dr. Batson seconded the motion, which passed unanimously.**

## **Report of the Chair**

Chairman Felker announced that he and Dr. Paul had met with Mayor Barry on October 23. Among the topics were:

- The priorities of the Department and how MPHD's work can be applied to the objectives that Mayor Barry had stated during the campaign, in particular regarding increasing the number of school nurses to increase the health and wellbeing of the students
- Public transit, including pedestrian spaces, biking, greenway, etc.
- Affordable housing
- The Breathe Easy (smoke-free multi-unit housing) campaign
- Mayor Barry had encouraged them to "think outside the box" in regard to replacing the Woodbine facility, and consider ways of addressing the needs of Southeast Nashville without bricks and mortar
- Healthy Nashville Leadership Council's continuation
- The Community Health Improvement Plan
- Mayor Barry asked what efforts would need to be made to have a zero euthanasia rate at Metro Animal Care and Control.

Chairman Felker announced that the meeting would be Dr. Batson's last as a member of the Board of Health. He thanked her for her dedicated service and valuable insight and contributions to the Board of Health.

The "Ban the Box" proposal would be addressed at a future meeting.

## **Report of the Director**

Dr. Paul referred to the Director's Update provided in the Board packet (Attachment II) and gave a brief summary of the report.

Dr. Paul also thanked Dr. Batson for serving on the Board of Health and for her participation in and significant contributions to the Healthy Nashville Leadership Council and the planning process for the Community Health Improvement Plan.

## **CIVIL SERVICE BOARD**

### **Personnel Changes**

Jim Diamond presented the personnel changes, which were unremarkable.

### **Grievance Appeal**

Chairman Felker announced to the Board that he and Dr. Batson, as the Personnel Committee members assigned to hear the grievance, had heard the Stage III Grievance Appeal of Thereasa Howse. Chairman Felker detailed the process the Personnel Committee had followed, and Dr. Batson explained that the Committee had found that the Department had violated neither Civil Service Rule 3.2 (Character of Applicant Assessment), nor Civil Service Rule 3.3 (Basis for Selection). The Personnel Committee recommended that the Board deny the appeal.

Chairman Felker allowed Brad Rayson and Corey Harkey five minutes each to present their positions to the Board. The Board heard from Mr. Rayson on behalf of Ms. Howse, and from Ms. Harkey on behalf of the Department.

Ms. Etherington made a motion to accept the Personnel Committee's recommendation to deny Ms. Howse's Stage III Grievance. Ms. Guzman seconded the motion. [The Board discussed the motion, including whether seniority should be given additional weight under the applicable Civil Service Rules.] Chairman Felker, Ms. Etherington, Dr. Batson and Ms. Guzman voted to accept the recommendation. Dr. Johnston voted to deny the Committee's recommendation. The motion passed.

#### **Consideration of Proposed Civil Service Rule 1.2 (Non-Civil Service Positions)**

Ms. Guzman made a motion to approve Civil Service Rule 1.2 (Non Civil Service Positions) as follows:

##### **1.2 NON-CIVIL SERVICE POSITIONS**

Vacant Non-Civil Service positions must be clearly identified as "Non-Civil Service." The chosen applicant must meet the minimum requirements of the applicable job description or approval must be obtained from the Board of Health, and the applicant must be informed of his/her Non-Civil Service status upon hiring. Standards for Non-Civil Service employees are set by the Board of Health and [are contained in Policy 1.2].

**The following positions are designated as Non-Civil Service:**

##### **A. Positions classified as Seasonal, Part-time, or Temporary:**

These positions are filled for short-term peak workloads, for special projects, for temporary needs (e.g. leaving the position vacant would have an adverse effect on government efficiency), or for positions whose regular assigned work schedule averages less than twenty (20) hours per work week on a regular basis.

This classification also includes positions in a ready reserve "pool" of qualified persons such as retired or former employees, PRN School nurses, etc., to supplement the regular work force. Pool employees report to work when needed because of periods of peak workload, employee absences, emergencies, or other short-term situations where the hiring of regular salaried employees or the use of overtime or a temporary agency is not effective or cost efficient.

**B. Contractual Positions:** These individuals are hired through written agreements for limited durations. The extension or renewal of an employment contract does not create an expectation of continued employment.

**C. Grant Funded Positions:** This status shall be used for employees hired after January 1, 2016 into positions funded by new grant programs.

These employees shall be entitled to vacation, sick leave, and other benefits as authorized and funded by their individual grants. Employees who were hired into a Civil Service position shall not be affected by this subsection.

**Dr. Johnston seconded the motion, which passed unanimously.**

#### **Consideration of Policy 1.2 (Non-Civil Service Employment Standards)**

Dr. Johnston made a motion to approve Civil Service Rule 1.2 (Non Civil Service Employment Standards) as proposed. Ms. Guzmán seconded the motion, which passed unanimously.

#### **Consideration of Civil Service Rule 5.3 (Absent Without Leave – AWOL)**

Chairman Felker made a motion to combine Civil Service Rule 5.3 (Absent Without Leave – AWOL) and Civil Service Rule 5.12 (Authorized Leave Without Pay). Ms. Etherington seconded the motion, which passed unanimously.

The Board deferred approval of the rule pending review of language.

**Consideration of Civil Service Rule 5.11 (Bereavement Leave)**

**Ms. Guzman made a motion to approve Civil Service Rule 1.2 (Bereavement Leave) as proposed. Ms. Etherington seconded the motion, which passed unanimously.**

**Consideration of Civil Service Rule 6.7 (Employee Grievance Procedures) – Section C (Non-Grievable Matters)**

**Dr. Batson made a motion to approve Civil Service Rule 6.7 (Employee Grievance Procedures) – Section C (Non-Grievable Matters) as proposed. Ms. Etherington seconded the motion, which passed unanimously.**

**Next Regular Meeting**

The next regular meeting of the Board of Health will be held at 4:00 p.m. on Thursday, December 10, 2015, in the Board Room (third floor) at 2500 Charlotte Avenue, Nashville TN 37209.

The meeting adjourned at 6:30 p.m.

Respectfully submitted,

Samuel L. Felker, J.D.  
Chair