

**MINUTES
Tompkins County Board of Health
September 27, 2016
12:00 Noon
Rice Conference Room**

Present: Will Burbank; Edward Koppel, MD; James Macmillan, MD, President; Michael McLaughlin, Jr.; Susan Merkel; and Janet Morgan, PhD

Staff: Karen Bishop, Director of Community Health; Liz Cameron, Director of Environmental Health; Brenda Grinnell Crosby, Public Health Administrator; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; Deb Thomas, Senior Community Health Nurse in CSCN; Jonathan Wood, County Attorney; and Shelley Comisi, Administrative Assistant II

Excused: Brooke Greenhouse, Board of Health Member; and David Evelyn, MD, MPH, Board of Health Member

Guests: Skip Parr, Senior Public Health Sanitarian

Call to Order: Dr. Macmillan called the regular meeting of the Board of Health (BOH) to order at 12:02 p.m.

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

Approval of July 26, 2016 Minutes: Ms. Merkel moved to approve the minutes of the July 26, 2016 meeting as written; seconded by Mr. Burbank. The minutes carried with Mr. McLaughlin and Dr. Morgan abstaining.

Financial Summary: Ms. Grinnell Crosby reported the 2017 budget for Public Health was submitted to County Administrator Joe Mareane. The over-target-request (OTR) for a half-time public health sanitarian was not recommended to the Legislature. Although the OTR was high on his list, Mr. Mareane did not have room to authorize any additional funding at this time. During Mr. Kruppa's budget presentation to the Legislature, there were several questions pertaining to the fees for vital records. It is unclear what the Legislature will decide regarding those fees. Their voting meetings will begin soon.

She is working to replace the former financial dashboard with a one-page summary report that will be useful to Division managers and Board members. As for current finances, there is nothing outstanding to report. Community Health Services (CHS) is billing on a timely basis. This has resulted in increased revenue; however, a potential deficit still exists in that area.

Environmental Health (EH) and Children with Special Care Needs (CSCN) are satisfactory. Staff will start looking closely at mandates.

Administration Report: Mr. Kruppa announced he will be a representative for the New York State Association of County Health Officials (NYSACHO) at a meeting with the Governor's health budget staff to discuss next year's budget. NYSACHO is continuing its advocacy efforts around increasing State Aid to county health departments that face emerging issues with drinking water, Ebola, Zika virus, etc. There is always some issue needing a public health response, and county health departments need to have the infrastructure in place to respond. If it becomes a challenge to respond effectively at the county level, then a greater burden is placed on the State to respond.

Medical Director's Report: Dr. Klepack provided an update on the Zika virus. In the most recent report, the total number of Zika cases in New York State – 749; the number of pregnant women – 39. All of those cases remain travel-associated. Since no new Zika cases have been reported for 45 days in the Wynwood area of Miami, the Centers for Disease Control and Prevention (CDC) changed its recommendations regarding travel to that area. However, Miami Beach is still a problem area.

Dr. Klepack reported there have been 23 post-exposure treatment courses given to people for bat exposures in the past two months because the bats were not captured. Bats can have rabies but it is a minority of them. Thousands of dollars in healthcare costs could have been prevented if the public understood the importance of capturing those bats. There is information along with a video on the Tompkins County Health Department (TCHD) website that shows how to safely capture a bat. He encourages people to take every opportunity to communicate that message to others.

Comments/questions from Board members regarding Dr. Klepack's report:

- Mr. Burbank shared that he has learned how to capture bats. He also hired an expert to bat-proof his house by looking for points of entry and putting up a bat trap. So far, he has not heard any sounds in his attic.
- Dr. Koppel asked if healthcare practitioners should be utilizing the New York State Department of Health (NYSDOH) Wadsworth laboratory rather than commercial laboratories for Zika virus testing. Ms. Bishop will check with her Communicable Disease staff to find out what information they have on the laboratories.

Division for Community Health Report: Ms. Bishop reported:

- Two new staff members have been hired: Celeste Rakovich is a nurse in CHS; and Brooke Bucinell is a nutritionist in the Women, Infants and Children (WIC) program. The search continues to find a Director for the WIC program.
- There has been an uptick in the number of rabies post-exposure cases in the month of August. The 42 individuals seen during that one month represent 56% of the total number of cases seen by staff this year.
- Three suspect mumps cases have been reported. Two cases are college aged students (both PCR negative). The third case is a high school aged student. All three had been vaccinated previously. Staff is waiting for the follow-up blood work. Although these cases have not been confirmed yet, all appropriate public health measures were put into place. Once a suspect case is reported to TCHD, the individual is placed in isolation for

five days and lab tests are ordered. PCR is usually indicative so it will be surprising if either one of the college student cases comes back positive. The mumps outbreak in other areas of New York has medical providers thinking about mumps when a patient presents with swelling along the jaw line. In our contact investigations, none of the three suspect cases have been related to each other or related to the outbreaks happening outside our community. Staff has been keeping local health care providers updated as the alerts come out.

