Present: Mayor F. Eisenberger, Chair  
Deputy Mayor S. Merulla (Vice-Chair)

Councillors B. Bratina, B. Clark, C. Collins, S. Duvall,  
L. Ferguson, T. Jackson, M. McCarthy, B. McHattie,  
D. Mitchell, B. Morelli, R. Pasuta, M. Pearson and  
T. Whitehead

Absent with regrets: R. Powers, Personal Business

Also Present: J. Rinaldo, City Manager  
Dr. E. Richardson, Medical Officer of Health  
S. Stewart, General Manager, A. Khan, D. Bender, Public Works Department  
Dr. J. Emili, Associate Medical Officer of Health  
Dr. C. Mackie, Associate Medical Officer of Health  
T. Bendo, Director, Planning and Continuous Improvement Division  
D. Sheehan, Director, Family Health Division  
R. Hall, Director, Health Protection Division  
D. Barr-Elliott, Director, P. Wiebe, A. Bochsler Healthy Living Division  
A. Fletcher, Planning and Economic Development Department  
I. Bedioui, Legislative Assistant, City Clerk’s

THE FOLLOWING WAS REPORTED FOR THE CONSIDERATION OF COUNCIL:
1. Communicable Disease and Health Hazard Investigations Quarterly Report (Q3) (July 1, 2008 – September 30, 2008) - BOH08020(b) (City Wide) (Item 5.1)

(McCarthy/Jackson)
That Report BOH08020(b) respecting Communicable Disease and Health Hazard Investigations Quarterly Report (Q3) (July 1, 2008 – September 30, 2008) be received.

CARRIED

2. Alcohol, Drug & Gambling Services 2008/2009 Budget BOH08040 (City Wide) (Item 5.2)

(McCarthy/Jackson)
(a) That the Board of Health approve the 2008/2009 Alcohol, Drug & Gambling Services (ADGS) budget which is 100% funded by the Province of Ontario;

(b) That an increase of 1.15 FTE be approved and be funded by various sources as follows:
   (i) $ 21,795 from the Problem Gambling and Substance Abuse Programs (0.45 FTE increase)
   (ii) $ 32,836 from the Choices and Changes Program (0.24 FTE increase)
   (iii) $17,632 from Family Health Team Partnership Funding (0.2 FTE approved BOH08003, February 25, 2008)
   (iv) $ 23,089 from the Back on Track remedial measures cost-recovery program (0.26 FTE increase)

CARRIED

3. 2009/2010 and 2010/2011 Community Mental Health Promotion Program LHIN Funded Budget- BOH08039(a) (City Wide) (Item 5.3)

(McCarthy/Jackson)
That the 2009/2010 and 2010/2011 budget for the Community Mental Health Promotion Program which is part of the Mental Health/Outreach Team and funded 100% by the Hamilton Niagara Haldimand Brant Local Health Integration Network (HNHB LHIN), be approved.

CARRIED
4. **2009/2010 and 2010/2011 Alcohol Drug and Gambling Services Program LHIN Funded Budget BOH08040(a) (City Wide) (Item 5.4)**

(McCarthy/Jackson)

That the 2009-2010 and 2010-2011 budgets for the Alcohol, Drug and Gambling Services Program which is funded 100% by the Hamilton Niagara Haldimand Brant - Local Health Integrated Network (HNHB - LHIN), be approved.

CARRIED

5. **Action on Tobacco Control BOH07034(b) (City Wide) (Item 5.5)**

(McCarthy/Jackson)

That Report BOH07034(b) respecting Action on Tobacco Control, be received.

CARRIED

6. **Oversight of Small Drinking Water Systems BOH08014 (a) (City Wide) (Item 5.6)**

(McCarthy/Jackson)

That Report BOH08014(a) respecting Oversight of Small Drinking Water Systems, be received.

CARRIED

7. **Hamilton Partners for Healthy Weights Pilot Project Proposal BOH07063(a) (City Wide) (Item 7.1)**

(McHattie/Morelli)

(a) That the Walk and Bike for Life’s *Community Led Action Plan for Life* project proposed by the Hamilton Partners for Healthy Weights Policy Sub-Committee, be approved.

