

**LEWIS AND CLARK CITY-COUNTY HEALTH DEPARTMENT
BOARD OF HEALTH - MINUTES
316 N. Park, Room 309, HELENA, MONTANA 59601
February 23, 2012**

Members Present

Peter Donovan, chair
Ken Wallace, vice-chair
Chris Deveny
Steve Ackerlund
Susan Epstein
Commissioner Andy Hunthausen
Keith Meyer (arrived 2:00 p.m.)

Staff Present

Melanie Reynolds
Jolene Helgerson
Kathy Moore
Dorothy Bradshaw
Gayle Shirley

Members Absent

Mayor Anthony Strainer
Mayor Jim Smith

Guests Present

Millie Heffner, MDNRC
David Shanight, CDM
Betsy Burns, EPA-Montana Office

Peter Donovan, 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

Peter Donovan asked if there were any corrections or additions to the January 26, 2012 minutes. The Board approved the minutes as written.

BOARDMEMBER DISCUSSION

Melanie Reynolds, Health Officer, introduced Norman Rostocki as the new Health Department Finance Coordinator. Melanie noted that he brings over 28 years of government budgeting and accounting experience.

Finance Reports: Nancy Everson, finance director for Lewis & Clark County, referenced the comparison to budget and cash flow for the period ending January 31, 2012 on page 8 of the board packet. Nancy noted that we are 58% through the fiscal year. Total revenue is \$890,936 or 57% of the amount budgeted; actual expenditures are \$885,557 or 56% of the amount budgeted; revenues are over expenditures by \$5,379; total ending cash is \$663,735. Nancy noted that the Fiscal Year (FY) 2013 budget is fast approaching. Norman will have a draft budget for the Board to review at the March meeting. The finance committee will meet in April to finalize the budget and staff will present the budget to the Commissioners for approval in May. Melanie Reynolds stated that the Board will need to review rate of service charges for the health department and the Septic Maintenance Program's revenue for the next fiscal year.

PRESENTATION

Millie Heffner with the Montana Department of Natural Resources & Conservation (MDNRC) highlighted the department's role in water rights in Montana (See Water Rights in Montana, Attachment "A") and the steps the department takes when a petition application is received on page 28 of Attachment "A". Ms. Heffner gave an overview of the department's definition of controlled ground water areas and provisions the department can designate on pages 41-44 of Attachment "A". Ms. Heffner also presented

an example of a petition that came before the MDNRC (See Attachment “B”). In answer to Ken Wallace’s question, Ms. Heffner stated that the department makes the final decision regarding the denial or approval of a petition. In answer to Chris Deveny’s question, Ms. Heffner stated that the petitioner pays the cost of the petition application and the cost of the required public notice.

David Shanight PE, with CDM-Smith presented a draft petition for Upper Tenmile Creek Controlled Ground Water Area on pages 10-20 of the board packet. Mr. Shanight stated that the purpose of the petition is to establish an institutional control (IC) to ensure that all potential new users of ground water in the area of Upper Tenmile Creek will be informed that the aquifers have been contaminated in some locations by mining-related activities, understand requirements for sampling and testing ground water, and are aware of potential health risks from drinking water that exceeds Montana or federal ground water quality standards. Mr. Shanight highlighted Section 7: Controlled Ground Water Area Provisions on pages 17-18 of the board packet. Steve Ackerlund representing Rimini Inc. stated that community of Upper Tenmile would like to see the Board of Health or another entity act as the petitioner of the controlled ground water area. Susan Epstein stated that as part of the provisions current home owners should provide the controlled ground water area in their deed notice when selling their home. In answer to Chris Deveny’s question, Ms. Heffner stated that the drillers of drinking water within the county have not been informed of the draft provisions. Chris Deveny requested that new home owners and current home owners are notified of spacing restriction of septic tanks when a new septic location or water well location is needed. Steve Ackerlund stated that the community of Upper Tenmile Creek will be having a meeting on February 29, 2012 and he will bring forth the concerns and comments from the Board. Mr. Shanight stated that the Environmental Protection Agency and CDM-Smith will be available for further questions regarding the petition.

BOARDMEMBER DISCUSSION continued

Community Health Report and Accreditation Update: Melanie stated that the Community Health Report has been circulated throughout the community and a discussion of the report was given on Home Town Helena. Melanie along with Gayle Shirley, Communication Coordinator, presented the Health Improvement Plan- Process Outline (See Attachment “C”). The handout provided the pre-accreditation process and steps needed to be able to apply for accreditation. Keith Meyer volunteered to be on the Health Improvement Plan Steering Committee.

East Helena IC’s Update: Kathy Moore, Division Administrator, stated that the final draft for the Institutional Control Plan (ICP) for the City of East Helena is progressing slowly. At the request of the County Commissioners, staff will remove Jefferson County from the IC map. Kathy also noted that the Department of Environmental Quality (DEQ) has not been able identify the source of the sediment in Prickly Pear Creek. There is a possibility of more sediment to occur due to flooding.

