

**SAN LUIS OBISPO COUNTY
HEALTH COMMISSION**

Minutes of Meeting

Monday, December 13, 2010 (County Board of Supervisors Chambers)

Members Present: Ed Guerena (Chair), Jesse Arnold, Gina Kirk, David Odell, James Pope, Anne Quinn, Mary Jean Sage

Members Absent: Lynn Enns, Jean Raymond, Susan Warren, Dawn Williams

Staff Present: Penny Borenstein, MD, Health Officer, Jean White

Speakers: Barry VanderKelen (SLO County Community Foundation); Lesley Dierks (Nonprofit Support Center); Curt Batson (Environmental Health Services)

Agenda Item	Discussion	Action	Who/When
1. Call to Order	Meeting called to order by Chair Guerena at 6:00 p.m.	<i>Call to order</i>	<i>Chair Guerena</i>
2. Approval of Minutes	Minutes of the November 8, 2010 meeting were approved as written.	<i>November minutes approved</i>	<i>Odell/Sage/All</i>
3. Public Comment	Mary Giacoletti, San Simeon , stated that she spoke before the Commission in 2007 and at that time also appeared before the Board of Supervisors and the Air Pollution Control District Board (APCD) with her concerns about a significant health hazard from wood smoke in San Luis Obispo County. She recently appeared before the APCD and was here tonight to reiterate her concerns, noting that the EPA has categorized wood smoke as “12 times more carcinogenic than cigarette smoke and 40 times more biologically active.” She noted that exposure to wood smoke increases risk for certain cancers by 73% and that most of the currently operating fireplaces in the county are outdated, high polluting, and in violation of the Clean Air Act. She asked the Commission to urge the APCD to take more action with regard to wood smoke and provided a handout with a petition and signatures from 2007 and 2010.		
4. Overview of Non-Profit Organizations in San Luis Obispo County	Barry VanderKelen, Executive Director, San Luis Obispo County Community Foundation , provided a Power Point overview of nonprofit organizations in San Luis Obispo County, noting as of August 2010, there were 1,146 nonprofit 501c3 organizations in San Luis Obispo County. Form 990 annual filings (required for those organizations with revenue over \$25,000) showed the total annual revenue to nonprofits in this county to be approximately \$372 million dollars, with 20% of revenue coming from outside San Luis Obispo County. Mr. VanderKelen talked about the impacts to nonprofit organizations since the beginning of the recession, with reductions in revenue to nonprofits by 22 million dollars. Donors are moving more away from arts & culture, education, & environment and putting more money into health and human services. Nonprofit organizations have incurred layoffs, hiring freezes, reduction in services, cancellation of service expansion and operating budget reductions. In order for non profits to recover government funding needs to be stabilized and consumer confidence must increase. Mr. VanderKelen talked about some of the services the SLO County Community Foundation provides to individuals and nonprofits and talked more specifically about two of their services: the Real Estate Foundation of San Luis Obispo County (which exists to facilitate donations of real estate to local nonprofits) and a license they received this fall to offer charitable gift annuities (available to all nonprofits, where the donor can choose the charity of his/her choice). At the end of 2009, the Community Foundation had assets of 28.1 million		

