

**Board of Health Meeting
Wednesday, April 3, 2013
MINUTES**

Members Present:

Jane Weber, Chair
Sue Warren, Vice Chair
Cheryl Crawley
Ryan Burke
Ray Geyer, DO
Don Jelinek, DDS
Alicia Thompson

Staff/Visitors Present:

Gary Shick, PE, NCI Engineering Co.
Trixie Smith, RN, BSN; Prevention Services Division Manager
Tanya Houston, Preparedness & Communications Officer
Sandy Johnson, RS; Environmental Health Division Manager
Brad Robinson, Administrative Services Division Manager
Marcella Weingarten, Administrative Assistant to Health Officer

Jane Weber called the meeting to order at 11:34 a.m. and stated a quorum was present.

ACTION ITEMS:

1) **Approve Minutes from March 6, 2013 BOH meeting: Jane Weber**

Ms. Warren made a motion to approve the minutes from the March 6, 2013, Board of Health (BOH) meeting. Mr. Burke seconded the motion, and with all in favor the minutes were approved as presented.

2) **Update on legislative actions on Medicaid Expansion: Jane Weber/Sue Warren**

Ms. Weber reminded members the BOH moved forward in signing and supporting the Medicaid Expansion Resolution in the previous month's BOH meeting. Ms. Weber stated that the Resolution was delivered to all Representatives and Senators for our delegation and were asked to share with their communities.

Ms. Crawley made a motion to forward a signed copy of the resolution to committee members. Mr. Burke seconded the motion, and with all in favor the motion was approved.

Ms. Weber stated, to her understanding Senate Bill No. 395; sponsored by Wassenreid out of Missoula has been endorsed by 21 Democrats and 5 Republican Senators. The Montana Chamber of Commerce, as a statewide entity, has supported Medicaid Expansion, Great Falls Development Authority (committee), and the Great Falls Chamber of Commerce has endorsed as well. Ms. Weber stated as a community we have shown our support for Medicaid Expansion.

3) **CIAA Status: Jane Weber**

Ms. Weber stated the BOH has filed an injunction from the County to prohibit smoking in the Palagi/Smith establishments or any new establishments that may be obtained pursuant to the CIAA and the violations that BOH feels they have been doing. Ms. Weber stated there is to be a hearing on Tuesday, April 9, 2013.

Ms. Thompson informed board members that the deposition scheduled for this week had been cancelled. Ms. Weber stated she has received word from Judge Macek's office that she has recused herself from hearing this injunction due to a conflict of interest. Ms. Thompson stated that Judge Pinski has confirmed and accepted the case, but there is the potential for Gregg Smith to "bump" Judge Pinski. If Mr. Smith chooses this option, then an outside judge would have to hear this case.

4) **Environmental Health Report: Sandy Johnson/Gary Shick**

a) **Sand Coulee Water Line Installation Project/Impact on Septic's**

Ms. Johnson stated that she received a phone call from Mr. Shick in regards to regulations/protocol on how to deal with the impact of septic systems while replacing water systems in Sand Coulee this summer.

Mr. Shick informed the BOH members on his education/background. Mr. Shick stated that Sand Coulee is an old coal mining town established in 1890 and has left a lot of residual damage. DEQ is in charge of this project through their Abandoned Mines Program and their office of Surface Mining funding. Through this program they do cleanup and rehabilitation of areas and town sites that have been impacted by past coal mining processes. Mr. Shick stated DEQ took over the water system in Sand Coulee and retained NCI Engineering through a sub consultant (Hydro Metrics) to look at storage and distribution. DEQ and Hydro Metrics have drilled a well into the Madison Aquifer and pumping has been accomplished. Mr. Shick also stated they are now getting a sufficient amount of clean water. Before, the town was in a Kootenai Formation and water was laden with deposits of coal and other associated problems, including a diminishing supply. Mr. Shick stated that DEQ is currently working with the Department of Natural Resources and Conservation (DNRC) to acquire water rights into the Madison Formation.

