

**LEWIS AND CLARK CITY-COUNTY HEALTH DEPARTMENT  
BOARD OF HEALTH –MINUTES  
316 PARK AVENUE, HELENA, MONTANA 59624  
County Commission Chamber  
February 26, 2015**

Members Present

Anne Weber, chair  
Commissioner Susan Good Geise  
Mayor Jim Smith  
James Benish  
Scott St. Clair  
Dr. Maria Braman  
Jennifer Lowell  
Kelly Parsley

Members Absent

Kent Kultgen

Staff Present

Melanie Reynolds     Paula Hunthausen  
Jolene Helgerson  
Norman Rostocki  
Gayle Shirley  
Drenda Niemann  
Kathy Moore  
Frank Preskar

Guests Present

Commissioner Andy Hunthausen

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

**INTRODUCTION**

Drenda Niemann, Administrator of the Community Health Promotion Division, introduced new health department employee to the Board: Referral Coordinator Paula Hunthausen.

**REVIEW OF AGENDA**

No changes were made.

**MINUTES**

Ms. Weber asked if there were any corrections or additions to the January 22, 2015 minutes. The Board approved the minutes as written.

**PRESENTATION**

Upper Tenmile Superfund Institutional Controls: Kathy Moore, Administrator for the Environmental Services Division (ESD), gave an update on the history the Upper Tenmile Superfund and presented the Upper Tenmile Mining Area Institutional Control (IC) proposal requested by the US Environmental Protection Agency (EPA) (see Attachment “A”). Ms. Moore stated the IC’s are required before EPA can close a Superfund site. Once the EPA approves of the IC plan, staff will bring before the Board and the BOCC a contract for review and approval. In answer to question from Commissioner Good Geise, Ms. Moore stated the ESD will work with the community of Rimini through public meetings and outreach and education to solicit opinions and concerns about implementing IC’s in the area. In answer to a question from Kelly Parsley, Ms. Moore confirmed there are a few small mines operating in the area. Staff could provide mine owners with best operating practices and mining techniques, and explain how mining affects those living in the area. In answer to questions from Scott St. Clair, Ms. Moore said the community of Rimini is looking to form a Controlled Groundwater Area. Ms. Moore also noted that the aquifer is contaminated in certain locations and will require testing of newly drilled wells.

In answer to a question from Mr. St. Clair and Commissioner Good Geise, Ms. Moore stated the membership in 811 One Call Utility Locate is part of outreach and education of the IC. The East Helena IC's 811 membership is a paid subscription service with a signed contract. The company sends emails to notify ESD when a property owner has requested for a utility line location. Melanie Reynolds, Health Officer, stated the Montana Codes Annotated Title 50-2-116 (2) (c) (v) allows the Board of Health to establish and monitor IC's. Staff will notify the Board of upcoming IC public meetings for the Upper Tenmile.

### **ACTION ITEM**

Hearing Officer Recommendation, Matt Elvbakken: James Benish, hearing officer, gave a brief explanation of the Elvbakken variance hearing held on February 25, 2015, along with his recommendation (see Attachment "B" and "C") for approval. Mr. Benish stated that the request met all of the state Department of Environmental Quality criteria for granting a variance. Commissioner Good Geise moved to ratify the hearing officer recommendation for approval. Mr. St. Clair seconded the motion. The motion carried 8-0.

### **BOARD MEMBER DISCUSSION**

Finance Report: Norman Rostocki, Finance Coordinator, referenced the FY15 comparison to budget and cash flow for July 2014 through January 2015 (page 11 of the board packet). Mr. Rostocki noted that the Department is 58% of the way through its fiscal year. Total revenue to date is \$1,201,660 or 64% of the amount budgeted; actual expenditures are \$1,130,741 or 55% of the amount budgeted. Revenues are over expenditures by \$70,919; total ending cash is \$765,342.

Legislative Update: Ms. Reynolds highlighted current public health related activities at the Montana Legislative Session (see Attachment "D").

### **HEALTH OFFICER REPORT**

The Helena Tobacco Free Parks Resolution and Montana Supreme Court Opinion on smoking shacks emails were sent to the Board on February 25 for their review and comment.

The daily air quality notification season will end on February 28. To date we have had 14 watch days and 8 poor days this season.

The Montana HealthCare Foundation is making \$1.6 million available to local and tribal health departments to continue to work toward accreditation. The health department has applied for a grant that will allow it to implement part of the community health improvement plan.

Ms. Reynolds and the division administrators will meet to begin work on the FY 2016 budget. Staff will bring a draft budget before the board finance committee in April. The board will recommend the budget for Board of County Commissioner (BoCC) approval in mid-May. Staff will then go before the BoCC for final budget approval in June.

The 2013 FDA Food Code was adopted by reference as rules for the licensed food facilities in the State of Montana. They are in the process of updating their electronic inspection program to accommodate the new rules in conjunction with other counties that use the same system.

Ms. Weber will email the Board Ms. Reynold's performance appraisal for review and comment. She asked the Board to return the appraisal directly to Ms. Weber.

Ms. Reynolds met with County Public Works, County Administrator to discuss the long-term and short-term relocation plans of the health department. Some programs of the health department will move back into the basement of the clinic as part of the short-term relocation. They are currently trying to find a location for those in administration.

**BOARD MEMBER DISCUSSION** *continued*

Letter of Support Montana Avenue railroad crossing:

In answer to a question from Mr. St. Clair, Ms. Reynolds stated at this time the City of Helena hasn't provided the Board with anything to respond to regarding a letter of support involving construction of an overpass or underpass at the Montana Avenue railroad crossing.

There being no public comment, the meeting adjourned at 3:24 p.m.

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Anne Weber, Chair

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Melanie Reynolds, Secretary

Action Items from February 26 BOH Meeting

- Ms. Weber will email the Board Ms. Reynolds performance appraisal for review and comment. She asked the Board to return the appraisal directly to her.