

**LEWIS AND CLARK CITY-COUNTY HEALTH DEPARTMENT  
BOARD OF HEALTH –MINUTES  
316 N. Park, Room 330, HELENA, MONTANA 59601  
July 24, 2014**

Members Present

Kelly Parsley, chair  
Commissioner Andy Hunthausen, vice-chair  
Anne Weber  
James Benish  
Scott St. Clair  
Mayor Jim Smith  
Dr. Maria Braman  
Kent Kultgen departed @ 2:55 p.m.

Members Absent

Jennifer Lowell

Staff Present

Melanie Reynolds  
Jolene Helgerson  
Kathy Moore

Guests Present

Betsy Burns, EPA  
Bob Anderson, Hydrometrics

Kelly Parsley, chair, called the meeting to order at 1:30 p.m. A quorum was established.

**REVIEW OF AGENDA**

No changes to the agenda were made.

**MINUTES**

Ms. Parsley asked if there were any corrections or additions to the June 26, 2014, minutes. The Board approved the minutes as written.

**ACTION ITEM**

Request for the Board of Health to petition the Montana Department of Natural Resources and Conservation to create an East Valley Controlled Groundwater Area: Kathy Moore, Division Administrator for the Environmental Services Division, presented a request for the Board of Health to petition the Montana Department of Natural Resources and Conservation (DNRC) to create an East Valley Controlled Groundwater Area (CGWA) (see Attachment “A”). Ms. Moore gave a brief update on the events that have led to the request for a petition and discussed the estimated petition and DNRC rulemaking timeline (see Attachment “B”), long-term operations & enforcement of a permanent CGWA (see Attachment “C”), and a frequently asked questions hand-out (see Attachment “D”). In answer to a question from Commissioner Hunthausen, Ms. Moore stated that the 3 wells supplying the City of East Helena residents are located outside of the CGWA boundary and are not affected by the plume at this time. If there is a need for the city to drill a well in Sub Area 2, they will have to go through the same administrative process as citizens asking to install new wells. In answer to questions from James Benish, Ms. Moore stated that the funding for the CGWA program would be provided by the Asarco bankruptcy settlement. There would be no cost for the Health Department for an estimated 20 years. The cost to drill a well would be the responsibility of the landowner. Ms. Moore will add this information to her frequently asked questions sheet for public review. Bob Anderson with Hydrometrics stated that, in the proposal, the Board of Health can deny a request for a replacement well or they could allow a replacement well with provisions. In answer to questions from Scott St. Clair, Ms. Moore stated that grammatical changes to the petition will be made before it is submitted to the DNRC. Ms. Moore stated that the proposal is not

relying on the City of East Helena ordinance banning well drilling to protect public health. The CGWA is separate from the city's ordinance and will be enforced separately. Mr. Anderson stated that the boundary lines for the CGWA are based on the plumes' current location and water quality standards exceeding the recommended limit, physical and legal boundaries, and the flow of the creek. It is the intent of the Environmental Protection Agency (EPA) to stop and/or reduce the amount of contaminants migrating from the plant site to groundwater. In answer to a question from Commissioner Hunthausen, Mr. Anderson stated that there are water treatments available for a homeowner to use to remove arsenic and selenium from their homes. In answer to a question from Mr. St. Clair, Betsy Burns with EPA stated that the remediation work they are doing at the plant site and surrounding areas should be concluded by 2017. Results of the cleanup may not show up in the plume until years later. The funding for the CGWA was determined by the Montana Environmental Trust Group to last 20 years based on the bankruptcy court decision. The Health Department will develop a budget and the Trust will fund a special account to pay the costs of the program. In answer to a question from Mayor Smith, Ms. Moore stated that the North Hills CGWA petition was implemented based on water quantity. In contrast, the East Valley CGWA petition is based on water quality and contamination. Mr. Benish made a motion for the Lewis and Clark City-County Board of Health to authorize the Chair to sign a Petition to the Department of Natural Resources and Conservation to implement rulemaking for a Controlled Groundwater Area as presented today and described in the document titled 'Supporting Information for the East Valley Controlled Groundwater Area Petition, Lewis and Clark County, Montana', and the attachments and exhibits listed therein. Anne Weber seconded the motion. The motion passed 8-0.

