

FORSYTH COUNTY

BOARD OF COMMISSIONERS

MEETING DATE: MAY 8, 2017

AGENDA ITEM NUMBER: 7-A&B

SUBJECT: A. RESOLUTION AUTHORIZING EXECUTION OF NECESSARY DOCUMENTS TO RECEIVE ADDITIONAL FUNDS FROM THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, ENVIRONMENTAL HEALTH SECTION, FOOD PROTECTION AND FACILITIES BRANCH, FOR FOOD AND LODGING ACTIVITIES

B. AMENDMENT TO THE FY 2016-2017 BUDGET ORDINANCE TO APPROPRIATE ADDITIONAL FUNDS FROM THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC HEALTH, ENVIRONMENTAL HEALTH SECTION, FOOD PROTECTION AND FACILITIES BRANCH, TO THE FORSYTH COUNTY DEPARTMENT OF PUBLIC HEALTH

(FORSYTH COUNTY DEPARTMENT OF PUBLIC HEALTH)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:- Recommend Approval

SUMMARY OF INFORMATION: -

The Forsyth County Department of Public Health has received \$3,028.00 in additional funding from the North Carolina Department of Health and Human Services, Division of Public Health, Environmental Health Section, Food Protection and Facilities Branch, to support local food, lodging, and institution sanitation programs and activities. The funding period for these funds is May 1, 2017 through June 30, 2017.

ATTACHMENTS: YES NO

SIGNATURE: _____

J. Kendrick Clatto, Jr./cdh
COUNTY MANAGER

DATE: _____

May 4, 2017

**RESOLUTION AUTHORIZING EXECUTION OF NECESSARY DOCUMENTS
TO RECEIVE ADDITIONAL FUNDS FROM THE NORTH CAROLINA
DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC
HEALTH, ENVIRONMENTAL HEALTH SECTION, FOOD PROTECTION
AND FACILITIES BRANCH, FOR FOOD AND LODGING ACTIVITIES
(FORSYTH COUNTY DEPARTMENT OF PUBLIC HEALTH)**

BE IT RESOLVED by the Forsyth County Board of Commissioners that the Chairman or County Manager and the Clerk to the Board are hereby authorized to execute, on behalf of Forsyth County, necessary documents for the benefit of its Department of Public Health, to receive additional funds for food and lodging activities in the amount of \$3,028 from the North Carolina Department of Health and Human Services, Division of Public Health, Environmental Health Section, Food Protection and Facilities Branch, subject to a pre-audit certificate thereon, by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this the 8th day of May 2017.

**FORSYTH COUNTY, NORTH CAROLINA
AMENDMENT TO
2016-2017 BUDGET ORDINANCE**

FROM: PUBLIC HEALTH

MEETING DATE: May 8, 2017

EXPLANATION: The Forsyth County Department of Public Health has received \$3,028.00 in additional funding from the North Carolina Department of Health and Human Services, Division of Public Health, Environmental Health Section, Food Protection and Facilities Branch, to support local food, lodging, and institution sanitation programs and activities. The funding period for these funds is May 1, 2017 through June 30, 2017.

BE IT ORDAINED BY THE FORSYTH COUNTY BOARD OF COMMISSIONERS THAT THE
2016-2017 BUDGET ORDINANCE IS HEREBY AMENDED AS FOLLOWS:

INCREASE: SECTION 1. REVENUE.

GENERAL FUND - INTERGOVERNMENTAL \$3,028

INCREASE: SECTION 2. APPROPRIATIONS.

GENERAL FUND - PUBLIC HEALTH \$3,028

NATURE OF TRANSACTION:

- Additional Revenue Available
- Transfer within Accounts of
Same fund
- Other: Appropriate of fund balance

APPROVED BY BOARD OF COUNTY
COMMISSIONERS AND ENTERED ON
MINUTES DATED _____
AGENDA ITEM NUMBER _____

Division of Public Health Agreement Addendum FY 16-17

Forsyth County Department of Public Health Local Health Department Legal Name	Environmental Health Section / Food Protection and Facilities Branch DPH Section/Branch Name
874 Food and Lodging Activity Number and Description	Larry Michael (919) 707-5855 larry.michael@dhhs.nc.gov DPH Program Contact <small>(name, telephone number with area code, and email)</small>
04/01/2017 – 05/31/2017 Service Period	DPH Program Signature _____ Date _____ <small>(only required for a negotiable agreement addendum)</small>
05/01/2017 – 06/30/2017 Payment Period	

Original Agreement Addendum
 Agreement Addendum Revision # _____ (Please do not put the Budgetary Estimate revision # here.)

