

ALLEGHENY COUNTY BOARD OF HEALTH

MINUTES

January 13, 2016

Present: Lee Harrison, MD, Chair
William Youngblood, Vice Chair
Karen Hacker, MD, Secretary
Edith Shapira, MD
Anthony Ferraro
Joylette Portlock, PhD
Donald Burke, MD
Kotayya Kondaveeti, MD
Caroline Mitchell

Absent: Ellen Stewart, MD

1. **Call to Order**

The meeting was held at the ACHD Administrative Office, 542 Fourth Avenue. Dr. Harrison called the meeting to order and announced that an executive session had been held to discuss personnel matters. Dr. Harrison thanked Councilperson Paul Klein for attending the meeting.

2. **Approval of Minutes from November 4, 2015**

Dr. Harrison asked if there were any comments on the minutes. There were none. Dr. Harrison then asked for a motion to approve the minutes.

Action: Dr. Shapiro moved to approve the minutes, Mr. Ferraro seconded the motion.

Motion passed unanimously.

3. **Election of Officers for 2016**

Dr. Harrison asked for motions to nominate officers for 2016.

Action: Mr. Youngblood moved to elect Dr. Harrison as Chairman. Dr. Burke seconded the motion.

Motion passed unanimously. Dr. Harrison abstained.

Action: Dr. Harrison moved to elect Mr. Youngblood as Vice Chairman. Mr. Ferraro seconded the motion.

Motion passed unanimously. Mr. Youngblood abstained.

4. **Public Comments on Agenda Items**

There were no public comments on agenda items.

5. **Old Business**

A. Update on Prevention Point Pittsburgh – Perry Hilltop

Representatives of Prevention Point were unable to attend the meeting. Abby Wilson prevented on their behalf. Prevention Point's request for their Perry Hilltop location was approved by City Council unanimously on December 15th. Ms. Wilson stated that 230 overdoses were reversed with naloxone provided by Prevention Point. Dr. Harrison asked if there was federal funding again for needle exchanges. Ms. Wilson stated that she would look into this question. Mr. Youngblood stated that he liked this information and requested an annual report regarding Prevention Point.

B. CCAC Solar Project Schedule

Jim Thompson presented the Board with a schedule of the CCAC Solar project. He stated that the contract should be signed in February 2016 with a completion date of November 2016. Mr. Youngblood asked if the money was coming through the state to ACHD, Mr. Thompson stated that the money was already in the Clean Air Fund. Dr. Burke asked if the Clean Air Fund was an interest-bearing account. Mr. Thompson stated that it was, but the interest rate is not high. He stated that he can provide that information at the next meeting. Dr. Burke stated that this was good information and was what he was looking for.

C. Update on Live Well Allegheny

Dr. Hacker announced that the first Allegheny Quits for Life campaign was held during smoking cessation week with Tobacco Free Allegheny as a partner. She also stated that Live Well and ACHD were working with local universities, including Pitt, to make university campuses smoke-free. The City of Pittsburgh also declared all City Parks to be smoke-free.

Dr. Hacker also stated that the Live Well Allegheny website has been updated. The updates included optimization for viewing on mobile devices and adding map and search tools. Live Well now includes 22 communities and 5 school districts. Additionally, the Live Well Restaurants component of the campaign has launched. It is Dr. Hacker's intent to have all Allegheny County communities and school districts involved in the campaign. She hoped for an annual report to be completed by the spring. Dr. Burke asked how the program will be evaluated. Dr. Hacker stated that RAND has been engaged to create a logic model and identify metrics.

Dr. Kondaveeti asked about the County's ability to ban smoking in public places. Abby Wilson stated that the Health Department's ability to regulate this issue is limited. She stated that Allegheny County has the highest number of Clean Indoor Air Act exemptions per capita in the state. She stated that banning smoking outside was up to local municipalities. She stated that

it was difficult for the Health Department to ban smoking, but that the Health Department can educate residents about smoking.

