

The regular meeting of the Spokane Regional Health District Board of Health held on Thursday, March 22, 2012 was called to order by Councilmember Amber Waldref, Chair, at 12:33p.m. in room 140 of the Public Health Center, 1101 West College Avenue, Spokane, Washington.

PRESENT

Commissioner Al French (departed at 1:36 p.m.)
Commissioner Todd Mielke, Vice Chair (arrived at 12:42 p.m.)
Commissioner Mark Richard (arrived at 12:37 p.m.)
Councilmember Ben Stuckart
Councilmember Jon Snyder
Councilmember Amber Waldref, Chair
Councilmember Chuck Hafner
Mayor Tom Towey
Mayor Tom Trulove (departed 1:52 p.m.)
Board Member Michael Fisk, DC
Board Member Bob Lutz, MD, MPH
Board Member Susan Norwood, EdD, RN

CHAIR REPORT – Councilmember Waldref

Board members were asked to bring forward items for BOH consideration to the Executive Committee of the BOH. All Board Members are welcome to attend the Executive Committee meetings.

Due to many expected absences for next month's meeting, Board members were asked to report to the recording secretary if they are able to attend the April 26th Board of Health meeting.

Mayor Trulove, from the City of Cheney, was welcomed as the new BOH member representing small cities.

HEALTH OFFICER REPORT – Joel McCullough, MD, MPH, MS

Budget Update

The legislature didn't pass the budget last legislative session and is now in special session. The latest update states that all flexible dollars have been restored to public health funding by the Republican budget. A letter was sent to Senator Brown thanking her for her support of public health.

Drug Take-Back Program

The DEA, who regulates how controlled substances are disposed of, is in the process of drafting final rules for drug take-backs. No timeline for completion of those rules has been made, but is expected this year and will be published in the federal register. The next DEA drug take-back is scheduled for April and SRHD staff will work with partners for adequate notification to the public for disposal of unwanted medications. SRHD will move forward on a program partnering with law enforcement when the DEA rules are finalized.

Board Member Fisk asked staff to consider providing drug take-back locations at pharmacies where medications are dispensed. Dr. McCullough stated he was hopeful the new DEA rules will address issues that have prevented pharmacies from being able to participate as drug take-back locations in the past.

School Based Health Centers

The scheduled opening for the first school-based health center at Sunset Elementary School will be April 27th. Board Member attendance is encouraged and details of the opening will follow as the date nears.

Agency awards

SRHD received 2 model practice awards from the National Association of County and City Health Officials (NACCHO) for the Neighborhoods Matter program and the Logical Decisions for Windows budget process the agency uses. There were 127 applications with 42 awards with SRHD receiving 2.

SRHD's WIC Growing Health Together campaign received the Silver Addy Award on March 9th. The award is received for excellence in the art of advertising and is the first level of a national competition by the American Advertising Federation.

CONSENT AGENDA

Consists of items considered routine which are approved as a group. Any member of the Board may request to remove an item from the Consent Agenda to be considered separately.

Meeting Minutes: February 23, 2012

2012 Vouchers paid: February 1-29, 2011 and 2011 Vouchers paid February 1-29, 2012

Voucher Numbers: #213667 - #213667			\$ 555.00
		TOTAL	\$555.00
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Voucher Numbers: #220059 - #B&OJAN12			\$ 476,225.56
Payroll Warrants: #746955 - #746983	Advice Numbers: #DD15198 - #DD15396		647,961.25
Payroll Warrants: #749226 - #749252	Advice Numbers: #DD15397 - #DD15596		607,571.52
		TOTAL	\$1,731,758.33

Motion: To approve the consent agenda including meeting minutes and vouchers as presented.

Motion/Second: Norwood/Richard

Approved: Unanimously

ACTION ITEMS (12:48)

Resolution #12-07 Amendment to the 2012 Fee Schedule with Respect to Solid Waste Handling Facility Permit Fees – David Swink

David Swink, Environmental Public Health (EPH) Division Director, provided a summary of the presentation given at last month's Board meeting and notified members of an Environmental Public Health efficiencies and cost savings document included in the agenda packet that was requested at the February's BOH meeting.

