



**CITY OF BURLINGTON
BOARD OF HEALTH**

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BOARD OF HEALTH

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**BOARD OF HEALTH REGULAR MEETING
WEDNESDAY, MARCH 11, 2009**

The meeting was commenced at 5:00 p.m. on Wednesday, March 11, 2009 in the Miller Conference Room at the Robert Miller Community Center. Present were Chair Sousie; Members Crete, Hart, Galbraith, and Vos; Staff Assistant Van Brunt; Maurie Bartlett with TruGreen; and Jeanne Markey-Duncan, Burlington resident.

1. Approval of Agenda

Chair Sousie stated that Health Officer Butler reported that the Pesticide Ordinance Draft was not yet completed for review by the Board. Chair Sousie stated his support of Health Officer Butler, acknowledging the significant workload in the Code Enforcement Office. Chair Sousie requested that Item 4 be stricken from the agenda. Motion to strike Item 4 from agenda unanimously approved.

2. Approval of Minutes

Member Vos requested a change be made to February minutes indicating that the Board has invited two youth members, not just one youth member. Staff Assistant Van Brunt reported that she has been attempting to find the name of the dental assistant organization Kevin Hurley stated he had presented to during February's Board of Health Meeting. Chair Sousie requested it be reflected in the minutes that we are looking for this information regarding the name of the dental assistant organization and that the Board has invited two youth members to join. Changes to minutes accepted unanimously.

3. Public Forum

Chair Sousie opened the Public Forum. Burlington resident Jean Markey-Duncan addressed the Board. Ms. Markey-Duncan stated she was disappointed the Pesticide Ordinance Draft was not being discussed at the meeting and asked if there was a draft she could view. Chair Sousie explained there was not yet a draft available for review as the Board is waiting for the draft to be completed. Chair Sousie explained a draft will be

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available to the public after the Board has reviewed it. Ms. Markey-Duncan asked if this meant there would not be any changes to the ordinance during this growing season. Chair Sousie stated he believed that was correct, that there would not be any changes that would affect this growing season. Chair Sousie stated the Board is looking into obtaining funding for an educational pamphlet for public distribution regarding the pesticide ordinance. Ms. Markey-Duncan and Chair Sousie discussed a suggestion that had been made at an earlier date regarding the possibility of putting up signs in certain areas of the City to warn people about the pesticide ordinance. Ms. Markey-Duncan inquired whether there is any funding for these signs. Chair Sousie suggested that the Code Enforcement Office may have funding available for this and advised Ms. Markey-Duncan to direct this question to Staff Assistant Van Brunt who could bring the request to Code Enforcement Director Kathleen Butler for a determination. Chair Sousie mentioned he had recently come across an old communication from Ms. Markey-Duncan containing suggestions for educating the public. Chair Sousie stated he is interested in looking further into these possibilities. Brief discussion followed.

Following the conclusion of Ms. Markey-Duncan's comments, Maurie Bartlett, a representative for TruGreen, addressed the Board. Mr. Bartlett presented a packet of materials to the Board pertaining to TruGreen's compliance with the pesticide ordinance. Chair Sousie stated it should be reflected in the minutes that he is allowing discussion of the TruGreen case as there is time during the meeting due to the fact that the Item 4 was stricken from the agenda. Mr. Bartlett proceeded to take the Board members through the documents included in the packet provided. Discussion of the materials followed. Chair Sousie noted that TruGreen complied with the Board's requests from 2008 specific guidelines for a prenotification letter. Chair Sousie stated he believes TruGreen actually went above and beyond the Board's requests. In response to discussion regarding the 500 foot zone, Chair Sousie stated that he expects TruGreen to submit a request to the Board of Health anytime the company wants to put down any toxic chemicals within the 500 foot zone. Mr. Bartlett indicated agreement and stated that TruGreen only applies organic fertilizer or fertilizer without pesticides in the 500 foot zone. Member Galbraith questioned whether meeting once a month would be frequent enough to address requests made by TruGreen. Discussion followed. Chair Sousie stated an emergency meeting could be called any time to deal with such requests if necessary, noting that these meetings will have to be publicly announced and warned. Chair Sousie requested that Staff Assistant Van Brunt find out how far in advance these meetings need to be warned. Chair Sousie also stated the Board may be able to hold these meetings over the phone if absolutely necessary.

At this point, Chair Sousie offered Burlington resident Jean Markey-Duncan an opportunity to ask questions and/or comment. Ms. Markey-Duncan stated that when she first came before the Board, she brought up her concern about the difference between active and inert ingredients in chemicals applied by companies such as TruGreen. Ms. Markey-Duncan stated that inert ingredients can be more dangerous than active ingredients, noting that the sample fact sheets provided by TruGreen which will be distributed to the public when chemicals are applied only address the active ingredients. Ms. Markey-Duncan stated that the effects of acute toxicity vs. toxicity over time should be considered. Chair Sousie clarified that Ms. Markey-Duncan may be suggesting that this information be included on the fact sheets. Ms. Markey-Duncan acknowledged that

the Board had not required that this information be included on the fact sheets but stated that this information could be listed. Chair Sousie suggested that Mr. Bartlett bring this information to TruGreen as a suggestion and possibility. Discussion followed regarding the definition and effects of inert ingredients. Ms. Markey-Duncan offered to supply the Board with further information regarding inert ingredients the next time she comes before the Board.