Dr. Portlock asked how smoking bans are enforced. Dr. Hacker acknowledged that this was a challenge. Other users of the parks can remind smokers of the ban. Enforcement is active in the housing sector though. There was recently a court case regarding smoking which the Housing Authority won. Dr. Kondaveeti stated this was good news.

Dr. Burke asked Ms. Wilson to comment on taxation of tobacco products. Ms. Wilson stated that this would require approval from the state legislature and that it was more difficult for Allegheny County to do than Philadelphia. Dr. Hacker stated that there are attachments a number of bills to block municipalities from taxing cigarettes. The American Heart Association is lobbying against those attachments. Dr. Burke asked what the Board should do regarding these issues. Ms. Wilson stated that the Policy Committee would look into this. Dr. Hacker stated that ACHD was watching e-cigarettes closely, as they were unregulated. Mr. Youngblood stated that he was the Treasurer of Tobacco Free Allegheny. He stated that the state currently did not have the same taxes for cigarettes and e-cigarettes and that TFA was trying to change that. He reported there was lots of work occurring.

Dr. Harrison thanked everyone for their contributions to the discussion.

6. **New Business**

A. Overview of 2015 Accomplishments

Dr. Hacker gave a presentation to the Board about ACHD's accomplishments in 2015. Accomplishments included completion of the Community Needs Assessment, Plan for a Healthier Allegheny, and Strategic Plan; 18 communities and 3 school districts joined the Live Well campaign; completion of the Allegheny Health Survey and Health Allegheny Teen Survey; improving the Food Safety Program; increased Air Quality monitoring, passed open burning regulations, and having all Air Quality monitoring sites in the County meet the 2008 ozone National Ambient Air Quality standard for the first time; collaborative work with partners and issuing a standing order for Naloxone at pharmacies in an effort to combat opioid overdoses, and making improvements to the Department's infrastructure.

Dr. Harrison thanked Dr. Hacker for this presentation.

Dr. Portlock asked if Dr. Hacker could comment on changes of the structure of the Department. Dr. Hacker said that the hiring of the leadership team has been completed and that programs are being examined. Dr. Portlock then asked if ACHD will continue air quality monitoring at Neville Island. Mr. Thompson stated that the Avalon air monitor will continue to function for at least a year, in order to measure effects of Shenango's closure. An epidemiologist in the Air Quality program will also repeat studies measuring cancer and asthma rates. Dr. Hacker stated that ACHD will plan for a monitoring report in six months.

Dr. Burke asked what metrics ACHD was using for self-evaluation, Dr. Hacker replied with the data available on ACHD's website and with Plan for a Healthier Allegheny progress reports. Dr. Burke asked if ACHD compares Allegheny County against similar counties. Dr. LuAnn Brink stated that most benchmark data is compiled at a state or national level.

B. Plumbing Program Overview

Mike Como, Program Chief, gave an overview presentation of the Plumbing program to the Board. Mr. Como reported the plumbing program operates from three offices and is staffed by six supervising inspectors, three office supervisors, sixteen inspectors, four clerks, and a newly created and as of yet unfilled position of Assistant Program Manager.

The program's responsibilities include the permitting and inspection of plumbing installations, the licensing of plumbers, septic system inspections, and residential sprinkler inspections. Mr. Como reported that the plumbing program engaged in 28,200 inspections in 2015. He stated that one of the largest projects that the program was involved in was during the building of the new PNC tower in downtown Pittsburgh.

Mr. Como provided further data for the programs activities in 2015. The program engaged in 312 complaint investigations. It also issued 114 notices of violations, 8 consent penalties, 10 legal actions, and 226 abatements.

He stated that one of the problems that the plumbing program frequently encounters is the effects of grease. Mr. Youngblood agreed that this is a serious problem. Mr. Youngblood asked when the program last reviewed its fees. Mr. Como said that was done in 2014 and will be done again in 2016.