(b) That the issue of a report detailing options for an active community pilot project, which would include developing a methodology to measure the tangible health benefits be identified as complete and removed from the outstanding business list.

CARRIED

8. **Residential Care Facilities Review, Schedule 20, Licensing Code By-Law 07-170 –SPH05032 (d) (City Wide) (Item 7.2)**

(Pearson/Pasuta)

(a) That the proposed Residential Care Facilities Schedule 20 By-Law 07-170 draft amendments and guidelines (Appendix A), be received for

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information.

(b) That Public Health Services staff be directed to invite stakeholders and citizens to respond to proposed draft amendments and guidelines in writing and/or in-person at a special meeting of Board of Health scheduled for this purpose, proposed to be held in January 2009.

(c) That at the same special meeting of the Board of Health, the stakeholder’s and citizen’s comments and/or written submissions concerning the Residential Care Facilities Zoning By-Law be received and directed to the Planning and Economic Development Department for review.

(d) That an analysis of stakeholder and citizen feedback be conducted by an outside consultant.

(e) That Public Health Services continue to refer Residential Care Facilities issues outside of the scope of the By-Law, to the appropriate authority or community agency.

(f) That Public Health Services assume the enforcement for all sections of Schedule 20 and guidelines under the authority of the Medical Officer of Health and the Licensing Department continue to enforce the Licensing requirements of Schedule 20 that are not under the authority of the Medical Officer of Health.

(g) That Public Health Services staff be authorized and directed to use By-Law 07-157, the City’s Fees and Charges By-law, for inspections resulting from non-compliance with the Residential Care Facilities Schedule 20 By-Law.

(h) That the item referred to as the Residential Care Facilities By-law on the Board of Health Outstanding Business List, be identified as complete and be removed.

CARRIED

9. Assessment of Fluoridation of Water and Other Methods of Delivering Fluoride - BOH08024 (a) - (City Wide)

(Clark/Duvall)
That the issue respecting the fluoridation of water and other methods of delivering fluoride be forwarded to City Council for disposition:

“(a) That the City of Hamilton continue water fluoridation and that the level of fluoride in water be lowered from 0.7 p.p.m. to a target of 0.6 p.p.m.
(b) That Public Health Services undertake a web-based educational initiative regarding water fluoridation in cooperation with the Public Works Department and community stakeholders and that this be funded from within departmental resources.

(c) That the issue of fluoride in drinking water be removed from the outstanding business list.”

CARRIED

10. Smoke Free Ontario Act Enforcement (Eliminating Standard Written Warnings from Enforcement Procedure) BOH08044 (City Wide) (Item 8.1)

(Merulla/McHattie)

(a) That Public Health Services staff be authorized to stop the practice of issuing written warnings to tobacco vendors found to be in non-compliance during “compliance checks” under the Smoke Free Ontario Act, 2006;

(b) That non-compliance by vendors under the Smoke Free Ontario Act, 2006 result in a charge (Part 1 Ticket or Part 3 Summons), subject to the officer’s discretion.

CARRIED

11. Communications (Item 11.1)

(McHattie/Pearson)

That the dispositions of the following communication Items be approved:

(a) Letter from David Caplan, Minister of Health and Long-Term Care respecting Transmittal of the Ontario Public Health Standards, 2008.

Recommendation: Be received.

(b) E-mail from Susan Lee, Manager Administrative & Association Services, alPHa, respecting the Report of the Provincial-Municipal Fiscal and Service Delivery Review (Fall 2008)

Recommendation: Be received.

(c) Letter from Councillor John Filion, Chair of the Toronto Board of Health respecting Dental Care for Low Income Families in Ontario

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Recommendation: Be endorsed with 100% funding by the Province.

(d) Letter from Candy Davidovits, Secretary, Toronto Board of Health, respecting Cost of the Nutritious Food Basket – Toronto 2008

Recommendation: Be received.  

CARRIED

12. Outstanding Business List (Item 11.1(b))

(Duvall/Jackson)

That Item “E” respecting the Planning and Economic Development Department Report concerning cell phone towers, which is also on the Economic Development and Planning Committee Outstanding Business List, be removed from the Board of Health Outstanding Business List.

