

**CHEMUNG COUNTY BOARD OF HEALTH**  
**MINUTES**  
**September 26, 2006**

**PRESENT:** Mary Ann Baker, RN Paul Shore, DDS  
William G. Howard, MD Charles Gedatus  
Thomas Curran, DDS Robert Lambert, MD

**ABSENT:** William Roe, PE

**OTHERS PRESENT:** Robert Page Lou Ann Corsi  
Thomas Kump Harry Shepard  
Dr. Ken Sobel

Prior to the meeting the CCBH received the following:

1. Agenda for September 26, 2006 CCBH Meeting
2. CCBH Minutes from July 25, 2006
3. Environmental Health Services Report for July & August 2006
4. Dental Statistical Summary for July 2006
5. Memo from Mr. Page Regarding Meetings Schedule
6. Public Health Threat Prophylaxis Priority Groups Plan
7. Hearing Officer Recommendation – Kwik Fill/Horseheads
8. Hearing Officer Recommendation – Gardner & Company

Items distributed during the meeting:

9. Budget Status Report – August 2006
10. Clinic Services Report 9/26/06
11. Report on Dental Management of Patients Receiving Oral Bisphosphonate Therapy

Dr. Howard called the meeting to order at approximately 7:30 PM. He also recognized and welcomed Dr. Ken Sobel to the CCBH. Although he is not officially a member, action is planned for later in the meeting to make the recommendation to the Chemung County Legislature to appoint Dr. Sobel to the CCBH.

**1. APPROVAL OF MINUTES**

**RESOLUTION:** A motion was made by Ms. Baker and seconded by Mr. Gedatus that the minutes of the June 27, 2006 and July 25, 2006 Board of Health meetings be approved and/or accepted. Motion approved.

**AYES:** Mary Ann Baker, RN Paul Shore, DDS  
William G. Howard, MD Charles Gedatus  
Thomas Curran, DDS Robert Lambert, MD

**NAYS:** None

**ABSENT:** William Roe, PE

**2. FINANCIAL REPORT**

Harry Shepard commented that the Budget Status Report for August 2006 that was distributed during the meeting had nothing out of the ordinary in it. There were no questions for Mr. Shepard.

**3. SERVICE REPORTS**

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- A. ENVIRONMENTAL HEALTH SERVICES** – Thomas Kump had nothing else to add to what was presented in the July and August 2006 reports that were included in the mailing. Dr. Lambert questioned if the CCBH could receive a copy of the new algorithm that was prepared to assist with human rabies immune globulin (HRIG) administration decisions. Mr. Kump said that a copy will be included in the next mailing and that he would work on a special page on the health department website for health care providers to refer to regarding rabies treatment.
- B. PUBLIC HEALTH NURSING** – Lou Ann Corsi commented that the September 26, 2006 clinic services statistical summary that was handed out at the meeting included nothing remarkable. Visits have been up in homecare. The tuberculosis cases appear to be down, but it is thought to be a “false” low due to the change in addressing county jail inmates. There is also going to be a decrease in the number of HIV post-test visits reported since the new tests that have been used are able to be evaluated while the patient waits.
- C. DENTAL CLINIC** – Mr. Page referred to the statistical summary report that was included in the mailing. There is no significant change in the data, no major operational issues, and pretty much it is business as usual. Dr. Curran mentioned that he was requested by a dentist in the clinic to review a protocol to be used for certain patients that have used certain medications or treatments that have been associated with cases of bisphosphonate-associated osteonecrosis of the jaw (BON). Although it is considered to be a small percentage of the population that have experienced this problem, Dr. Curran wondered whether a policy should be developed to either not treat these patients or to share the information with the patient and receive informed consent to proceed with dental procedures. A handout was distributed to further illustrate this problem and to provide background information. No action of the CCBH is requested at this point in time.

**OLD BUSINESS**

- 1. REPLACEMENT FOR DR. MOORE** – Dr. Howard reported that Dr. Ken Sobel of Southern Tier Pediatrics has been asked to replace Dr. Moore on the CCBH. A resolution shall be made by the CCBH to offer a recommendation to the Chemung County Legislature to appoint Dr. Sobel to fill the vacancy created with the retirement of Dr. Moore from the CCBH.

RESOLUTION: A motion was made by Dr. Curran and seconded by Dr. Lambert that the Chemung County Board of Health recommend to the Chemung County Legislature that Dr. Ken Sobel of Southern Tier Pediatrics be appointed to the vacant board position that was created with the retirement of Dr. Ralph Moore from the board. Motion approved.

