

**COUNTY OF SAN LUIS OBISPO**

**HEALTH COMMISSION**

Minutes of Meeting

Monday, May 8, 2017 (County Board of Supervisors Chambers)

Members Present: Mary Jean Sage (Chair), Jinah Byram, Kris Kington-Barker, Robert Campbell, David Clous, Jean Raymond, Tamar Sekayan, Scott Smith-Cooke, Susan Warren, Candace Winstead

Members Absent: Claire Grantham

Staff Present: Penny Borenstein, MD, Jean White

Speakers: Jeff Hamm, Health Agency Director; Guy Savage, Assistant County Administrative Officer

| Agenda Item            | Discussion   | Action  | Who/When   |
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| 1. Call to Order       | Meeting called to order at 6:00 PM by Chair Sage.  | Call to Order   | Chair Sage |
| 2. Approval of Minutes | Minutes of April 10, 2017 were approved as drafted.  | April 10, 2017 minutes approved   | All        |
| 3. Public Comment      | Chair Sage opened the floor to public comment with no response.  |   |            |
| 4. Update: Cannabis    | <p><b>Guy Savage, Assistant County Administrative Officer</b>, presented a Power Point overview of Cannabis, providing history, status of the law in the State of California and what they are doing in the unincorporated County jurisdiction. In 2016, Prop 64 passed legalizing non-medical marijuana under State law, allowing persons 21 years or older to possess up to 1 ounce and cultivation of 6 plants per residential property. The County will not require a permit for personal cultivation, but anything commercial will require a local license based on County ordinances and a State license based on 19 license types. The State is required to begin issuing licenses by Jan 1, 2018. County next steps: Taxes and fees will go to the Board on July 25<sup>th</sup> to receive direction on how to handle fees to cover cost of administering legal businesses and taxes for general use and to cover cost of illegal activities. Regulatory Business Licensing will go to the Board on August 22<sup>nd</sup>, which will allow the County to start the business license process. Draft 2 of the cannabis land use ordinance, establishing regulations for cultivation, transportation, manufacturing, transportation &amp; distribution, testing, and sales of medical and non-medical cannabis in the unincorporated County jurisdiction has been released for public input and there will may be a 3<sup>rd</sup> draft prior to taking it to the Planning Commission. Mr. Savage referred to websites with more information and provided his contact information.</p> <p><b>Commissioner Warren</b> asked about the monitoring of pesticides. <i>(Mr. Savage advised that commercial growers will require licenses &amp; be inspected by the Ag Department based on state and federal laws. He noted that molds are a concern for growers.)</i></p> <p><b>Commissioner Byram</b> asked about plans for public education on regulations. <i>(Mr. Savage advised that there are funds set aside for educational activities.)</i></p> <p><b>Commissioner Byram</b> asked if they have spoken with other counties/states on how they are handling the legalization of marijuana, noting some cities are banning it. <i>(Mr. Savage has read approx. 40 ordinances, spoken with 7 or 8 counties, and been to a number of industry events. In California, they are all trying to get to the same place at the same time without any type of "cookbook" to get there. Some cities have said they are banning it, but very few counties will take that approach.)</i></p> <p><b>Commissioner Byram</b> asked if there will be regulations put in place when cultivation is being done at</p> | A copy of the Cannabis Power Point presentation is filed with the official record of the meeting. |            |

