

MINUTES
Tompkins County Board of Health
February 14, 2012
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.; and Ms. Janet Morgan

Staff: Ms. Sylvia Allinger, Director of CSCN; Ms. Liz Cameron, Director of Environmental Health; Ms. Sigrid Connors, Director of Patient Services; Ms. Brenda Grinnell Crosby, Public Health Administrator; Dr. William Klepack, Medical Director; Mr. Frank Kruppa, Public Health Director; Mr. Jonathan Wood, County Attorney; and Ms. Shelley Comisi, Keyboard Specialist

Excused: Mr. Will Burbank

Guests: Mr. 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 12:03 P.M.

Approval of January 10, 2012 Minutes: Mr. Greenhouse moved to accept the minutes of the January 10, 2012 meeting as written, seconded by Dr. Hall-Rhoades.

Ms. Morgan recommended that under the Administration Report on page 1, first bullet, the sentence be changed to read as follows: "...committee members did not have an opportunity to interview *physician* candidates."

Minutes, as amended, carried unanimously.

Financial Summary: Ms. Grinnell Crosby reported staff is still working on State Aid claims; therefore, the 2011 closeout report has not been completed. An extension from the Finance Department was received for compiling data and financial information that had to be split at the end of the fiscal year. She hopes to have a financial report in March.

Administration Report: Mr. Kruppa requested an Executive Session at the end of the meeting to discuss the Certified Home Health Agency.

Medical Director's Report: Dr. Klepack discussed some points he gathered at a conference on hydrofracking in Washington, D.C. and from a presentation on the economic aspects of the process by Deborah Rogers:

- In the SGEIS, the language is vague about having an adequate amount of financial resources to deal with well pads when hydrofracking ends. It mentions capping and some kind of remediation. Well pads are substantial installations that have been subjected to chemicals. Not much information exists about the kinds of risk that presents. Furthermore, well pads are not maintained to be sold to anyone after

their usefulness has ended. His concern is drafting language to be used in preventing well pads from becoming a public health issue in the future.

- Requests have been made for studies to be conducted before drilling and on an ongoing basis to look at public health impacts of hydrofracking. Studies would provide some assurance that the mitigation measures in the SGEIS work. Such studies are expensive; therefore, expenses should come out of permitting fees and other fees. Due to the expense, one possibility is to only permit a few wells and require companies submit to testing procedures to demonstrate whether mitigation measures are working. This may have some merits, but the topographical and geographical variety of the countryside would not necessarily make results transferable from a test well to a general in use well. There could be public reaction to the proposal for a study; however, it may be a public health message for people to hear.

Dr. Klepack responded to questions/comments by the Board:

- Dr. Macmillan noted he found it interesting that there are more concerns than just well contamination: (1) the amount of piping to be used and the responsibilities for monitoring those pipes over a 10 to 20 year period, (2) the adequacy of the remediation of the sites, (3) identifying who is responsible for long term health impacts due to concerns that the chemicals being utilized are carcinogens or endocrine mimickers, and (4) air contamination resulting in respiratory problems like asthma. The likelihood that private industry will pay for long term ongoing studies is not great. Dr. Klepack will consider the language to address the pad issue and report back to the Board.
- Mr. Greenhouse wondered how much information in the report is contended. Dr. Klepack stated it probably would be contended; however, he checked into the background of Ms. Rogers who lives near the Barnett Shale. She has worked in finance and has taken her data from public documents. The Barnett Shale has been around long enough to look at production figures. Also, predictions of reserves in Pennsylvania by federal authorities have been decreased; therefore, the glowing reports of the lifetime of a well need to be taken with a grain of salt.
- Mr. McLaughlin observed the remediation of the site afterwards may be cost prohibitive.

Division for Community Health: Ms. Connors stated:

- She had nothing to add to her report.
- A spelling error occurred in the 2011 Communicable Diseases report near the bottom of the page: "Miscellaneous in Nov. was *Meningitis* Aseptic."
- Two different "Reported Communicable Diseases - Ten Year Comparison" reports were included. The report updated on 1/12 is the correct one. The other report updated on 2/11 should be discarded.

Ms. Connors addressed questions from the Board:

- Dr. Macmillan commented on the two reported cases of Chlamydia in females, ages 15 and 16. He wondered if there was any investigative responsibility in the situation. Ms. Connors responded she believes the health practitioner would have obtained information and followed up. It is possible that there has been some criminal investigation, but since it is not pertinent to the report, that information would not be provided.
- Mr. Greenhouse asked about the purpose of the application for a Licensed Home Care Service Agency mentioned in the report. Ms. Connors stated with the

divestment of the Certified Home Health Agency, the program must be certified or licensed in order to provide care; in particular the maternal/child services. The application and fee is a requirement to continue our work.

Children with Special Care Needs Report: Ms. Allinger reported:

- Interesting cases with high medical needs is keeping her division extremely busy. An upward cyclical swing of children on the autism spectrum taxes our therapeutic resources in both early intervention and preschool; it also taxes us financially in preschool. For example, one home based program in preschool has reached \$58,000 for a three year old. It is challenging to balance those needs.
- Next month's report will have a power point presented by the Director of the Bureau of Early Intervention at the NYSAC Conference. The presentation covers the sweeping fiscal reform proposal in the Early Intervention Program that has been put forth through the Governor's Executive Budget. It will have a significant impact on our program and delivery of services. Ms. Allinger presented this power point to the Division's contracting providers and agencies at the beginning of the month. Tompkins County is a designated site for our S2AY Network consortium to have a conversation with contract providers in terms of their networking and how they want to move forward with these proposals.

