CHEMUNG COUNTY BOARD OF HEALTH
MINUTES
June 7, 2016

PRESENT: Robert Lambert, MD      Ken Sobel, MD
       Kevin Wicks, DDS             Rosemary Anthony, RN
       Gregory Schultz, MD         Joseph Brennan
       James Gensel, PE            William G. Howard, MD
       Mary Ann Baker, RN

ABSENT: None

OTHERS PRESENT: Robert Page      Thomas Kump, PE
                Harry Shepard       Terence Lenhardt, MD
                Lisa Buckley        Rebecca Becraft

Prior to the meeting the CCBH received the following:

1. Agenda for June 7, 2016 CCBH Meeting
2. CCBH Meeting Minutes from February 2, 2016
3. Environmental Health Services Reports for February, March, April, and May 2016
6. CHHA Financial Summary 2015
7. Draft Smoking Policy For County-Owned Properties
8. Zika Virus Advisory
9. Health Center Management Transition Plan
10. Hearing Report – Pudgie’s Southside
11. Hearing Report – Family Wok

The following items were distributed at the meeting:
12. County Health Rankings 2016

CALL TO ORDER
CCBH President Dr. William G. Howard called the meeting to order at approximately 7:30 PM.

1. APPROVAL OF MINUTES FOR FEBRUARY 2, 2016 MEETING

RESOLUTION: A motion was made by Ms. Baker and seconded by Dr. Lambert that the minutes of the February 2, 2016 Board of Health meeting be approved and accepted as presented. Motion approved.

AYES: Robert Lambert, MD      Ken Sobel, MD
      Kevin Wicks, DDS          Rosemary Anthony, RN
      Gregory Schultz, MD      Joseph Brennan
      James Gensel, PE         William G. Howard, MD
      Mary Ann Baker, RN

NAYES: None

ABSENT: None
2. FINANCIAL REPORT

Harry Shepard mentioned that the Budget Status Report through April 30, 2016 was distributed to the CCBH in advance of the meeting. He commented that everything has been business as usual. There were no further questions for Mr. Shepard.

RESOLUTION: A motion was made by Dr. Schultz and seconded by Dr. Sobel that the Financial Report presented by Mr. Shepard be approved and accepted as presented. Motion approved.

AYES: Robert Lambert, MD
      Kevin Wicks, DDS
      Gregory Schultz, MD
      James Gensel, PE
      Mary Ann Baker, RN

Ken Sobel, MD
Rosemary Anthony, RN
Joseph Brennan
William G. Howard, MD

NAYES: None

ABSENT: None

3. SERVICES REPORTS

A. ENVIRONMENTAL HEALTH SERVICES – Thomas Kump mentioned that there were reports for February, March, April, and May 2016 sent to BOH members in advance of the meeting. A CCBH member questioned the February 2016 report where a donkey was tested for rabies. Mr. Kump explained that EHS was not involved in that case. Cornell University is very close to Chemung County and many times livestock are taken to CU for treatment or evaluation. In this case, a donkey died while at CU so it is standard protocol for CU to submit the specimen for rabies testing. There was no exposure that occurred in Chemung County, but the donkey was listed as being from Chemung County so it was included in the monthly rabies statistical report. There were no further questions for Mr. Kump.

B. PUBLIC HEALTH CLINICS REPORT – Rebecca Becraft commented on the report dated March 2016 that was distributed to the CCBH in advance of the meeting. There were no questions regarding the PH Nursing Report that Ms. Becraft summarized. She also discussed the amount of childhood lead poisoning cases that they have been involved with. It was reported that the rate of elevated blood lead levels among children in Chemung County was greater than that reported for Flint, Michigan. Ms. Becraft explained that statistically about 20% of all lead cases might be able to be associated in part to lead in drinking water. Mr. Kump added that during his time as DEHS, there has been only one case of elevated blood lead in a child that was attributed to drinking water. The majority of the cases are related to lead paint in the aging housing stock in the City of Elmira. When identified lead hazards found in homes are corrected, the blood lead levels in children have historically declined. Mr. Gensel commented that he heard that the Elmira Water Board had applied for a grant to eliminate the remaining lead service lines in the
water distribution system which number about 1,400. There was discussion among CCBH members about testing children for lead poisoning. Some providers are doing a remarkable job of testing children while others are not. There were no further questions for Ms. Becraft.