	<p>dollars and grants out in the community of more than \$15 million dollars.</p> <p>Lesley Dierks, Regional Manager, Nonprofit Support Center, San Luis Obispo talked about the Nonprofit Support Center and their mission to “provide leadership, consulting and training to help nonprofits do their good work better.” The Nonprofit Support Center provides training, consulting services, leadership and resource center assistance to nonprofit organizations in San Luis Obispo and Santa Barbara Counties. They serve nonprofit staff members, board members, volunteers, community leaders, government officials and other community members interested in participating in the nonprofit sector. They have resource centers available in San Luis Obispo, Santa Maria & Santa Barbara with reference materials, books, periodicals, and computer stations with access to online donor and grant research databases. She talked about some of the requests they received from nonprofits during the economic downturn including, how to adjust budgets, manage cash flow, manage staff layoffs & resignations, clarity around board roles and responsibilities, and dealing with an increase in demand for services. Ms. Dierks highlighted three programs they’ve identified to address some of these issues for 2011: Executive Director Transition Program, Board of Directors Training Series, and Stress Management Workshops. She invited everyone to visit their website at www.supportcenter.org.</p> <p><u>Commissioner Questions:</u></p> <p>Commissioner Odell asked about the Nonprofit Support Center’s funding sources. <i>(Ms. Dierks explained that nonprofits join as members on a sliding fee scale based on their operating budget; ½ of their operating budget comes from memberships; the other ½ comes from private donations.)</i></p> <p>Commissioner Arnold asked about the change in the focus of donations. <i>(Mr. VanderKelen explained that donors have shifted their giving away from Arts, Education and Environment to Health and Human Services and that revenue to nonprofits in SLO County in these five areas has decreased by 7 million dollars. He explained that while aggregate revenue to Human Service organizations has increased, average revenue for Human Service organizations has decreased because of a growth in the number of organizations.)</i></p> <p>Commissioner Guereña asked if the Community Foundation can help with marketing of nonprofit corporations. <i>(Mr. VanderKelen talked about the consortium that was formed (coming out of a collaboration summit, co-sponsored by UW and Community Foundation in 2008) for nonprofits who are interested in collaborative marketing and explained that the first initiative they’ve undertaken is a series of videos promoting each of the nonprofits.)</i></p>		
<p>5. Discussion about Smart Meters & Health Effects</p>	<p>Curtis Batson, Director, Environmental Health Services, County of San Luis Obispo, provided background on Smartmeters, noting that they are currently being installed throughout California including San Luis Obispo County by PG&E to replace existing electric analog meters. Smartmeters use radiofrequencies to report electrical usage in commercial and residential applications in an effort to increase the efficiency of the state power grid. Mr. Batson talked about the use of radio frequencies to control electronic devices and how this has grown exponentially in the past 10 years. He talked about the concerns that the installation of Smartmeters has raised about public health, cost versus benefit, invasion of privacy, accuracy in billing and the potential for hacking into personal wireless networks. His focus tonight was on the public health issues. He explained that everyone is exposed to a mix of electromagnetic fields at home and at work and that the convenience and increased use of wireless technologies</p>		

that utilize radiofrequencies has brought about public health concerns and controversy within the scientific community. Some physicians, PhDs and researchers see a clear correlation between the appearance of certain diseases and exposure to high-frequency radiation. But, he also explained, that organizations such as the World Health Organization, US Environmental Protection Agency, National Institute of Environmental Health Sciences, US Food and Drug Administration, the President’s Cancer Panel and the Federal Communications Commission have concluded that current evidence shows no increased health risk due to radiofrequency energy. These organizations, however, do agree that further research is needed.

Mr. Batson stated that the SLO County Public Health Department is not in a position to conduct its own independent studies or to evaluate the validity of studies, but noted that it is clear that further research is needed. He further concluded by asking, “given the wide spread exposure to all types of electromagnetic fields including radiofrequency fields, and notwithstanding the sharp controversy that exists in the scientific community, from a public health perspective, why is the focus on Smartmeters?”

Commissioner Questions/Comments:

Commissioner Quinn responded to the question “why is the focus on Smartmeters” and commented that with some exposures people have a choice and can limit their exposure, but with Smartmeters, people do not have a choice. Commissioner Quinn also asked about cumulative effects. *(Mr. Batson noted that is one of the reasons why more studies are needed; the technology is growing and the cumulative effects might not be known until 30 years from now.)*

Commissioner Kirk asked about inspection of devices for leakage. *(Mr. Batson is not familiar with PG&E’s specific testing programs; and suggested addressing this question to PG&E.)*

Commissioner Arnold asked about the direction of the radio waves and how we know that they are not being aimed directly through a structure. *(Mr. Batson doesn’t believe the radio waves are that directional, but more of a broadcast approach; he is not certain of affect from a building structure.)*

Commissioner Pope asked about the magnitude of wattage for a Smartmeter. *(Chair Guarena referred to the PG&E website, where there is information that lists radio frequency power density in microwatts.)*

Chair Guarena commented on correlation vs. causation and the fact that the World Health Organization and others are saying that current evidence shows no increased health risks, but advise of the need to keep monitoring. *Mr. Batson noted that understanding the difference between health effect and biological effect helps to explain some of the differing opinion.*

Public Comment:

