

**Board of Health  
August 27, 2013  
12:00 Noon  
Rice Conference Room**

**Present:** Will Burbank; James Macmillan, MD, President; Patrick McKee; Michael McLaughlin, Jr.; Patricia Meinhardt, MD; and Janet Morgan, PhD

**Staff:** Liz Cameron, Director of Environmental Health; Sigrid Connors, Director of Patient Services; Brenda Grinnell Crosby, Public Health Administrator; William Klepack, MD, Medical Director; Frank Kruppa, Public Health Director; Jonathan Wood, County Attorney; and Shelley Comisi, Keyboard Specialist

**Excused:** Brooke Greenhouse; and Sylvia Allinger, Director of CSCN

**Guests:** Steven Kern, Sr. Public Health Sanitarian; Skip Parr, Sr. Public Health Sanitarian; and Mary Beth Tierney-Simmons, Empire State College Student

**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 12:04 p.m.

Mr. Kruppa introduced and congratulated Skip Parr on his promotion to the position of Senior Public Health Sanitarian responsible for Environmental Health enforcement.

Ms. Connors was pleased to introduce Mary Beth Tierney-Simmons, nursing student at Empire State College, who will be interning in the Division for Community Health Services throughout the fall semester.

**Approval of July 9, 2013 Minutes:** Dr. Morgan moved to approve the minutes of the July 9, 2013 meeting as written; seconded by Dr. Macmillan. The minutes carried with Dr. Meinhardt abstaining.

**Financial Summary:** Ms. Grinnell Crosby displayed the electronic version of the financial report. Data was condensed into two columns by selecting the most important items to present to the Board. This is a cumulative to date compared to budget report.

Mr. Kruppa demonstrated the links from the Dashboard Display page to the supporting graphs. Staff has worked with Kevin Sutherland in County Administration to simplify data to the basics of expenditures and revenues. At the bottom of the page there is an explanation of color codes. To be useful, parameters were built in to provide guidance. As the year progresses those parameters will become tighter and tighter giving a visual clue that there are items to address.

Ms. Grinnell Crosby said the order of programs may change in the next iteration of the dashboard. *Health Department* will include the entire department. *Mandates* will have the three programs considered mandates. *Non-Mandates* will include the remaining programs. She provided additional information for the following programs:

- *Planning and Coordination* revenues are red because there are revenues that have not been claimed or posted. Emergency preparedness claims are filed quarterly. There was significant spending in June for those grants ending in July.
- *Women, Infants & Children* is on track with spending and revenues. There may be a monthly claim that has not been posted.
- *Division for Community Health* is red because clinic revenues are down at this time of year. The bulk of clinic revenues are related to flu and rabies.
- *Physically Handicapped Children's Program* is a program based on need. It is a small program with a budget of \$8,000 so there is not a lot of concern.
- *Vital Records* is yellow. It is driven by the number of birth and death certificates requested. The revenue projection may have been high.

Highlights form a lengthy discussion regarding the new format:

- A lack of revenues means there is no revenue stream for those programs.
- Something needs to be built into the program so the red or yellow box identifies which graph is causing it to be red or yellow.
- There was data fatigue from the number of graphs.
- The graphs showing cumulative to date revenues and expenditures seem to provide sufficient information.
- Utilizing the bottom *Notes* section to provide an executive summary would be helpful.
- The County's Finance Director controls when there is a pull for fringe benefits resulting in spikes in expenditures.

Summary comments: Ms. Grinnell Crosby stated the report is a work in progress. Mr. Sutherland is working on a data set for her. Today there were verbal notes but eventually she will be able to access the program and write her own notes. Mr. Kruppa recognized Mr. Sutherland for graciously creating and programming the financial report. Staff will look at ways to present the information and possibly reduce the number of graphs. Although the Health Department has the full report, the information presented in the packet is condensed. The goal is to make it understandable and useful for the Board and the public.

**Administration Report:** Mr. Kruppa reported Ted Schiele from the Health Promotion Program has been working with Shelley Comisi to put together the BOH packet as one document for posting online. Staff is tweaking the online report to make it user friendly so suggestions are welcome to make it more effective. Mr. Burbank and Ms. Cameron both noted it was difficult and confusing to locate the full packet on the Health Department website. Mr. Kruppa responded the County is updating its website. When the new version comes online, staff will look to clearly mark the BOH information piece.

Mr. Kruppa announced County ITS needs to install the equipment for wireless capability in the Rice Room. Ultimately there will be a line for the general public to access the internet. Mr. Burbank wondered if there is an expectation that everyone will bring a computer to the Board

meeting. Mr. Kruppa reported paper copies of the packet will be available the day of the meeting for any Board member needing a copy.