Moving forward, Chair Sousie stated his belief that TruGreen had complied with all of the Board's previous requests. Following discussion, Member Galbraith motioned to approve the packet of materials presented by Maurie Bartlett for TruGreen regarding posting, prenotification, and informational materials the company will be using this season. Seconded by Member Hart. Motion passed unanimously. Chair Sousie stated for the record that he believes TruGreen has made a concerted effort to meet their obligation to the Board of Health, that they have worked hard to meet the Board's requests. Chair Sousie also stated recognition that there may be more adjustments to be made in the future but that at this time, the Board believes TruGreen has met the Board's requirements for the 2009 season. All Board members agreed with Chair Sousie's statement.

IV. Follow-up: City Water Fluoridation

- a. Quality assurance request from Burlington DPW – Water Division and Monson Company (the product distributor)

Chair Sousie stated he still has not received a response to his inquiry to Monson Company regarding the fluoride added to Burlington drinking water. Chair Sousie stated he will continue to request this information until he receives a response. Chair Sousie acknowledged that the City of Burlington Water Department did provide information for the Board at Chair Sousie's request, although Chair Sousie felt the information provided was somewhat inadequate for the questions the Board is seeking to answer.

- b. Board request for legal review by City Attorney of correspondence from Oregon and additional consideration of this correspondence by VDH at their request

Chair Sousie stated he has not yet received a response from City Attorney Shatz regarding his request that Attorney Shatz review the correspondence from Oregon. Chair Sousie stated he believes Attorney Shatz's review of the correspondence is important from the standpoint of legal information.

Member Vos stated he had received a request from a group called Vermonters for a Clean Environment for information on chemicals in drinking water. Member Vos stated that the request indicated that they were not as much interested in information on fluoride but on other chemicals. Chair Sousie suggested that Member Vos contact Laurie Adams or Tom Dion at the Water Department regarding this request.

Chair Sousie reminded the Board that all members had volunteered and were expected to attend the Ward 5 NPA meeting on March 18th, which was to be held at 645 Pine Street in the Front Conference Room, for the purpose of going over the Board of Health's position on the fluoride issue. Chair Sousie also informed the Board that the Ward 6 NPA requested that the members come to the meeting scheduled for April 2nd at the Greek Orthodox Church in Burlington to speak about issues surrounding pesticides and water fluoridation.

V. Chairman's Report

a. Follow-up: Hookah Smoking Rule

Chair Sousie stated he still has not heard back from the Health Commissioner's office regarding the status of the rule and that he will continue to follow-up on this issue.

b. Request: BOH Presentation at Ward 6 NPA

Chair Sousie noted that he spoke about this item earlier in the meeting.

c. Reminder: Ward 5 NPA Fluoride Discussion on March 18 at 7:00 pm

Chair Sousie noted that he spoke about this item earlier in the meeting.

d. Report on Review of Board Educational Materials

Chair Sousie stated that he has been reading a document for local Board of Health members which speaks to various issues including how to be a Board of Health member, and what local Board of Health members are dealing with across the nation. Chair Sousie stated he intends to pass the document around to each member and encourage each member to read it. Chair Sousie stated there are also some video tapes which he has not yet viewed but which he intends to pass along once he has watched them. Chair Sousie asked that members bring to meetings any educational materials they come across so they may be shared with the rest of the Board.

VI. Member Reports

a. Follow-up: Burlington Board of Health Youth Membership

Member Hart stated she left two messages for the contact person for the youth memberships and has not heard back. Member Vos stated he called Jennifer Green with the Legacy Project, who forwarded his call to the person in charge of the program. Member Vos reported that the person in charge of the program, Wanda Hines, was thrilled that the Board of Health wanted to have two youth members but explained that the youths were already placed in January. Member Vos stated that

Wanda Hines stated she would speak with the contact at Burlington High School about whether there are any more interested youths and that she will send information to Members Hart and Vos. Member Vos stated he will follow up on this.

Member Vos stated to the Board that he hopes to do another program with Channel 17 and that he has been speaking with them about doing a program on elder isolation. Member Vos made a suggestion that the Board ask Channel 17 to rerun the previously recorded "Happy Gardners" program. Chair Sousie asked Member Crete to contact Channel 17 about this possibility.

Member Hart stated she went into the wood working room when visiting Hunt School and noticed that nothing has been done about the excessive volume of the dust collector/fan ventilation system. Member Hart also stated three new fire alarms are being installed, explaining that three are needed so that the alarm will be loud enough to be heard over the noise. Discussion of this issue followed. Chair Sousie stated he believes this is a public health issue for children and staff members in Hunt School and that he will follow up on this situation.

VII. Staff Reports

There were no staff reports.

VIII. Adjournment

Chair Sousie called for adjournment. No objections. Meeting adjourned.