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

1:00 p.m. to 3:00 p.m., Wednesday, August 12, 2015

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, and Mr. Jay Taylor. **Executive Director:** Ms. Jeanne Prom.

<u>AGENDA ITEMS</u>	<u>DISCUSSION</u>	<u>OUTCOME/ACTION</u>
Call to order, determination of quorum		Chair Dr. Beth Hughes called the meeting to order at 1 p.m. Executive Director Ms. Jeanne Prom took roll and determined that a quorum was present.
Adoption of agenda		Mr. Jay Taylor moved to adopt the agenda as distributed. Dr. Eric Johnson seconded. Motion carried.
Approval of minutes from March 25, June 10 and July 22, 2015 meetings		Dr. Johnson moved to approve the minutes from the March 25, June 10 and July 22, 2015 meetings with the correction of one typographical error on page 1 of the March 25 minutes and the removal of language on a separate motion on pages 3-4 in July 22, 2015 minutes. Mr. Taylor seconded. Motion carried.
Old business		
	The Executive Committee discussed previously approved contracts with Tobacco Control Legal Consortium, N.D. Department of Health and N.D. State Investment Board.	

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	<p>Ms. Prom clarified that the previously approved contract with Tobacco Control Legal Consortium is not a new contract, but a contract extension. The original 2013-15 contract for \$70,000 was increased to \$150,000 and extended through June 30, 2017.</p> <p>Ms. Prom provided the final contract language for the previously approved \$500,000 grant to the N.D. Department of Health, and reported that both agencies agreed to a one-year, rather than a two-year, contract. The final contract language did not differ significantly from earlier draft contract language the Executive Committee had reviewed.</p> <p>The Executive Committee discussed the paperwork processed and to be processed with the State Investment Board for investing the Tobacco Prevention and Control Trust Fund.</p>	<p>Mr. Taylor moved to approve listing Ms. Prom as the trustee and Dr. Hughes as the signatory for the Executive Committee on the Investment Management Agreement with the State Investment Board. Dr. Johnson seconded. Roll call vote: Mr. Taylor – aye; Dr. Johnson – aye; Dr. Hughes – aye. Motion carried.</p>
<p>New business</p>		
<p>Fiscal report – May and June 2015</p>	<p>Ms. Prom explained the reports. The agency expended 87 percent of its biennial appropriation, or \$13,744,928.08 of \$15,815,828, in 2013-15.</p>	<p>Dr. Johnson moved to approve the fiscal reports from May and June 2015. Mr. Taylor seconded. Roll call vote: Dr. Johnson – aye;</p>

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		Mr. Taylor – aye; Dr. Hughes – aye. Motion carried.
2015-16 Interim	The agency is involved in the legislative interim, but does not have to report quarterly to any interim committee.	Center staff will monitor several interim committees, and will report to the Health Services Committee once by September 1, 2016 on the grant to the N.D. Department of Health. The State Auditor will report the results of the agency’s annual audit to the Legislative Audit and Fiscal Review Committee once the audit is completed.
Center updates and approvals	Ms. Prom provided an additional update on the process with State Investment Board to actively invest our trust fund.	Investment of the trust fund will likely begin the end of September 2015.
	Ms. Prom provided an update on leasing office space. Currently, the agency has a month-to-month lease in its present location, but Ms. Prom is investigating costs of additional space on site as well as securing new office space in another location.	Ms. Prom is considering two options for office space, including remaining in the current location and renovating additional space for a larger conference room. Ms. Prom and staff are also negotiating on space in another location, but have not received a final firm offer on costs of that space. The Executive Committee will act on any recommendations from Ms. Prom for leasing office space for the remainder of the 2015-17 biennium.
	The Executive Committee reviewed the list and amounts of FY 2016 Local Policy Grants and the FY 2016 Tobacco Settlement State Aid Grants. See attached lists.	Mr. Taylor moved to approve the FY2016 Local Policy Grants and FY2016 Tobacco Settlement State Aid Grants as described on the attached lists. Dr. Johnson seconded. Roll call vote: Mr. Taylor – aye; Dr. Johnson – aye; Dr. Hughes – aye. Motion carried.
	The Executive Committee reviewed the Special Initiative Grants funding	Dr. Johnson moved to approve the following FY 2016 Special Initiative Grants: Tobacco