Judy Vick submitted a copy and read her public comment, noting that more than 23 cities and 3 counties in California have launched formal objections to the mandatory deployment of Smartmeters due to complaints of health hazards, significant overbilling, interference with household electronics, privacy and security risks and fire hazards. The California Public Utilities Commission (CPUC) has called for an investigation into alleged public health hazards with PG&E’s smart meters. On December 6, Assemblymember Jared Huffman introduced a bill that will require the CPUC to allow consumers to opt-out of PG&E’s Smartmeter program and would require utilities to provide a wired alternative. She asked the Commission to make a recommendation to the Board of Supervisors to establish an emergency ordinance to hold off on the installation of Smartmeters until Assemblymember Huffman’s Assembly Bill 37 has been passed and an opt-out to PG&E’s Smartmeter program has been signed into law. She also

noted that Fairfax, Watsonville and Santa Cruz Counties emergency ordinances have held. Ms. Vick also wanted to bring to the Commission's attention that there are serious questions as to whether PG&E is in violation of FCC radio frequency radiation exposure compliance. *(A copy of Ms. Vick's written comments are filed as part of the official record of the meeting.)*

Linda Anne commented that over 2,000 health complaints have been made to the CPUC regarding Smartmeters and that PG&E "hurried" to install Smartmeters in Atascadero. She stated that PG&E and the CPUC mandate installation of the meters and that many people do not want them. She further stated that there have been thousands of studies that link biological effects to low level exposures of wireless signals. She commented on the increase in the number of certain diseases since the wireless revolution began in the 80's. She compared PG&E and the wireless industry to the tobacco industry; noting they cover up dangers and have no evidence to prove safety; and that research has found no safe level of microwave radiation. She stated that 23 cities and 3 counties in California have asked to stop deployment of Smartmeters. She asked that the Commission recommend to the Board of Supervisors that they adopt a resolution for PG&E to hold off deployment of Smartmeters until AB 37 has been addressed in the legislation (as was done by the City of Morro Bay last week).

Commissioner Discussion:

Chair Guereña suggested inviting PG&E to speak at an upcoming meeting. Commissioner Arnold agreed, but also wanted to move forward in calling for a moratorium through an emergency temporary ordinance.

Commissioner Arnold made a motion that the Health Commission ask the Board of Supervisors to put a moratorium on the installation of Smartmeters until legislation is addressed and we see what happens with them. Motion seconded by Commissioner Kirk.

(Discussion: Commissioner Odell doesn't believe the commission has enough facts and information to recommend a moratorium, nor has this been recommended by the Health Officer. Commissioner Sage agreed that the Commission does not have enough facts and spoke in favor of inviting PG&E to speak. Commissioner Kirk suggested PG&E be limited to the health impacts of the devices. Commissioner Quinn suggested that the Legislative Committee look further into AB 37 and possibly talk with some of the officials at other cities that have moratoriums. Chair Guereña agreed with Commissioner Odell and the lack of data, noting that the World Health Organization and other governmental agencies have concluded that the current evidence shows no increased health risk. He would like to wait and hear from PG&E. Commissioner Arnold clarified that Huffman's bill (AB 37) is calling for an opt out option. Dr. Borenstein noted the complexity of the issue and that she has not see the details of the other jurisdiction's moratoriums. She sees PG&E's involvement in this discussion being one of providing technical information regarding Smartmeters, and not as experts on what the health effects are from electro magnetic fields. She believes that agencies such as the World Health Organization and the National Institute of Environmental Health Services are reporting the best available science. As a Health Officer, she doesn't believe at this moment in time, by virtue of this technology, that there is enough information to say "for health reasons" we should stop it. She would be interested in hearing about other colleagues and jurisdictions from the health perspective that are pursuing a moratorium or an opt out. Commissioner Kirk noted that if legislation passed an opt out option, that it surely would be done retroactively.)

Roll Call Vote: Pope (yes), Arnold (yes), Quinn (yes), Kirk (no), Odell (no), Guereña (no), Sage (no). Motion failed (3 yes; 4 no)

Next steps were discussed: 1) Invite PG&E to speak. 2) Research actions taken by other

