



Food Service Advisory Committee

(FSAC) Meeting Minutes

February 12, 2018 2:30 – 4:30

Members Present: Jeff Franzoia (Chair), Chris Heuchert, Barb Eveland, Carol Lee Woodstock

Excused Members: Jon Suttan (Vice-Chair)

Staff Present: Bill Emminger, Robert Baker, and Paula Felipe (recorder)

I. Call to Order

The meeting was called to order at 2:30 pm by Franzoia, Chair

II. Introductions and Citizen Comments. None

III. Approval of the Agenda

The February 2018 Agenda was presented for approval. *Correction: The Agenda should state we are reviewing minutes dated November 2017 (not September 2016).*

Motion was made to approve the February 12, 2018 Agenda as amended. Approved by unanimous vote.

IV. Approval of the Minutes

Correction: Carol Lee Woodstock should be listed as absent on attendees list. Motion made to approve the November 2017 Minutes as amended. Approved by unanimous vote.

V. Health Space Update - Bill Emminger and Robert Baker

New Health Space website is officially online now at:

<http://healthspace.com/Clients/Oregon/benton/Web.nsf/home.xsp> This is part of program by Oregon Health Authority and includes showing inspection reports in a web-based platform. There is a link to the Benton County Website/ Environmental Health and the public can see inspections of local licensed facilities. Restaurants, mobile units, commissaries, warehouses, vending operations, swimming pools, spas, traveler's accommodations, recreational parks and organizational camps are licensed and inspected by local environmental health staff.

- The public can type in a name or few letters to search for an establishment. For example, McD brought up McDonalds. The public can click on a restaurant and see the date, type, and if it is permitted and view inspection reports, including violations.
- Oregon uses the Oregon Food Sanitation Rules, which are based on the 2009 Food and Drug Administration Food Code. *Food Sanitation Rules grade violations as Priority, Priority Foundation or Core in each food service facility:*
- A Priority item (P) is a provision that has a direct connection to preventing foodborne illness and compliance is a priority. Example: Cooking chicken but temp only 125 degrees.
- A Priority foundation item (Pf) includes an item that requires specific actions, equipment or procedures by management to control risk factors, such as;

personnel training, equipment, documentation, record keeping and labeling. (Examples, doesn't have a thermometer for chicken or no soap and towels at a wash station.)

- And a Core item (C) includes an item that is usually related to general sanitation, operational controls, sanitation standard operating procedures (SOPs), facilities or structures, equipment design or general maintenance.
- There are two scores assigned to each inspection, a P/Pf score that is based upon a 100 point scale. P violations have a value of 5 points and Pf have a value of 3 points. Violation points are deducted from 100 to arrive at a sanitation score. Enforcement is based upon this score only.
- A facility with a score of 70 or above is considered in compliance with the rules. A facility with a score of 69 or lower means it has "failed to comply" with standards and is subject to enforcement provisions.
- Discussion on foodborne illness and five significant risk factors. Recommend an illness policy on site, especially this time of year with cold and flu season.
- Telephone numbers of businesses are listed online. Looked at a local restaurant and found a cell phone listed. Contact permit clerks to request change from the cell number to the business number. The phone number listed should be for the facility.
- Lists all pools and spas, such as Timberhill Athletic Club, and their inspection reports and violations. For example, a pool or spa could be closed if enclosure is not secure (hazard for children) or there is not enough Chlorine or too much Chlorine.
- Also, like to include the positive comments in reports when facilities are in compliance.
- Reviewed Benton County Environmental Health website. Inspection reports link to Health Space site.

- VI. Food Safety Manager Certification Class will be May 1st.** Distributed handouts and they will be mailed out. This time reaching out with 675 mailers for this class. ServSafe coming up with a new online program as an option for renewals with a secure port to take the test. Discussion on content, test questions, and level of knowledge needed to pass the test. There is a class for Oregon State students taking the test Friday before Spring break. Need about 15 for the food safety class.
- VII. Next Meeting** The next meeting will be in Mary's Peak Room on Monday, May 14 from 2:30 pm to 4:30 pm. (This meeting was later cancelled). The next meeting is now scheduled for Monday, July 2, 2018 in Mary's Peak Room. On August 13, FSAC will meet in the Sunset Room from 2 pm to 4 pm, and on November 5, 2018 from 2 pm to 4 pm in the Sunset Room.
- VIII. Adjournment - MOTION was made to adjourn the meeting; motion seconded, all in favor, so approved.** The meeting was adjourned at 3:35 pm by Chair Franzoia.