Commissioner Mielke asked staff about the legal issue regarding fees charged and regulatory work. Attorney Michelle Wolkey clarified that a tax is a charge for funds that may be used as the Board deems appropriate and not for specific or limited areas. A user fee is generated specifically for offsetting cost of services and is charged to those who benefit from or create the burden for the service. While there is no specific decision with respect to solid waste fees, application of the Covell v. City of Seattle criteria would indicate the proposed fee is closer to a regulatory fee rather than a generic tax. The purpose of the fee is to have full cost recovery for that particular program. The money would be used solely for the purpose of paying for the specified regulatory program. The proposed fee is a more equitable way to fund the program because the amount of burden on the regulatory environment determines the amount of fee that is allocated.

Public comment was received by the following community stakeholders:

- Russ Menke, Director, Spokane Regional Solid Waste System
- David Lowe, District Manager, Waste Management, Inc.

- Steve Wulf, Regional Manager, Sunshine Disposal and Recycling

Commissioner Richard requested a restructure of the fee to clarify the connection between cost and services; plus a consideration of the affected entities request for implementation at the beginning of the calendar year. He recommended agency staff meet with public and private purveyors and return with options after those meetings.

Board Member Fisk also recommended staff and purveyors discuss the issue and return with recommendations. He shared his concerns about delaying the approval of the fee increase for another year because of current budget issues. He asked for recommendations from staff.

Board Member Towey explained his concerns with mandating a change during a budget cycle and the burden it would create on the affected entities. He requested information on the impact to the program in delaying the fee increase until next budget cycle.

Commissioner French shared his concern that the proposed fee structure fails to meet direct benefit and cost relationship to the services and would fail a legal challenge. He encouraged agency staff to find a better metric to assess the fee that has a better correlation to the service provided. Other services provided that are included in the fee proposal should be considered separately or considered for elimination if no funds are available or are not mandated.

Commissioner Mielke shared his concerns regarding the fees not being based on volume of waste but on volume of dollars and agreed with other Board members that the proposal would not pass a legal inquiry. He inquired how the fee would be structured if it was based on volume/flow or based on a flat fee and would it increase the amount of inspections required. He stated it may be beneficial to spend time with agency staff to have his questions answered.

Councilmember Hafner agreed with the County Commissioners that staff and stakeholders should meet and discuss fee proposal options.

Councilmember Snyder stated budget impacts throughout the year will affect all agencies and he would be willing to pass the fee proposal to take effect this year. The fee corresponding to the dollar amount is a valid concern and needs to be addressed with a possible tonnage calculation instead. The \$2390 minimum fee amount in place for years doesn't need to be changed. He requested more fee proposal options, as other Board members requested, and would like the issue to be completed by the next BOH meeting.

The Board requested agency staff to supply additional fee calculation options and meet with stakeholders regarding the proposed fees increase. The Board also requested information on the budget implications for approving the increase this year versus next calendar year. Due to the expected absences at the April meeting, outcomes will be reported to the Board at the May meeting.

Resolution #12-05 Amending the SRHD BOH Bylaws to Allow the Board Chair to Serve as the Chair to the Executive Committee of the Board and to Authorize the Restructure of the ECBOH to Include the Vice Chair, Chairs of Each Board Committee and the Immediate Past Chair – Councilmember Waldref
Councilmember Waldref asked that Resolution #12-05 be considered before Resolution #12-02 due to the direct effect on Resolution #12-02. The Chair then reported the changes to proposed resolution as requested by the Board members at the February meeting.

Commissioner Mielke made a motion to approve Resolution #12-05 as read by the Chair. Councilmember Hafner seconded the motion. Attorney Michelle Wolkey addressed the need for 2

readings of the bylaws if not requested in the motion. Commissioner Mielke withdrew his first motion and made a motion to consider the first reading of the bylaws as the second for final consideration by the Board. The motion was seconded by Councilmember Stuckart.

Motion: To approve the BOH bylaws as presented in Resolution #12-05 for final consideration at the first reading.

Motion/Second: Mielke/Stuckart

Approved: Unanimously

Commissioner Mielke made a motion that Resolution #12-05 be considered for final approval. Councilmember Hafner seconded the motion.

