



**CITY OF BURLINGTON
BOARD OF HEALTH**

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BOARD OF HEALTH

Ian C. Galbraith, Chair • Fernand C. Crete • Mary D. Hart • Alan R. Sousie • James Vos

BOARD STAFF ASSISTANT

Linda Ayer

INTERN

Denis Pobric

HEALTH OFFICER

Eugene Bergman

**BURLINGTON BOARD OF HEALTH
Robert Miller Community Center – Gosse Court
Tuesday, March 9, 2010
5:30 TO 7:30 PM
Meeting Minutes (Approved)**

Attending: Ian Galbraith, Chair; Gene Bergman, Fernand C. Crete, Mary D. Hart, Bill Ward, Jay Vos, Linda Ayer, Absent: Alan Sousie, Denis Pobric,

The meeting was called to order by Chairman Galbraith at 5:40

| ITEM | DISCUSSION | ACTION |
|--|--|----------------------------|
| 1. Approval of Agenda | Add to Chairman's Report: Public Health Evaluation Bill Ward as Health Officer Nominate and Appoint for Next Month Move Pesticide Ordinance Status to 3 (a). | Changes to Agenda Approved |
| 2. Approval of Minutes: February 9, 2010 | | Approved |

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| <p>3. (a) Pesticide Ordinance Status</p> | <p>City Council Ordinance Committee Discussion on Pesticide Ordinance ; February 9, 2010 – Gene Bergman</p> <p>Concerns about State Pre-Emption Council referred ordinance back to BOH Recommendation to work with Dept. of Ag to see what Burlington can do, and how best to do that; Jim Leland - State – re: Ag exemptions. Gene has asked Jim to look at the current ordinance from state’s perspective. Invite an attorney, the BOH, and a rep from the P.O.P.E. Citizen to meet w/ Jim to examine how far our ordinance can go.</p> <p>State regs adopted in 1991, City of Burl. adopted in 1992 (close in content). City of Burl is currently more restrictive than the state with pesticide but is consistencies with the state law. If we push “enforcement”, there will be some potential trouble areas (utilities).</p> <p>In 2007 a bill was introduced in state legislature which would allow municipalities to regulate pesticides. It didn’t go anywhere. (Key legislator is still in Montpelier).</p> <p>As a municipality we cannot prohibit what state allows, or allow what the state prohibits. State has a permitting system for ag; Concerns with ordinance in regard to private residential use; requirements for commercial applicators are aligned with city and state.</p> <p>We are not adding a provision; because pre-emption already exists. State has comprehensive policy for pesticides; but Gene is advising both state and city that there are ways to work through this.</p> | <p>(Gene has 4 pages of conflicts between municipal and state requirements.)</p> <p>Gene willing to work with ordinance committee with legal issues and language.</p> |
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| | <p>Continue with the existing ordinance: Continue to educate the public. Motion to empower the chair to facilitate further discussion on pesticide ordinance with appt. of BOH member, P.O.P.E. member to work w/ Gene Bergman and Jim Leland.</p> | <p>Gene offers to be the point person; if there is someone on the Board too. Moved and approved.</p> |
| 3. Public Forum | No one present | |
| 4. Chairman's Report <ul style="list-style-type: none"> • Final Budget • Health Dept Assessment | <p>Budget discussion postponed until Ian talks with Alan Sousie</p> <p>. Recommendation by Chair:</p> | <p>Complete Board of Health assessment individually and review as a group at next meeting.</p> |
| 5. Members' Reports: <ul style="list-style-type: none"> • P.O.P.E. <ol style="list-style-type: none"> 1. Pesticides Ordinance Public Education Task Force Summary Report 2. Guidelines for the Pesticides Ordinance Public Education Working Group 3. Burlington Community Newspaper - Spring Pesticides Ordinance Information Advertisement Text | <p>(see attached report)</p> <p>Continue to give Board progress reports Also, as Working Group receives or makes recommendations; send to Board for approval</p> <p>Motion that the guidelines continue the work of the POPE Task Force that has become the POPE Working Group.</p> <p>Motions to continue with 2 page ad in NANews at the beginning of season which explains the ordinance at the beginning of the season.</p> <p>Shorten it a bit? (Don't P on your Lawn)...- for April publication (March 16 deadline)....</p> | <p>Approved</p> <p>Approved expenditure. (Linda to submit any revised copy to NANews)</p> |

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| <ul style="list-style-type: none"> • Update on Fluoride Issue • Grant Submissions • Other | <p>Public Safety Committee of the Fluoride Committee of the PWC then to Public Safety Committee to make</p> | |
| <p>6. Staff Reports</p> | <p>Pesticide Application- From GLOBAL Companies, LLC Consider: at next Board Meeting – Must demonstrate movement toward getting away from the chemicals...</p> <p>Membership in NALBOH.</p> | <p>Linda Draft Letter...telling when it will be discussed, and recommendations of Board.</p> <p>Confusion re: what is a membership? Authorize memberships contingent upon what Alan had in mind.</p> |
| <p>7. Next Board Meeting</p> | <p><i>Assessment Review Items</i> <i>Pesticide Application Request</i> <i>National Board of Health Memberships – expenditures;Included in Budget...</i> <i>Approve Bill Ward as Health Officer</i> <i>Fluoride Issue</i> <i>Work with Gene on Pesticide Ordinance</i></p> <p><i>April 13th DPW...</i></p> | |
| <p>8. Adjournment</p> | <p>7:20 Adjournment</p> | |