CARRIED

FOR THE INFORMATION OF COUNCIL:

The Board of Health was called to order at 9:50 a.m.

The Board of Health recessed at 9:50 a.m. to allow the special Committee of the Whole to continue

The Board of Health reconvened at 10:30 a.m.

(a) CHANGES TO THE AGENDA (Item 1)

The Clerk advised of the following changes to the agenda:

(i) Copies of Appendix A to Report SPH05032(d) respecting Residential Care Facilities Review, Schedule 20, Licensing Code By-law 07-170 which is Item 7.2 on today’s agenda were distributed by e-mail last Friday and hard copies were distributed this morning.

(ii) The following added Delegation Requests wishing to address the Board today respecting Item 7.3 regarding water fluoridation:
(1) Item 4.1 from Doctor Frank Stechey, President of the Royal College of Dental Surgeons of Ontario. (Copy attached.)

(2) Item 4.2 from Robert J. Fleming, Executive Director, WaterlooWatch. (Copy attached.)

(3) Item 4.3 from Norah D. Kraft, Carlisle, Ontario (Copy attached)

(iii) Added Written Submissions respecting Item 7.3:

(1) J.J. Babcock, D.D.S., Oakville, Ontario respecting water fluoridation (Added as Item 7.3 (d)) – Copy attached.

(2) Dr. W. Gary Sprules, PhD, Associate Chair of Graduate Studies, Department of Ecology and Evolutionary Biology, University of Toronto (Added as Item 7.3 (e)) – Copy attached.

(Pasuta Bratina)
That the agenda be approved as amended. CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)
None declared.

(c) MINUTES (Item 3)

(Pearson/Pasuta)
That the Minutes of the October 27, 2008 meeting be approved as presented. CARRIED

(d) DELEGATION REQUESTS

(Pearson/Merulla)
That the following delegations requests were approved to address the Board today with respect to Item 7.3 regarding water fluoridation:

(i) Doctor Frank Stechey, President of the Royal College of Dental Surgeons of Ontario (Added 6.6)

(ii) Robert J. Fleming, Executive Director, WaterlooWatch (Added 6.7)

(iii) Norah D. Kraft, Carlisle, Ontario (Added 6.8) CARRIED
(e) Hamilton Partners for Healthy Weights Pilot Project Proposal BOH07063(a) (City Wide) (Item 7.1)

Daryl Bender, Project Manager of Alternative Transportation with the Public Works Department and Alison Bochsler, Physical Activity Specialist with Public Health Services made a PowerPoint presentation which provided an overview of the report and hard copies were distributed.

Staff responded to questions posed by the Board.

(McHattie/Morelli)
That the staff presentation be received. CARRIED

(f) Residential Care Facilities Review, Schedule 20, Licensing Code By-Law 07-170 –SPH05032 (d) (City Wide) (item 7.2)

Staff responded to questions posed by the Board.

The Board approved the staff recommendations.

(g) Assessment of Fluoridation of Water and Other Methods of Delivering Fluoride - BOH08024 (a) - (City Wide) (Item 7.3)

(Pearson/Pasuta)
(i) That the following written Submissions respecting the fluoridation of drinking water be received:

(1) Janna Cuk, Hamilton, Ontario
(2) Kevin Hamilton, Hamilton, Ontario
(3) Norah Kraft and Jeffry Doyle, Carlisle, Ontario
(4) J.J. Babcock, D.D.S., Oakville, Ontario respecting water fluoridation (Added Item)
(5) Dr. W. Gary Sprules, PhD, Associate Chair of Graduate Studies, Department of Ecology and Evolutionary Biology, University of Toronto (Added Item)

CARRIED

Doctor Chris Mackie made a PowerPoint presentation which provided an
overview of the report and a hand out of the presentation was distributed.

Doctor Mackie responded to questions posed by the Board members.

(Pearson/Jackson)
That Doctor Mackie’s presentation be received. CARRIED

(ii) Delegations:

(1) Cindy Mayor, Waterdown, Ontario, regarding new information respecting water fluoridation. (Approved October 27, 2008) (Item 6.1)

Cindy Mayor provided a PowerPoint presentation, which supported her opposition to water fluoridation. Copies of the presentation and other hand outs provided by Cindy Mayor are available on line or through the Office of the City Clerk.

