



# Washtenaw County Board of Health

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## Minutes

December 10, 2021, 9:00 AM – 11:00 AM  
555 Towner St., Room 2102B, Ypsilanti, MI 48198  
Zoom Meeting

**Present:** James Carty, Gina Dahlem, Leon Golson, Neel Hajra, Justin Hodge, Carrie Rheingans, Katie Scott, Kathleen Stroud, Elisabeth Vanderpool, Morghan Williams Boydston

**Absent:**

**Staff:** Jimena Loveluck, Kristen Schweighoefer, Ruth Kraut, Susan Ringler-Cerniglia, Crystal Campbell, Cindra James, Beth Ann Hamilton, Russell O'Brien

**Guests:** Maria Militzer, Marta Larson, Lucas Larson, Linda Lupi, Ashley Shukait

**1. Call to Order**

Justin Hodge called the meeting to order at 9:03 AM.

Roll-call check-in.

**2. Public Comment**

Marta Larson asked about COVID safety plans for Board of Health (BOH) meetings when they are back in person given that the conference room at the Health Department (HD) would not allow for social distancing.

**3. Board Member Response to Public Comment**

Jimena Loveluck said the HD is working with Washtenaw County Facilities to find a location that would be more suitable. They are also working on technology for the public to participate virtually, instead of just in person.

**4. Approval of Agenda (Action)**

*Motion by C. Rheingans, seconded by N. Hajra, to approve the agenda.*

*Motion approved unanimously with a roll-call vote.*

**5. Approval of October 22, 2021 Meeting Minutes (Action)**

*Motion by K. Stroud, seconded by L. Golson, to approve the minutes of the October 22, 2021 meeting.*

*Motion approved unanimously with a roll-call vote.*

**6. Executive Committee Report from October 13, 2021**

Board members received the Executive Committee minutes.

No discussion about the report.

**7. Community Voices and Health for All Report**

Marta Larson discussed the wonderful presentation by Amanda Ng on menthol and flavored tobacco at the last BOH meeting. The Community Voices Team invited Amanda to their January meeting for further discussion and to hopefully collaborate on the project. Another area that Community Voices is focusing on is juvenile and youth issues. County Prosecutor Eli Savit will be attending their February meeting to discuss ways to address youth issues in the various neighborhoods they represent.





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Maria Militzer said it is a pleasure to be here during the very important process of amending the BOH Bylaws. It has been a goal of Community Voices to increase equitable community participation in the decision-making process affecting health outcomes of all members of our communities. Activities continue to be promoted to increase vaccination rates including 2 clinics for Spanish speaking residents in November as well as 2 more happening soon.

Carrie Rheingans asked if Community Voices got a chance to talk about the possibility of having voting members on the BOH. Larta Larson replied that they would like to have someone from Community Voices represented on the BOH. Maria Militzer said they discussed this for several months and it has been the overall goal to participate in the decision-making processes.

### **8. Pollution Prevention Program (Action) – Kristen Schweighoefer, Environmental Health Director**

Kristen Schweighoefer presented to the board about a proposed pause in the local Pollution Prevention Regulation during the 2022 calendar year. They want to take the time to thoroughly evaluate the program, engage partners for feedback, and update the regulation. Kristen discussed the reasons for the proposed pause, the state and local history of the program, what will not be paused, and the draft timeline.

The last update to the Pollution Prevention Program was over 25 years ago. Federal and state regulations as well as federal, state, and local program changes may mean there are redundancies or gaps that need to be addressed. This would allow for a pause for businesses in terms of regulation and fees and to engage them in a non-regulatory format for their thoughts on updates.

Washtenaw County Health Department is proposing to pause the collection of fees, reports, and inspections of the businesses regulated under the WC Pollution Prevention Program for the 2022 calendar year. Items that will not get paused include answering community and business questions, investigation of complaints and concerns, and coordination with partners and emergency responders.

The draft timeline for the proposed pause:

- Review current regulation, program, and fees through March 2022
- Propose amended regulation, program, and fees April-May 2022
- Engage partners for feedback October-November 2022
- Bring updated regulation, program, and fees to the BOH and Board of Commissioners (BOC) December 2022-February 2023

Questions and comments:

Leon Golson asked if 1 year would be enough time to complete the proposed review and amendments? Kristen replied that it would be great if there was a possibility to extend it for a second year if it is needed.

Carrie Rheingans asked if an additional funding source was needed for staff to be able to engage all the partners and if it would be unethical to ask businesses to report and pay a fee if report will not be looked at. Kristen replied that the fees are very specific about what they are for, and she is not comfortable charging reporting fees and then not using them for reporting. Carrie asked what kind of violations or other things might be missed if the program was put on hold for 1 year. Kristen replied that it is hard to say because they are not seeing significant violations when going into places, but minor things will be missed. Carrie asked if there is liability on the HD and the County if something should happen. Kristen said that would be a great question for Corporation Counsel. James Carty said he would be uncomfortable voting yes without some sort of sign off from Corporation Counsel.