I. Background:
 In order to fund a portion of local expenditures created by state-mandated Food, Lodging, and Institution (Food and Lodging) sanitation programs and activities, the legislature established a State Inspections, Statistics, and Fees Program within the Environmental Health Section. This program centralizes public health data, invoices regulated facilities, and distributes the funds in accordance with G.S. 130A-248(d). The receipts collected are redistributed to local environmental health programs in the form of aid to counties.

II. Purpose:
 The Agreement Addendum allows for the Local Health Department's environmental health program to implement state-mandated sanitation regulations. The funds from this Agreement Addendum are to be used to support local Food and Lodging programs and activities. The disbursement and fund purpose are described in G.S. 130A-248(d) and 15A NCAC 18A .2901.

§ 130A-248. Regulation of food and lodging establishments.
G.S. 130A-248(d) The Department shall charge each establishment subject to this section, except nutrition programs for the elderly administered by the Division of Aging and Adult Services of the Department of Health and Human Services, establishments that prepare and sell meat food products or poultry products, temporary food establishments, limited food services establishments, and public school cafeterias, a fee of one hundred twenty dollars (\$120.00) for each permit issued. This fee shall be reassessed annually for permits that do not expire. The Commission shall adopt rules to implement this subsection. Fees collected under this subsection shall be used for State and local

 Health Director Signature (use blue ink) 3/27/17

 Date

Local Health Department to complete: (If follow-up information is needed by DPH)	LHD program contact name: _____ Phone number with area code: _____ Email address: _____
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Food and Lodging sanitation programs and activities. No more than fifty dollars (\$50.00) of each fee collected under this subsection may be used to support State health programs and activities.

SECTION .2900 - RESTAURANT AND LODGING FEE COLLECTION AND INVENTORY PROGRAM

15A NCAC 18A .2901 DISBURSEMENT OF FUNDS

Fees collected pursuant to G.S. 130A-248(d), minus state expenses budgeted for the collection and inventory program, shall be distributed to local health departments for the support of local public health programs and activities as follows:

- (1) Seven hundred and fifty dollars (\$750.00) to each county;
- (2) the remaining balance of funds shall be distributed in accordance with the following formula:
 - (a) [the remaining balance of funds after distribution in Paragraph (1) of this Rule] multiplied by (the number of facilities in the county divided by the number of facilities in the state) multiplied by (the county's percentage of compliance with mandatory inspection requirements for food and lodging establishments in G.S. 130A-249 and 15A NCAC 25 .0213 for the previous fiscal year, not to exceed 100 percent) equals the allocation to the county; and
 - (b) distribution of remaining funds to counties with 100 percent compliance with mandatory inspection requirements for food and lodging establishments in G.S. 130A-249 and 15A NCAC 25 .0213 during the previous fiscal year shall be made in accordance with the following:

[total amount of remaining funds after distribution in Paragraph (2)(a)] multiplied by (the number of facilities in the county divided by the number of facilities in all counties with 100 percent compliance with mandatory inspection requirements for food and lodging establishments in G.S. 130A-249 and 15A NCAC 25 .0213 during the previous fiscal year) equals the additional allocation to the county.

History Note: Authority G.S. 130A-9; 130A-248; 130A-249;
Eff. May 1, 1991.

III. Scope of Work and Deliverables:

The Local Health Department Food and Lodging funds are distributed based on the attached Food and Lodging Distribution Calculations spreadsheet. The Local Health Department shall use this funding for food, lodging, and institution sanitation programs and activities.

Assuring consistency and quality of Food and Lodging permitting and inspection activities is essential to effective program implementation. Inconsistency or failure to apply permitting and inspection rules creates liability for the county and the Local Health Department and may lead to a loss of confidence from the public and operators. To provide for consistency and quality within the Food and Lodging Program, and as part of this Agreement Addendum, the Local Health Department shall maintain an internal Quality Assurance Plan.

A summary of the previous year's approved Quality Assurance Plan activities must be submitted to the Environmental Health Regional Specialist for review by **May 1, 2017**.

IV. Performance Measures/Reporting Requirements:

The Local Health Department shall ensure funds are used for Food and Lodging sanitation programs and activities in accordance with G.S. 130A-248(d).

V. **Performance Monitoring and Quality Assurance:**

The Division of Public Health will review annual required inspection data submitted electronically to the BETS data system to assure required food, lodging, and institution inspections are completed at the frequency required. Failure to complete required inspections or if deficiencies persist, will cause the Local Health Department to lose funding.

During program monitoring activities, Environmental Health Regional Specialists may review documentation to verify that the approved Quality Assurance Plan is being implemented.