(2) Carole Clinch, Waterloo, Ontario, wishing to request that the City discontinue the fluoridation of municipal drinking water and to present the reasons why. (Item 6.2)

Carole Clinch provided a PowerPoint presentation, which supported her opposition to water fluoridation. She also provided a hand out with additional information, copies of which were distributed and are available on line or through the office of the City Clerk. The Board requested that a copy of the presentation be submitted to the City Clerk.

(3) Peter Van Caulart, Ridgeville, Ontario, wishing to present recent information disclosed at the International Society of Fluoride Research conference in August 2008 and to rebut Health Canada’s presentation material from the July Board of Health meeting. (Item 6.3)

Peter Van Caulart made a PowerPoint presentation, which supported his opposition to water fluoridation

(4) Diane Sprules, Oakville, Ontario regarding water fluoridation and new developments. She attended the International Council – November 26, 2008
Society of Fluoride Research conference in August at the University of Toronto and heard international scientists speak on this issue (Item 6.4)

Diane Sprules made a PowerPoint presentation, which supported her opposition to water fluoridation. A copy of the presentation is available on line or through the Office of the City Clerk.

(5) **Doctor Larry Levin, President of the Ontario Dental Association representing the Ontario Dental Association and the Hamilton Academy of Dentistry (Item 6.5)**

Doctor Larry Levin made a PowerPoint presentation, which supports the continuance of water fluoridation. The Mayor noted that Doctor Levin distributed an information package to all of the Councillors prior to the Board of Health meeting.

(6) **Doctor Frank Stechey, President of the Royal College of Dental Surgeons of Ontario (Item 6.6)**

Doctor Frank Stechey addressed the Board and spoke in support of the continuance of water fluoridation. A copy of his statement is available on line or though the Office of the City Clerk.

(7) **Robert J. Fleming, Executive Director, WaterlooWatch.**

Robert Fleming addressed the Board and spoke in opposition to water fluoridation. A copy of his statement, and other submitted information, is available on line or though the Office of the City Clerk.

(8) **Norah D. Kraft, Carlisle, Ontario**

Norah Kraft read a policy statement from the Canadian Association of Physicians for the Environment (CAPE) which is in opposition to water fluoridation.

(Pearson/MacHattie)
That the delegations be received.  

CARRIED

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The Mayor thanked staff for their work and thanked everyone who participated.

(iii) Staff Report BOH08024

(Collins/Pearson)

(a) That the City of Hamilton continue water fluoridation and that the level of fluoride in water be lowered from 0.7 p.p.m. to a target of 0.6 p.p.m.

This Item LOST on a tie on the following standing recorded vote:

Yeas:   Eisenberger, Collins, Duvall, Jackson, Merulla, and Pearson
Total: 6

Nays:   Bratina, Clark, McCarthy, McHattie, Pasuta, and Whitehead
Total: 6

Absent: Ferguson, Mitchell, Morelli, and Powers
Total: 4

(h) Communications (Item 11.1)

(a) Letter from David Caplan, Minister of Health and Long-Term Care respecting Transmittal of the Ontario Public Health Standards, 2008.

Doctor Elizabeth Richardson advised that this is an important issue and indicated that there are significant changes to the Ontario Public Health Standards and a staff report regarding this matter will be on the January 26, 2009 Board of Health agenda.

The Board received the letter.

(i) Closed Session Minutes of the August 6, 2008 Board of Health Meeting

(Merulla/Collins)

(a) That the Closed Session Minutes of the August 6, 2008 Board of Health Meeting be approved as presented.

(b) That the Minutes remain confidential and restricted from public disclosure in accordance with exemptions provided in MFIPPA

CARRIED
(j) **Adjournment**

(Jackson/Pearson)
There being no further business, the meeting adjourned at 4:00 p.m.

**CARRIED**

Respectfully submitted,

Mayor F. Eisenberger, Chair
Board of Health

Ida Bedioui
Legislative Assistant
Board of Health
November 24, 2008