



Public Health
Prevent. Promote. Protect.

**Dubuque County
Public Health Department**

Board of Health

Sandra Larson, JD, BSN
Amy Crow Sunleaf, MA, NCC, LMHC
Preeti Joseph, MD
Jess Smith, PharmD, MPH
Pat Lehmkuhl, MSN, BSN, RN, CIC
Mike Fidgeon
Lynn “Tut” Fuller, MD

DUBUQUE COUNTY BOARD OF HEALTH

October 16, 2024, at 4:30pm

**Dubuque County West Campus Conference
Room.**

1225 Seippel Rd. Dubuque, IA

MEETING MINUTES

Chairperson Larson called the October 16, 2024, Dubuque County Board of Health regularly scheduled meeting to order at 4:31 p.m., in person.

Members Present in Person: Sandra Larson, Amy Crow Sunleaf, Pat Lehmkuhl, Mike Fidgeon

Members Present via Zoom: Lynn “Tut” Fuller, Preeti Joseph (joined after roll call).

Members Absent: Jess Smith

Staff Present in Person: Allie White, Carissa Brown, Nicole Bertges

Staff Present via Zoom: Bailey Avenarius (joined at 5pm)

Others Present in Person: Brittany Hubanks, Carla Kasal

Others Present via Zoom: Ann McDonough, Diane Pape Freiburger

1. **Roll Call** – A quorum was established.
2. **Public Comments** – None.
3. **Chairperson Announcements & Updates** – Larson extended well wishes to Diane Pape Freiburger, a dedicated community member actively involved with the Board of Health and Public Health Department, as she recovers at home and participates in the meeting virtually. Larson also highlighted the importance of the DCPH Strategic Plan, encouraging department staff and board members to stay focused on the established timeline.
4. **BOS/BOH Liaison Comments** – None
5. **Approval of Agenda** – Motioned by Fidgeon to approve the October 16, 2024, Regularly Scheduled Board of Health Meeting Agenda; seconded by Crow Sunleaf. The motion carried unanimously.
6. **Approval of Minutes** – Fidgeon motioned to approve the minutes from the September 23, 2024, Board of Health meeting; seconded by Lehmkuhl. The motion carried unanimously.
7. **Presentations & Reports**
 - a. Local Respiratory Virus Activity Report – White presented community data on

- respiratory virus activity.
- b. Dubuque County Public Health Report – White shared updates regarding the Dubuque County Public Health Department.
 - c. VNA Monthly Report – Brittany Hubanks shared updates regarding the Dubuque Visiting Nurse Association.
 - d. Opioid Settlement Funds Report – Brown shared updates regarding the progress in expanding Naloxone access in the community via 2 distribution machines and 6 smaller boxes. She shared that the next focus of the Opioid Working Group is to expand access to medication assisted treatment (MAT) services.
8. **Response to Public Questions** – Larson shared that Ms. Kasal’s question from September meeting had been addressed by Stacey Killian and that Ms. Kasal had shared articles with the VNA re fluoride treatment in return.
9. **Unfinished Business** – White mentioned that she still needs to gather a group of public health, watershed, and zoning staff to reach an agreement on the proposed update to the ordinance limiting new wells within 1,000 feet of known leaking underground storage sites.
10. **New Business** – Larson suggested that the board review the bylaws regarding virtual attendance and member expectations, including possibly eliminating the virtual option for meetings. Crow Sunleaf proposed that the bylaws should clarify when a 2/3 vote is needed versus a simple majority and recommended forming a committee. Supervisor McDonough noted that forming a committee would require public notice 24 hours before each meeting. She recommended sharing Board member attendance with Supervisors and encouraged keeping the virtual option for public transparency and for those unable to attend in person.
11. **Board Communication & Reports** – Crow Sunleaf reported that a community member mentioned Dubuque has the highest cancer rates in Iowa, potentially linked to high alcohol consumption. Larson referenced a bill introduced in the Iowa legislature last year, which passed the House but not the Senate, requiring new homes to include radon mitigation systems. White will convene a finance committee consisting of Crow Sunleaf, Fuller, and herself.
12. **Next Meeting** – November 20, 2024 @ 4:30 p.m.
13. **Public Comment – Items Not on the Agenda** – None.
14. **Work Session** – Chairperson Larson discussed the updated waiver request process (formerly, variance request) after Larson and White attended a presentation by the DNR (Erik Wiklund and Corey Frank).

Key Points:

- a. **Burden of Proof:** Petitioners must complete the waiver request form and submit it to the Environmental Specialist for review and recommendation to the Board of Health (BOH).
- b. Five items the Board of Health must consider:
 - i. **Undue hardship:** Undue hardship must be demonstrated by the homeowner.
 - ii. **Impact on Others:** Waivers cannot infringe on the rights of any person, including neighbors. Written consent is needed for property line encroachments. Petitioners must notify affected parties by certified mail within 30 days of requesting the waiver.
 - iii. **Not Otherwise Mandated:** The rule which the homeowner is requesting a waiver from must not be specifically mandated by statute or another

provision of law.

- iv. **Public Health Protections:** The Board of Health must ensure the public health, safety, and welfare is protected through alternative means when granting waivers and may place conditions on any waiver granted.
- v. **Length of Waiver:** Waivers are temporary unless otherwise decided by the Board of Health due to impracticality of a temporary waiver. All waivers are for a 1-year term.

The Board of Health is responsible for a thorough review and a written decision on every waiver request.

Following each waiver review acted upon by the Board of Health, DCPH is responsible for submitting the waiver request form and decision form to the DNR. DCPH will develop a form for the Board of Health to complete after each waiver decision.

Additionally, there were suggestions for improving communication and document access among BOH members, including creating a shared drive for reviewing materials ahead of meetings. Concerns were raised about potential issues for future property buyers related to previous decisions, prompting a request for legal guidance.

15. Adjournment – Larson adjourned the meeting at 5:31 p.m.

Minutes by: Allie White