

**MINUTES**  
**Tompkins County Board of Health**  
**February 08, 2011**  
**12:00 Noon**  
**Rice Conference Room**

**Present:** Mr. Brooke Greenhouse; Dr. Erin Hall-Rhoades; Dr. James Macmillan, President; Mr. Patrick McKee; Mr. Michael McLaughlin, Jr.; Ms. Janet Morgan; and Dr. William Tyler

**Staff:** Mrs. Liz Cameron, Director of Environmental Health; Mrs. Sigrid Connors, Director of Patient Services; Mrs. Brenda Grinnell Crosby, Interim Public Health Director; Dr. William Klepack, Medical Director; Mr. Jonathan Wood, County Attorney; and Mrs. Patty Stamm, Administrative Assistant

**Excused:** Mr. Will Burbank and Mrs. Sylvia Allinger, Director of CSCN

**Guests:** Carol Chase, Sr. Public Health Sanitarian and Steven Kern, Sr. Public Health Sanitarian

**Privilege of the Floor:** No one was present for Privilege of the Floor

Dr. Macmillan called the regular meeting of the Board of Health to order at 12:10 P.M.

**Approval of Minutes:** Dr. Tyler moved to approve the minutes of the November 09, 2010 Board of Health meeting as written, seconded by Ms. Morgan, and carried unanimously.

**Financial Summary:** Mrs. Grinnell Crosby stated there wasn't any financial report this month since they are still putting claims together and working on year-end reports. She added she hopes to have a financial report ready for next month. Mrs. Grinnell Crosby reported they lost State Aid on the CHHA Program and do not know what the total impact will be until final claims are filed. She stated that year-end grants are doing significant spending. She also added they are starting to see changes coming from the State and are not sure what will happen during this next fiscal year; i.e. the State has split annual grants into smaller periods which means they have split the budget and this does not always work.

**Administration Report:** Mrs. Grinnell Crosby reported:

- Since the last BOH meeting, the 2011 budget was adopted. Funding was received for all of the OTR's with the exception of the CHHA which was funded for six months in the target budget with the balance put in the contingency fund pending the outcome of an evaluation project which is underway. Jack Venesky, CPA, and Associates was the selected firm to do the evaluation. They have already visited, giving an overview of what the project will entail, as well as spending time seeking input from staff regarding issues that affect efficiencies in their job performance. Mrs. Grinnell Crosby stated the goal is to have a report to her by mid/end March. A joint meeting of the Legislature and the Board of Health will

- likely be scheduled to go over the report. Additional meetings will be scheduled regarding the CHHA once the report is received, and a review process is defined.
- Correspondence was received from the State Health Department on the 2010-13 Municipal Health Services Plan (MHSP) and Community Health Assessment (CHA). It contained 15-18 pages of items they want clarified, rewritten, or readdressed in some fashion. This is currently being worked on by Theresa Lyczko. This is due in mid-March; however an extension would be approved if asked for.
  - A similar letter was received regarding the 2010 State Aid Application. The State Health Department is getting very picky about small details and these are being worked on as well. Payment on claims has already been made based on the application that was submitted. Mrs. Grinnell Crosby is unsure if they will hold payment on the final claim pending the answers to their letter.
  - It is the beginning of the fiscal year, so “we” are trying to close books, open new books, and sign new contracts for services.

Items for Circulation:

- Listing of Board of Health members. Mrs. Grinnell Crosby asked Board members to check their contact information for any necessary edits. Following election of officers, the list will be updated with any necessary changes and then distributed at the next meeting.

Kudos for Staff:

- “Kudos” to staff...sent in by a participant in one of the Saturday family flu clinics.
- “Kudos” to staff...sent in by the Cornell Public Health Group. In November, several staff members went to speak to this group about working in public health.

**Medical Director’s Report:** Dr. Klepack reported:

- Seasonal influenza is about the same as in his January BOH report; prevalence widespread, but at a moderate level.
- Health Department staff met to talk about some collaboration efforts between Cayuga Medical Center and the Health Department re: rabies. There is an ongoing issue over the optimal strategy for the delivery of rabies vaccine and immune globulin according to protocol including the administrative details regarding reporting and eligibility of patients for public funding. The Vice President for Medical Affairs at Cayuga Medical Center has responded that CMC staff would like to meet with Health Department staff to talk about strategies to resolve these issues.
- Re Marcellus Shale drilling and ongoing issues for the County: With a new governor, a new Commissioner at the Department of Health, as well as a new DEC Commissioner, it’s important that these new people know the stance of the various entities that have weighed in on this issue. Currently, there is a sizeable coalition of physicians and citizens in the southeastern end of the State who are pressuring the State Department of Health to weigh in on Marcellus Shale from a public health point of view since, to date, this has not been done. Dr. Klepack shared a copy of a draft letter with Dr. Macmillan and Brenda Grinnell Crosby to pass on to Board members that is to be submitted to Dr. Shah by this group as a matter of information.