Mr. Shick stated to members they will be putting a new storage tank of 160,000 gallons on top of a hill that will distribute water to 181 persons in the population. Included in this project, besides the conveyance of potable water to each home is an addition of 22 fire hydrants. Referring to a handout, Mr. Shick stated in 1985 DEQ went in and installed a six inch PVC pipe which does not need to be replaced. The old lines through town are made of an old polyethylene plastic pipe that's full of coal residual and has insufficient valving. Mr. Shick stated that the old pipes through town do not meet current health and safety standards and Sand Coulee residents are willing to grant permission using Entry Consent forms to cross through private property. To Mr. Shick's knowledge, there is no policy in place that attributes to putting in a water line and encountering a septic system in the course of construction.

NCI wants to make sure the construction contractor is clear on the issues at hand. In the course of this work it may be discovered that a septic system is not installed to current standards. Mr. Shick stated he would like to have this under control before he puts his stamp of approval on the storage and distribution. Ms. Weber asked if there's still a cost for the individual to tie into their home from the line that's provided. Mr. Shick stated at this point DEQ would pay for the materials and the town would collectively install the services. He also stated that the decision for DEQ to pay for materials is subject to change.

Ms. Weber stated the chance for nicking a septic system is more likely to occur, going from the main into the house. Ms. Weber questioned if that happens, whose responsibility is it if the septic is damaged while doing the connection from the main to the house. Mr. Shick stated it would either be the town or whoever installs the system. He added that there needs to be a protocol or a policy in place if this does happen. Ms. Johnson stated that many of the septic systems at the site are old and most likely put in place before any septic regulations were created. She added that Environmental Health (EH) has provided NCI with septic permits they had on file so they could match to the properties, if possible. Ms. Weber stated the concern, if Sand Coulees contractor nicks and damages a system, would the individual or the community as a whole replace the system if DEQ is not involved in this part of the construction project that installs the service connections. Ms. Weber stated if a system is noticed to be insufficient to meet code and is brought to the BOH's attention, it must be corrected. She added there are numerous potential problems and complications if a property does not meet the code.

Ms. Johnson stated she is looking for flexibility on variance processes (I.e. tank is six ft. instead of 10 ft. from house, holding tanks). Ms. Crawley asked what will get contaminated further if these systems do not work. Ms. Johnson responded stating there is the potential for surface water contamination into an unnamed that meets up with Sand Coulee Creek.

Ms. Thompson stated the issue being brought to the BOH is if a septic system is uncovered, found to be inadequate, then the BOH must be notified and the system improved. BOH members discussed viewpoints on having variances contingent upon EH being presented with deficiencies and attempting to meet the standards. Ms. Johnson was asked to follow up and see if any low interest loans are available, assistance through the Abandoned Mines Program, or Housing and Urban Development (HUD). Ms. Weber suggested Ms. Johnson speak to Sheila Rice for assistance in researching this information. Ms. Thompson stated the BOH will need something similar to the Draft Policy submitted by Ms. Johnson or a blanket variance in place to be able to move forward quickly and efficiently. Ms. Johnson informed the board she will put some information together that provides framework for possible variances (high, moderate, low risks involved) for BOH members to review. After discussing the Draft Policy and variances Ms. Weber stated it appears doing a mass variance policy is better than reviewing each variance one by one.

Mr. Shick suggested that board members submit a letter to DEQ informing them of the timeframe involved in the decision process. Board members accepted Ms. Johnson drafting a letter to notify DEQ the BOH is contemplating the possible variance issues and will get back to them with specifics. Board members confirmed to Ms. Johnson and Ms. Weber they would not need to review the drafted letter before she signs it.