If the Local Health Department Food and Lodging program is not in compliance with an approved Quality Assurance Plan, a corrective action plan must be submitted no later than **May 15, 2017**, to the Environmental Health Regional Specialist indicating how deficiencies will be addressed

VI. **Funding Guidelines or Restrictions:**

1. Requirements for pass-through entities: In compliance with *2 CFR §200.331 – Requirements for pass-through entities*, the Division provides Federal Award Reporting Supplements to the Local Health Department receiving federally funded Agreement Addenda.

a. Definition: A Supplement discloses the required elements of a single federal award. Supplements address elements of federal funding sources only; state funding elements will not be included in the Supplement. Agreement Addenda (AAs) funded by more than one federal award will receive a disclosure Supplement for each federal award.

b. Frequency: Supplements will be generated as the Division receives information for federal grants. Supplements will be issued to the Local Health Department throughout the state fiscal year. For federally funded AAs, Supplements will accompany the original AA. If AAs are revised and if the revision affects federal funds, the AA Revisions will include Supplements. Supplements can also be sent to the Local Health Department even if no change is needed to the AA. In those instances, the Supplements will be sent to provide newly received federal grant information for funds already allocated in the existing AA.

2. The Local Health Department is required to submit a signed and completed Food and Lodging Local Health Department Request for Payment form (DPH EH 2948) to request funds. Reimbursement will not be made until this Agreement Addendum and the DPH EH 2948 form is fully executed. Requests for Payment forms will be processed during the period May 1, 2017 through June 9, 2017. Requests received after **June 9, 2017**, will not be processed.

Co. ID	County	Percentage for FY2015-16	1st (1)	2nd (2a)	3rd (2b)	Total
001	Alamance	100%	\$ 750	\$ 30,266	\$ 11,733	\$ 42,749
002	Alexander	100%	\$ 750	\$ 4,127	\$ 1,800	\$ 6,477
D2	Alleghany	60%	\$ 750	\$ 1,915		\$ 2,665
004	Anson	35%	\$ 750	\$ 1,348		\$ 2,098
D2	Asha	36%	\$ 750	\$ 2,318		\$ 3,068
D8	Avery	82%	\$ 750	\$ 6,325		\$ 6,075
007	Beaufort	100%	\$ 750	\$ 10,898	\$ 4,224	\$ 16,870
D1	Bertie	100%	\$ 750	\$ 3,632	\$ 1,408	\$ 5,790
009	Bladen	100%	\$ 750	\$ 7,319	\$ 2,837	\$ 10,906
010	Brunswick	100%	\$ 750	\$ 27,900	\$ 10,816	\$ 39,466
011	Buncombe	100%	\$ 750	\$ 77,922	\$ 30,207	\$ 108,879
012	Burke	73%	\$ 750	\$ 10,726		\$ 11,478
013	Cabarrus	100%	\$ 750	\$ 36,870	\$ 14,293	\$ 51,913
014	Caldwell	82%	\$ 750	\$ 9,882		\$ 10,632
D1	Camden	91%	\$ 750	\$ 1,452		\$ 2,202
016	Carroll	91%	\$ 750	\$ 19,881		\$ 20,631
017	Caswell	100%	\$ 750	\$ 2,531	\$ 981	\$ 4,263
018	Catawba	100%	\$ 750	\$ 36,540	\$ 14,165	\$ 51,455
019	Chatham	84%	\$ 750	\$ 11,741		\$ 12,491
020	Cherokee	100%	\$ 750	\$ 7,319	\$ 2,837	\$ 10,906
D1	Chowan	100%	\$ 750	\$ 4,017	\$ 1,557	\$ 6,324
022	Clay	100%	\$ 750	\$ 2,091	\$ 811	\$ 3,652
023	Cleveland	100%	\$ 750	\$ 18,655	\$ 7,232	\$ 26,637
024	Columbus	100%	\$ 750	\$ 12,492	\$ 4,843	\$ 18,084
025	Craven	100%	\$ 750	\$ 20,031	\$ 7,765	\$ 28,546
028	Cumberland	91%	\$ 750	\$ 58,590		\$ 59,340
D1	Currituck	88%	\$ 750	\$ 8,359		\$ 9,109
028	Dare	100%	\$ 750	\$ 23,498	\$ 9,109	\$ 33,357
029	Davidson	99%	\$ 750	\$ 25,060		\$ 25,810
030	Davie	100%	\$ 750	\$ 7,759	\$ 3,008	\$ 11,517
031	Duplin	98%	\$ 750	\$ 12,889		\$ 13,639
032	Durham	75%	\$ 750	\$ 56,284		\$ 56,014
033	Edgecombe	56%	\$ 750	\$ 4,777		\$ 5,527
034	Forsyth	39%	\$ 750	\$ 27,278		\$ 28,028
035	Franklin	40%	\$ 750	\$ 3,280		\$ 4,030
036	Gaston	100%	\$ 750	\$ 38,301	\$ 14,848	\$ 53,898
D1	Gates	100%	\$ 750	\$ 1,266	\$ 491	\$ 2,508
038	Graham	84%	\$ 750	\$ 2,311		\$ 3,061
D3	Granville	92%	\$ 750	\$ 8,353		\$ 9,103
040	Greene	100%	\$ 750	\$ 3,577	\$ 1,387	\$ 5,714
041	Guilford	82%	\$ 750	\$ 87,316		\$ 88,066
042	Halifax	100%	\$ 750	\$ 11,336	\$ 4,395	\$ 16,481
043	Hamett	94%	\$ 750	\$ 16,725		\$ 18,475
044	Haywood	61%	\$ 750	\$ 8,223		\$ 8,973
045	Henderson	100%	\$ 750	\$ 25,038	\$ 9,706	\$ 35,495
046	Hertford	100%	\$ 750	\$ 6,383	\$ 2,475	\$ 8,608
047	Hoke	81%	\$ 750	\$ 4,591		\$ 5,341
048	Hyde	100%	\$ 750	\$ 4,072	\$ 1,579	\$ 6,401
049	Iredell	86%	\$ 750	\$ 30,478		\$ 31,228
050	Jackson	89%	\$ 750	\$ 13,293		\$ 14,043
Subtotals:			\$37,500	\$854,212	\$164,305	\$1,056,019