Food Service Advisory Committee (FSAC) Meeting

Informal Briefing on Fee Proposal

July 2, 2018 2:30 pm to 4:30 pm

Members Present: Chris Heuchert (Block 15), Carol Lee Woodstock (Woodstock's Pizza Parlor)

Excused Members: Jon Sutton (Vice-Chair), Jeff Franzoia (Chair), Barb Eveland

Staff Present: **Benton County Environmental Health:** Bill Emminger, Robert Baker, Scott Kruger, and Paula Felipe (recorder)

I. Call to Order

The meeting was called to order at 2:30 pm by Bill Emminger.

II. Introductions and Citizen Comments. None.

III. Approval of the Minutes

The February 2018 Minutes were not approved because no quorum present. Bill Emminger provided an "informational" briefing on fees, and no official action was taken.

IV. 2019 Fee Proposal - Bill Emminger gave a background briefing on fees. Every year

Environmental Health goes before the BOC to adjust fees. Some years ago fees hadn't seen adjustment in years, so need some catch-up. We would rather have an incremental increase instead of a big increase after several years. (See handouts). EH calculates hourly rate at full cost recovery and adjusts rate and uses that to set fees in Environmental Health. Also, rate based on time elements in statute, such as restaurant inspection time and studies, and in some cases a best estimate. Also, looked at fees from surrounding counties who have not adjusted in several years. Highlights from the discussion:

- Chris wondered how does Polk and Lane County balance their budget with lower fees? Some Counties do not go thru fee adjustments on regular basis and the quality of inspections, number of employees, and level of service varies from county to county.
- On site program, page 1-3: Drinking water systems, License facilities, and restaurant fees. Some fees hadn't been adjusted in other counties, so assume 3 percent fee annual increase each year to make more comparable. Discussion on rationale for 3 percent fee – whether it is a good estimate.
- Administrative costs limited at 15 percent. On Page 2 of *FY2019 Indirect Cost Calculations based on OAR 333-012-0053*, green line: County General Funds helps lower administrative and operating costs as County picks up the difference. That is the hourly rate used to charge restaurants.
- On page 2 of DRAFT 2019 JUSTIFICATION FOR ENVIRONMENTAL HEALTH FEES, assumptions to calculate hourly rate: leave, vacation times, training, administration time, work hours, etc., comes to a total of 4.0 Field EH specialist X 1,196 hours/year = 4784 hours.
- Partial Cost recovery Model: \$203. per hour to pick up all costs for EH. Calculations on Excel spreadsheet. For example, full service restaurant with 151-plus seating might take

2 hour inspection; Factor in variables to determine license fee.

- Question from Chris about hours/vacation (bottom of page 2)—what hours eligible for staff to use. Those are accrual rates. Hours eligible to them to use.
- Program has to pay for all support staff too, including 2 part-time staff. (4 FTE + Bill + Marcy and Megan. 7.2 before you lost the other inspector, Chris asked.) Good point, Bill will revisit that—it is still in draft form.
- Page 3: formulas on how hourly rate is used: State statute offers reduction in fees to benevolent food facilities. \$395 is based on 0-15 seat and fee cut in half—difference comes out of the general fund. Who is benevolent food facility? Senior kitchens; Christian church downtown; Methodist church; etc. Non-profits submit a letter from IRS to show status and proof of process. Other benevolent food facilities include: City of Corvallis senior meals site; senior center in Monroe - South Benton nutrition center.
- Calculate time and inspections for Fall festival booths, and other benevolent high school booster organizations.
- License criteria discussed on benevolent organizations and fees.
- Discussion on Street vendors; discount on license fee.
- Septic permits higher to offset costs on major/minor repair fees; deter bootlegging repairs on systems. Made it more affordable. Reduced fees by 50 percent for repairs: See historical tracking: 2007 to 2009 baseline - average 14.7 repair permits per year.
- Questions: Chris: On raising 4 percent - not the same number of 150-plus seats restaurants to 0-15 restaurants, so is raising everything across the board an effective way to ensure the right amount of revenue is raised vs. being able to raise some more and others less? Maybe double larger restaurant license fee could allow us to lower fees for benevolent facilities. Inspection can last 3 ½ hours in large restaurant—are those numbers still current? Statewide, years ago, time study (2005-2006) on how long inspectors take to do inspections. They looked at hourly assumptions: Found not a significant difference. Could some factors be either taking too long at inspection sites or too detailed inspections or the expectations in Benton County are higher, Chris asked. What we are required for inspections is an average of 2 ½ to 3 hours.
- Briefing on fire in mobile unit left rice cooker plugged in. Another fire in the same unit broke out on May 18 after smoker left on and did damage to their cart. Fire Marshal said review all carts in downtown for fire safety; changing the electrical structure; including no longer extension cords across parking lots. Want individual electrical stands for the carts. Policy in downtown business core will change, includes adding a review by fire marshal for fire safety. The change take place the first of the year. Fire codes (temporary vender rule) do not currently require suppression system on mobile units in downtown core.
- Before next meeting, check bylaws and see if members can do proxy votes and can they vote via email or telecon?
- Question on why not do fee review/increase on annual basis instead of bi-annual basis—could save staff time, but then different County commissioners budget years cycle may not reflect current commissioners budget priorities.