5) **Prevention Services Report: Trixie Smith**

a) **Communicable Disease Report**

Referring to the Communicable Disease handout, Ms. Winberry stated Prevention Services (PS) has experienced the same trends as the previous month. She added they have received two reports of Gonorrhea, which is a little abnormal but there have been no large outbreaks of any kind. Ms. Winberry reviewed the numbers for Norovirus, Influenza A, and Influenza B. She also informed BOH members that Prevention Services is keeping track of Respiratory Syncytial Virus (RSV) in the community. Ms. Winberry stated the majority of tracked cases were from children ranging from zero to four months. Ms. Smith informed members that RSV is only reported to the Health Department (HD) if there is a cluster or an outbreak. Ms. Smith also stated that they did make contact with each case to ensure that these are isolated incidences and not contracted in a daycare or facility. Ms. Thompson stated she has asked PS to track how many cases were investigated as well as confirmed.

b) **Employee Influenza Immunization Policy**

Ms. Smith stated last year PS had done a presentation about the need for an Employee Influenza Immunization Policy and the BOH had asked that a draft version of the policy be developed. Ms. Weber asked Ms. Smith to provide more clarity on number IV item B. The Health Officer confirmed to BOH members that an employee would be considered in compliance for signing the declination and donning a mask as a result.

Ms. Warren made a motion to approve the Cascade City-County Health Department Immunization Policy. Dr. Geyer seconded the motion, and with all in favor the motion was approved.

6) **Finance Report: Brad Robinson**

Mr. Robinson referred to his handout stating through the budget year the Health Department (HD) is at 67 percent. 73 and 72 percent for revenues and expenses which is a little bit ahead of both budgets. Mr. Robinson stated the HD is preparing for the start of the budget season and ensuring the numbers balance correctly. There has been a few numbers shifted around to compensate for funding availability. Referring to the projected numbers, there is a difference of (\$90,000) between revenues and expenses; which is the amount approved by the commissioners. Mr. Robinson informed the BOH it appears to be negative numbers but the HD is still within budget. He added that the HD is looking into a couple of other positions to add into the budget (Sanitarian & Public Health Nurse).

Referring to a second handout, Mr. Robinson stated he reviews the revenues and expenditures combined with the timeframe associated with each of them. Mr. Robinson

added that these numbers will adjust next month to accommodate receipt of additional funding to programs. On the next page of the handout, Mr. Robinson stated he is looking at revenues and expenditures while the Health Department is catching up with invoicing.

7) **Health Officer's Report: Alicia M. Thompson**

a) FY 2014 Planning

Ms. Thompson stated for Fiscal Year 2014 Planning there will be a budget presented to County Commissioners on April 30, 2014, including a request for two new positions; one a Registered Sanitarian and the other a Public Health Nurse. The Health Officer added that Environmental Health (EH) is at a critical juncture. Ms. Thompson stated the number of licensed establishments requiring inspections and the number of infrastructure challenges throughout the County that are required to be addressed is increasing. Ms. Thompson stated the Environmental Health (EH) staff is maxed out. The Health Officer's major concern is as EH is barely able to make one inspection a year at every required establishment, there will be a "tipping" point when having to return to a site when there's a critical violation. With Prevention Services (PS), we are being 100% reactive and don't have the staff to be preventive. Being able to go out, educate, and work with our Community Partners.

b) Progress on Strategic Plan – **deferred to May BOH Meeting**

c) Progress towards Accreditation

Ms. Thompson referred to a handout stating the entire Accreditation Manual was condensed to three pieces of paper (Standards & Measures). These three condensed pieces of paper are the foundation for training that will be implemented with Health Department Staff. Ms. Thompson stated the BOH's focus is on Domains 11 and 12. The Health Officer went into detail about the requirements of the Health Department and how the BOH, as the governing entity, can work cohesively for accreditation.

d) Board of Health Evaluation

Ms. Thompson informed the BOH on how The 10 Essential Public Health Services tie into Montana Code Annotated 50-1-105; the policy in place for Montana Public Health. She pointed out to members that The 10 Essential Public Health Services directly align with the Domains, Standards, and Measures required for PHAB Accreditation.

*Ms. Crawley made a motion to adjourn the meeting at **1:02 pm**. Ms. Warren seconded the motion, and with all in favor the meeting was adjourned at **1:02 pm**.*

Respectfully Submitted,

Jane Weber, Chair

Date

DRAFT