

**LEWIS AND CLARK CITY-COUNTY
BOARD OF HEALTH – MINUTES
316 N. PARK AVENUE, HELENA, MONTANA 59601
Lewis and Clark City-County Building
July 25, 2019**

Members Present

Justin Murgel, chair
Mayor Wilmot Collins (departed @ 2:15 p.m.)
Jenny Eck (arrived @ 1:03 p.m.)
Scott St. Clair (departed @ 1:50 p.m.)
Brie Oliver

Staff Present

Drenda Niemann Sarah Sandau
Jolene Helgersen Nathan Wellington
Eric Merchant Jordan Moore
Jacqueline Isaly
Gayle Shirley
Frank Preskar

Members Absent

Commissioner Andy Hunthausen, vice chair
Dr. Mikael Bedell
Tyler Ream
Kammy Johnson

Guests Present

Jill-Marie Steeley, PureView Health Center
Thomas Propp, Town Pump

Justin Murgel, chair, called the meeting to order at 1:01 p.m. A quorum was not established.

REVIEW OF AGENDA

Drenda Niemann, Health Officer, requested that the employee and board member introductions and employee recognition portion of the agenda come after the minutes.

A quorum was established at 1:03 p.m.

MINUTES

Mr. Murgel asked if there were any corrections or additions to the June 27, 2019, minutes. The Board approved the minutes as written.

BOARD MEMBER DISCUSSION:

Introductions and Recognition: Ms. Niemann introduced new board member Brie Oliver, Executive Director of Healthy Mothers Healthy Babies. Jacqueline Isaly, Community Health Promotion Division Administrator, introduced new employee Jennifer Amos, WIC Administrative Assistant. Sarah Sandau, Prevention Program Supervisor, introduced new employee Nathan Wellington, Tobacco Use Prevention Health Educator. Ms. Niemann awarded the quarterly Employee Recognition Award to Theresa Rivers, WIC Aide.

ACTION ITEMS

Hearing Officer Recommendation, Colin Tordale Variance:

Mr. Murgel, on behalf of Hearing Officer Kammy Johnson, read the hearing officer recommendation from the Tordale variance hearing held on July 17, 2019. Mr. Murgel noted that Ms. Johnson recommended approval of the variance. He said the request met all of the Montana Department of Environmental Quality criteria for granting a variance. Scott St. Clair moved to ratify the hearing officer recommendation for approval. Mayor Collins seconded the motion. The motion carried 5-0.

Hearing Officer Recommendation, Tom and Jennifer O’Loughlin Variance:

Mr. Murgel, on behalf of Hearing Officer Kammy Johnson, read the hearing officer recommendation from the O’Loughlin variance hearing held on July 17, 2019. Mr. Murgel noted that Ms. Johnson recommended approval of the variance. He said the request met all of the Montana Department of Environmental Quality criteria for granting a variance. In answer to a question from Mayor Collins, Frank Preskar, Sanitarian, said that staff would do the final approval of the septic tank and dose tank watertight testing. In answer to a question from Jenny Eck, Mr. Preskar said that because the water table is higher in the area of the septic tank, staff is taking extra precautions when asking that the septic tank and dose tanks be tested and determined to be watertight prior to final approval. Ms. Eck moved to ratify the hearing officer recommendation for approval. Mr. St. Clair seconded the motion. The motion carried 5-0.

Hearing Officer Recommendation, Raymond and Penny Killham Variance:

Mr. Murgel, on behalf of Hearing Officer Kammy Johnson, read the hearing officer recommendation from the Killham variance hearing held on July 17, 2019. Mr. Murgel noted that Ms. Johnson recommended approval of the variance. He said the request met all of the Montana Department of Environmental Quality criteria for granting a variance. Mr. St. Clair moved to ratify the hearing officer recommendation for approval. Mayor Collins seconded the motion. The motion carried 5-0.

