

**LEWIS AND CLARK CITY-COUNTY HEALTH DEPARTMENT
BOARD OF HEALTH - MINUTES
316 N. Park, Room 309, HELENA, MONTANA 59601
April 26, 2012**

Members Present

Peter Donovan, chair
Ken Wallace, vice-chair
Chris Deveny
Susan Epstein
Commissioner Andy Hunthausen
Mayor Jim Smith (Dept. 2:55 p.m.)

Staff Present

Melanie Reynolds Laurel Riek
Jolene Helgersen Laura Hendley
Frank Preskar Mark Syverson
Dorothy Bradshaw Norman Rostocki
Mike Henderson

Members Absent

Steve Ackerlund
Keith Meyer
Mayor Anthony Strainer

Guest Present

Jim Ford, MECT
Cindy Brooks, MECT
Betsy Burns, EPA

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

REVIEW OF AGENDA

Peter Donovan stated that the finance report would be added to action item number three on today's agenda.

MINUTES

Peter Donovan asked if there were any corrections or additions to the March 22, 2012, minutes. The Board approved the minutes as written.

ACTION ITEM

Finance Reports: Norman Rostocki, Finance Coordinator, referenced the comparison to budget and cash flow for the period ending March 31, 2012, on page 16 of the board packet. Norman noted that we are 75% through the fiscal year. Total revenue is \$1,016,127, or 65% of the amount budgeted; actual expenditures are \$1,129,298 or 71% of the amount budgeted. Revenues are under expenditures by \$113,171; total ending cash is \$545,184. Norman stated that he added the future adjustments affecting expenditures to the finance report to show possible liabilities regarding the budget.

Fiscal Year 2013 Health Department Budget: Melanie Reynolds, Health Officer, stated that the FY 2013 budget provides no change in the level of core public health services offered at the Health Department. Also, the Health Department will be retaining staffing levels at the current number of FTE's. Melanie also noted that the Health Mill Fund is budgeted for a deficit in FY2013 totaling \$43,000. The other funds are balanced to or near zero. The projected cash reserve for the Health Mill Fund as of June 30, 2012, will be about the 60 to 90 day recommended range.

Norman Rostocki highlighted Health Mill Fund 227 and staffing summary on pages 8-9 of the board packet along with a budget summary (See Attachment "A"). Norman stated that the total revenues for FY 2013 are approximately \$4.5 million. The Health Department mill will draw on the total cash reserve of \$43,025 which would leave an ending balance of \$492,039. The total expenditure for FY 2013 is

\$4,559,989. Norman noted that there will be a cost of living adjustment of 2.5 percent with no step increases. The Health Department has a new .5 FTE personnel request for FY2013. The Health Mill Fund FTE's has increase from 13.96 to 14.15.

Melanie Reynolds stated that there will be additional mill expenditures for the Outdoor Air Quality education campaign and enforcement; follow up activities for the ACHIEVE grant; and the continuing work towards public health accreditation and strategic planning. Melanie also noted that the Public Water Supply contract with the Montana Department of Environmental Quality (MDEQ) has been discontinued. The Water Quality Protection District Board did not recommend an increase in the amount assessed per property for FY 2013. The final budget will be given to the Commissioners to review in May. The Commissioners will vote on the budget in the summer.

In answer to a question from Chris Deveny, Melanie Reynolds stated that the Health Department hourly fee has not been updated in four years. Melanie and Norman will provide the board with a projected fee increase at the June board meeting. Melanie also noted that the staff will monitor the Septic Maintenance Program fees and will provide updates to the Board.

After further board member discussion, Mayor Smith made a motion to approve the recommended budget for FY 2013 to be presented to the County Commissioners for review. Susan Epstein seconded the motion. The motion carried 6-0.

Specimen Transport Plan: Mike Henderson, Division Administrator, presented the Specimen Transport Plan on pages 11-13 of the board packet. Mike stated that the purpose of the plan is to facilitate assessment and the rapid delivery of specimens of immediate concern for laboratory analysis. The location of the state laboratory within our jurisdiction can minimize transport time. Chain of custody documentation will be implemented when a credible threat has been established. All agencies involved with submission of samples will be notified when chain of custody documentation is indicated.

In answer to a question from Chris Deveny, Mike stated that the first written protocol for a Specimen Transport Plan with the Montana Department of Public Health and Human Services (MDPHHS) was in 2005. Mike also noted there will be more revisions to the current emergency preparedness protocols and will need further Board approval in the coming months.

In answer to questions from Ken Wallace, Mike stated that Health Department will assist other entities within the county during transport of hazardous materials.

Susan Epstein made a motion to approve the Specimen Transport Plan. Commissioner Hunthausen seconded motion. The motion carried 6-0.

Findings of Fact, Patricia Bartmess: Peter Donovan, Hearing Officer during the Classic Gateway, LLC Variance Hearing that was held on April 23, 2012, gave a brief explanation of the variance. Commissioner Hunthausen moved to approve the Findings of Fact and Conclusion of Law for the Classic Gateway, LLC variance (See Attachment "B"). Ken Wallace seconded the motion. The motion carried 6-0. In answer to a question from Ken Wallace, Frank Preskar stated that due to a county error, the planning specifications were approved without the Environmental Services Division reviewing them prior to approving the permit. Staff will work with the Planning Department to prevent this occurrence happening again.