Dr. Harrison and Mr. Ferraro both thanked Mr. Como for his presentation.

Dr. Burke asked where the Health Department's responsibilities begin and end in terms of plumbing. Mr. Como stated that would be anything private, as the mains are owned by local municipalities. Mr. Como did state that the Health Department will also do private mains, such as those owned by a shopping center.

C. Environmental Health Fund Request: Household Hazardous Waste/Hard to Recycle Collections for 2016

Joy Smallwood requested, from the Environmental Health Fund, \$35,000 for three Household Hazardous Waste Collections and \$25,000 for five Hard to Recycle Collections. These events will help prevent illegal dumping throughout the County, which will help protect the environment.

Action: Mr. Youngblood moved to approve the requested disbursement from the Environmental Health Fund, Dr. Kondaveeti seconded the motion.

Motion passed unanimously.

D. Clean Air Fund Requests

1. Air Quality Program Office Expansion Project

Mr. Thompson stated that the Air Quality program has outgrown its current location in Clack's Building 7. He stated that there is a plan to expand the Air Quality program, but that this was limited by space constraints. Mr. Thompson stated that there are 52 staff members, 2-4 interns, contract staff, and multi-day visitors (such as the EPA or auditors) all currently working in Building 7. There are only two small rooms for client meetings and that staff members are currently working out of conference rooms and hallways.

Mr. Thompson stated that in 2015, a feasibility study was conducted for the entire Clack campus. Multiple renovations are required across the campus to address issues with life safety, electrical systems, lighting, and ADA accessibility. Mr. Thompson stated that Building 1 at Clack is better for the Air Program, as it is a much larger building than Building 7.

Mr. Thompson stated that the Health Department would like to renovate Building 1 to house the Air Program. The building post-renovation would be a LEED silver certified building. Mr. Thompson stated that the LEED certification will show environmental consciousness, provide a professional work environment for staff, and deliver energy savings costs of 35-45%. The estimated project cost for the renovation was \$9.3 million with a +/- 30% contingency.

Dr. Kondaveeti asked if it would be better to demolish the building instead of renovating it. Dr. Hacker stated that would double the cost of the project and that Building 7 is a historic building. Mr. Youngblood asked for the square footage of the buildings. Mr. Thompson stated that Building 1 was approximately 50,000 square feet, and Building 7 was approximately 30,000 square feet.

Mr. Thompson stated that the planned funding source for the renovations would be from the Title V air fund and the Clean Air Fund. He stated that the entire funds will not be spent on this project and that a significant balance will be retained in the funds.

Mr. Thompson requested that the Board approve the disbursement of \$450,000 from the Clean Air Fund to fund 50% of an investment-grade audit for renovation of Building 7. The audit will last nine months, will engage in open-book pricing, will review historic preservation, and will result in a Not to Exceed cost number. Construction is expected to take 18-24 months, with work complete in 2019.

Dr. Shapira suggested being open about the desired LEED certification level. Mr. Thompson stated that the LEED design elements can be refined, but the cost for attaining Gold or Platinum levels would be too great.

Dr. Portlock asked about the effects of Shenango's closure on the Clean Air Fund. Mr. Thompson stated that the Clean Air Fund had received \$100,000-\$500,000 per year over the past five years from Shenango, but those amounts were declining. Dr. Kondaveeti reminded Mr. Thompson that the Clean Air Fund will be losing that income. Mr. Thompson stated that the closure of Shenango will free-up inspectors' time to be able to identify other violators.

Mr. Thompson stated that if the Board approves this request, he will make another request for disbursement from the Clean Air Fund in 2017 to complete this project.

Action: Dr. Shapira moved to approve the disbursement from the Clean Air Fund for the Air Quality Program's Office Expansion Project, Dr. Burke seconded the motion.

Motion passed unanimously.

At this time, Dr. Kondaveeti excused himself and left the meeting.