Hearing Officer Recommendation, Larry and Laurie Ann Chapman Variance:

Mr. Murgel, on behalf of Hearing Officer Kammy Johnson, read the hearing officer recommendation from the Chapman variance hearing held on July 17, 2019. Mr. Murgel noted that Ms. Johnson recommended approval of the variance. He said the request met all of the Montana Department of Environmental Quality criteria for granting a variance. In answer to a question from Ms. Eck, Mr. Preskar said that the applicant proposed enough fill material similar to natural soil to meet the 4 feet of separation. The applicant will also build an elevated sand mound. Before the effluent is discharged to the elevated sand mound, it will pass through a system meeting the Level II requirements. Ms. Eck moved to ratify the hearing officer recommendation for approval. Brie Oliver seconded the motion. The motion carried 5-0.

Consider a resolution in support of Outdoor Smoke-free Environments Ms. Niemann introduced a draft resolution supporting the establishment of voluntary outdoor smoke-free areas and enhanced practices to reduce outdoor secondhand smoke exposure in public places (pages 23-24 of the board packet). Ms. Niemann provided a brief history of the City of Helena’s desire for a Tobacco Ordinance. Mr. Wellington explained how the resolution will work and noted the public-private partnership that was involved in creating the resolution. In answer to a question from Ms. Oliver, Ms. Sandau said that the partnership includes Town Pump, the Helena Area Chamber of Commerce, Miller’s Crossing, the Rialto Bar, and 4 J’s Casino. Ms. Niemann noted that many businesses have already adopted outdoor smoke-free policies. In answer to a question from Mr. Murgel, Ms. Sandau said that at this time there is no state law on a set distance for smoking outdoors, but that the smoke cannot infiltrate the building and smoking can be allowed within a reasonable distance according to the Clean Indoor Air Act. Studies show that 30 feet is preferable. In answer to a question from Ms. Oliver, staff said that the resolution also includes vaping. Ms. Eck made a motion to approve the resolution supporting the establishment of voluntary outdoor smoke-free areas and enhanced practices to reduce outdoor secondhand smoke exposure in public places. Mayor Collins seconded the motion. Mr. Murgel asked for any public comment. Thomas Propp, Director of Operations for Town Pump, spoke in support of the resolution on behalf of Helena and East Helena’s Town Pump stores. Mr. Propp read a statement from Cathy Burwell, CEO/President of the Helena Area Chamber of Commerce, in support of the resolution. Mr. Propp noted that the resolution will enhance the Clean Indoor Air Act, decrease exposure of children to smoking, and already has business participation. In answer to a question from Ms. Eck, Mr. Propp said that Town Pump has already begun the process of developing outdoor smoke-free policies, creating space for customers and staff who do

smoke while preventing exposure to the public and updating signage. In answer to a question from Mayor Collins, Mr. Propp said that Town Pump is currently evaluating what would be a reasonable setback distance. In answer to a question from Ms. Oliver, Mr. Propp said that Town Pumps of Helena and East Helena have already incorporated smoke-free areas and enhanced practices. Ms. Niemann said the next step is to present the resolution to the City of Helena Commission in August. Staff will develop a tool kit for businesses to help develop policies and changes to their outdoor smoke-free environment. Mr. St. Clair requested that Mr. Propp address the East Helena Commission. Ms. Eck's motion carried 5-0.

BOARD MEMBER DISCUSSION *continued*

PureView Health Center Update: Jill-Marie Steeley, Executive Director of PureView Health Center, provided an update on the center's services, sites and their future separation from Lewis and Clark County (pages 26-30 of the board packet). In answer to a question from Mr. Murgel, Ms. Steeley said that summer use of the East Helena clinic has been steady. There is a wait time for services for dental and behavioral health. In answer to a question from Mayor Collins, Ms. Steeley said that PureView has a clinic based at God's Love, which is funded by a federal Health Care for the Homeless (HCH) Grant. The HCH program provides temporary medical services and case management to individuals and families experiencing homelessness. Individuals on the program are reevaluated every 3 months. Ms. Steeley said she did not know the number of individuals who are enrolled in the program more than once but would find the data and get it to the Board. Mayor Collins noted that individuals at Gods' Love have expressed a need for primary care on the weekends. Ms. Steeley said PureView is currently looking at having its main clinic open on Saturdays. In answer to a question from Ms. Eck, Ms. Steeley said that some patients who receive medication-assistance treatment for opioid addiction are able to come off long-term medication treatment, but some will always need to be on medication to prevent relapse. In answer to a question from Mr. Murgel, Ms. Steeley stated that PureView Health Center has 5 providers out of 120 in Montana who are certified to provide medication-assistance treatment. In answer to a question from Ms. Oliver, Ms. Steeley said that the East Helena Clinic is too small to have both a family and pediatric/OB/Gyn physician.