Drumlummon Mine Update: Kathy Moore stated that the RX Gold and Silver Inc. in Marysville held a public meeting with community of Marysville on February 16 to address the concerns of the residents. County staff is continuing to meet with residents of Marysville to address their concerns also. Kathy highlighted the process that the County Commissioners are taking regarding the hard rock mining plan and the DEQ permit review. The Commissioners will be submitting their comments regarding the permit to DEQ before the deadline of March 27.

ACHIEVE Activities Update: Dorothy Bradshaw, Division Administrator, presented the three project goals and objectives for the ACHIEVE Project with a completion date by March 2014 (See Attachment “D”). The project goals are to 1) increase the number of city parks and trails with “improved access”

from 0 to 5 sites; 2) increase the number of tobacco free policies from 0-5 and 3) to increase the number of healthy nutrition policies for school-aged children from 0-2. The Health Department is taking a lead role in working with ACHIEVE to develop and implement tobacco free parks policies in the Helena area. Commissioner Hunthausen commented on the coordination between sectors modeled by the ACHIEVE process, and encouraged more shared information between different groups that work on policies that impact community health, such as transportation policy. He observed that it is difficult to make sure that all the needed connections are made. He suggested that the Board and ACHIEVE partners get involved when changes are made to several of the city and county policies and regulations regarding transportation.

During a discussion of tobacco free venues throughout Helena, Commissioner Hunthausen requested the assistance from the Board of Health in writing a letter to the Board of County Commissioners and the Board of City Commissioners to have the city-county building and the county courthouse building become tobacco free properties. Chris Deveny made a motion that the Board of Health send a letter to the Lewis and Clark County Commission and the City of Helena Commission requesting that they move forward in passing tobacco free designations for the court house and city-county building as soon as possible and to proceed investigating adding those designations to other city and county owned properties. Susan Epstein seconded the motion. Ken Wallace requested an update be given to Mayor Smith regarding this motion. The motion carried 7-0. Melanie will prepare the letter for the board chair to sign.

Melanie spoke with Eric Bryson, Chief Administrative Officer, about adding tobacco free requirements to the renewal contract for the parks around Helena.

HEALTH OFFICER REPORT

On March 5, 2012, Melanie Reynolds, Darby Bramble, and Gail Beckner will serve as witnesses for the Health Department in a lawsuit filed against the Best Bet Casino regarding their violations against the Montana Clean Indoor Air Act.

Melanie presented the first quarterly Report to the Community fact sheet (See Attachment "E"). The fact sheet will highlight health department program data from the Community Health Report.

Kathy Moore will be on medical leave beginning in March for 4-6 weeks. Frank Preskar will be acting Environmental Services Administrator.

The number of noroviruses and norovirus-like cases is starting to rise in Lewis and Clark County. The flu season has seen a decline in the number of cases for this time of year.

The Licensed Establishment Program has applied for a U.S. Food and Drug Administration (FDA) grant to assist with an upgrade of the food establishment inspection program to meet voluntary program standards established by the FDA. Staff will give a presentation at the next board meeting.

The meeting with the St. Pete's Board and the Board of Health was canceled for the month February. Melanie is putting times together to meet in March. The agenda for the March meeting will be on charity care in the community.

Ken Wallace stated that in the sponsorship for Health Fair hosted by the Helena Independent Record was a possible chew product sponsor. Dorothy Bradshaw will look into and report back to the board regarding the sponsorships and the possible exclusion of participation in the Health Fair.

The Golden Fork and Silver Fork award from the License Establishment Program will continue next year and hopes to have more participants than last year. Melanie stated that the food inspection program will be available on-line in the next couple of months.

The Home Visitors Program is meeting with tobacco specialists and state agencies regarding the high state average of women who smoke during pregnancy.

Melanie is working with Steve Ackerlund in preparing for her health officer evaluation.

Commissioner Hunthausen stated that there will be a public meeting with the RX Gold and Silver Inc. in Canyon Creek on February 28, 2012 and again on March 8, 2012 in Marysville. The Commissioner also stated that there will be a joint land use study with Fort Harrison, Helena Airport, and the firing range in Broadwater County.

There being no public comment, the meeting adjourned at 3:40 p.m.

Peter Donovan, Chair

Melanie Reynolds, Secretary

Action Items from February 23, 2012 BOH Meeting

- Melanie will prepare a letter recommending that the Commissioners approve tobacco free properties for the City-County Building and the County Courthouse.
- The License Establishment Program will give a food code presentation at the next board meeting.
- Dorothy Bradshaw will report back to the board regarding a possible tobacco sponsor at the Health Fair and the possible exclusion of participation at the Health Fair.