- On Wednesday, February 16<sup>th</sup>, the League of Women Voters is doing a presentation on health care reform and how it affects public health and health care delivery. Dr. Klepack will be one of four speakers, speaking about the Health Department, as well as his perceptions of private practice of medicine and health care reform. Dr. Klepack also added that in a recent survey of physicians regarding how they feel about health care reform (reimbursement for services, favorable impact on patients, as well as electronic health records), there is a mixed point of view.

**Director of Patient Services Report:** Mrs. Connors reported:

- Included in the Board of Health report are several new statistical reports on the seasonal flu clinics. One is a duplicate. The new statistical sheets provide separate information regarding adults, children, free vaccine received from the State Health Department, and purchased vaccines. On the Adult Clinic Stats, the total number of flu clinics held is incorrectly listed as 20; it should read 59\*.
- In the Communicable Disease Report, a case of Salmonellosis was reported in August. They have since learned that it has been designated as a Typhoid case. In the next updated Communicable Disease report, this will be taken out of the Salmonellosis line and be listed under the Miscellaneous designation.
- Also on the Communicable Disease Report, there has been a Novel H1N1 listing on the full report and on the monthly report it is listed as Influenza A which is the H1N1 influenza. She added the Novel H1N1 is not reportable and they will not be tracking this in 2011.
- Regarding the Home Care situation: The CHHA has been undergoing a lot of changes including staffing changes (noted in Mrs. Connor's report). They have been working very hard to keep the program operational and fully serviceable which includes assuring on-call coverage 24/7; the burden of this coverage is falling to the staff who are already working full-time. Full-time staff is required under contract to provide a minimal amount of service under on-call; however they have all met their quotas for the first quarter of the year. Currently, 24/7 coverage for Home Care is covered into early March. During the last two weeks of December they were down to five out of eight nurses (two vacancies and one nurse out on leave) and were unable to accept nursing referrals. The state, Cayuga Medical Center, and the other CHHA were advised of this situation. Mrs. Connors stated that referrals are assessed on a case-to-case basis to determine if there is sufficient staffing. She did report there is a new nurse starting mid-March and they are aware of the indeterminate future of the CHHA Program. As she speaks with applicants regarding the other vacant nursing position, she needs to explain the current status of the CHHA. She also added that a meeting was recently held with key County personnel, as well as Dr. Macmillan, to discuss the current CHHA status and the need to communicate to staff and to any potential employee what the decision process will be for the CHHA. Mrs. Connors stated that a decision process was outlined during the meeting and this information will be passed on to the CHHA staff.

**Children with Special Care Needs Report:** Mrs. Grinnell Crosby reported for Mrs. Allinger:

- Mrs. Allinger and the majority of her staff are in Rochester most of this week for “NYEIS” training which was postponed from last month in order to resolve some technical issues with the State.
- Tompkins County EI has registered to be one of the live Webinar sites for training. Contract providers are signing up to attend this.
- Staff and contract providers have their Health Commerce System user name and passwords.
- Nearly all of the contract providers have completed Medicaid training and the in-house training is completed.
- Mrs. Allinger is working on information to submit forward for mandate relief.
- The Evaluation Therapy Room is now open. A Special Education teacher and a two year-old were the first to use it and it proved to be a very successful experience.
- The team is very busy, but all are excited about the NYEIS system. Mrs. Allinger is grateful for the positive energy that the team generates in the CSCN Unit.

**County Attorney’s Report:** Mr. Wood stated that he had nothing to report.

**Environmental Health Report:** Mrs. Cameron reported:

- Two actions will be going forward to a hearing scheduled in March for public water supply violations.
- Recently, a childhood lead case was reported where a child was poisoned by a cream that came from China. The third ingredient listed for the cream was lead. NYSDOH is now reaching out through the Food & Drug Agency to work with China on this issue.
- Re gas drilling in the Marcellus Shale: In December, the Conference of Environmental Health Directors met with NYSDOH staff who are working on the gas drilling issue, with a follow-up conference call scheduled for March. The NYSDOH wants to coordinate with interested local health departments. She offered to discuss the letter Dr. Klepack spoke about with the NYSDOH from the Environmental Health perspective.
- There was a fire in the City of Ithaca during December where the home was destroyed; however the family members were alerted because of a smoke detector that had been provided through the Healthy Neighborhoods Program. “Kudos” to Kristie Morgan and Pet Jebbett for doing such a great job with this program. Mrs. Cameron passed around an article from the Ithaca Journal regarding the fire. This program is funded by a grant from the NYSDOH.

