

**LEWIS AND CLARK CITY-COUNTY
BOARD OF HEALTH – MINUTES
1930 9th AVE, HELENA, MONTANA 59601
Zoom Meeting, 1:00 p.m.
May 28, 2020**

Members Present by Zoom

Justin Murgel, chair
Mayor Wilmot Collins (Arrived at 1:14 p.m.)
Kammy Johnson (Arrived at 1:14 p.m.)
Jenny Eck
Dr. Mikael Bedell
Tyler Ream
Raymond Berg

Staff Present by Zoom

Drenda Niemann Jan Williams
Jolene Helgersen Sarah Sandau
Jacqueline Isaly
Eric Merchant
Kathy Moore
Frank Preskar

Members Absent

Commissioner Andy Hunthausen, vice chair
Brie Oliver

Guests Present by Zoom

Mary Ann Dunwell, State Representative
Betsy Burns, EPA
Nancy Anderson, AARP
Kendyl Pierson, Aging Well Intern from Carroll College

Justin Murgel, chair, called the meeting to order at 1:00 p.m. A quorum was not established. Introductions of board members, staff, and guests were made.

REVIEW OF AGENDA

No changes were made.

A quorum was established at 1:02 p.m.

MINUTES

Mr. Murgel asked if there were any corrections or additions to the April 23, 2020, minutes. Raymond Berg noted a correction in his attendance for the month of January. He was not a member at that time but did attend the training. He also noted a membership correction to the Agenda 4 page located on page 19 of the board packet. Mr. Berg requested that staff review the health officer's report recording of the April 23 minutes to reflect the conversation that was had. Mr. Berg did not recollect seconding Jenny Eck's substitute motion and the minutes did not have his comments about regarding opening too soon. Drenda Niemann, Health Officer, and staff will review recording and have the corrected minutes at the June meeting for review and approval.

ACTION ITEM

Lead Regulation Presentation and Open Public Comment Period:

Jan Williams, Environmental Health Specialist, and Kathy Moore, Environmental Services Division Administrator, presented the Regulations Governing Soil Displacement and Disposal in the East Helena Superfund Area for Board review and approval (see Attachment "A") and officially opened the public comment period. Ms. Williams provided a brief background on the history of the regulations and Ms. Moore addressed the changes made to the regulations, summary of the work completed and the regulation timeline. Mr. Berg noted an error (page 17 of the board packet) regarding the effective date of the

regulations. Ms. Moore will correct the date to read the first day of August 2020. In answer to a question from Jenny Eck, Betsy Burns, with the Environmental Protection Agency (EPA), said the implementation of these regulations has been effective in preserving the remedy in East Helena. The regulations are an intraocular part of the institutional controls that are part of the Record of Decision. Ms. Eck made a motion to approve the opening of public comment period of the Regulations Governing Soil Displacement and Disposal in the East Helena Superfund Area. Mr. Berg seconded the motion. There being no further board member discussion, the motion carried 7-0. Ms. Moore will respond via email to Mary Ann Dunwell's question she placed in the Zoom chat box.

Aging Well Resolution: Sarah Sandau, Community Health Prevention Program Supervisor, presented a Resolution of the Lewis and Clark City-County Board of Health in support of making the City of Helena and Lewis and Clark County more age-friendly by joining AARP's Network of Age-Friendly Communities (page 20 of the board packet). Nancy Anderson, Outreach Director for AARP, gave a presentation on AARP's Livable Communities Program and AARP Network of Age-Friendly Communities (see Attachment "B"). Mr. Berg made a motion to approve the Resolution of the Lewis and Clark City-County Board of Health in support of making the City of Helena and Lewis and Clark County more age-friendly by joining AARP's Network of Age-Friendly Communities. Dr. Mikael Bedell seconded the motion. The motion carried 7-0.

Board Elections: Mr. Murgel reminded the Board of the upcoming June elections for board chair, vice-chair, and Board of Health representative on the Water Quality Protection District Board.

BOARD DISCUSSION

Communicable Disease Transport Plan and Reporting Protocol Checklist: Eric Merchant, Disease Control and Prevention Division Administrator, presented the Communicable Disease Transport Plan and Reporting Protocol Checklist (pages 21-43 of the board packet) for board review. Mr. Merchant noted that because of COVID-19 and the grant submittal requirements, staff was unable to present the plan and checklist for board review prior to submitting the grant. In answer to a question from Ms. Eck, Ms. Niemann said that the Lewis and Clark Board of Health By-Laws does not prevent the Chairman from signing documents prior to board review.

HEALTH OFFICER'S REPORT

Ms. Niemann along with Mr. Merchant discussed the Reopening Criteria Phase 1 to 2 (see Attachment "C"), how guidance for events will look going into Phase 2 on June 1 and Public Health's Shining Star business recognition. In answer to a question from Mr. Berg, Ms. Niemann explained why the word "all" is in the measure for testing capacity. In answer to a question from Mr. Murgel, Ms. Niemann said the Governor's strategies for reopening of the state regarding tourism is to increase surveillance testing at the local level, provide small business grants to assist with personal protective equipment, and to have public service announcements. Ms. Niemann said that the health department is prepared for a surge of new cases. In answer to a question from Mr. Berg, Ms. Niemann said that communities like Craig, Lincoln and Augusta will need to have a community wastewater treatment system in order to confirm through testing if there is COVID-19 present in their wastewater. Helena and East Helena are the only known locations in Lewis and Clark County testing for the presence of COVID-19 in their wastewater. Both cities are paying for the cost of sampling.

PUBLIC COMMENT

State Representative Mary Ann Dunwell said that she would like to see L&C County mandate face coverings when folks venture out in public given what Dr. Fauci recommends, Monday's phase 2 reopening, tourist season, and increased risk. The BOH and officer have the authority to issue this directive. She would also like L&C Co. to prohibit (at least during COVID) open carry of automatic weapons during protests. As you know, firearm safety is a public health issue, and MT law 45-3-111 allows open carry, with the proviso local govt's can issue directives that are more restrictive. Given the uncertainty of the times and divisiveness in our country, for public health and safety reasons, please prohibit open carry during these protests. It is a scary enough time for kiddos and everyone.

The meeting adjourned at 3:10 p.m.

Justin Murgel, Chair

Drenda Niemann, Secretary