2. Student Conservation Association Intern Funding

Jayne Graham stated that the Student Conservation Intern Funding was in its second year. The fund supplied interns to city and county-based climate change groups. The requested disbursement from the Clean Air Fund would support six interns this year. The interns have worked on projects involving trees and energy efficiency.

Dr. Harrison asked what the impact of the interns has been. Ms. Graham stated that the interns have been given to the organizations for specific projects, and she has been pleased with the projects' successes. Mr. Ferraro asked if the interns are Allegheny County residents. Ms. Graham was unsure of that. She stated that the organizations are regional, but she is unaware of how the interns are selected by them. Mr. Ferraro asked who oversees the interns. Ms. Graham stated that the organizations do.

Action: Dr. Shapira moved to approve the disbursement from the Clean Air Fund for the Student Conservation Association Intern Funding, Dr. Portlock seconded the motion.

Motion passed unanimously.

After voting on the motion, Dr. Portlock stated that she would like to see more information about the projects supported. Dr. Harrison stated that he would like to know more about the interns selected. Mr. Ferraro agreed, stating that more information would make this request easier to understand.

7. Director's Report

Dr. Hacker reported that ACHD is actively working on writing grants, mostly centered on chronic disease issues.

Mr. Ferraro expressed his kudos on the new food safety report and stated this is exactly what the Board needed. Dr. Portlock concurred that the quality of the enforcement reports has improved.

8. **Announcements**

There were no announcements.

8. **Public Comments on Non-Agenda Items**

A. Thaddeus Popovich – Shenango

Mr. Popovich stated that he is a co-founder of ACCAN and has been a resident of Ben Avon for eight years. He noted that he stated at the previous Board meeting that he suspected that DTE energy was using Shenango as a cash-cow and was being stingy in investing in upgrades. Mr. Popovich was not surprised when DTE announced that they will be shutting down Shenango due to a downturn in the industry. Mr. Popovich noted that Mr. Thompson and County Executive Fitzgerald have made statements indicating they don't believe there will be a large improvement to public health after Shenango's shutdown. Mr. Popovich reminded the Board of Yogi Berra's quote "It ain't over till it's over" and stated that strong leadership is required to ensure there is a safe shutdown of the plant and hold DTE accountable. Mr. Popovich ended his statement by expressing his desire for DTE to install a solar array on the site.

Dr. Harrison thanked Mr. Popovich for his comments.

B. Angelo Taranto – Shenango

Mr. Taranto stated that he is a resident of Ross Township and is also a member of ACCAN. He was also surprised to learn of Shenango's closure, and is looking forward to the benefits of cleaner air in local neighborhoods. He stated that political leaders need to recognize that improvements in air quality are needed to improve quality of life. He expressed post-shutdown concerns for the Shenango site. Such concerns included wondering whether DTE has informed the Health Department of what their plans for the site are, and if DTE's permit is transferable to another operator. Mr. Taranto requested that the Health Department promote a clean re-use of the Shenango site.

Dr. Harrison thanked Mr. Taranto for his comments.

C. Rachel Filippini, Group Against Smog and Pollution – Article 11 (Appeals and Hearings)

Ms. Filippini stated that she was the Executive Director of the Group Against Smog and Pollution. She stated that it came to her attention that changes to the Health Department's Article XI on Hearing and Appeals, which were approved by the Board in 2012, were never acted upon by County Council. The revisions approved in 2012 extended the time that an appeal could be filed from 10 to 30 days following public

notice by the Health Department. Ms. Filippini noted that both the EPA and DEP provide a 30 day window for most appeals. Ms. Filippini urged the Board to take the steps necessary to extend the time to appeal to 30 days and also to provide permit information online.

Dr. Harrison thanked Ms. Filippini for her comments.

9. **Adjournment**

Mr. Youngblood moved to adjourn the meeting, and Dr. Shapira seconded the motion.