

**LEWIS AND CLARK CITY-COUNTY
BOARD OF HEALTH – MINUTES
316 N. PARK AVENUE, HELENA, MONTANA 59601
Room 330
February 22, 2018**

Members Present

James Benish, chair
Commissioner Andy Hunthausen, vice chair
Mayor Wilmot Collins
Scott St. Clair
Jenny Eck (Departed @ 2:15 p.m.)
Anne Weber
Kammy Johnson (Arrived @ 1:17 p.m.)

Members Absent

Jack Copps
Dr. Adron Medley

Staff Present

Melanie Reynolds Sarah Shapiro
Jolene Helgersen Karen Lane
Eric Merchant Laurel Riek
Drenda Niemann Laura Hendley
Frank Preskar Eric Henrich
Gayle Shirley
Kathy Moore

Guests Present

Patricia Perl

Jim Benish, chair, called the meeting to order at 1:15 p.m. A quorum was established.

REVIEW OF AGENDA

No changes were made to the agenda.

MINUTES

Mr. Benish asked if there were any corrections or additions to the January 25, 2018, minutes. The Board approved the minutes as written.

ACTION ITEMS

Hearing Officer Recommendation, Ms. Patricia Perl:

Anne Weber, Acting Hearing Officer, gave a brief account of the Perl variance hearing held on January 24, 2018 (on pages 7-9 of the board packet). Ms. Weber recommended ratification of her recommendation to approve the variance. She said the request met all of the Montana Department of Environmental Quality criteria for granting a variance. In answer to a question from Jenny Eck, Ms. Weber said it was the applicant's preference to use a microwave rather than a stove to prepare food as part of her home business. In answer to a question from Scott St. Clair, Frank Preskar said that in most cases, a variance stays with the property, but the Perl variance is specific to the process and will expire if and when the home business is dissolved. Commissioner Hunthausen moved to ratify the hearing officer recommendation for approval. Mr. St. Clair seconded the motion. The motion carried 6-0.

BOARD MEMBER DISCUSSION

Tobacco Point-of-Sale: Karen Lane and Sarah Shapiro with the Chronic Disease Prevention Programs gave a presentation on tobacco point-of-sale (on pages 11-13 of the board packet). Ms. Lane and Ms. Shapiro highlighted how tobacco companies spend money on point-of-sale advertising, how they target their marketing to children, and what kind of impact this marketing has on public health in Montana. The Montana Tobacco Use Prevention Program (MTUPP) at the state health department and its contracted consultants are working with Lewis and Clark Public Health and Missoula City-County Health Department to develop a policy and/or resolution regarding point of sale to bring before city commissioners in Helena and Missoula later this year. Ms. Lane suggested that the Board could provide a

letter of support or a resolution that would be presented to the City of Helena Commission. Mr. Benish recommended that an award or other kind of recognition should be presented to establishments that voluntarily move tobacco products and marketing behind the sales counter. In answer to a question from Ms. Weber, Commissioner Hunthausen said that the county cannot consider such a resolution because the county is limited to conducting only those activities specifically authorized under state law. Ms. Eck said that educational presentations can be given to legislators if they relate to a bill under consideration. Ms. Lane invited board members to attend a point-of sale workgroup meeting on February 23 at the Murray Building Conference Room at 2 p.m.

Groundwater Trends in the Helena Valley Update: James Swierc, hydrologist for the Water Quality Protection District, gave a presentation on groundwater trends in the Helena Valley (see Attachment “A”). In his presentation, Mr. Swierc described Helena-area aquifers and presented groundwater- flow maps depicting long- and short-term depletion trends for the North Hills, Emerald Ridge, and Southeast Helena Valley Eastgate Area. In answer to a question from Mr. Benish, Mr. Swierc said those in the Emerald Ridge Subdivision could, as a solution to their groundwater depletion, use artificial recharge, cisterns or, as a last resort, connect to a public water supply. In answer to questions from Mr. Benish and Commissioner Hunthausen, Mr. Swierc said the WQPD is educating the public, homeowner’s associations, and real estate agents about the water depletion trends through presentations.

HEALTH OFFICER’S REPORT

The Gold and Silver Fork awards will be presented after today’s meeting.

The Board of Health finance subcommittee will meet February 23 from noon to 1 p.m. All board members are welcome to attend.

A strategic planning meeting with the Board of Health is tentatively scheduled for either March 15 or 27. Staff will resend a Doodle poll to board members to help finalize the date.

Drenda Niemann, a member of the Local Advisory Council’s Suicide Prevention workgroup, Mayor Collins, Debbie Havens, and other members of the community are participating in the Mayors Challenge to Prevent Suicide among Service Members, Veterans, and their Families.

Construction in the lower level of the Murray Building is ongoing.

Eric Merchant, Communicable Disease and Prevention Division Administrator, presented an update on the 2017-2018 flu season (see Attachment “B”). Mr. Merchant also will email the board highlights of the year-end communicable disease report.

There being no public comment, the meeting adjourned at 2:30 p.m.

Jim Benish, Chair

Melanie Reynolds, Secretary

After the adjournment of the Board of Health meeting, Board members and staff of the Licensed Establishment Program recognized 55 local food establishments for their exceptional efforts to make, serve, and sell safe food to the public and presented them with Gold and Silver Fork Awards.