



NORTH DAKOTA TOBACCO PREVENTION AND CONTROL EXECUTIVE COMMITTEE MEETING MINUTES - FINAL

1:00 p.m. to 3:00 p.m., Thursday, June 16, 2016

North Dakota Center for Tobacco Prevention and Control Policy – Offices, 4023 State Street, Bismarck, ND

PARTICIPANTS: Executive Committee members: Dr. Beth Hughes, Dr. Eric Johnson, Mr. Jay Taylor, all by phone.

Executive Director: Ms. Jeanne Prom.

| <u>AGENDA ITEMS</u> | <u>DISCUSSION & DOCUMENTS</u> | <u>POSSIBLE OUTCOME/ACTION</u> |
|---|-----------------------------------|---|
| Call to order, determination of quorum | | Chair Dr. Beth Hughes called the meeting to order at 1:00 p.m. with two members and a quorum present. Dr. Eric Johnson informed Executive Director Ms. Jeanne Prom that he would be joining at 1:15 p.m. |
| Adoption of agenda | | Mr. Jay Taylor moved to adopt the agenda as presented. Dr. Hughes seconded. Motion carried. |
| Approval of minutes from May 6, 2016 meeting | | Dr. Hughes moved to approve the minutes from the May 6, 2016 meeting as distributed. Mr. Taylor seconded. Motion carried. |
| Old Business | | |
| Advisory Committee -- terms | | Dr. Hughes has been in contact with her nominating organization, N.D. Society for Respiratory Care, to submit to the Governor's office the names of the three individuals who were nominated. When Dr. Johnson joined the meeting, he reported that the N.D. Medical Association submitted his name and two others to the Governor's office. The N.D. |

TOBACCO PREVENTION AND CONTROL EXECUTIVE COMMITTEE MEETING MINUTES -- FINAL

Thursday, June 16, 2016

| | | |
|--|--|---|
| | | Public Health Association will also need to submit names for nominees to replace Ms. Clara Sue Price. |
| 2013-15 biennial report | Mr. Taylor and Mr. George Keiser from the Advisory Committee and Ms. Prom attended a meeting May 13, 2016 with two of the governor's staff, Chief of Staff Mr. Ron Rauschenberger and Policy Advisory Ms. Tami Wahl, to discuss the 2013-15 biennial report. | Dr. Johnson joined the meeting at 1:16 p.m. The 30-minute meeting with Governor's staff on the biennial report was positive. Discussion focused on the progress made by the agency in reducing tobacco use, the 2017 legislative session, and the need for the agency and its trust fund to continue in order to further reduce tobacco use and health care costs. |
| New Business | | |
| Fiscal– April and May and fiscal reports and April investment report | Ms. Prom reviewed the April and May 2016 fiscal reports. The Executive Committee received and discussed the April 2016 investment report. The May investment report was not available. | Mr. Taylor moved to approve the April 2016 fiscal reports as presented. Dr. Johnson seconded. Roll call vote: Dr. Hughes – aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried. Mr. Taylor moved to approve the May 2016 fiscal reports as presented. Dr. Hughes seconded. Roll call vote: Dr. Hughes – aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried. |
| 2017-19 budget | Ms. Prom reviewed and the Executive Committee discussed the 2017-2019 budget draft. The law requires the agency fund a comprehensive program at | Dr. Johnson moved to approve the 2017-19 agency budget draft of \$18,254,923. Mr. Taylor seconded. Roll call vote: Dr. |