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	<p>recommendations for FY2016 grant applicants. A review committee including Center staff, Dr. Hughes, and outside reviewers scored the grant applications and provided the funding recommendations.</p>	<p>Free North Dakota -- \$90,790; American Lung Association -- \$99,559; American Nonsmokers' Rights Foundation -- \$100,000; and North Dakota State University -- \$29,545. Mr. Taylor seconded. Roll call vote: Mr. Taylor – aye; Dr. Johnson – aye; Dr. Hughes – aye. Motion carried.</p>
	<p>Ms. Prom explained that the contract with Newz Group for news clipping services is a two-year, sole-source contract, estimated at \$24,000 based on a cost-per-clip rate. The contract will include an optional two-year extension. Ms. Donna Thronson is working with the State Procurement Office on the final contract.</p>	<p>Dr. Hughes moved to approve the two-year contract with Newz Group for \$24,000, with an optional two-year extension. Dr. Johnson seconded. Roll call vote: Mr. Taylor – aye; Dr. Hughes – aye; Dr. Johnson – aye. Motion carried.</p>
	<p>Ms. Prom explained that \$16,000 is this agency's share of estimated biennial costs to maintain and operate the Program Reporting System (PRS) via a Memorandum of Understanding with the owner of PRS, the N.D. Department of Health.</p> <p>In addition to the shared PRS costs with the Department of Health, this agency has a separate Information Technology Department (ITD) work order for PRS maintenance to complete work solely for Center reporting requirements.</p>	<p>Dr. Hughes moved to approve the MOU with the N.D. Department of Health for cost sharing of the maintenance, hosting and storage for the Program Reporting System. Biennial costs for this agency are estimated at \$16,000. Roll call vote: Mr. Taylor – aye; Dr. Hughes – aye; Dr. Johnson – aye. Motion carried.</p> <p>Mr. Taylor moved to approve an additional ITD work order of \$20,000 for PRS maintenance needed for the Center's unique grantee reporting requirements in 2015-17. Dr. Hughes seconded. Roll call vote: Mr. Taylor – aye; Dr. Hughes – aye; Dr. Johnson – aye. Motion carried.</p>

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	<p>Ms. Prom briefly explained draft bylaws requested by and for the Advisory Committee, called “Guidelines for Operations of the N.D. Tobacco Prevention and Control Advisory Committee.” In drafting these bylaws, Ms. Prom and Assistant Attorney General Dave Schaibley believed bylaws would be appropriate for the both the Advisory Committee and the Executive Committee. Thus, they drafted Executive Committee bylaws for additional consideration.</p>	<p>The Executive Committee decided to table any decision on bylaws until the next Executive Committee meeting October 7, 2015. Before that meeting, the committee members should read both bylaw drafts.</p>
	<p>Ms. Prom explained the FY2016 Health Communications Plan, and briefly explained the FY2015 Health Communications Plan report. Both the plan and report were provided by Ms. Thronson.</p> <p>The Center will conduct comprehensive public education on the new law that prohibits sales of electronic cigarettes to minors, requires clerk-assisted sales and child-resistance containers for electronic cigarettes and liquid nicotine.</p>	<p>Dr. Hughes moved to approve the FY2016 Health Communications Plan. Mr. Taylor seconded. Roll call vote: Mr. Taylor – aye; Dr. Hughes – aye; Dr. Johnson – aye. Motion carried.</p> <p>Mr. Taylor moved to approve the ad on the new electronic cigarette law. Dr. Johnson seconded. Roll call vote: Mr. Taylor – aye; Dr. Hughes – aye; Dr. Johnson – aye. Motion carried.</p>
	<p>Ms. Prom briefly explained drafts of chapters 4 through 7 of the Center policy manual. The Executive Committee previously approved Chapters 1 through 3, and additional chapters are drafted, and will be reviewed at future meetings. The Executive Committee discussed how the</p>	

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	<p>agency uses the OMB Policy Manual for its policy manual for any chapters not yet approved by the Executive Committee. The Executive Committee and Ms. Prom discussed the value of investing staff time in writing a separate agency policy manual, especially when all agency policy manuals are based on State law and administrative rules, and need updating regularly. Other small agencies without human resources staff use the OMB policy manual, according to OMB.</p>	<p>Dr. Hughes moved that the Center continue to use the N.D. Office of Management and Budget Human Resource Management Services Policy Manual for the Center policy manual. Center staff should continue to draft the Center policy manual, referring to the OMB HRMS Policy Manual whenever possible. Mr. Taylor seconded. Motion carried. The</p>
<p>Other business</p>		
<p>Remuneration</p>		<p>The next Executive Committee will be from 1-3 p.m., Wednesday, October 7, 2015 at the Center or by phone. Committee members should print the FY2015 remuneration form from the website, complete and submit to the Center.</p>
<p>Adjourn</p>		<p>Mr. Taylor moved the meeting be adjourned. Dr. Johnson seconded. Dr. Hughes adjourned the meeting at 3:00 p.m.</p>