Mr. Kruppa informed members that Dr. DiFabio resigned her position on the Board because she felt she could not continue to meet the commitment. Several steps have been taken to advertise the opening to physicians. Dr. Meinhardt suggested Dr. Klepack contact the Medical Society regarding the vacancy. Mr. Kruppa also pointed out Mr. McLaughlin's term expires at the end of the year; however, he has the option of requesting to be reappointed. It will be the decision of the Board whether to reappoint or advertise for that position.

With the vacancy on the Board, Mr. Kruppa stated a nominating committee is needed to review applications and make a recommendation to the Board. Dr. Macmillan asked for volunteers but no one responded initially. If no one else steps forward, Mr. McLaughlin said he would be willing to serve, Dr. Meinhardt stated she would consider volunteering and Mr. Burbank expressed an interest in observing the process.

**Medical Director's Report:** Dr. Klepack reported he will be interviewed Wednesday, August 28, 2013 at 7:45 a.m. on WHCU radio. He will be discussing Lyme disease with a focus on prevention; particularly the prompt removal of ticks from the body.

Mr. McLaughlin thought there should be greater emphasis on educating the public about the importance of checking for ticks and removing them within 36-48 hours. It is a simple preventative technique.

Dr. Klepack mentioned Dr. Douglas MacQueen, whose specialty is Infectious Diseases, wrote a very good article emphasizing that Lyme disease is treatable at every stage to try to defuse some of the panic surrounding the disease.

Mr. Burbank asked if there was anything else the community could be doing to aggressively address the cause of Lyme disease. Dr. Klepack said there is not much more to be done other than working to take steps against the tick. He believes the Health Department needs to focus on prevention techniques.

Mr. McLaughlin commented he enjoyed the article written by Meg Klepack which left him pondering the invisible nature of public health and where that leads. Dr. Klepack said those who are involved in public health need to take every opportunity to convey the ways public health is affecting daily lives. There needs to be an emotional hook. Mr. McLaughlin suggested the BOH packet could have that kind of hook. Ms. Connors agreed there is an opportunity to use the packet as a venue for public health education now that it is posted online. It will take staff resources to develop but is important to work on for the future.

**Division for Community Health Report:** Ms. Connors reported there was an unannounced New York State Department of Health survey of the Licensed Home Care Services Agency (LHCSA). This was the first survey of the program since being licensed in November 2012. Considering the experiences of other licensed agencies that had received five or six deficiencies, staff was pleased the State cited only one deficiency. All of the actions described in the Plan of Correction have been completed. Staff is currently following up with Quality Assurance measures to ensure chart reviews incorporate all necessary actions. A few days ago, the acceptance letter of the Plan of Correction arrived from the State.

**Children with Special Care Needs Report:** Ms. Allinger was not present for the meeting. Mr. Kruppa provided an update on the proposal that Counties would front the money for providers waiting for payment from insurance companies. Tompkins County was one of seven counties

that agreed to that proposal; however, the State has found some money and has now agreed to be the safety net. A small number of providers have signed an amended contract with the State because there is concern about the tracking mechanism. It is a flawed system. The challenge of finding providers to provide services is going to continue.

Responding to a question about the increasing caseloads for nursing staff, Mr. Kruppa answered he is working with Ms. Allinger to evaluate the numbers. Additional work time has been included for nursing staff in the 2014 budget. Although there has been a vacancy for quite some time, the Division is now fully staffed. When the new nurse is able to take on a full caseload, she will be able to relieve some of the pressure on the other nurses. Everyone in the Health Department is busy so strategic decisions must be made about adding staff or adding hours to work schedules.

**County Attorney's Report:** Mr. Wood stated he had nothing to report. He reminded the group he may arrive late because he has another regularly scheduled meeting prior to the Board meeting.

**Environmental Health Report:** Ms. Cameron reintroduced Skip Parr as the Senior Public Health Sanitarian who is filling the vacancy created by Carol Chase's retirement. Duties have been reassigned so he will be managing the enforcement cases and attending BOH meetings.

Ms. Cameron passed around two maps as she gave an update on hydrilla. The first map indicated the sites where low dose Sonar herbicide is being applied in the Cayuga Inlet. The second map showed the locations of hydrilla recently found in Fall Creek. A permit application is being submitted to New York State Department of Environmental Conservation (NYSDEC) to apply endothall in that area. Lake monitoring will continue. She reported hydrilla has been found in additional areas in the lake near the mouth where Fall Creek enters the lake consisting of floating fragments and some rooted plants along the shoreline. Options are being evaluated including hand removal of the rooted plants. There is still a sense that eradication will work. Mr. Kern added hydrilla has been found in two other spots in the State: Towanda Creek which is part of the Erie Canal system and an isolated, privately owned pond.