TOBACCO PREVENTION AND CONTROL EXECUTIVE COMMITTEE MEETING MINUTES -- FINAL

Thursday, June 16, 2016

| | | |
|--|---|--|
| | <p>the level recommended by the U.S. Centers for Disease Control and Prevention (CDC). The Governor has asked agencies to reduce State General Fund spending by 10 percent in their 2017-19 budgets, or otherwise look for efficiencies in spending of special or federal funds. The Center does not receive any State General Funds and is not required to reduce spending. The Department of Health's portion of the funding for the comprehensive program will be less in 2017-19 than in the current biennium, so this agency's 2017-19 budget will need to increase to maintain funding at the CDC Best Practices level.</p> | <p>Hughes – aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried.</p> <p>Dr. Hughes moved to request the status in the communications specialist position be changed from full-time temporary to full-time permanent in the 2017-19 agency budget submission. Dr. Johnson seconded. Discussion: This request will be made through a change package in the online budget submission process. The change will have minimum impact on the overall agency budget, as current overtime pay for this position would be replaced by cost of retirement benefits. Roll call vote: Dr. Hughes – aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried.</p> |
| Center update and approvals | | |
| FY2017 merit increases | <p>Ms. Prom requested this be decided at a special meeting to be held before the July 2016 payroll is due on July 26. Final Tobacco Settlement State Aid and local policy grants to local public health units are still being reviewed by staff and would be available for Executive Committee approval in a month.</p> | <p>The Executive Committee agreed by consensus to hold a special meeting from 1:15 to 3:00 p.m. on Thursday, July 21, 2016. Staff reviews, including Executive Committee review of the executive director, will be completed by that time.</p> |
| Memorandum of Agreement with N.D. Department of Health | <p>Ms. Prom reported that the memorandum of agreement was discussed at the monthly meeting with the department of health on June 1, 2016. The Executive Committee approved the language May 6, 2016.</p> | <p>The department of health reported on June 1, 2016 that the memorandum of understanding was held up with their grants and contracts manager.</p> |

TOBACCO PREVENTION AND CONTROL EXECUTIVE COMMITTEE MEETING MINUTES -- FINAL

Thursday, June 16, 2016

| | | |
|----------------------|---|---|
| Open records request | We completed fulfillment of the open records request from N.D. Petroleum Marketers Association. We billed NDPMA a total of \$3,259.10 for copies (25 cents/page), postage and allowable staff time at \$22/hour for locating documents. An additional 52.25 hours were incurred but not billed, and most of these hours were spent copying documents. After requesting from NDPMA their preferred method of delivery, we mailed the first box of materials to NDPMA on May 14, 2016 and the other three boxes on May 23, 2016. We received their request on May 2, 2016. No additional temporary help was hired to fulfill the request. Copies of all shared documents and other related records will be kept as required by law. | <p>The agency billed and received \$3,259.10 from N.D. Petroleum Marketers Association for allowed costs to fulfill open records request.</p> <p>The Executive Committee requested that Ms. Prom inquire if any funds from tobacco companies was used to pay for open records request expenses. The agency can accept another payment source, but cannot accept funds from tobacco companies.</p> |
| Indirect costs | Ms. Prom provided a history on Executive Committee action on indirect costs. Minutes from the July 23, 2010 and August 20, 2010 Executive Committee meetings include action setting the indirect cost rate at 9 percent with N.D. universities. Since that time, the Executive Committee has approved on a case-by-case basis different indirect cost rates for grants with N.D. universities, political subdivisions, non-governmental agencies, and proposals for evaluation services. Grant and contract approvals are included in the Executive Committee meetings. | Dr. Hughes moved that the Executive Committee continue to approve grant and contract indirect cost rates on a case-by-case basis as has been the practice since Fiscal Year 2012. Mr. Taylor seconded. Roll call vote: Dr. Hughes – aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried. |
| Temporary staff | Since FY2011, the Center has employed Ms. Linda Wurtz as temporary staff at \$50 per hour as a grants and contracts specialist. Ms. Prom requested that this employment continue and be documented with an employment letter issued every biennium and allow work hours as needed. Previous employment letters were issued each fiscal year with a set number of hours. | Mr. Taylor moved to approve employing Ms. Linda Wurtz at \$50/hour as a grants and contracts specialist, to be used as needed with approval from the Executive Director. The employment letter will be effective for the biennium. Dr. Johnson seconded. Roll call vote: Dr. Hughes – |