	<p>jurisdictions (based on health issues that led to that action by a health commission, health officer, or other board).</p> <p>Public Comment: Judy Vick noted the reason that jurisdictions are asking for ordinances is to halt installation, slow down and give everyone the option to opt out or for a wired alternative. She provided a copy of the letter from the Board of Supervisors of Marin County to the CPUC addressing their concerns. She asked the Commission to revisit the topic and will forward copies of Fairfax, Santa Cruz and Watsonville emergency ordinances. She also referred to a discussion on the health concerns by Cindy Sage on the Dave Congelton Radio Show on 11/17. The broadcast is available on the Dave Congleton website.</p>		
6. Health Agency / Public Health Report	<p>Dr. Borenstein reported briefly on the following:</p> <ul style="list-style-type: none"> ▪ State Budget: Special session was called; no action taken by legislature; waiting until new governor is in office to revisit a new budget package to address the state deficit. ▪ County Budget: The Fiscal Year 2011-12 budget is due to County Administrative Office early February. The Health Commission budget committee will be reviewing the Health Agency’s budget proposal shortly thereafter. 		
7. Health Commissioner Updates	<p>Chair Guereña: Reported that he talked with Joyce Ellen Lippmann at the Area Agency on Aging about ways to improve the <i>Vial of Life</i> campaign, by asking all five hospitals to donate to this campaign to have more kits made. Emergency departments throughout the County have patients show up with very little medication information with them. The Vial of Life kit enables Emergency Responders to quickly locate helpful information regarding medical history and is designed to speak for you when you can’t speak for yourself. Chair Guereña suggested the Commission might work with other agencies to get the kits “pushed out” to providers, hospitals and home health agencies.</p> <p>Commissioner Sage: No report; Domestic Violence Task Force will meet in January.</p> <p>Commissioner Odell: No report.</p> <p>Commissioner Kirk: No report.</p> <p>Commissioner Arnold: No report.</p> <p>Commissioner Quinn: Reported that she spoke with a friend who works at Paso Robles High School who voiced their concern about the elimination of psychological counseling at the schools for students who need it. Due to budget cuts, social workers are no longer provided by the County. She reported that students with emotional problems are acting out in the classrooms, classrooms are overcrowded, and last week there was an incident resulting in an arrest. Commissioner Quinn suggested possibly adding this as a future agenda topic, to look at the relationship between the schools and social services in the community.</p> <p>Commissioner Pope: Provided Material Safety Data Sheets on Methyl bromide and Methyl iodide and talked about the difference in solubility between the two. He referenced MTBE that was used as a gasoline additive and cautioned substituting water issues/pollution to solve air pollution problems. He noted that there are indications that Methyl iodide is more toxic and cancer causing than Methyl bromide. He believes that Methyl iodide is already being used on strawberry crops in the County, and wanted the Commission to be acquainted with the implementation of this chemical solution.</p>		
8. Committee Reports	<p>Legislative Committee: Chair Guereña read report submitted by Commissioner Enns, who is</p>		

	<p>absent tonight. The Legislative Commission met on December 8 and reviewed the CHEAC Legislative Platform for 2011. The committee agreed that they would be supportive of the position if County staff recommends to the Board of Supervisors to incorporate the CHEAC Legislative Platform into the County’s Legislative Platform. The committee also agreed to research, at the request of Commissioners or members of the public, specific bills that are pertinent to the health of county residents, prior to placing them on the Commission’s agenda. The committee also agreed to extend an invitation to any Commissioners who would like to join the Legislative Committee.</p> <p>Budget Committee: The Budget Committee will meet in March or early April to review budget recommendations for Fiscal Year 2011-2012.</p> <p>No additional committee reports.</p>		
<p>9. Prospective Future Items</p>	<p><u>January 2011:</u></p> <ul style="list-style-type: none"> ▪ Pesticide Regulation Program – Janice Campbell, Ag Commissioner’s Office ▪ Water Quality Priorities / New Agricultural Order – Regional Water Quality Control Board <p><u>March 2011:</u></p> <ul style="list-style-type: none"> ▪ Smart Meters – Invite representative from PG&E ▪ Commissioner Arnold contacted Ann Catan, MPH, at the CA Rural Assistance Foundation, (who specializes in pesticide and work safety) and asked for a referral for a health professional to speak on the topic of pesticides/methyl iodide. Ms. Catan referred him to Joanne Perron, MD, OB/ GYN, from University of California, San Francisco, and their program on Reproductive Health and the Environment. Commissioner Arnold will forward her CV to the commission to review, and recommended inviting Dr. Perron to the March meeting. <p><u>Future Meeting:</u></p> <ul style="list-style-type: none"> ▪ Commissioner Odell suggested receiving an educational report on the status of the Healthcare Reform Act, how the changes might affect state legislation and the effects on San Luis Obispo County. Dr. Borenstein noted that Commissioner Raymond (absent tonight) has been attending the workgroup that the Health Agency is heading related to the Coverage Initiative, reviewing whether or not, locally, we will get a “jump” on Medi-Cal and health exchange opportunities for medically indigent adults. Last week, a timeline for the application process for this was received from State, with a due date of February 3; which may be too short of a timeline. They are reviewing how other counties are responding to the timeline and believe there will be an additional opportunity to apply. 		
<p>10. Adjournment</p>	<p>Motion to adjourn at 7:30 pm.</p>	<p><i>Meeting adjourned</i></p>	