**Resolution #12.17.29 – revised – Hanshaw Village Mobile Home Park, T-Dryden, Violation of Subpart 5-1 and Part 17 of the New York State Sanitary Code (MHP/Water):** Ms. Cameron proposed the following two modifications:

- In the Draft Resolution, Resolved section, item #2, a change of date so the order reads: *“Meet the requirements of the attached revised schedule of compliance dated August 27, 2013.”*
- In the accompanying Schedule of Compliance, Immediate Modifications section, items #6 and #8, a change of date to *“8/30/2013.”*

There was a delay in receiving the water meters so additional time is needed to install them. Mr. Parr said the owner is cooperating.

Mr. McLaughlin moved to accept the resolution as amended; seconded by Dr. Meinhardt; and carried unanimously.

**Resolution #13.18.15 –Beaconville Mobile Home Park, T-Dryden, Violation of Subpart 5-1 of the New York State Sanitary Code (Water):** Ms. Cameron said the replacement water storage tanks need to be installed. Plans have been submitted but the owner has been slow in completing the installation.

Dr. Morgan moved to accept the resolution as written; seconded by Dr. Macmillan; and carried unanimously.

**Resolution #13.18.10 – J-A-M Mobile Home Park, T-Lansing, Violation of Subpart 5-1 of the New York State Sanitary Code (Water):** Ms. Cameron reported Jack Burns, owner, could not attend the meeting but wanted the record to reflect he was requesting the Board to consider a reduction in the penalty. Mr. Parr noted the owner's reasoning is that he is trying hard to meet the requirements but there are financial hardships.

Mr. McLaughlin moved to accept the resolution as written; seconded by Dr. Morgan.

Dr. Meinhardt asked about the risk to residents because the owners are moving so slowly. Ms. Cameron replied there has been a boil water order for a year which should remove the risk to the occupants. Mr. Parr added there are five units in the mobile home park and most of the homes have their own treatment systems. He reported the owners had missed two quarterly water samples but the third quarter sample was negative for total coliform.

The vote on the resolution as written carried unanimously.

**Resolution #13.14.11 – John Joseph Inn and Elizabeth Restaurant, T-Lansing, Violation of Subpart 5-1 of the New York State Sanitary Code (Water):** Ms. Cameron noted the facility is not in continual operation; however, the water system must be operated continuously because of concerns about water quality. The issue has been about the owner's ability to operate and maintain the water system continuously. He is making improvements and submitting reports. The fine is \$700 due to the number of reports the owner failed to submit.

Mr. McLaughlin moved to accept the resolution as written; seconded by Dr. Meinhardt; and carried unanimously.

**Resolution #13.11.17 – Lao Village, T-Ulysses, Violation of Part 14-2 of the New York State Sanitary Code (Temporary Food Service):** Ms. Cameron read a statement submitted by Keo Sisombath, owner of Lao Village, who was unable to attend the BOH meeting. In his statement, he acknowledged the violation and the \$1,000 fine to be paid. He apologized for the mishap and violation, adding he would try not to let it happen again. Ms. Cameron stated this temporary food service establishment had two violations at the Fingerlakes Grassroots Festival. The history shows the owner has a fairly consistent record of violations and a BOH action in 2006 so the fine was set at \$1,000 and conditions added to try to alleviate problems in the future.

There was a lengthy discussion regarding whether a food permit should be issued in a situation where there are numerous critical violations and the fines are not resulting in the necessary changes. Ms. Cameron explained staff feels the owner is trying to address the problem. Mr. Parr added there is a requirement in the resolution that the owner must show documentation he has adequate refrigeration equipment before he can be issued a new temporary food permit. In addition, there is a section written in the Stipulation Agreement and the Draft Resolution stating Mr. Sisombath may not be issued another temporary permit for three years if there is another violation.

Mr. McLaughlin moved to accept the resolution as written; seconded by Dr. Morgan; and carried unanimously.

**Resolution #13.20.16 – Heidi Pane/Leisure Lane, T-Dryden, Violation of Article VI of the Tompkins County Sanitary Code (Sewage):** Ms. Cameron asked for the resolution to be withdrawn from the agenda at this time. This is a difficult situation for the owner who has

limited funds to replace the sewage system. Although Ms. Pane meets the requirements for a housing grant, the State is not releasing the funds to Better Housing for Tompkins County so she has been advised to obtain a loan. Staff needs to redraft the resolution to account for the change. In this matter, staff requests the Board to consider waiving the permit application fee.

Mr. Burbank moved to waive the permit application fee; seconded by Mr. McKee; and carried unanimously.

**Adjournment:** At 1:35 p.m. Dr. Macmillan adjourned the meeting.