TOBACCO PREVENTION AND CONTROL EXECUTIVE COMMITTEE MEETING MINUTES -- FINAL

Thursday, June 16, 2016

| | | |
|--|--|---|
| | | aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried. |
| Local grants update -- FY2017 tobacco settlement state aid and FY2017 local policy grants | <p>FY2017 tobacco settlement state aid final awards-- Ms. Prom reported that Ms. Kelli Ulberg, Community Programs Manager, has determined client-based funding and is reviewing several requests for additional funding requests from local public health units.</p> <p>FY2017 local policy grants -- Ms. Prom reported that Ms. Ulberg and staff are reviewing local policy grant budgets.</p> | <p>At the May 6, 2016 meeting the Executive Committee approved the base amount of \$1,056,498 for FY2017 Tobacco Settlement State Aid grants to local public health units. At the next meeting, the Executive Committee will need to approve updated grant amounts reflecting client-based funding and approved additional funding requests.</p> <p>At the May 6, 2016 meeting the Executive Committee approved the total base amount of \$3,246,017 for all FY2017 local policy grants to local public health units. At the next meeting, the Executive Committee will need to approve individual FY2017 local policy grant amounts.</p> |
| Health communications update – FY2016 report and FY2017 plan | <p>Ms. Prom noted that Ms. Donna Thronson, health communications manager, provided the FY2016 health communications report which is in the meeting materials. FY2016 health communications costs will be within the budget in the FY2016 health communications plan.</p> <p>Ms. Prom noted that the FY2017 health communications plan provided by Ms. Thronson is similar to the FY2016 plan, but adds a new \$100,000 campaign targeting Millennials on the dangers of electronic cigarettes.</p> | <p>The Executive Committee will read the FY2016 health communications report on their own time.</p> <p>Dr. Johnson moved to approve the FY2017 health communications plan and budget of \$1,795,480. Mr. Taylor seconded. Roll call vote: Dr. Hughes – aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried.</p> |

TOBACCO PREVENTION AND CONTROL EXECUTIVE COMMITTEE MEETING MINUTES -- FINAL

Thursday, June 16, 2016

| | | |
|---|---|---|
| N.D. State University – FY2017 grant | Ms. Prom shared the FY2017 grant proposal from N.D. State University. Plan and budget were reviewed by Ms. Barbara Andrist, Mr. Larry Shireley, Mr. Rob Yost and Ms. Prom. NDSU reworked the proposal and budget to meet reviewers' requirements. The proposal is a pilot study of integrating Ask, Advise and Refer (AAR) into chiropractic clinics in a region to increase quit attempts and successful quitting, with the goal of expanding the approach statewide. | Dr. Johnson moved to approve the FY2017 grant with N.D. State University for \$218,669. Dr. Hughes seconded. Discussion: Mr. Taylor stated that he will be contracted for work on this grant, and therefore would be abstaining from voting on this motion. Roll call vote: Dr. Hughes – aye; Dr. Johnson – aye; Mr. Taylor – abstained. Motion carried. |
| FY2017 grants for point-of-sale assessment | <p>Ms. Prom presented the FY2017 proposal and budget from American Lung Association in North Dakota to build on point-of-sale assessment, reporting and education about the impact of point-of-sale marketing on youth tobacco use prevention. The education will use assessment data to build capacity for comprehensive, evidence-based approaches to reduce youth access to tobacco and promote environments that support cessation.</p> <p>Ms. Prom presented the FY2017 proposal and budget from Counter Tools to continue assessment and data reporting of point-of-sale environments statewide. Ms. Thronson and Ms. Prom reviewed the proposal and the proposal was discussed with BreatheND staff.</p> | <p>Mr. Taylor moved to approve the FY2017 point-of-sale grant with American Lung Association in North Dakota for \$92,261.05. Dr. Johnson seconded. Roll call vote: Dr. Hughes – aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried.</p> <p>Dr. Hughes moved to approve the FY2017 grant with Counter Tools for \$51,388. Mr. Taylor seconded. Roll call vote: Dr. Hughes – aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried.</p> |
| Program Reporting System (PRS) enhancement phase 1 and maintenance/gap analysis | Ms. Prom presented one new and one updated Information Technology Department (ITD) work order. New work order ITD-2015-3 -- Enhancement – allows Nexus Innovations to enhance the current Program Reporting System (PRS) to better capture and aggregate data, including policy data, from all organizations implementing the State Plan (BreatheND, department of health, grantees). Ms. Kelli Ulberg and | Dr. Hughes moved to approve the Information Technology Department (ITD) work order ITD-2015-3 – Enhancement for \$200,000, effective May 11, 2016 through December 31, 2016. Mr. Taylor seconded. Roll call vote: Dr. Hughes – aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried. |