Youth Risk Behavior Survey: Gayle Shirley, Communications and System Improvement Manager, provided an update on the results of the 2019 Youth Risk Behavior Survey (see Attachment "A"). The survey is a self-reported student survey conducted every 2 years by the Montana Office of Public Instruction. The survey focused on questions about nutrition, physical activity and sleep, drug use, alcohol use, depression and suicide ideation, tobacco use, driver safety, sexual behavior and violence. In answer to questions from Ms. Eck, Ms. Shirley did not have data showing the number of students who used a condom during intercourse but said she would get that data for the Board. Ms. Eck also said that the Friendship Center has seen an increase in sexual assault reporting by students and that it would be beneficial to look at as part of the community health assessment. Mr. Murgel and Ms. Eck requested the full 2019 survey results along with the grade breakdown of who is responding to the survey.

Finance Report: Heather Parmer, Finance Coordinator, referenced the FY19 comparison to budget and cash flow for July 2018 through July 2019 (pages 31-32 of the board packet). Ms. Parmer noted that the department is 100% of the way through its fiscal year. Total revenue to date is \$2,497,519, or 112% of the amount budgeted; actual expenditures are \$2,304,012 or 100% of the amount budgeted. Revenues are over expenditures by \$193,507; total ending cash is \$955,172. Ms. Niemann said that a \$150,000 one-time technology purchase will bring the budget within the 90 days reserve. In answer to a question from Ms. Oliver, Ms. Niemann said that the Montana Department of Public Health and Human Services (DPHHS) awarded a \$10,000 grant to the health department to help with accreditation requirements. The grant could be used to cover costs of health assessments, community health improvement planning, and strategic planning. Ms. Niemann wrote the grant asking for funds to support the department's community

health plan focusing on behavioral health. She was not sure whether the grants will continue to be available. The health department will take responsibility for the grant administration while the Local Advisory Council on Mental Health will take on most of the grant work.

HEALTH OFFICER'S REPORT

As part of the accreditation process, the department submitted section II of its Public Health Accreditation Board (PHAB) Annual Report (pages 35-49). We have not yet received any feedback from PHAB on the report.

The National Association of Local Boards of Health (NALBOH) annual conference is August 14-16 in Denver, Colorado. Board members who would like to attend should contact Ms. Niemann.

The Montana Department of Public Health and Human Services (DPHHS) was required to submit a draft Medicaid Expansion Waiver to the Centers for Medicare and Medicaid Services (CMS). The waiver outlines the State of Montana's use of the expansion waiver. DPHHS is asking for public comment on Medicaid work and community engagement requirements and a gradual increase premium structure. Public comment period closes August 23. Public meetings will be held on July 31 in Billings and August 1 in Helena. Both meetings are available through a webinar. Ms. Niemann will email the webinar details to the Board. In answer to a question from Ms. Eck, Ms. Niemann said that before the Medicaid Expansion Waiver can be moved to CMS for their consideration, public comment is required. Ms. Eck suggested that the Board write a resolution to submit during the public comment period. Ms. Niemann will send information on the Medicaid Expansion Waiver to the Board for review and will wait on direction from the Board Chair regarding a resolution.

There being no public comment, the meeting adjourned at 2:43 p.m.

Justin Murgel, Chair

Drenda Niemann, Secretary

Action Items from July 25, 2019

- Ms. Shirley will provide the Board with a breakdown of the Youth Risk Behavior Survey results
- Ms. Niemann will provide the Board with information on the Medicaid Expansion Waiver. She will draft a resolution if needed based on the Board's review of the waiver.