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Neel Hajra asked if this was appropriately consolidated with the Health Department or is some of it better handled by other bodies given the tapestry of regulatory bodies and inspection services in the county.

Katie Scott said it might be beneficial for Kristen to present at Local Emergency Planning Committee (LEPC) in January.

*Motion by K. Stroud, seconded by N. Hajra, to recommend a pause of the Pollution Prevention Program for calendar year 2022 to the Board of Commissioners.*

*Neel Hajra rescinded his 2<sup>nd</sup> to the motion. Motion withdrawn.*

*Motion by J. Carty, seconded by C. Rheingans, to table this item until the next meeting and requests review by Corporation Counsel.*

*Motion approved unanimously with a roll-call vote.*

### 9. Revised Board of Health By-Laws (Action)

Board members received a draft of the proposed BOH Bylaw changes. Justin Hodge discussed the proposed changes. Membership would increase to 11 members with 9 community members and 2 members of the BOC as board liaisons. The commissioners will now be voting members. Board member terms are limited to 3 consecutive terms or 10 years, at which time they would be ineligible for one full year from the expiration of their term. If a board member is absent for 3 consecutive meetings, they may be subject to removal by a vote of the majority of the Board. Membership shall take into account relevant public health constituencies, experience and education from sectors including, but not limited to public and environmental health, academia, health service delivery, legal services, philanthropy, social service delivery, K-12 education, consumers and citizens at large. Community Voices and Health for All are not written in because that would essentially be the HD picking someone for the BOH as they are closed groups selected by the HD.

Questions and comments:

Neel Hajra said that changes to Article 3 Section 4 involving membership were intended to deemphasize expertise and emphasize lived experience. Justin will make sure "lived experience" is included.

Carrie Rheingans mentioned the movement at the County to use the Opportunity Index as much as possible and to explicitly include people who have been excluded. She would like to explicitly state that in the bylaws. Carrie proposed a friendly amendment for the representation section of the bylaws to state "experience living in a low opportunity index or experience being a member of a historically excluded group."

Justin Hodge discussed the changes to Article IV, Officers section of the bylaws. The Secretary position was removed and replaced with a 2<sup>nd</sup> Vice Chair.

Kathleen Stroud said that her main concern is the term limits section. The board should not cut off the lived experience of members after 10 years. She said that to her there is no data or studies to show that a person is less effective after 10 years.



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James Carty discussed Article III, Section 2 Board Terms. He said it's generally accepted as best practice for any board to have term limits between 8-10 years in order to bring fresh perspective. James strongly suggested increasing the ineligible period from 1 to 3 years after a member is termed out. Article V, Section 3 was mentioned because it states the Chair or 3 board members could schedule a special meeting. He stated he is wary of setting up a situation where a minority of 3 could start calling board meetings. Justin responded that the number should be higher because the number of board members increased.

Morghan Williams Boydston said that she doesn't agree with the 1 year ineligible period either because it does not give enough time and separation from insider relationships. Not everyone's lived experience is equitable or ethical and we want to make sure there is room for people to have a new voice.

*Motion by J. Carty, seconded by N. Hajra, to amend the bylaws to include requiring 6 votes to call a special meeting and requiring a 3 year layoff after being termed out.*

*Motion approved with a roll-call vote. 1 no vote by Kathleen Stroud.*

Kathleen Stroud mentioned that the bylaws could be changed at any BOH meeting with a majority vote. Carrie Rheingans added that the BOC would have to approve any changes to the bylaws.

*Motion by J. Carty, seconded by N. Hajra, to approve the amended bylaws.*

Carrie Rheingans asked for a friendly amendment to include "address health disparities" in Article II, the purpose section. James and Neel agreed.

*Motion approved with a roll-call vote. 1 no vote by Kathleen Stroud.*

### 10. BOC Liaison Report

- **Employee COVID-19 Vaccine Requirement Policy**  
Postponed to next meeting.
- **Washtenaw Rescue Plan**  
Postponed to next meeting.

### 11. New Business

- **Board of Health 2022 Meeting Calendar (Action)**  
*Motion by C. Rheingans, seconded by K. Stroud, to approve the BOH 2022 Meeting Calendar.*  
*Motion approved unanimously with a roll-call vote.*
- **Public Meeting Guidance for 2022**  
Postponed to next meeting.
- **ARC Towards Justice Initiative**  
Postponed to next meeting.
- **Thank you to Neel Hajra**  
Jimena Loveluck and other board members thanked Neel for his years of service on the board.



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### 12. Adjournment

*Motion by K. Stroud, seconded by N. Hajra, to adjourn the meeting.*

*Motion approved unanimously.*

Meeting adjourned at 11:03 AM.

Minutes taken by Russell O'Brien