C. HOME HEALTH AGENCY 2015 FINANCIAL REPORT – Mr. Page introduced Lisa Buckley to the CCBH. Melissa Traub resigned from the position of CHHA Director in May and Ms. Buckley was appointed to fill the vacancy. Prior to this, Ms. Buckley was the Assistant Director of the CHHA for a short period of time and with the County for about 15 years. Ms. Buckley discussed the CHHA Financial Report for 2015 that was distributed to the CCBH in advance of the meeting. While referrals and admissions were both up in 2015, actual patient visits were down. More CHHA staff time is being spent at local healthcare providers on a weekly basis to promote more referrals to the CHHA. Staffing levels are good right now and it seems that the CHHA is well on its way to recovery. They are looking at getting a new software system that would be “cloud” based versus a stand-alone system as presently exists that would be more efficient to use and maintain. Ms. Buckley reported that they just received a report that their re-hospitalization rate has decreased over past reports. There were no further questions for Ms. Buckley.

D. DENTAL CLINIC TRANSITION UPDATE – Mr. Page updated the CCBH on the progress that has been made with the dental clinic transition. There essentially has been no movement with the dental clinic transition. Within the last few months Mr. Page had suggested to the Executive Director of RPN that a meeting be scheduled to discuss the various architectural elements of the plan that would need to be changed and what items they would apply for waivers from the State/Federal requirements. That meeting never was scheduled. As recent as last week Mr. Page requested an update from RPN and as of this date he has not received any updates.

OLD BUSINESS

1. FOLLOW-UP ON BOARD RESOLUTIONS TO COUNTY LEGISLATURE – Mr. Page updated the CCBH on the Smoking Policy on County Property and the Cancer Screening Colonoscopy Policy. Both suggestions were forwarded through the County Executive for consideration by the County Legislature, but both policies were tabled at this point in time. It was discovered that a Local Law from the 1970’s existed relative to a prohibition of smoking on County properties that was never enforced. Mr. Page will provide a copy to the CCBH for information sake. The Cancer Screening policy was to provide a half-day off from work without the need to use benefit time to obtain a colonoscopy. It was felt that County employees are already provided with 5 personal days and 12 sick days per year and that was ample benefit time to use for this type of cancer screening.

2. ZIKA VIRUS ADVISORY UPDATE – Ms. Becraft commented on the latest information relative to the Zika Virus. A handout was provided to the CCBH in advance of the meeting. In addition to the handout, Ms. Becraft offered to the CCBH that the County has finalized its Zika Response Plan that was required by the NYSDOH. It has been accepted and is currently in effect. There are some counties in NYS that are required to provide for mosquito collection and testing based on their geographic location, but
Chemung County does not do collection or testing for mosquitoes at this point. Ms. Becraft said that there have been 3 people from Chemung County that have been tested for the Zika, but none of them were positive. Zika is now a State-reportable disease, so anyone that tests a NYS resident must report it to the health department. Quest has been approved as a certified laboratory for Zika testing. Wadsworth Laboratory would prefer to do all the testing so that they would also have access to all the epidemiological data for research purposes rather than just the positive or negative results. New York State has the second highest number of positive cases in the US, but all cases were attributable to travel to locations where Zika is prevalent, meaning there were no locally acquired cases in NYS.

3. BOARD VACANCY REPLACEMENT – Mr. Page reported on his efforts to recruit a new member for the Chemung County Board of Health. Dr. Varga has resigned from the CCBH, so the suggestion was to attempt to get another veterinarian to fill his unexpired term. Mr. Page spoke with Dr. Mari Delaney from Compassionate Companion Care. She expressed that she would be honored to serve on the CCBH.

**RESOLUTION:** A motion was made by Ms. Baker and seconded by Ms. Anthony that a recommendation be made to the County Executive for action by the County Legislature to appoint Dr. Mari Delaney to the unexpired term of Dr. Varga as a member of the Chemung County Board of Health. **Motion approved.**

**AYES:**
- Robert Lambert, MD
- Kevin Wicks, DDS
- Gregory Schultz, MD
- James Gensel, PE
- Mary Ann Baker, RN
- Ken Sobel, MD
- Rosemary Anthony, RN
- Joseph Brennan
- William G. Howard, MD

**NAYES:** None

**ABSENT:** None

**NEW BUSINESS**

1. COUNTY HEALTH RANKINGS – Mr. Page distributed a handout listing the latest State Rankings for County Health Departments. He was happy to report that there was an overall improvement for Chemung County since the last annual report. This annual report is prepared by a group at the University of Wisconsin. Some of the measures are determined by statistical data and others are from random telephone surveys of residents. It is difficult to compare the report from one year with that from another year because measures change from year to year. One must be cautious in interpreting the results. The information can be helpful as plans are made each year as to what public health initiatives should be a priority.

2. FLU SEASON REPORT– Ms. Becraft reported that an official declaration was made later than typical regarding widespread influenza in New York State. Rules relative to the designation were put into effect at the time of the declaration. However, the declaration has since been lifted. March 2016 was the biggest month for flu with 37 lab confirmed
cases. There was only one case in May 2016 in Chemung County and a total for the season of 61. The predominant number of cases were type A influenza.