County Attorney's Report: Mr. Wood stated he had nothing to report.

Environmental Health Report: Ms. Cameron reported:

- Her division has been busy with hydrilla and gas drilling matters.
- There have been two separate complaints from residents living next door to homes where wood stoves have been installed. These wood stoves were permitted and approved by the City of Ithaca. The neighbors with environmental sensitivities complain their health is being affected. It is difficult to prove a violation. There is an air pollution code containing a section that prohibits emitting or discharging anything that would affect the comfort of a number of people or the health of any person. The Department is looking at current regulations and trying to work with the parties involved.

Ms. Cameron answered questions from the Board:

- In a discussion about hydrilla, she stated the authority controlling lake levels planned to drop the water level faster than normal with the intent of freezing the hydrilla. The plan did not work because of the warm weather and the inability to drop the level as fast as needed.
- Regarding the report of kerosene that leaked from a tank at a private residence, nothing was detected in the initial water tests. NYSDEC is overseeing the situation, but it may be necessary to take another well water sample.

BOH Vacancy – Physician Member: Mr. Kruppa reported on the recruiting process to fill the vacancy left by Dr. Tyler. The Nominating Committee of Ms. Morgan and Mr. McLaughlin interviewed two physicians, Dr. Patricia Meinhardt and Dr. Amy DiFabio. Both are desirable candidates. He then shared news that Dr. Hall-Rhoades had an announcement.

Dr. Hall-Rhoades stated she will be leaving the area at the end of July. In anticipation of her leaving, she suggested the Board take advantage of having two

qualified, interested candidates. She added she would be willing to be replaced when the Board thought it appropriate.

Mr. Kruppa discussed his thoughts. If the Nominating Committee agreed and the Board was interested, both physician names could be moved forward. One candidate would fill Dr. Tyler's currently vacant position, and the other would fill Dr. Hall-Rhoades to-be-vacant position. Both candidates would be approved by the April meeting. Mr. McLaughlin, on behalf of the Nominating Committee, concurred with the recommendation.

Board Members expressed a desire to work with Dr. Hall-Rhoades on the best timing for her resignation and expressed thanks for her service.

There was discussion regarding the appointments and term commitments for each physician member vacancy.

Before the vote and for the benefit of the Board, Mr. Kruppa clarified the motion to appoint Dr. Meinhardt to fill Dr. Tyler's vacant position; and to appoint Dr. DiFabio to conclude the remainder of Dr. Hall-Rhoades term, pending her resignation letter. Mr. Greenhouse moved to accept the motion, seconded by Dr. Macmillan. Carried unanimously.

Community Health Services: Ms Connors requested approval for the following two policies. Mr. Greenhouse moved to accept the policies as written, seconded by Ms. Morgan.

Approval for revisions to Facilities Division – Bloodborne Pathogen Policy & Procedures: Questions from Board Members:

Dr. Macmillan asked if there was a list of "EPA-registered disinfectants" mentioned in Pg.1, III, D. Ms. Connors answered that Facilities staff is responsible for maintaining products on site.

Approval for revisions to Emergency Treatment Guidelines in Immunization Clinics: Questions from Board Members:

Dr. Macmillan referred to the section on Fainting, Pg. 1, B, #8: "Assure follow up of patient in 4-6 hours to assess status." He asked about the follow up procedures. Ms. Connors responded a nurse calls the patient at home to find out how the patient is feeling and documents the response.

Ms. Morgan questioned the language on Pg. 1, A and B, #3: "Assess for signs and symptoms of anaphylaxis unless syncopal symptoms began prior to administration of the vaccine." She felt the language was unnecessary. Ms. Connors agreed and stated the language comes from the National Standards. After further discussion, Board Members agreed with Dr. Macmillan's recommended edit to remove "unless syncopal symptoms began prior to administration of the vaccine" so the guideline reads as follows: "Assess for signs and symptoms, **consider** anaphylaxis."

Dr. Macmillan called for a vote on the motion, carried unanimously.

Resolution #12.33.1W – Fraternal Order of Eagles #1253, C-Ithaca, Clean Indoor Air Act (CIAA) Waiver Request: Mr. McLaughlin moved to accept the waiver as written, seconded by Mr. Greenhouse.

Board Members noted this waiver request comes up annually and are concerned about supporting it. Ms. Cameron reported her staff always checks air flow during the

inspection of the facility. Mr. McLaughlin asked about complaints, especially from nonmember individuals attending events. Ms. Cameron responded her staff would investigate any complaint to see that equipment was functioning, but no complaints have been received.

The vote: Aye – 5; Nay – 1 (Ms. Morgan); Carried.

Executive Session: At 1:03 P.M. Ms. Morgan moved to adjourn to Executive Session for the purpose of discussing the Certified Home Health Agency (CHHA), seconded by Mr. Greenhouse. Carried unanimously.

Out of Executive Session: At 1:58 P.M. Mr. Greenhouse moved to adjourn from Executive Session, seconded by Dr. Hall-Rhoades. Carried unanimously.

Adjournment: At 1:58 P.M. Mr. Greenhouse moved to adjourn the meeting, seconded by Ms. Morgan, and carried unanimously.