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|   | <p>homes where there are underage children. <i>(Mr. Savage explained that there are questions about what can be banned, but every County department is at the table and have walked through many ordinances in order to strike a reasonable balance based on Board direction.)</i></p> <p><b>Commissioner Kington-Barker</b> asked about water runoff/water systems. <i>(Mr. Savage advised that every business site plan will require a runoff plan.)</i></p> <p><b>Commissioner Kington-Barker</b> asked if a security plan has been developed for sign-off by the Sheriff. <i>(Mr. Savage advised that they are working on a template for the security plan that will include items like safes w/locks at dispensaries, security cameras, background checks, etc. Different business types will have slightly different security plans.)</i></p> <p><b>Commissioner Warren</b> asked if Fish &amp; Game has been contacted about wildlife protection. <i>(Fish and Game have been at the table for focused group meetings.)</i></p> <p><b>Jeff Hamm, Health Agency Director</b>, attends the CHEAC (County Health Executives Association of California) meetings in Sacramento where there has been a lot of discussion amongst counties on how to make this work. The State hasn't yet rolled out the non-medical use regulations. Mr. Hamm showed a slide listing the three departments in State government who have been given areas of responsibility for the regulation of cannabis: Bureau of Medical Cannabis Regulation (transporters, distributors, dispensaries, laboratories); Office of Manufactured Cannabis Safety (manufacturers); Department of Food and Agriculture (cultivation). The tax structure, if the Board chooses, presents an opportunity to generate revenue streams that can be used by the County for public education.</p> <p><b>Dr. Borenstein</b> added that Environmental Health is also staying engaged in how this may impact them. The State Department of Public Health, as well as other regulatory agencies, have said that if and when edibles come our way, that these are not a food and therefore not subject to environmental review and regulation by local environmental health. Will continue watching.</p> <p><b>Commissioner Kington</b> asked how much income this will bring to the County. <i>(Mr. Savage explained that it is estimated 1.2 million in fees will be needed to cover costs; but after that it is a bit of a guessing game depending on how many cultivation sites there are and how big they will be. On July 25, the discussion of fees &amp; taxes will be going to the Board of Supervisors.)</i></p> <p><b>Commissioner Byram</b> asked if sales tax would stay local. <i>(Any additional sales tax would stay local.)</i></p> <p><b>Commissioner Warren</b> asked if there has been discussion about the need for extra funding for those additional people who will need treatment and recovery resources. <i>(Mr. Hamm explained that treatment is a covered benefit under the current MediCal plan.)</i></p> |   |                           |
| <p><b>5. Letter to the Board of Supervisors regarding health impacts related to elevated levels of particulate matter in the Nipomo Mesa/Oceano Dunes area -- Action Item</b></p> | <p><b>Commissioner Campbell</b> introduced the topic and referred to studies and science demonstrating the connection between Off-Highway Recreational Vehicle (ORV) use on the Oceano Dunes and Nipomo Mesa residents' exposure to serious health consequences from the dust. He referred to the draft letter to the Board of Supervisors that has been distributed and asked for input from the public and commissioners.</p> <p><b>Paul Stoltman</b>, resident of Nipomo Mesa, and a retired 30-year employee of the Environmental Protection Agency who worked on air pollution issues, noted that he read the draft letter and thought it was extremely well written, but he wished the recommendations were more forceful due to the</p>   | <p><i>Motion passed to send letter to the Board of Supervisors.</i></p> | <p><i>All present</i></p> |

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|   | <p>seriousness of the health effects, particularly that the dust is primarily silica, a known carcinogen. Last summer, OSHA tightened standards for workers for silica dust from 150 micrograms for an 8 hours work day to 50 micrograms for an 8 hour work day. These standards would be violated 1/3 of the year for Nipomo Mesa residents. Mr. Stoltman would like to know what their risk of cancer is. At the request of Commissioner Campbell, Mr. Stoltman will look for the exact citation from the APCD finding that 70% of the dust is silica. Commissioner Campbell expects that this item will come back to the commission after the modelling results are received from the APCD.</p> <p><b>Linda Reynolds</b>, resident of Nipomo Mesa, commented that 10 days ago, air pollution on the Mesa exceeded numbers of the most toxic air in the US, over 300 micrograms per cubic meter. She commented on how this curtails people’s lifestyles and affects families, workers, and children in nearby schools. She asked for the commission’s help to expedite the modeling and whatever else can be done to move forward with this issue.</p> <p><b>Commissioner Campbell</b> displayed two slides, emphasizing that that it is difficult to read the short term risks predicted in the fine print of the text in the published warnings. One of the recommendations in the letter asks the APCD to put together a more accessible warning when there will be short periods of higher risk, rather than just the day’s average.</p> <p><b>Commissioner Campbell</b> noted that after having spent a year meeting with people on the Mesa and attending APCD meetings, he believes the California Natural Resources Agency, the parent agency for State Parks, needs to be engaged in this process.</p> <p><b>Commissioner Warren</b> noted that when Los Angeles has smog alerts, schools do not allow children to go outdoors for recess. She asked if there was something similar in place here.</p> <p><b>Dr. Borenstein</b> noted that schools are advised and most have adopted a system of raising a flag on high particulate days, but there is no regulation behind the advisory that children should stay inside and it is variable on how each school handles this.</p> <p><b><i>Motion made by Commissioner Winstead and seconded by Commissioner Sage to accept and send the letter as written. Discussion: Commissioner Smith-Cooke thanked Commissioner Campbell for his work on the letter and suggested amending the first sentence of the recommended action on page two of the letter, by adding (“...endured by our residents and outdoor workforce.”) This amendment to the motion was accepted by Commissioner Winstead. Roll call: Ayes - Winstead, Sage, Byram, Kington-Barker, Campbell, Clous, Raymond, Sekayan, Smith-Cooke, Warren. Absent – Grantham. Motion passed.</i></b></p> |  |  |
| <p><b>6. Health Agency/Public Health Report</b></p> | <p><b>Dr. Penny Borenstein, Health Officer</b>, reported on the following:</p> <ul style="list-style-type: none"> <li>• <b>2017 NACo Award:</b> <i>The County Environmental Health Department is the recipient of a 2017 National Association of Counties (NACo) Award for their Well Program Improvements and Community Outreach Project.</i></li> <li>• <b>Electronic Health Records (EHR):</b> They are gearing up for next month’s implementation of EHR at the County Jail as part of Phase II implementation.</li> </ul>  |  |  |