Motion: To approve Resolution #12-05 Amending the SRHD BOH Bylaws to Allow the Board Chair to Serve as the Chair to the Executive Committee of the Board and to Authorize the Restructure of the ECBOH to Include the Vice Chair, Chairs of Each Board Committee and the Immediate Past Chair

Motion/Second: Mielke/Hafner

Approved: Unanimously

Resolution #12-02 Adoption of Board of Health Committee Descriptions and Operating Guidelines – Councilmember Waldref

Commissioner Mielke made a motion to approve Resolution #12-02. Councilmember Hafner seconded the motion.

Motion: To approve Resolution #12-02 Adoption of Board of Health Committee Descriptions and Operating Guidelines.

Motion/Second: Mielke/Hafner

Approved: Unanimously

Resolution #12-06 Authorizing a 2012 General Fund Budget Amendment – Mike Riley

Mike Riley, Comptroller, explained the need for a budget amendment stating the agency needed a reduction in expenditure authority. Reductions in revenue were offset by retirements, open positions that weren't filled, and the removal of \$25,000 in capital improvement projects. The agency received funds from a Community Transformation Grant (CTG) which offset local dollar need in the Health Promotion Division.

Commissioner Richard requested the minutes reflect the revised 2012 budget for the County assessment versus the actual for 2011 had no change in funding.

Motion: To approve Resolution #12-06 authorizing a 2012 General Fund Budget Amendment as proposed by staff.

Motion/Second: Richard/Stuckart

Approved: Unanimously

REPORTS (2:14)

Health Equity Report – Adrian Dominguez

Adrian Dominguez, Epidemiologist in the Disease Prevention and Response Division, gave the second of four presentations to the Board on Health Equity. The purpose of the reports is to build awareness of health inequity in Spokane County and identify community partners who could help address the issue. Today's report focused on income and poverty to show a direct correlation between health of citizens and income levels.

Income improves the resources an individual has access to, such as, better access to food, medical/health care, education and neighborhoods. As income levels increase, general health status increases as well. A parent's income level directly affects the children's health with the highest incomes levels having children with better health. Individuals with less income are less likely to be physically active and more likely to be smokers, diabetic, obese, and have poor mental health.

BOARD MEMBER CHECK IN

Building Ownership – Commissioner Richard

The building ownership has been transferred from Spokane County to the agency. The transfer negotiations have been in progress for several years.

BOH Meeting Room Setup-Councilmember Hafner

Councilmember Hafner requested the meeting room setup be adjusted to more readily view the presentations.

Building Permit Preconstruction Fees - Commissioner Mielke

Commissioner Mielke has heard concerns from the community about preconstruction fees for building permits of \$50 per hour. He requested that agency staff contact community members to clarify fee charges for preconstruction meetings. Dr. McCullough stated he would follow up with community members on the matter.

Health Impact Study on Coal Transportation in Spokane County – Board Member Lutz

Board Member Lutz alerted the Board to a recent article in the Pacific NW Inlander regarding coal transportation through the community. Public health officials and advocates in Bellingham are investigating the health impact to their community of a proposed coal port. In light of that assessment, Board Member Lutz requested public health officials consider a human-health impact assessment of the transported coal in the Spokane community.

Councilmember Waldref added that Councilmembers Stuckart and Snyder and she have all sent letters asking that communities where the coal is being transported be included in an environmental impact study (EIS) if one will be completed. She would like to discuss a human-health impact assessment possibility and request a study be completed.

Neighborhoods Matter Block Party and Public Health Week Proclamation – Councilmember Waldref

Councilmember Waldref noted the invitation in the agenda packet for the Neighborhood Matters block party on April 21st at 9:30 a.m. at Underhill Park and asked Board members to share the information with their jurisdictions. She also noted the proclamation for National Public Health Week, April 2nd through April 8th declared at the City of Spokane's City Council meeting last week.

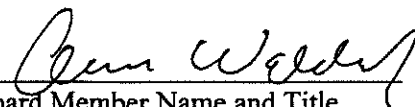
NEXT BOARD OF HEALTH MEETING

The next Board of Health meeting is scheduled at 12:30 p.m. on April 26, 2012.

ADJOURNMENT


There being no further business before the Board the meeting was adjourned at 2:43 p.m.

APPROVED:


Board Member Name and Title

Date:

4/30/12


Recording Secretary