**Report from Nominating Committee – Selection of Officers:** Ms. Morgan and Mr. Greenhouse nominated the following Slate of Officers for 2011: Dr. Macmillan for President and Dr. Tyler for Vice President.

Ms. Morgan moved to accept the Slate of Officers as presented, seconded by Mr. McLaughlin. Carried unanimously.

**Approval of Revised Policy & Procedure – Health Commerce System Review During Business and Non-Business Hours:** Dr. Tyler moved to accept the policy & procedure as written, seconded by Ms. Morgan, and carried by a unanimous voice vote.

**Approval of Revised Policy – Meningococcal Vaccine:** Mrs. Connors stated the Centers for Disease Control recently posted a new notice recommending a booster dose of Meningococcal Vaccine be given at the age of 16. Studies have shown that immunity from the initial vaccinations that start at 11 or 12 has not been shown to continue at the level it should after the age of 18. Since this information is new and needs Dr. Klepack’s review, Mrs. Connors is withdrawing this agenda item and will bring it back in March.

**Approval of Revised Policy – Tdap Vaccine (Tetanus Toxoid, reduced Diphtheria Toxoid, and Acellular Pertussis Vaccine, Adsorbed):** Mrs. Connors briefly discussed the fact that due to the increased incidence of Pertussis in New York State, this policy has been updated to include NYSDOH and Advisory Committee on Immunization Practices expanded requirements for use of Tdap in school-age children and recommendations for persons older than 64 years of age.

Dr. Tyler moved to accept the policy as policy as written, seconded by Ms. Morgan.

Ms. Morgan recommended the following edit: Pg. 2, E, #2.: If any of the following events occurred *after* (remove “in temporal relation to” and insert “after”) previous receipt... Dr. Tyler was acceptable to the above amendment. Carried unanimously.

**Lindsay Sewage System, 778 Harford Road, T-Caroline; Request to waive sewage system replacement fee:** Mr. Greenhouse moved to accept the waiver as written, seconded by Mr. McLaughlin, and carried unanimously.

**Resolution #10-13-45: Terry Terry/Operator, Best Western University Inn, T-Ithaca; Violation of the NYS Sanitary Code, Subpart 7-1 (Temporary Residence – operating without a permit):** Ms. Morgan moved to approve the resolution as written, seconded by Mr. Greenhouse, and carried unanimously.

Mrs. Cameron explained the fact that the following two resolutions were situations where staff discovered a sewage system had been installed without Health Department approval. The reason for the difference in fines is that in the case of Resolution #10-19-49, staff had been in contact with the property owner, as well as the contractor, Timothy Votra, in Caroline before that system was installed. These people had been informed they needed a permit application before they put in their system. The owner was cooperative; so they are taking action against the contractor. In the case of Resolution #10-19-47, no direct contact had been made with the property owner or contractor.

**Resolution #10-19-47: Frank Palmer, Owner/Operator, Palmer Backhoe and Dozer Service, T-Ulysses; Violation of Tompkins County Sanitary Code Section 6.03 (Sewage) – installing a sewage system without a permit:** Mr. McLaughlin moved to accept the resolution as written, seconded by Dr. Hall-Rhoades, and carried by a unanimous voice vote.

**Resolution #10-19-49: Timothy Votra, Owner/Operator, T. Votra Contracting, T-Caroline; Violation of Tompkins County Sanitary Code Section 6.03 (Sewage) – installing a sewage system without a permit:** Mr. McLaughlin moved to accept the resolution as written, seconded by Dr. Hall-Rhoades, and carried by a unanimous voice vote.

**Resolution #11-33-1W, Fraternal Order of Eagles #1253, C-Ithaca, Clean Indoor Air Act (CIAA) Waiver Request:** Ms. Morgan expressed her concerns against supporting the waiver request.

Mr. Kern responded to Ms. Morgan's concerns stating that the Fraternal Order of Eagles was the only organization that went to the expense of modifying their establishment to meet the guidelines allowable by law. In addition, initially, in order to qualify for a waiver, you had to demonstrate a loss of business. Mr. Kern stated that no one else can apply for a waiver at this time since waivers are based on comparing the 2003 financial records to the 2004 financial records and was a one-time offer.

Mr. Greenhouse moved to accept the waiver as written, seconded by Mr. McLaughlin. Vote: Aye – 6; Nay – 1 (Morgan); Carried.

Ms. Morgan stated that she would appreciate if the Eagles could be notified that the vote was not unanimous.

**Memo re: Temporary Food Service Information:** Mrs. Cameron stated that this information was provided to Board members in response to their request for information provided to clients applying for a temporary food service permit. Mrs. Chase offered to entertain any questions from Board members. Following a short discussion regarding food service permits, Board members thanked Mrs. Chase for providing the requested information.

**Adjournment:** Dr. Tyler moved to adjourn the meeting at 1:17 P.M. Carried unanimously.