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|   | <ul style="list-style-type: none"> <li>• <b>Cocci/Valley Fever:</b> Public Health is working closely with Monterey County as they investigate a number of cases of Cocci in their workforce related to their new solar plant.</li> <li>• <b>Emergency Medical Services (EMS):</b> Dr. Borenstein applauded all of the stakeholders involved as part of the EMS system on completing a two-year process of updating over 150 policies and procedures that oversee how medics and EMTs respond to medical issues while in the field.</li> </ul>  |                    |            |
| <b>7. Health Commissioner Updates</b>               | <p><b>Commissioner Warren</b> reported that the Homeless Services Oversight Council (HSOC) will be holding their annual retreat next week and will provide direction to the Housing Committee following that.</p> <p><b>Commissioner Winstead</b> reported that the SLO Opioid Safety Coalition will be meeting on May 18, 8:00-10:30am, at Sierra Vista Hospital. Visit <a href="http://www.opioidsafetyslo.org">www.opioidsafetyslo.org</a> for more information.</p> <p><b>Commissioner Kington-Barker</b> reported that SB 294 was introduced in 2017 and is moving forward. This bill would expand the definition of palliative care to mean patient and family centered care that optimizes quality of life of any patient. The bill would expand the definition of skilled nursing services to include palliative, supportive services required by patients with a serious illness that may result in death, regardless of the estimated length of the individual’s life. The bill would further authorize a licensed hospice to provide any of the same interdisciplinary hospice services to a patient who is not a hospice patient, but has a serious illness, even if the patient is continuing to receive curative treatment from other licensed health care professionals.</p> <p><b>Commissioner Smith-Cooke</b> reported that there will be a dental care event at the Templeton Hills Seventh-day Adventist Church, on May 21st, 8am-6pm. The event is free, first come, first served and will focus on uninsured and low income. Services include fillings, dental hygiene, extractions, eye exams and care, medical screenings, diabetes testing, diet consulting, and physical therapy.</p> <p><b>Commissioner Sekayan</b> reported that the Intimate Partner Violence Coalition will meet next Wednesday at 8:30 am. She will not be able to attend and asked if another commissioner would be available to attend in her place.</p> <p><b>Commissioner Raymond</b> attended the Adult Services Policy Council on May 5<sup>th</sup> and reported from the meeting that Carmen Romero, Central CA Legal Services Health Care Alliance, spoke about the free health law services they provide to persons having problems with medical bills. Commissioner Raymond suggested the Health Commission may want to consider inviting her to present at an upcoming meeting. There was also a report about re-activating 2-1-1, and that the Alzheimer’s Association will be holding a caregiver resource fair on May 31<sup>st</sup> at Sierra Vista Hospital, 10am-3pm.</p> |                    |            |
| <b>8. Engaging with County Board of Supervisors</b> | <b>Commissioner Sekayan</b> will be putting together an ad hoc group to conduct a visiting tour with each of the County Board of Supervisor members. Commissioners should contact Commissioner Sekayan if interested in working on this project.   |                    |            |
| <b>9. Committee Reports</b>                         | The Nominating Committee is accepting recommendations for slate of officers for FY 2017-18. Recommendations should be forwarded to Commissioner Grantham or Jean White. The Nominating Committee will bring forward their recommendation for slate of officers at the June 12 <sup>th</sup> meeting.   |                    |            |
| <b>10. Prospective Future Items</b>                 | <b>June 12, 2017:</b><br>HIV/Hep C   |                    |            |
| <b>11. Adjournment</b>                              | Meeting adjourned at 7:55 PM.  | <i>Adjournment</i> | <i>All</i> |