3. MANAGEMENT TRANSITION PLAN FOR HEALTH CENTER – Mr. Page discussed the report that was included in the CCBH mailing regarding the proposed transition plan for management of the Health Center beginning January 1, 2017. The plan was presented to the County Legislature for consideration and approval. There is nothing that the CCBH has to do at this time. Mr. Page plans to retire at the end of 2016 from full-time employment. It is expected that a new nursing facility administrator will be appointed by Labor Day of 2016. Mr. Page will continue to provide guidance as needed to the new NF administrator, but will focus his efforts primarily in the area of Public Health as he provides mentorship over an appointed Deputy Director of Public Health for Operations. Mr. Page has committed to make himself available as needed through the duration of 2018.

4. HEARINGS – PUDGIE’S PIZZA SOUTHSIDE & FAMILY WOK

Mr. Shepard reported on two hearings that were held on May 24, 2016. The first hearing was with the operator of Pudgie’s Pizza Southside. A stipulation offer was made to the operator by EHS for repeat violations of failing to possess, maintain, and utilize a thermometer for checking temperatures of potentially hazardous foods. During a recent inspection, EHS discovered that the thermometer at the grill station was non-functional, which is a violation of the State Sanitary Code. The respondent claimed that the thermometer must have recently been damaged and it was replaced by the respondent after EHS discovered that it was not working. Mr. Shepard felt that since the non-functional thermometer was replaced during the inspection with a functioning thermometer once it was pointed out to the respondent, that there wasn’t actually a violation and that the enforcement action should be dismissed.

RESOLUTION: A motion was made by Ms. Baker and seconded by Dr. Lambert that based on the recommendation of the Hearing Officer, the enforcement action for Docket #16-013 against the operator of Pudgie’s Pizza Southside be dismissed. Motion approved.

AYES: Robert Lambert, MD Ken Sobel, MD Kevin Wicks, DDS Rosemary Anthony, RN Gregory Schultz, MD Joseph Brennan James Gensel, PE William G. Howard, MD Mary Ann Baker, RN

NAYES: None

ABSENT: None

The second hearing was with the operator of Family Wok. A stipulation offer was made to the operator by EHS for repeat violations of potentially hazardous foods that are not cooled by an approved method where the food temperature can be reduced from 120F to 70F or less within two hours and from 70F to 45F within four hours (cooling). EHS
presented several documents into evidence that outlined the history of violations and the efforts on the part of EHS to get the respondent to comply with the State Sanitary Code. The respondent did not dispute the allegations. Mr. Shepard felt that based on the language barrier between the respondent and EHS and on the expression by the respondent of a better understanding of the regulations and a desire to do what is right from that point forward, the penalty should be reduced from the Stipulation Offer amount of $300 down to $150.

**RESOLUTION:** A motion was made by Dr. Lambert and seconded by Mr. Gensel that based on the recommendation of the Hearing Officer, even though there was no dispute that the violation occurred, but based on the circumstances of the situation, that a fine of $150 be ordered against the operator of Family Wok.  **Motion approved.**

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5. **MEDICAL STAFF RE-APPOINTMENTS** - Mr. Page presented information to the CCBH on the two current medical staff whose appointments are up for renewal. Since Dr. Theodore Lax and Dr. Terence Lenhardt have been active in good standing since the last appointment, it is recommended to the CCBH that they both be re-appointed to another term.

**RESOLUTION:** A motion was made by Ms. Anthony and seconded by Ms. Baker that based on the recommendation Mr. Page after reviewing their current credentials and past history, Dr. Theodore Lax and Dr. Terence Lenhardt be approved for re-appointment as members of the medical staff at the Chemung County Health Department.  **Motion approved.**

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Ms. Baker informed the CCBH that member Rosemary Anthony will be receiving the *Tribute To Women Award* from the YWCA at an event tomorrow.
ADJOURNMENT

RESOLUTION: With no further business to conduct, a motion was made by Ms. Anthony and seconded by Dr. Lambert that the CCBH be adjourned until the next regular meeting of July 26, 2016. **Motion approved.**

**AYES:**
- Robert Lambert, MD
- Kevin Wicks, DDS
- Gregory Schultz, MD
- James Gensel, PE
- Mary Ann Baker, RN
- Ken Sobel, MD
- Rosemary Anthony, RN
- Joseph Brennan
- William G. Howard, MD

**NAYES:**
- None

**ABSENT:**
- None

The meeting was adjourned at approximately 8:30 PM.

**Next meeting:**
- Board of Health Meeting
- July 26, 2016 @ 7:30 PM
- Health Department Conference Room