



**City of Madison**  
**Meeting Minutes - Final**  
**BOARD OF HEALTH FOR MADISON**  
**AND DANE COUNTY**

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

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Thursday, October 19, 2006

5:30 PM

Madison Water Utility, 119 E. Olin Ave.  
Conference Rooms A & B

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I. Call to Order

*The meeting was called to order at 5:35 p.m.*

**Present:** Judy K. Olson, Jeff Kostelic, Susan J. Zahner, Linda D. Oakley, Mark Miller, Bill Sonzogni and Alan I. Schwartzstein

**Excused:** Judith M. Wilcox

II. Public Comment - 5 minute limit per speaker

*Alder Zach Brandon, lead sponsor and author of the ordinance, provided a summary and his reasons for introduction. Reasons for introducing this ordinance are access in a timely manner and the ability to provide education on preventive health services for women. Pharmacies would either comply by carrying the pill or provide a sign with the name and address of the closest pharmacy that does. The sign will be available to download on the department's website.*

*Chris Decker - Represents the Pharmacy Society of Wisconsin - Registers in opposition. Their position is there is no difficulty to obtain this drug. Since it will soon be available over the counter, patient education and consumer access will be increased. They have a problem with the language relating to the product information about the number of hours listed in which to use it to prevent pregnancy. It differs from the manufacturers label. Another problem is the use of safe may be a misleading without the proper context.*

*Carmen Marg Patton - Registers in support - Carmen read a prepared statement from her friend, a sexual assault victim.*

*Danielle LeClair - Registers in support - She is a member of law students for choice. She applauds this proactive measure and Alder Brandon for introducing the ordinance. This can help educate women in the community about the product and availability.*

*Kelda Roys - Represents NARAL Pro Choice Wisconsin - Registers in support - She distributed information packets to committee members and thanked them for attention to an important public health issue. Nationwide, one half of pregnancies are unintended. She believes there is a need for the ordinance due to an access problem and the education component is important. There is a precedent for this in other states.*

*Lillian Abrams, Laura Moss Gottlieb, Jackie Csedo, Shelley Pederson, Megan Hyland, Rita Meuer and Timothy Bauer all register in support of the ordinance.*

*Alder Brandon reminds the Board of Health that this applies to business, not pharmacists. He stated that he is confident this proposal in its current form protects the city from any liability. He then clarified his expectation on the development of a brochure he is asking the Board to draft.*

*After discussion about the language in the sign relating to the number of hours to in which to take the drug to prevent pregnancy, the Chair recommends the following language be placed in the sign:*

*EC sometimes called the morning after pill, is an FDA approved high dose of oral contraception that should be taken as soon as possible after unprotected intercourse to prevent pregnancy. The FDA approves this up to 72 hrs (3 days) after unprotected sex some studies indicate that this product can be effective up to 120 hrs (5 days) after intercourse*

*ACTION - Motion by Miller/Sonzoni to recommend adoption of ordinance on emergency contraception with recommended language on the specific wording of signs displayed be developed by the Public Health Madison Dane County department and that the language in the ordinance be reviewed so that only retail pharmacies are covered.*

*ACTION - After more discussion, Zahner called the question, passed unanimously.*

*ACTION - Substitute motion by Olson/Zahner to recommend adoption of the ordinance as written with Dr. Schlenker to amend the text in noting that we would like Alder Brandon to reconsider the method by which the text is written and revised to maintain currency and delete excepted pharmacies. PASSED unanimously.*

III. Approval of the Minutes - August 17 and September 21, 2006

*The Chair recommends action on the September minutes after review by Wilcox, who chaired that meeting and has not reviewed them. Miller noted that he and Wilcox were absent from the August meeting but were listed in the votes. Move approval with correction to mark them as excused.*

IV. Director Report - 10 minutes

a. Update on Intergovernmental Agreement (IGA) #2

*The IGA committee has been formed and includes Supervisor Kostelic and Alder Olson. Schlenker is the convener, and meetings will be held the next three Mondays. Documents to be reviewed are IGA #1, the infrastructure document passed by this body in July and Personnel Committee recommendations. He intends to have a draft ready for the November 16 Board meeting for discussion and public comment. For the December 21 meeting the final product should be presented to the Board for a vote. This will assure moving ahead in 2007.*

V. Public Health Issue of Importance: Food Safety - Tommye Schneider - 30 minutes (If time permits)

*POSTPONE*

VI. Chair's Report - 5 minutes

*Schwartzstein attended the all staff meeting to address the staff on behalf of board. The Chair thanked those able to attend the NALBOH reception. Noting that Alder Olson will not be running again for Council, he expressed appreciation for her service.*

VII. Reports of Standing and Special Committees - 10 minutes

a. Executive - Schwartzstein

*No meeting held*

b. Budget - Kostelic

*No meeting held*

c. Bylaws - Miller

1. Language on Meeting Notice Posting - ACTION

*At the last meeting, Miller proposed a change to the bylaws regarding how to notice meeting and requested staff make a recommendation. As a result of city ordinance and website management, the proposal is not workable. ACTION -Miller/Olson moved indefinite postponement on the consideration, passed unanimously.*

d. Personnel - Zahner

*The committee is close to a final draft of the performance evaluation for the director. It will be on the November agenda for action.*

e. Administrative Hearing - Miller

*No report*

VIII. Unfinished Business - 10 minutes

a. Board Retreat - Update

*The November 2 "public dialogue" invites was sent to those who attend the September meeting and additional community health people. The November 12 retreat will be at the Bishop Center from 1:00-5:00 p.m. where information from the public dialogue meeting will be presented.*

IX. New Business - 45 minutes

a. Creating an Ordinance on Signage Requirement for Pharmacies Regarding Emergency Contraception (CITY) - ACTION

SUBSTITUTE - Creating Section 7.09 of the Madison General Ordinances, which creates a signage requirement for pharmacies regarding where emergency contraception may be obtained if the pharmacy does not carry it or if it is out of stock, requires the Board of Health to create written materials regarding emergency contraception, creates an investigation process for the Director of the Public Health Department, and creates penalties for violating this Section.

*Recommend Substitute to modify the language in required signs.*

**This matter was RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER. The motion passed.**

b. Amending Ordinance to Increase Various License Fees (CITY) - ACTION

Amending Sections 9.05(5) & (7)(b), 9.08(2), 9.13(3)(a)3., 9.14(3)(k), 9.31(2), 9.52, 12.781(2) and 34.04(6)&(7) of the Madison General Ordinances to increase various license fees.

**A motion was made by Zahner/Oakley to Approve. The motion passed unanimously.**

c. Amending Ordinances to Modify Various Health Permit, License and inspection Fees (CITY) - ACTION

Amending Sections 7.07(8)(g), 7.07(9), 7.08(7)(b), 7.15(6)(d), 7.44(1)(c), 7.50(4), 7.52(4) of the Madison General Ordinances to modify various health permit, license and inspection fees.

**This matter was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed.**

d. Resolution to Accept Pandemic Planning Funds (CITY) - ACTION

Authorizing the Madison Department of Public Health to accept a grant from the State Department of Health and Family Services-Division of Public Health for \$71,306 and amending the 2006 Public Health Operating Budget to allow for the receipt and expenditure of these grant funds.

**A motion was made by Miller, seconded by Olson, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.**

e. Determine Dates for 2007 Board Meetings - ACTION

*The draft schedule provided should be reviewed by Board members and if there is a problem or alternate date to hold monthly meetings, please e-mail the Chair and copy Pamela Abel so other dates can be considered.*

X. Adjournment

*The meeting was adjourned at 8:45 p.m.*