- V. **Next Meeting** On August 13, FSAC will meet in the Sunset Room from 2 pm to 4 pm, and on November 5, 2018 from 2 pm to 4 pm in the Sunset Room.
- VI. **Adjournment - MOTION was made to adjourn the meeting; motion seconded, all in favor, so approved.** The meeting was adjourned at 3:35 pm.



Food Service Advisory Committee

(FSAC) Minutes

August 13, 2018 3 pm to 4 pm

Members Present: Jeff Franzoia (Chair), Chris Heuchert, Barb Eveland, Jon Suttan (Vice-Chair)

Excused Members: Carol Lee Woodstock

Staff Present: Bill Emminger, Robert Baker, and Paula Felipe (recorder)

I. Call to Order

The meeting was called to order at 3:02 pm by Chair Franzoia.

II. Introductions and Citizen Comments. None

III. Approval of the Agenda

MOTION was made to approve the Agenda. Seconded and APPROVED by unanimous vote.

IV. Approval of the Minutes

MOTION was made to approve the February 12, 2018 Minutes, which was seconded and APPROVED by unanimous vote.

V. 2019 Fee Proposal – Bill Emminger

Reviewed budget and discussed the Proposed fees for 2019. The following are highlights:

- State rule to cap what costs can be passed on by Health Department in setting fees: *Administrative costs must be limited to 15 percent of direct costs (OAR 33-012-0053(5)(b)).*
- Administrative costs means those costs that are over the direct costs of providing delegated program services, such as accounting, purchasing, human resources, data management, legal counsel and central mail functions (OAR 333-012-0050(2)).
- There is clear guidance on what can be charged as direct costs, which are those costs for salaries and benefits of field and support staff and their associated costs including, but not limited to, rent, vehicles and travel, equipment, data management, training, phone, office supplies and the pro-rated portion of direct costs relating to supervision.
- Under the full-cost recovery model, the total percent of admin cost exceeds the 15 percent allowable under OAR 333-012-0053.
- Under the partial-cost recovery model, the total percent of administrative cost could be lowered to the 15 percent allowable under OAR-333-012-0053. In this scenario, with 11 percent of Administrative/Direct Costs, the General Fund Contribution to Offset the Administrative costs would be a combined total of \$110,942.00.
- Looking at methodology for fees: We are now in the 2nd year of biennial budget cycle and found the administrative or indirect costs for both the Health Department and for the County were held flat for 1st and 2nd biennial. Because there was no increase in administrative cost a larger percentage of direct cost could be passed on in the form of up to a 9% fee increase
- Original analysis in July was based on a 4 percent increase, so that is the 2019 fee proposal today—to propose the 4 percent not the 9 percent increase. This assumed administrative cost would have raised incrementally as well.
- Likely to see bump in indirect costs in next fiscal year; and we need to plan for a bump, but overall costs not that much greater.

