



# SAN LUIS OBISPO COUNTY HEALTH COMMISSION

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**July 14, 2008 – 6:00 P.M.  
Health Commission Retreat  
Cooperative Extension Auditorium**

Members Present: Lynn Enns, Jesse Arnold, Penny Chamousis, Ed Guerena, Pam Heatherington, David Odell, Robert Thielscher, Susan Warren, Dawn Williams  
Members Absent: None  
Staff Present: Jeff Hamm, Warren Jensen (County Counsel), Jean White (Recorder)

1. **Call to Order** – Meeting called to order at 6:10 p.m.
2. **Introductions**  
**New commissioners Dawn Williams (Consumer) and Jesse Arnold (Consumer)** introduced themselves. Their appointments are scheduled to go to the Board of Supervisors on July 15<sup>th</sup>. Round the table introductions were made.
3. **Public Comment**  
**Elizabeth Johnson** stated that the table setup/configuration for the commissioners at tonight's meeting felt very "exclusionary" to members of the public. It was generally agreed that the table configuration could be improved upon. Ms Johnson was invited to move to the table.
4. **Brown Act Overview** – *Warren Jensen, County Counsel*  
**Warren Jensen, County Counsel**, provided a Power Point overview and handout explaining how the Brown Act applies to advisory bodies. The Health Commission is required to comply with the Brown Act. Basically, all meetings must be noticed, meetings are limited to the agenda, public participation must be allowed, no secret meetings, no private pre-meetings, no seriatum meetings. "Meeting" is defined as any congregation of a quorum to hear, discuss, or deliberate on an item within its jurisdiction. Good idea to avoid private social gatherings of a quorum unless others are present. Also, no consensus can come out of an email – this is illegal. Rules for time limits on public comment, and giving the Chair discretion to make further limitations on time due to large # of persons present for public comment, should be spelled out. Members of public who want to address matters beyond purview of agency can be cut off, especially if they are consuming large amounts of time. There was discussion about public disclosure of membership applications that have been submitted for consideration. Personal information (ie., home address, phone number) should be "whited out" prior to going to the Nominating Committee for review. It is up to individual commissioners if they want to disclose home address, telephone or email addresses.

Warren Jensen talked about the "Conflict of Interest Law" as it applies to advisory bodies. Officials must identify their own conflicts. Govt. Code Sec 1090 prohibits officials from being financially interested in contracts "made by them in their official capacity." It was noted that the scope of conduct is broad and includes voting on a contract, advocacy of the contract (from the earliest stage of planning through the time of approval) and preliminary decisions. A willful violation is punishable as a felony.

Mr. Jensen talked about the Political Reform Act (Prop 9) establishing the Fair Political Practices Commission and requiring a local conflict Code. The Health Agency has a code, specifying who must report economic interests annually on Form 700. These forms are filed with the County Clerk Recorder and when filed, become public record. Public employees salaries are not income and do not create an economic interest in the public entity. The Health Commission is not included in the Health Agency Code, and therefore not required to file.

The Political Reform Act requires self-disqualification when a conflict exists and disqualification is required when an official has an opportunity to make, participate in, or influence a governmental decision (not just a contract), when it is foreseeable that the decision will affect the official's economic interest and the effect is material and the effect is different from the effect on the public generally. Commissioners asked questions about potential scenarios, and Mr. Jensen cautioned if there is a financial interest. Mr. Jensen provided references, including the California Attorney General website at <http://caag.state.ca.us/piu/pubs.htm>.

**Ms. Johnson** asked if advisory bodies are required to attend "Ethics Training." This is only required if members are paid or reimbursed for expenses (travel, seminars); therefore not mandatory for health commissioners.

5. **Health Agency Director Report – Jeff Hamm**

Jeff announced that Penny Borenstein, MD, MPH, from Baltimore, Maryland has accepted the position of Public Health Administrator / Health Officer and will be relocating to San Luis Obispo in late August to begin her new position around September 1<sup>st</sup>.