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LOCAL POLICY GRANT							
JULY 1, 2015 - JUNE 30, 2016							
Contract #	HEALTH UNIT	TOTAL GRANT REQUESTED	ADDITIONAL FUNDS REQUESTED (AMENDMENT A)	ADDITIONAL FUNDS REQUESTED (AMENDMENT B)	ADDITIONAL FUNDS AMENDMENT TOTAL	APPROVED	FULLY EXECUTED AMENDMENT
G15-1	Bismarck-Burleigh Public Health	306,021.40			\$ 306,021.40		Yes
G15-2	Cavalier County Health District	47,473.00			\$ 47,473.00		Yes
G15-3	Central Valley Health Collaborative	208,773.00			\$ 208,773.00		Yes
G15-4	City-County Health District	69,888.00			\$ 69,888.00		Yes
G15-5	Custer Health	179,853.98			\$ 179,853.98		Yes
G15-6	Dickey County Health District	51,729.00			\$ 51,729.00		Yes
G15-7	Emmons County Public Health	45,950.00			\$ 45,950.00		Yes
G15-8	Fargo Cass Public Health	201,646.10			\$ 201,646.10		Yes
G15-9	First District Health Unit	336,433.00			\$ 336,433.00		Yes
G15-10	Foster County Health Department	45,979.00			\$ 45,979.00		
G15-11	Grand Forks Public Health Department	236,990.00			\$ 236,990.00		
G15-12	Kidder County Public Health Dept	32,854.63			\$ 32,854.63		Yes
G15-13	Lake Region District Health Unit	120,885.25			\$ 120,885.25		Yes
G15-14	Nelson Griggs District Health Unit	61,396.91			\$ 61,396.91		Yes
G15-15	Pembina County Health Department	50,051.83			\$ 50,051.83		Yes
G15-16	Ransom/Sargent Collaborative	93,390.36			\$ 93,390.36		Yes
G15-17	Richland County Health Department	86,315.00			\$ 86,315.00		Yes
G15-18	Rolette County Public Health District	82,081.00			\$ 82,081.00		Yes
G15-19	Southwestern District Health Unit	177,397.65			\$ 177,397.65		Yes
G15-20	Towner County Public Health District	42,643.00			\$ 42,643.00		
G15-21	Traill/Steele Collaborative	62,899.47			\$ 62,899.47		Yes
G15-22	Upper Missouri District Health Unit	187,824.22			\$ 187,824.22		Yes
G15-23	Walsh County Health District	70,083.00			\$ 70,083.00		Yes
G15-24	Wells County District Health Unit	48,766.24			\$ 48,766.24		Yes
TOTAL:		2,847,325.04	\$ -	\$ -	\$ 2,847,325.04		

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FY2016 Tobacco State Aid Funding		(1)	(2)	(3)	(4)
8.5.15		FY2016			
Contract #	HEALTH UNIT	Base Amount	Client Based Funding	Additional Funds Requested	Total Tobacco State Aid for FY2016
G15-25	Bismarck Burleigh Public Health	\$ 88,051	\$ 4,190		\$ 92,241
G15-26	Cavalier County Health District	\$ 8,615	\$ 458		\$ 9,073
G15-27	Central Valley Health District	\$ 30,246	\$ 2,233	\$ 6,789.00	\$ 39,268
G15-28	City County Health District	\$ 14,845	\$ 1,235	\$ 3,107.00	\$ 19,187
G15-29	Custer District Health Unit	\$ 67,105	\$ 5,258		\$ 72,363
G15-30	Dickey County District Health Unit	\$ 9,816	\$ 1,202	\$ 3,457.06	\$ 14,475
G15-31	Emmons County Public Health	\$ 8,176	\$ 918	\$ 2,418.00	\$ 11,512
G15-32	Fargo Cass Public Health	\$ 153,566	\$ 2,648	\$ 18,320.79	\$ 174,535
G15-33	First District Health Unit	\$ 124,411	\$ 7,908		\$ 132,319
G15-34	Foster County Health Department	\$ 8,263	\$ 487	\$ 2,217.72	\$ 10,967
G15-35	Grand Forks Public Health Department	\$ 66,056	\$ 2,489		\$ 68,545
G15-36	Kidder County District Health Unit	\$ 7,292	\$ 307	\$ 3,188.80	\$ 10,787
G15-37	Lake Region District Health Unit	\$ 43,400	\$ 1,684		\$ 45,084
G15-38	LaMoure County Public Health Unit	\$ 8,800	\$ 493		\$ 9,293
G15-39	McIntosh District Health Unit	\$ 7,533	\$ 138	\$ 2,342.00	\$ 10,013
G15-40	Nelson Griggs District Health	\$ 15,038	\$ 418	\$ 5,614.00	\$ 21,070
G15-41	Pembina County Health Department	\$ 11,397	\$ 384		\$ 11,781
G15-42	Ransom County Public Health Department	\$ 10,021	\$ 809	\$ 8,443.28	\$ 19,273
G15-43	Richland County Health Department	\$ 19,385	\$ 1,283	\$ 1,000.00	\$ 21,668
G15-44	Rolette County Public Health District	\$ 18,589	\$ 1,245	\$ 8,405.00	\$ 28,239
G15-45	Sargent County District Health Unit	\$ 8,782	\$ 199	\$ 5,092.32	\$ 14,073
G15-46	Southwestern District Health Unit	\$ 84,288	\$ 2,828		\$ 87,116
G15-47	Steele County Public Health Department	\$ 6,949	\$ 97		\$ 7,046
G15-48	Towner County Public Health District	\$ 7,356	\$ 152		\$ 7,508
G15-49	Traill District Health Unit	\$ 12,271	\$ 78		\$ 12,349
G15-50	Upper Missouri District Health Unit	\$ 72,508	\$ 5,884		\$ 78,392
G15-51	Walsh County Health Department	\$ 14,903	\$ 848		\$ 15,751
G15-52	Wells County District Health Unit	\$ 9,083	\$ 258	\$ 3,229.08	\$ 12,570
		\$ 936,745	\$ 46,129	\$ 73,624	\$ 1,056,498