- Discussion took place on the 4 percent proposal (Bill Emminger distributed documents for review):
 - Last year the fee was 3 percent; now proposing 4 percent. When looking at cost comparison with other Counties who hadn't had an increase in years, why is Benton County fees higher than the other Counties? A member commented he does not want to fund someone else's PERS with his business.
 - A member commented as a business owner, he does not like fee increases; but recognizes County has quality employees and part of it is PERS.
 - A member asked is every department in the County doing a 4 percent increase?
 - A member asked: Does Lane or Lincoln or other Counties have PERS? Not sure—probably most have PERS.
 - Why do some Counties get by with smaller fees? There are a variety of reasons, such as one county that has lower fees no longer has support staff to take applications or answer phones, as a result they are seeing an increase in the number of complaints from industry and the public. In another jurisdiction they have more license facilities which means their fixed costs per license can be lower. In some counties their license fees are subsidized by other revenue sources such as county general funds.
 - In Environmental Health, a 0.1 FTE next fiscal year's budget will come out of license facilities. There will be some cost savings there.
 - A member asked, How much were you asking from the General fund last year to make the 3 percent work last year? (*The 4 percent proposal on the spreadsheet has \$110,942.00 coming from the General fund contribution to offset Administrative costs in total.*) A member looked up last year's budget in his email and found it was \$95,497.00 plus \$10,788.00 for the on-site program for a total of \$106,285.00 that was the General Fund contribution).
 - This 2019 fee proposal brings it to 11 percent (which is below the 15 percent). The general fund money can be also used for outbreak or animal-bite investigations/rabies investigations, among others.
 - If cost recovery at 11 percent, can use for other EH programs and if EH doesn't use the funds, then they go back into the general fund.
 - A member proposed for next year that EH shows how much *actually* (not just IN theory) comes with those fees, for example, how did you perform last year; did you meet the budget goals, did you have cost savings? Did you lose employees? Did you exceed expenditures? Did you have enough billable hours to justify cost? We want to see a process and what happened, so that we can feel good about raising fees. A member commented, once we have this kind of information, then as an advisory committee, we can agree that you need more labor or maybe we find you have too much labor or not enough fees to justify the hours. Right now we just don't have the data to know. We cannot truly and fully advise until we see where those expenses went.
 - A member commented it is difficult to compare counties when we don't know how much staff they had, what services did they provide, and what do they base their fees on?
 - This request for more info on the budget data is for next year; it is a not realistic request right now. It would also help the Advisory Committee to know why Benton County is paying more than anyone else.
 - Two members asked where does that flatten out or become consistent? If county is

going to raise costs every 2 years; we should predict what that looks like in fee structures. 9 percent would be sticker shock and how would the County survive without the increase? Would it continue as normal?

- Health Departments in Oregon and across the nation are moving towards public health accreditation, which cuts out amount of time available for other work and puts extra responsibility on staff. Accreditation was a major effort over last six years in Benton County Public Health Department and staff takes on extra work and we continue to meet those standards, including looking at data analysis and trends with restaurant inspections.
- A member suggested with the economy now a lot more permitting can generate more income. Yes, Benton County is seeing more restaurants; at some point EH will have to bring in more FTEs.

MOTION was made by Chris Heuchert to approve 3 percent and use more general fund money. He further wants to see actual numbers before approving of any more increases, so he proposes Bill Emminger/EH recalculate the numbers and come back to the committee later to explain proposed increases in future. **MOTION** was seconded, all in favor, **APPROVED** unanimously.

Discussion Continued:

- A member noted Benton County has quality programs and he has seen other health inspectors are not as thorough as Benton County. He has also seen restaurants in other Counties not wearing gloves.
- A member said Benton County is consistent and fair.
- Bill will review the methodology and assumptions. He would rather see an incremental increase and not a major one like the 9 percent.
- Bill said Public Health Accreditation, EH is tracking much more of their work and data.
- One member said EH does a lot of services with a short staffing levels.

- VI. **Recruiting New Members:** Have 2 vacancies (members at large) for general public—need to spread the word.
- VII. **Upcoming Events:** Robert Baker/EH shared they have the food Certification Class coming up and he handed out an invitation. He commented this course does bring in some fees and most other health departments in other Counties do not offer it.
- VIII. **Next Meeting.** The next FSAC meeting will be on November 5, 2018 from 2 pm to 4 pm in the Sunset Room.
- IX. **Adjournment.** **MOTION was made to adjourn the meeting; motion seconded, all in favor, so APPROVED. The meeting was adjourned at 3:53 pm by Chair Franzoia.**