TOBACCO PREVENTION AND CONTROL EXECUTIVE COMMITTEE MEETING MINUTES -- FINAL

Thursday, June 16, 2016

| | | |
|---------------------------|---|--|
| | <p>Ms. Prom reviewed the work order and approved it on May 11, 2016, as it was within agency budget.</p> <p>Work order change to ITD-2015-1 -- Center maintenance – adds an additional \$22,500 to the \$37,000 already approved for work that includes identifying business processes and gaps and other maintenance.</p> | <p>Dr. Hughes moved to approve the amendment to ITD-2015-1 -- Center maintenance for an additional \$22,500. Mr. Taylor seconded. Discussion: The total for ITD-2015-1 after this amendment is \$59,500. Roll call vote: Dr. Hughes – aye; Dr. Johnson –aye; Mr. Taylor – aye. Motion carried.</p> |
| Special Initiative Grants | <p>Ms. Prom presented a request from Ms. Barbara Andrist, statewide programs manager, to approve the FY2017 special initiative grant proposal from American Lung Association in North Dakota, to implement portions of the State Plan, similar to previous years' grants with this organization. BreatheND staff reviewed the proposal and budget. The FY2017 work plan includes additional strategies for emerging products in current policy and law, specific work on smoke-free multi-unit housing, and engaging new local and state partners to support the State Plan and continuation of the current state law that established the comprehensive program at BreatheND.</p> <p>Ms. Prom presented a request from Ms. Andrist to add \$26,000 to the FY2016 special initiative grant with American Nonsmokers' Rights Foundation. The amendment would fund increases in salary, fringe, rent and additional work with local coalitions.</p> | <p>Dr. Hughes moved to approve the FY2017 special initiative grant with American Lung Association in North Dakota for \$100,682.50. Mr. Taylor seconded. Roll call vote: Dr. Hughes – aye; Dr. Johnson – aye; Mr. Taylor – aye. Motion carried.</p> <p>Dr. Johnson left the meeting at 3:15 p.m.</p> <p>Dr. Hughes moved to approve the amendment to the FY2016 special initiative grant with American Nonsmokers' Rights Foundation for an additional \$26,000. Mr. Taylor seconded. Roll call vote: Dr. Hughes – aye; Dr. Johnson – absent and not voting; Mr. Taylor – aye. Motion carried.</p> |

TOBACCO PREVENTION AND CONTROL EXECUTIVE COMMITTEE MEETING MINUTES -- FINAL

Thursday, June 16, 2016

| Other business | | |
|----------------|--|--|
| Next meeting | | The next Executive Committee meeting will be 1:15 to 3 p.m., Thursday, July 21, 2016 at BreatheND or by phone. |
| Remuneration | | Committee members should print the FY2016 remuneration form from the website, complete and submit to the Center. |
| Adjourn | | Mr. Taylor moved the meeting be adjourned. Chair Dr. Hughes adjourned the meeting at 3:30 p.m. |