

**LEWIS AND CLARK CITY-COUNTY
BOARD OF HEALTH – MINUTES
1930 9th AVE, HELENA, MONTANA 59601
Zoom Meeting, 1:00 p.m.
May 27, 2021**

Members Present by Zoom

Justin Murgel, chair
Commissioner Andy Hunthausen, vice chair
departed @ 1:55 p.m.)
Mayor Wilmot Collins (departed @ 2:17 p.m.)
Kammy Johnson
Dr. Mikael Bedell
Tyler Ream (arrived @ 1.02 p.m.)
Brie McLaurin

Members Absent

Jenny Eck

Staff Present by Zoom

Drenda Niemann Sarah Sandau
Eric Merchant Heather Parmer
Kathy Moore Julie Bir
A.C. Rothenbuecher Taylore Dinsdale
Dorota Carpenedo Beth Norberg
Damian Boudreau
Jolene Helgerson

Guests Present by Zoom

Charles Lane, Lewis and Clark Deputy County Attorney

Justin Murgel, Chair, called the meeting to order at 1:01 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 22, 2021 minutes. There being none the Board approved the minutes as written. No public comment was given.

ACTION

Review COVID-19 Emergency Rules and Regulations: Ms. Niemann highlighted the COVID-19 HUB map of current numbers of confirmed, active, break through and recovered cases, daily new case incidences, weekly case incidences, and test positivity rates. With the passing of HB 257 and HB 121, and with no City-County Interlocal Agreement officially amended and signed, Ms. Niemann made a recommendation to the Board that they follow the current Centers for Disease Control (CDC) recommendation regarding the use of masks for those who have been fully vaccinated. In answer to a question from Mayor Wilmot Collins, Ms. Niemann and Dr. Mikael Bedell both agreed that studies are still in progress regarding the need for a COVID-19 booster, but if recommended, public health and others are ready at the local level. Mayor Collins made a motion to support the current CDC recommendation regarding mask use as an option rather than a requirement for those who are fully vaccinated. Brie Oliver seconded the motion. Mr. Murgel opened the motion up for public comment.

Jamie Bright, Helena resident asked if the current CDC guidance on masks also applies to schools.

There being no further public comment or board member discussion, the motion carried 7-0.

Tyler Ream, Superintendent of Schools, stated that the Helena School District is continuing to follow the CDC mask guidance for schools. As for fully vaccinated and not vaccinated students, HB 702 prohibits discrimination based on vaccine status or possessing immunity passport. At an upcoming meeting, the Helena Public School Board of Trustees will consider their current face covering policy along with plans for this summer and school year 2021-2022.

BOARD MEMBER DISCUSSION

Variance Summary: Kathy Moore, Environmental Services Division Administrator, gave an annual update on Variances to the Lewis and Clark County Onsite Wastewater Regulations (see Attachment “A”). Ms. Moore highlighted the current MCA standards, what a variance is, why the purpose of annual reviews, and number of permits and variance issued. No public comment was given.

CONNECT Referral System Update: Julie Bir, Regional CONNECT Referral Coordinator, gave an update of the CONNECT Referral System (see Attachment “B”). Ms. Bir provided a brief background and introduction along with coalition and program participation, program success, and next steps. Mr. Murgel recommended a presentation of the system at a future board meeting. No public comment was given.

Legislature Update: With the passing of the following legislative bills, Public Health will analyze the impact these laws will have on how public health will conduct business into the future.

[HB 257](#)-Revise laws relating to government mandates and businesses- Signed by Governor

[HB 121](#)-Require elected official approval of local health board and officer actions- Signed by Governor

[HB 702](#)-Prohibit discrimination based on vaccine status or possessing immunity passport- Signed by Governor

[SB 398](#)-Generally revise vaping laws- Signed by Governor

[SB 199](#)-Provide for the Montana Local Food Choice Act- Signed by Governor

Ms. Niemann announced that state and local public health practitioners and associations will continue to collaborate over the interim and focus on the legislative bills mentioned above.

Ms. Niemann announced that with the passing of HB 121, representatives from Lewis and Clark County, City of Helena and East Helena along with city and county legal representation had their first meeting to discuss the changes to the current interlocal agreement. As a follow-up to the first meeting, each of those representatives from the County, City of Helena, and East Helena will discuss with their respective elected officials the various options for meeting the intent of the new law. At the next meeting scheduled at the beginning of June, each representative will share their preferred option for naming the “local governing body” required by law to adopt, amend, or recent any current or future public health rule or regulation. Once this representative group has come to consensus, the interlocal agreement will be amended to reflect the option chosen by the County Commission, Helena City Commission, and the East Helena City Council and the amended interlocal agreement will be formally adopted by the three elected bodies in the jurisdiction. In answer to a question from Mr. Murgel, Mayor Collins said the Helena City Commission would have their decision regarding the local governing body soon.

No public comment was given.

Board Membership and Officers: Ms. Niemann announced the following Board of Health term positions expire in June.

- Member at large chosen from the population of the county residing outside the city limits of Helena.
- A professional with experience in the field of environmental, biological, chemical or engineering sciences.
- A resident of the City of East Helena recommended by the governing body of the city of East Helena. Serving at the pleasure of the East Helena City Council.

At the June 17 board meeting, the Board will vote on the next fiscal year chair, vice chair, hearing officer and representative on the Water Quality Protection District Board.

PUBLIC COMMENT

No public comment was given.

The meeting adjourned at 2:21 p.m.

Justin Murgel, Chair

Drenda Niemann, Secretary