

**LEWIS AND CLARK CITY-COUNTY  
BOARD OF HEALTH – MINUTES  
1930 9<sup>th</sup> AVE, HELENA, MONTANA 59601  
Zoom Meeting, 1:00 p.m.  
May 26, 2022**

Members Present

Justin Murgel, chair  
Commissioner Jim McCormick  
Mayor Wilmot Collins  
Mayor Kelly Harris  
Lisa Kaufman  
Rex Weltz  
Katherine Weber

Staff Present

Drenda Niemann  
A.C. Rothenbuecher  
Julie Bir  
Jolene Helgerson  
Heather Parmer  
Brett Lloyd

Members Absent

Dr. Mikael Bedell, vice chair  
Brie MacLaurin

Guests Present

Deputy County Attorney Charles Lane  
Dr. Madeline Turner, PureView Health Center  
Nikolas Griffith, PureView Health Center

Justin Murgel, Chair, called the meeting to order at 1:00 p.m. A quorum was established.

**REVIEW OF AGENDA**

No changes were made. No public comment was given.

**MINUTES**

Mr. Murgel asked if there were any corrections or additions to the April 28, 2022, minutes. There being none, the Board approved the minutes as written. No public comment was given.

**ACTION ITEMS**

Board of Health By-Laws: 2<sup>st</sup> Reading: Drenda Niemann, Health Officer, presented the current Board of Health By-Laws with changes indicated through track changes for board review and discussion (see Attachment “A”). In answer to questions from Mr. Murgel, Ms. Niemann said that the local governing body will only vote on regulations that have been recommended to them by the Board of Health. Deputy County Attorney Charles Lane said that the local governing body has 45 days to approve or reject a recommendation by the Board of Health for the adoption of Board of Health regulations. In answer to a question from Lisa Kaufman, Mr. Lane said that according to his interpretation of House Bill 121, the board may adopt rules necessary to implement and enforce regulations and would not need to go through the new governing body for approval; however, this statute does not define a rule or the process of adopting rules. Therefore, the implication is that the Board of Health does retain authority to promulgate rules to effectuate regulations. It’s the regulations that need to go through the local governing body for approval. There being no further board member discussion, Mayor Kelly Harris made a motion to approve the 2<sup>nd</sup> and final reading of the By-Laws of the Lewis and Clark City-County Board of Health with approved edits. Ms. Kaufman seconded the motion. No public comment was given. Motion carried 7-0.

Fiscal Year 2023 Budget Recommendation to the Board of County Commissioners: Ms. Niemann presented the FY23 Budget for recommendation to the Board of County Commissioners (see Attachment “B”). Ms. Niemann highlighted projected revenue and expenditures along with grant contributions. Ms. Niemann noted that the department is below the 90 day cash reserves and to build that back up will take a couple of years which will require being very conservative with spending. In answer to a question from Ms. Kaufman, Ms. Niemann said that licensed establishment fees are written into state law which will require legislature to pass any licensed establishment fee increases. In order to for the current process for increasing fees to change, the legislature would have to move it out of state law and into administrative rule. At that point, DPHHS could oversee the fee increase process. However, this has been proposed during several legislative sessions with no success. After further board member discussion, Ms. Kaufman made a motion to approve the FY23 budget for recommendation to the County Commissioners for approval. Rex Weltz seconded the motion. No public comment was given. The motion carried 6-0 with Commission Jim McCormick abstaining from the vote.

### **BOARD MEMBER DISCUSSION**

Quality Council Update: Julie Bir, Quality Council member, provided an update on the department’s quality council (see Attachment “C”) in which she highlighted the council’s 4 goals and discussed their challenges.

PHEP Report: Brett Lloyd, Emergency Preparedness Coordinator, gave an update on the Public Health Emergency Preparedness (PHEP) Cooperative Agreement (see Attachment “D”) in which he highlighted the origin of PHEP, the six domains, and upcoming activities.

NARCAN Presentation: A.C. Rothenbuecher, Community Health Promotion Division Administrator along with Dr. Madeline Turner, Medical Director for PureView Health Center and Nikolas Griffith, Strategy Manager for PureView Health Center, gave a presentation on use of Narcan when responding to an opioid overdose and the training that is required (see Attachment “E”). Mr. Griffith explained what Narcan/Naloxone is, who is being trained, how to administer Narcan, discussed the MOU between PureView Health Center and Public Health, and the liability of it all.

COVID-19 Update: Ms. Niemann highlighted the decision making dashboard and the COVID-19 HUB map of current numbers of confirmed, active, break through and recovered cases, weekly new case incidences, weekly case incidences, test positivity rates, wastewater surveillance testing, and vaccine rates for the county.

Interlocal Agreement Update: Ms. Niemann announced that Interlocal Agreement negotiations are complete. The local governing body will consist of 2 County Commissioners, 2 Helena City Commissioners, and the Mayor of East Helena. The signed Interlocal Agreement is available online in the board member orientation packet. The next step will be to write standard operating procedures for the new governing body.

No public comment was given.

There being no public comment on items not mentioned above, the meeting adjourned at 2:29 p.m.

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Justin Murgel, Chair

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Drenda Niemann, Secretary