- A suspect tuberculosis (TB) case has been reported. The foreign-born individual attends college in the area. Although TB has not been confirmed yet, the case is clinically suspicious so the individual has been isolated and started on drug therapy. Dr. Douglas MacQueen, our TB consultant, is managing the treatment course in conjunction with providers on campus. This is a good example of a combined public health effort with our partners.

Questions from Board members:

- Ms. Merkel asked what causes an outbreak when the population is heavily vaccinated. Ms. Bishop said the Measles, Mumps, and Rubella (MMR) vaccine has a good track record but is not 100%. She emphasized staff is waiting for test results. It may not be mumps. Dr. Klepack added he recently read a report that two doses of MMR have an efficacy rate of 88%.
- As the search continues for a WIC Director, Dr. Morgan wondered how much time is required to manage the program. Ms. Bishop said she spends about half of her time on the program as she is trying to effect some positive changes. She also has been orienting and mentoring the new WIC nutritionist.

Children with Special Care Needs Report: Ms. Thomas reported a staff nurse in her Division has resigned. Interviews to fill the position are scheduled to begin.

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

Environmental Health Report: Ms. Cameron pointed out the meeting packet contained a fairly extensive narrative on the drought and several other EH issues.

Topic 1: The drought situation remains fairly constant with the area receiving enough rain to delay having to declare an emergency. Six Mile Creek has been slightly more stable than expected. According to experts, the water table will rise this fall once the trees shed their leaves and reduce their water intake.

Topic 2: In response to recent legislation, NYSDOH issued emergency regulations requiring school districts to test for lead in their drinking water systems. Information to interpret those regulations is unclear or unavailable so NYSDOH is quickly pulling guidance together. Nevertheless, all elementary schools need their water sampled by the end of September. The Ithaca City School District (ICSD) and Trumansburg Central School District each have unique situations to be addressed in order to meet the requirements of the law. EH staff has been working with both districts on their sampling plans. Other schools in Tompkins County will be submitting waivers for this round of testing. Prior to the law, TCHD had been working with local school districts on sampling; communication has been good.

Topic 3: There is concern that hydrilla was discovered in northern Cayuga Lake. The treatment effort is managed at the local level with the State providing input by participating in conference calls, assisting with the identification/confirmation of hydrilla, and offering grants for treatment.

Topic 4: The City of Ithaca's problems with its water quality were drought-induced and enhanced by treatment plans. Violations for color in the water supply were for manganese and turbidity. Recently, the City also had a disinfection byproducts violation at the Cliff Park Road water storage tank. The City distributed the required public notices and posted the notice on its website. TCHD will be taking enforcement action because there have been multiple violations for water quality issues. With the drought and trying to keep water higher in the tanks, Bolton Point also had concerns about water quality. They lowered the water level in their tanks to allow more turnover and prevent disinfection byproduct violations.

Discussion on the water quality in the City of Ithaca:

- Mr. McLaughlin commented the City has stated the water is safe to drink; however, there are times when his water is the color of dark tea. Ms. Cameron responded that discoloration, often caused by iron, is generally an aesthetic concern. The City has had elevated iron and manganese in its system. Our main concern with discolored water is bacteria. In this situation, the City's chlorine levels and bacteriological tests have been satisfactory.
- Mr. McLaughlin expressed his concern about the public's view of TCHD to keep them informed and the community protected. Mr. Kruppa described actions that have been taken. EH staff issued a Notice of Violation for manganese and turbidity and is putting together a Stipulation Agreement and Orders for manganese, turbidity and trihalomethanes (the disinfection byproduct violation). Staff also met with the City to work on required public notices. The notices consisted of letters, information posted on the City's website, and press releases.
- Ms. Cameron noted the City is back in compliance with manganese and turbidity. While the discolored water issue was at its peak, NYSDOH looked at metadata to see if there were any increased illnesses. No reports came back indicating there were concerns.