Co. ID	County	Percentage for FY2015-16	1st (1)	2nd (2a)	3rd (2b)	Total
051	Johnston	100%	\$ 750	\$ 30,321	\$ 11,754	\$ 42,826
052	Jones	100%	\$ 750	\$ 1,816	\$ 704	\$ 3,270
053	Lee	100%	\$ 750	\$ 12,327	\$ 4,779	\$ 17,855
054	Lenoir	50%	\$ 750	\$ 8,383		\$ 7,133
055	Lincoln	100%	\$ 750	\$ 12,437	\$ 4,821	\$ 18,008
058	Macon	100%	\$ 750	\$ 11,831	\$ 4,587	\$ 17,168
057	Madison	43%	\$ 750	\$ 2,106		\$ 2,856
D4	Martin	100%	\$ 750	\$ 5,448	\$ 2,112	\$ 8,310
D5	McDowell	87%	\$ 750	\$ 7,947		\$ 8,697
060	Mecklenburg	93%	\$ 750	\$ 213,225		\$ 213,975
D8	Michell	18%	\$ 750	\$ 814		\$ 1,364
062	Montgomery	55%	\$ 750	\$ 2,938		\$ 3,688
063	Moore	99%	\$ 750	\$ 22,938		\$ 23,688
064	Nash	92%	\$ 750	\$ 19,289		\$ 20,039
065	New Hanover	100%	\$ 750	\$ 59,542	\$ 23,082	\$ 83,374
066	Northampton	93%	\$ 750	\$ 3,224		\$ 3,974
067	Onslow	100%	\$ 750	\$ 31,972	\$ 12,394	\$ 45,117
068	Orange	100%	\$ 750	\$ 24,853	\$ 9,557	\$ 34,960
069	Pamlico	100%	\$ 750	\$ 3,137	\$ 1,218	\$ 5,103
D1	Pasquotank	100%	\$ 750	\$ 9,355	\$ 3,627	\$ 13,732
D1	Pender	100%	\$ 750	\$ 10,568	\$ 4,096	\$ 15,412
071	Perquimans	100%	\$ 750	\$ 2,476	\$ 890	\$ 4,186
073	Person	95%	\$ 750	\$ 8,064		\$ 8,814
074	Pitt	100%	\$ 750	\$ 33,238	\$ 12,885	\$ 48,873
D5	Polk	68%	\$ 750	\$ 3,567		\$ 4,417
076	Randolph	85%	\$ 750	\$ 20,397		\$ 21,147
077	Richmond	100%	\$ 750	\$ 7,649	\$ 2,965	\$ 11,364
078	Robeson	100%	\$ 750	\$ 26,579	\$ 10,304	\$ 37,833
079	Rockingham	83%	\$ 750	\$ 13,611		\$ 14,381
080	Rowan	63%	\$ 750	\$ 15,150		\$ 15,900
D5	Rutherford	71%	\$ 750	\$ 9,729		\$ 10,479
082	Sampson	91%	\$ 750	\$ 10,666		\$ 11,416
083	Scotland	72%	\$ 750	\$ 4,913		\$ 5,683
084	Stantley	100%	\$ 750	\$ 12,107	\$ 4,693	\$ 17,550
085	Stokes	98%	\$ 750	\$ 7,065		\$ 7,815
086	Surry	79%	\$ 750	\$ 13,998		\$ 14,748
087	Swain	39%	\$ 750	\$ 2,275		\$ 3,025
088	Transylvania	84%	\$ 750	\$ 7,951		\$ 8,701
D4	Tyrrell	100%	\$ 750	\$ 1,541	\$ 597	\$ 2,888
090	Union	100%	\$ 750	\$ 32,523	\$ 12,608	\$ 45,880
D3	Vance	96%	\$ 750	\$ 9,139		\$ 9,889
092	Wake	62%	\$ 750	\$ 123,096		\$ 123,846
093	Warren	100%	\$ 750	\$ 3,742	\$ 1,451	\$ 5,943
D4	Washington	100%	\$ 750	\$ 3,467	\$ 1,344	\$ 6,561
D2	Watauga	30%	\$ 750	\$ 4,722		\$ 5,472
096	Wayne	86%	\$ 750	\$ 22,006		\$ 22,756
097	Wilkes	100%	\$ 750	\$ 11,811	\$ 4,501	\$ 16,862
098	Wilson	63%	\$ 750	\$ 12,342		\$ 13,092
099	Yadkin	84%	\$ 750	\$ 6,658		\$ 7,408
D8	Yancey	20%	\$ 750	\$ 616		\$ 1,366
Subtotals:			\$37,500	\$921,084	\$135,036	\$1,093,598