### **BOARD MEMBER DISCUSSION**

Finance Report: Melanie Reynolds, Health Officer, referenced the FY14 comparison to budget and cash flow for July 2013 through June 30, 2014 (page 10 of the board packet). Ms. Reynolds noted that the Department is 100% of the way through its fiscal year. Total revenue to date is \$1,814,754, or 91% of the amount budgeted; actual expenditures are \$1,878,555, or 91% of the amount budgeted. Revenues are under expenditures by \$63,800; total ending cash is \$731,091.

Update on Preliminary Architectural Report (PAR) for the Health Department: Health Department Management Team and members of the Board met with Schlenker & McKittrick Architects (SMA) to review the Preliminary Architectural Report's (PAR) 4 alternate locations, which were based on the Community Development Block Grant criteria. SMA will tabulate the rankings made by board members and management staff and will present a final report as soon as it is available.

Board Appointments: Melanie Reynolds highlighted the board positions that needed to be filled for fiscal year 2015. The Board made the following appointments for fiscal year 2015:

- Anne Weber as chair of the BOH
- Commissioner Hunthausen as vice-chair of the BOH
- Jennifer Lowell as BOH representative to the Water Quality Protection District board
- Maria Braman as BOH representative to the Cooperative Health Center board
- Anne Weber as temporary hearings officer

Commissioner Hunthausen made a motion to approve the Board of Health appointments for FY 2015. Kent Kultgen seconded the motion. The motion carried 8-0.

Follow-up on status of letter on Coal Train Transportation: The draft letter provided by the Northern Plains Resource Council (NPRC) for the Board to review and send to the Surface Transportation Board for them to consider the impact of coal trains on the county in their environmental impact statement and a letter from the railroad company on the quantity of coal, number of cars, engines and their plans is not

ready for board review. Staff recommends additional work by the NPRC before the letter is presented to the Board and the Surface Transportation Board. The draft letters should be available for board review at the September meeting. Ms. Reynolds also recommends having the railroad company at the September meeting regarding its letter.

### **HEALTH OFFICER REPORT**

The Health Department plans to submit sometime before the end of July its official statement of intent to apply for national accreditation. They will have 6-12 months to actually apply to the Public Health Accreditation Board (PHAB).

Holly Ireland, RN, was hired July 10th as a part-time public health nurse for the immunization program. She replaces the LPN position vacated by Ryan Spotorno. Holly will continue to also work part-time as the coordinator for the Emergency Preparedness Grant under the Disease Control and Prevention Division.

The Health Department is in the process of hiring an immunization front desk clerk and a home visiting program manager.

Ms. Reynolds presented a Board of Health letter of support to the Health Department to accompany the department's application for Partnership in Community Health funding to reduce the prevalence of chronic disease in the community (see Attachment "E").

Ms. Reynolds highlighted the School Environmental Health Assessment – Air Quality, Playground Safety, and Laboratory Safety results on page 16 of the board packet and the Communication and Marketing Dashboard on pages 20-21 of the board packet.

The August Board of Health meeting may be canceled. Ms. Reynolds will send an email to the Board prior to the meeting.

### **BOARD MEMBER DISCUSSION** *continued*

In answer to a question from Mayor Smith, Ms. Reynolds stated that the Health Department's Home Visiting Program provides visits based on public health issues within a family setting, whereas the County Welfare home visits are based on family protection. Public health advocates are actively educating our legislative representatives around the need for home visiting in order to see that funding for the program is not designated elsewhere.

There being no public comment, the meeting adjourned at 3:06 p.m.

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Kelly Parsley, Chair

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Melanie Reynolds, Secretary