Question pertaining to Nate's Mobile Home Park:

- Mr. Burbank was interested in hearing why air quality testing results at Nate's Mobile Home Park were being compared to Pinnacles State Park. Ms. Cameron replied that New York State Department of Environmental Conservation (NYSDEC) uses Pinnacles State Park as the background sample representing pristine air quality. It also uses a local background sampling location. Results from one sample were above background but there is no public health concern. There will be additional sampling at the park.

Resolution #ENF-16-0016 – Ithaca Bakery, V-Lansing, Violation of Subpart 14-1 of the New York State Sanitary Code (Food):

Resolution #ENF-16-0018 – GrassRoots World Café, T-Ulysses, Violation of BOH Orders #ENF-15-0019 and Subpart 14-2 of the New York State Sanitary Code (Temporary Food):

Resolution #ENF-16-0017 – Quik Shoppe, C-Ithaca, Violation of Adolescent Tobacco Use Prevention Act (ATUPA):

Resolution #ENF-16-0019 – Saigon Kitchen, C-Ithaca, Violation of Part 14-1 of the New York State Sanitary Code (Food):

Resolution #ENF-16-0020 – Lao Village, T-Ulysses, Violation of Part 14-2 of the New York State Sanitary Code (Temporary Food):

Resolution #ENF-16-0021 – Macro Mamas, C-Ithaca, Violation of Part 14-1 of the New York State Sanitary Code (Food):

Ms. Cameron briefed the Board on the six aforementioned resolutions. Three of the food out-of-temperature violations occurred with food vendors at GrassRoots Festival and two were observed at restaurants. Prior to the meeting, *revised* draft resolutions for the Ithaca Bakery (Attachment 1) and GrassRoots World Café (Attachment 2) were distributed to Board members. Both enforcement actions were on the Board’s agenda for August. When that meeting was cancelled, due dates for the penalty payments were revised to coincide with the current meeting.

Quik Shoppe was in violation of ATUPA for an underage tobacco sale. A tobacco brochure was distributed to provide information on the fines and point system for ATUPA.

Mr. McLaughlin moved to accept the six aforementioned resolutions as written; seconded by Dr. Morgan.

There was discussion about the number of food out-of-temperature violations occurring at GrassRoots this past summer. Ms. Cameron remarked that the hot weather had an impact. She believes additional education may help the vendors. EH staff is working with GrassRoots staff and pulling together some visuals to help food vendors avoid food safety issues. Sometimes there is a language barrier, so creating visuals would be helpful. Dr. Klepack suggested using vignettes to illustrate the various regulations along with the pitfalls. Dr. Morgan thought those vignettes could be converted into pictures. One example would be to show the sun beating down on a cooler. Ms. Cameron commented those suggestions work with the concept behind creating the visuals – to identify problems and show how to correct them.

Ms. Merkel asked whether these traveling food vendors monitor refrigerated storage temperatures on a log sheet. Ms. Cameron said all vendors need to know their food is safe but do not necessarily have to maintain log sheets. Normally, they are ordered to maintain log sheets when they come to enforcement.

The vote to approve the six aforementioned resolutions, as written, carried unanimously.

PSA from Mr. Kruppa: If anyone participates in an organization or attends a public event where food is served, please ask the food vendors if they have checked with TCHD regarding a food permit. EH staff members are continually finding events that are advertised but the vendors do not have a permit to operate.

Review and Approval of Low-Risk Food Service Establishment Fee Policy for Non-Profit Organizations: Ms. Cameron explained this policy would apply to non-profits looking to start a low-risk food service that would be beneficial to some segment of the population. The fees would be waived for one year allowing the non-profit to assess the viability of the operation. If the non-profit organization decided to renew the permit after the first year, then it would pay the permit fees.

Dr. Morgan moved to approve the policy, as written; seconded by Dr. Macmillan.

In response to questions, Ms. Cameron mentioned there are exclusions written into the food code for religious and fraternal organizations; however, those groups are encouraged to contact EH staff who can provide them with educational information. Food items considered to be low-risk would include popcorn, pre-packaged food or any other items that are not temperature controlled. She will find out whether pizza is considered a low-risk food. Dr. Macmillan requested feedback after the first year to assess how the policy worked.

The vote to approve the *2017 Proposed Temporary Waiver of Fees for Low-Risk Not-for-Profit Food Service Establishments* policy, as written, carried unanimously.

Adjournment: At 1:25 p.m. Dr. Macmillan moved to adjourn the meeting.