	1st (1)	2nd (2a)	3rd (2b)	Total
TOTALS:	\$ 75,000	\$ 1,775,276	\$ 299,341	\$ 2,149,617

D1-Albemarle Regional Health Services-	\$43,849	Bertie, Camden, Chowan, Currituck, Gates, Pasquotank, Perquimans
D2-Appalachian District Health Department-	\$11,205	Alleghany, Ashe, Watauga
D3-Granville-Vance District Health Department-	\$18,992	Granville-Vance
D4-Martin-Tyrrell-Washington District Health Department-	\$18,759	Martin-Tyrrell-Washington
D5-Rutherford-Polk-McDowell District Health Department-	\$23,593	Rutherford-Polk-McDowell
D8-Toe River District Health Department-	\$8,805	Avery, Mitchell, Yancey

FOOD & LODGING LOCAL HEALTH DEPARTMENT REQUEST FOR PAYMENT

SFY 17

Division of Public Health

16001C3417
NCAS Number

04/01/2017 05/31/2017
Effective Date Termination Date

Activity 874

LHD: Forsyth County Department of Public Health Activity: Food & Lodging Distribution

LHD's Project Director: Sheryl Emory

Distribution – indicate with a check mark all that apply	
<input checked="" type="checkbox"/> 15A NCAS 18A.2901(1) (\$750 Baseline distribution)	
<input checked="" type="checkbox"/> 15A NCAS 18A.2901(2)(a) (Distribution based on inspection percentage)	
<input checked="" type="checkbox"/> 15A NCAS 18A.2901(2)(b) (Distribution based on 100% inspection rate)	
AMOUNT REQUESTED	\$28,028

Note #1: LHD shall report Local Food and Lodging expenditures in the appropriate category (e.g., 101, 102, or 103) in the ZZZZ line item in the Aid-to-Counties Database.

Note #2: LHD shall report Local Food and Lodging Temporary Food Establishment (TFE) fees collected in category 107 – Local Temporary Food Establishment (TFE – State) in the ZZZZ line item in the Aid-to-Counties Database.

Note #3: LHD shall report Local Food and Lodging Limited Food Services Establishment (LFSE) fees collected in category 107 – Limited Food Services Establishment (LFSE – State) in the ZZZZ line item in the Aid-to-Counties Database.

THIS SECTION FOR DPH USE ONLY:	
Company 2B01	
Account	Center
536560874	1153-4752-SZ34

As chief executive officer of the recipient organization, I hereby certify that this request for payment is an accurate reflection of funds to be disbursed in accordance with 15A NCAC 18A.2901 "Disbursement of Funds". I further certify that to the best of my knowledge and belief we have complied with all laws, regulations and contractual provisions that are conditions of payment under this agreement.

[Signature] 3/23/17
LHD Authorized Official Signature Date

[Signature] 3/23/17
LHD Finance Officer Signature Date

DPH Environmental Health Section Signature Date

DPH Contracts Officer Signature Date