6. **Health Commission Standing Committees – Membership Review**

Standing committee assignments were reviewed and updated. Commissioner Thielscher had to leave tonight's meeting early, so his committee assignments will be confirmed. It was agreed that the Legislative and Budget Committees will meet jointly and that Penny Chamousis will serve as Chair of both committees. Committee members are the same on the Legislative and Budget committees. The joint Leg/Budget committees will continue to meet with Jeff Hamm. Jeff explained briefly the County's Legislative Platform and how the commission could effectively make recommendations on legislature. Jeff will forward weekly CHEAC "Hot Sheets" to committee members. David Odell agreed to be the new Chair of the Nominating Committee and Pam Heatherington will continue to chair Community Education Committee.

7. **Health Commission Advisory Bodies – Liaison Review**

Liaison assignments were discussed and updated. Commissioner Williams will attend Children's Services Network (which is currently in the process of reorganization) and will replace Commissioner Thielscher as liaison for SLO-CAP meetings, since she is already attending them. Commissioner Arnold will be liaison to HIV Care Consortium. Commissioner Guarena will do his best to attend HEAL SLO meetings. Still looking for liaisons to the Tobacco Control Coalition and BT Advisory Committee (it was noted that there are still two vacancies on the commission and that maybe these new commissioners would be available to attend these.)

8. **Pesticide Use Task Force Update – Commissioner Heatherington**

Commissioner Heatherington reported that she met with Janice Campbell from the Ag Commissioner's Office and that she and Commissioner Odell have reviewed the pesticide-related complaints. Since there have been very few complaints, she suggested that rather than reconvening the Pesticide Use Task Force, that there be a series of presentations/updates, including: 1) Farm Bureau regarding land use issues/buffer zones; 2) AG Waiver Program – 5 year review; and 3) Report from Ag Commissioner on educational outreach grant. After further discussion, it was

decided to devote the November meeting to “Pesticides” and invite the Ag Commissioner, Farm Bureau and others to speak on these issues at the November meeting.

Commissioner Heatherington also reported that she has been asked by the Planning Department to speak at an upcoming Board of Supervisors meeting on public health issues / buffer zones relating to subdivisions next to prime agricultural fields.

**9. Proposed Agenda Items Topics for 08/09**

Chair Enns asked commissioners for ideas on agenda topics and suggested one or two commissioners be responsible for coordinating a topic each month. It was noted how encompassing the panel presentations were last year on “Detox” and “Defining Family Violence.”

**Aug 11, 2008:** CMSP / CenCal / Medical Association – Medicare/Physician reimbursements.

**Sep 08, 2008:** Child Abuse Prevention  
Drug & Alcohol Recovery

**Oct 20, 2008:** Domestic Violence Panel  
(*Commissioner Heatherington*)

**Nov 17, 2008:** Pesticides  
(*Commissioner Heatherington / Odell*)

**Dec 08, 2008:** Non-profit organizations (include NAMI – National Assoc. of Mentally Ill)

**Jan 12, 2009:** Trauma System Plan / EMCC  
2-1-1 update / Hotline  
VOAD (Voluntary Organizations Active in Disaster)

**Feb 2009:** **No Meeting**

**Mar 09, 2009:** Cancer prevention/cancer awareness/cancer rates (invite Cancer Society;  
someone to report on local data)  
(*Note: Tri Counties Cancer Registry closed July 1, 2008*)  
(*Commissioner Arnold*)

**Apr 13, 2009:** Public Health Week topic

**May 11, 2009:** Obesity / Childhood Obesity / School Nutrition

**June 08, 2009:** Health of Homeless 10-year Plan – *update (Steven Lamb?)*  
Tuberculosis – Public Health

**(Also, plug in MHS/PEI Plan update somewhere – talk to Dale Magee, MHSA Consultant)**

**10. Adjournment**

Meeting adjourned at 8:52 p.m.

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Next Regular Meeting: Monday, August 11, 2008, 6:00 P.M.  
Board Chambers, County Government Center, San Luis Obispo