Findings of Fact, Timothy Garrett & Jeanne Carstensen-Garrett: Peter Donovan, Hearing Officer during the Timothy Garrett & Jeanne Carstensen-Garrett Variance Hearing that was held on April 23, 2012, gave a brief explanation of the variance. Chris Deveny moved to approve the Findings of Fact and Conclusion of Timothy Garrett & Jeanne Carstensen-Garrett variance (See Attachment “C”). Susan Epstein seconded the motion. The motion carried 6-0.

PRESENTATION

Betsy Burns RCRA project manager for the Environmental Protection Agency (EPA), Region 8 Montana Office, introduce Cindy Brooks and Jim Ford, trustees for the Montana Environmental Custodial Trust (MECT). Ms. Burns stated that Ms. Brooks and Mr. Ford will be giving an update on the cleanup activities at the East Helena Resource Conservation and Recovery Act (RCRA) site. Ms. Brooks presented a handout on Opportunities and Constrain Plans Redevelopment Planning Studies for East Helena Smelter (See Attachment “D”) and gave a PowerPoint presentation on the Community Plans and Participation within the City of East Helena. Ms Brooks highlighted the ongoing communications with stakeholders, communication goals, communication tools, EPA obligations for the City of East Helena, and the 2012 schedule for the MECT. Ms. Brooks also noted there will be eight parcels of land transferred to the city and the county at no cost. Melanie Reynolds stated that the Health Department is going forward with developing the institutional controls (IC’s) in East Helena. In answer to a question from Ken Wallace, Ms. Brooks stated that the process of conveyance to transfer property interests requires that the MECT have prior approval from the United States and the State of Montana. Jim Ford, MECT Remedial Project Manager, gave a PowerPoint presentation on the corrective action implementations, 2012 and 2013 interim measures work plans, and current and proposed plant site conditions regarding the East Helena Smelter site (See Attachment “E”). In answer to a question from Ken Wallace, Mr. Ford stated that the MECT has designed a by-pass channel within the smelter site in case of 25 year flood. In answer to a question from Commissioner Hunthausen, Mr. Ford stated that the ET Cap System could be built upon for recreational use as long as the caps are not penetrated.

A five-minute break was taken by the board.

BOARD MEMBER DISCUSSION

Wood Stove Survey Update: Kathy Moore, Division Administrator, gave an update on the MDEQ funding and progress for the Electronic Reader Board and the Wood Stove Telephone Survey (See Attachment “F”).

Board of Health Media Policy: Melanie Reynolds highlighted the draft Board of Health Media Policy on pages 17-18 of the board packet. Melanie will send the policy to the Board for further review and comment. The Board will vote on the policy at the May board meeting.

HEALTH OFFICER REPORT

Melanie handed out to the Board the spring 2012 Lewis and Clark City-County Health Department Report to the Community (See Attachment “G”). The report highlighted the Breastfeeding Promotion and updates of activities accomplished by the Health Department.

The Board of Health will have four new board positions opening up this year which are:

- A professional person with experience in the field of environmental, biological, chemical, or engineering services (currently held by Steve Ackerlund)
- A member at large chosen from and residing in the City of Helena (currently held by Chris Deveny)

- A member at large chosen from the population of the County residing outside the city limits of the City of Helena (currently held by Peter Donovan)
- Superintendent of School District #1 (currently held by Keith Meyer)

Mike Henderson, Division Administrator, stated that there have been 16 cases of pertussis (whooping cough) within the county to date. The first case was reported on March 29. Children in elementary, middle, and high schools have been affected but no infants. Staff has sent out press releases on pertussis along with advisories to the medical community, schools, and parents.

Dorothy Bradshaw, Division Administrator, stated that members from the ACHIEVE grant and Community Action Plan will be giving a tobacco free parks presentation to the City of Helena Parks Board on May 2, 2012. In June or July, the Parks Board would vote on a recommendation that would then go before the city commissioners for approval. The recommendations would be to start with Centennial Park in October or to include all parks. The Parks Board does have the option to take no action or to come up with their own recommendations.

Dorothy also stated that John Rundquist with the City of Helena Public Works has requested a public meeting on May 15 at 6:00 p.m. at the Civic Center to discuss a specific public transportation issue related to the intersection of Neill and Last Chance Gulch. Melanie stated that Mr. Rundquist wanted to make sure the Board of Health knew of this opportunity to comment on bike, pedestrian and other public health issues related to the alternatives presented for this intersection. Melanie will send the board additional information.

Commissioner Hunthausen stated that the City-County Building Board met to discuss options on moving forward with a tobacco free campus for the city-county building.

There being no public comment, the meeting adjourned at 3:52 p.m.

Peter Donovan, Chair

Melanie Reynolds, Secretary

Action Items from April 26, 2012, BOH Meeting

- Melanie will have a projected fee increase report on the June Board of Health agenda.
- Melanie will send an electronic copy of the Board of Health Media Policy for the Board to review and comment.
- Melanie will send a reminder regarding the May 15 Public Transportation meeting to the Board.