King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Minutes

Board of Health

Metropolitan King County Councilmembers: Julia Patterson, Chair;
Kathy Lambert, Vice Chair; Joe McDermott
Alternate: Reagan Dunn

Seattle City Councilmembers: Sally Clark, Richard Conlin, Nick Licata
Alternate: Mike O'Brien

Suburban Elected Members: Ava Frisinger, David Hutchinson
Alternate: Dan Sherman

Health Professionals: Ben Danielson, MD, Frankie T. Manning, RN, M.A, Ray M. Nicola, MD, MHSA, FACPM

Staff: Maria Wood, Board Administrator (263-8791);
Director, Seattle-King County Department of Public Health:
Dr. David Fleming

9:30 AM | **Thursday, December 16, 2010** | **Room 1001**

1. Call to Order

The meeting was called to order at 9:39 a.m.
The Chair recessed the meeting into Executive Session to discuss with legal counsel litigation or potential litigation to which the Board is or is likely to become a party when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the Board at 9:44 a.m. The Chair reconvened the meeting at 10:15 a.m.

2. Roll Call

Present: 8 - Ms. Lambert, Ms. Patterson, Ms. Clark, Mr. Hutchinson, Dr. Nicola, Mr. Licata, Mr. Conlin and Ms. Manning

Excused: 3 - Ms. Frisinger, Dr. Danielson and Mr. McDermott

3. Announcement of Any Alternates Serving in Place of Regular Members

Boardmember Manning served in place of Boardmember Danielson.

4. Approval of Minutes of June 17, 2010, September 16, 2010 and October 29, 2010

The minutes were not approved.

5. Public Comments

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The following people made comments:
Rusty Fallis

6. Director's Report

No report was given.

Discussion and Possible Action

7. **Resolution No. 10-09**

A RESOLUTION calling on the state of Washington to provide dedicated and long-term financing so local public health jurisdictions can protect and improve the health of all community residents, and preserve funding for community health services so that Washington's most vulnerable residents can access the health care they need.

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Dr. Fleming briefed the Board on the resolution and made a PowerPoint presentation.
Boardmember Hutchinson moved the resolution.
Boardmember Clark moved amendment 1.
Boardmember Hutchinson moved to amend amendment 1 to add a new section C that would aks theDepartment of Public Health to ask the state legislature to not make reductions in FQHC reimbursement rates. The motion passed unanimously.
Boardmember Clark's motion, as amended, passed unanimously.
Boardmember Clark moved T1. The motion passed unanimously.

A motion was made by Mayor Hutchinson that this Resolution be Passed as Amended. The motion carried by the following vote:

Yes: 9 - Ms. Lambert, Ms. Patterson, Ms. Clark, Mr. Hutchinson, Dr. Nicola, Mr. Licata and Ms. Manning

Excused: 4 - Ms. Frisinger, Mr. Conlin, Dr. Danielson and Mr. McDermott

Briefing

8. **BOH Briefing No. 10-B23**

Drinking Water Program Update

this briefing was deferred to a later meeting.

This matter was Not Held.

Discussion and Possible Action

9. **R&R No. BOH10-04**

A RULE AND REGULATION relating to electronic smoking devices and unapproved nicotine delivery products and adding a new chapter to BOH Title 19; enacted pursuant to RCW 70.05.060 and 70.160.080, including the latest amendments or revisions thereto.

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Scott Neal, Tobacco Prevention and Control Program Manager, Department of Public Health, briefed the Board on electronic smoking devices and made a PowerPoint presentation.
Dr. Fleming, Director, Department of Public Health, answered questions of the Board.

The Chair opened the public hearing on the rule and regulation.

The following people spoke:
1. Joey Kahwaty
2. Thad Marnay
3. Jerry Adelson
4. Randy Flood
The Chair closed the public hearing.

Mr. Neal responded to the public comments and answered questions of the Board.

Boardmember Nicola moved adoption of R&R 10-04.
Jane McKenzie, legal counsel to the Board, answered questions of the Chair.
Boardmember Licata clarified Boardmember Hutchinson's suggestion to delete Section 12 and send the issue back to the committee for further refinement.
Boardmember Lambert suggested adopting only section 8.
Boardmember Nicola answered questions of the Board.

Boardmember Hutchinson moved amendment 1 as distributed.
Ms. McKenzie answered questions of the Board.
Wendy Soo Hoo, staff to the Board, answered questions of the Board.
The amendment failed by a vote of 4 Ayes (Boardmembers Manning, Nicola, Hutchinson and Licata) and 6 Noes.

Boardmember Manning suggested an amendment on page 5, line 98 insert "product" after "devices". The Chair considered as friendly and there was no objection.
Boardmember Lambert did not offer amendment 2, which had been distributed to the Board.

A motion was made by Boardmember Nicola that this R&R be Passed as Amended. The motion carried by the following vote:

Yes: 10 - Ms. Lambert, Ms. Patterson, Ms. Clark, Mr. Hutchinson, Dr. Nicola, Mr. Licata, Mr. Conlin and Ms. Manning

Excused: 3 - Ms. Frisinger, Dr. Danielson and Mr. McDermott

Briefing

10. **BOH Briefing No. 10-B24**

Annual Report to the Board of Health

The annual report was deferred to a later meeting.

This matter was Not Held.

11. Chair's Report

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12. Board Member Updates

No reports were given.

13. Administrator's Report

No report was given.

14. Adjournment

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The meeting was adjourned at 12:15 p.m.

Approved this _____ day of _____.

_____

Clerk's Signature