**AYES:** Mary Ann Baker, RN Paul Shore, DDS  
William G. Howard, MD Charles Gedatus  
Thomas Curran, DDS Robert Lambert, MD

**NAYS:** None

**ABSENT:** William Roe, PE

- 2. PARK STATION UPDATE** – Mr. Kump updated the CCBH on the status of Park Station. He met with the County Executive and Deputy County Executive to outline suggestions for further study that can be conducted relative to the contamination problems at Park Station Lake. An extensive sanitary survey of the watershed feeding Park Station Lake will be spearheaded by Mark Watts of the Chemung County Soil & Water Conservation District in cooperation with the Chemung County Health Department. Also, the Chemung County Sewer District has offered to provide assistance in testing the on-site wastewater treatment system. They have offered to conduct leak tests on the waste transportation pipes and to conduct video inspections to look for leaks and/or failures in the pipe. This work is expected to be completed this fall.

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**NEW BUSINESS**

1. **E. COLI INVESTIGATIONS** – Mr. Page provided an update on the national E. Coliform outbreak associated with raw spinach that has impacted us locally. Thus far there have been 2 confirmed cases of E. Coli in Chemung County associated with spinach consumption. There have been no more locally reported cases. The latest national figures show 183 cases confirmed so far and one death. The local patients seem to have recovered. A CCBH member commented that the evening news reported that we may see spinach back on the shelves locally as soon as this Thursday, but the spinach will not be from California where it is suspected that the contaminated spinach originated.
2. **VACCINE PRIORITIZATION PLAN** – Mr. Page referred to the plan that was included in the mailing. It is entitled “Public Health Threat Prophylaxis Priority Groups”. This was prepared by the Chemung County Public Health Emergency Preparedness Committee in conjunction with the pandemic influenza planning that has been going on. However, this plan can be utilized for any type of prophylaxis that might be needed, not just Pandemic Flu. This plan prioritizes who would receive prophylaxis prior to acquiring an illness and does not apply to individuals that have already become ill. It is requested that the CCBH endorse this plan with the understanding that the CDC and/or NYSDOH may come out with guidelines or requirements that contradict this plan meaning that the plan would have to be modified to reflect the latest state or federal requirements.

**RESOLUTION:** A motion was made by Dr. Lambert and seconded by Ms. Baker that the Chemung County Board of Health adopt the vaccine prioritization plan prepared by the Chemung County Public Health Emergency Preparedness Committee with the understanding that the CDC and/or NYSDOH may come out with guidelines or requirements that contradict this plan meaning that the plan would have to be modified to reflect the latest state or federal requirements. Motion approved.

**AYES:** Mary Ann Baker, RN Paul Shore, DDS  
William G. Howard, MD Charles Gedatus  
Thomas Curran, DDS Robert Lambert, MD

**NAYS:** None

**ABSENT:** William Roe, PE

3. **PANDEMIC FLU PREPAREDNESS** – Mr. Page reported on the many activities that have been occurring in the area of emergency preparedness.
  - A. **PLAN** – Interest in this topic seems to have dropped off from the media, but we have all been very busy in completing state-mandated deliverables related to pandemic flu preparedness. Our county has been part of a Western Region coalition in working on the development of plan. Ms. Corsi has done a tremendous job with pulling it all together and getting it in a workable format. Much to our surprise, the NYSDOH and NYSEMO came out with a pandemic flu response plan template toward the end of August. Unfortunately our plan was already completed. Now that the plan has been submitted for state review, our focus will be on community education.
  - B. **COMMUNITY EDUCATION** – The next major education effort will be through BOCES who is bringing together key representatives from each school in Chemung County to a workshop to not only present basic information on pandemic flu, but to also outline specific areas of focus that need to be addressed by the schools. The NYSDOH and NYSED will continue to work together to develop guidance on information that needs to be disseminated to the public.

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- C. P.O.D. DRILL** – A POD (Point of Dispensing) drill is being planned for November 22, 2006 at Elmira Free Academy. For this drill, we will be obtaining free flu vaccine from NYSDOH and will administer it to the public. We will still be having our regular flu clinics so it is important to note that this will not simply be another flu clinic, but more appropriately a drill to test our ability to provide mass vaccinations. It will be handled quite differently to test our ability to vaccinate a lot of people in a very short time. We are planning on being able to provide 1,000 doses of vaccine in a matter of 2 hours. Ms. Corsi is working on the application to the NYSDOH to obtain the vaccine. The application process is quite extensive and detailed. Mr. Kump will be the Planning Director for the drill and Mr. Michael Smith, Director of the Chemung County Emergency Management Office will be the Logistics Director. We will be required to use the NIMS (National Incident Management System) and to set-up an EOC (Emergency Operations Center).
- 4. ANNUAL DISEASE STATISTICS** – Ms. Corsi reported that this report was included in one of the packets distributed during the summer and was the usual information that is shared with the CCBH. The numbers seem to be pretty consistent with prior years and there were no real surprises.
- 5. BOH MEETING SCHEDULE** – Dr. Howard referred to the correspondence in the CCBH mailing related to a proposal to change the CCBH By-Laws relative to meetings. Attendance by members at meetings this year has been somewhat problematic with a lack of a quorum for at least two meetings. Dr. Curran suggested that a process could be put in place to e-mail CCBH members in advance of a meeting to determine whether a quorum of the membership would be able to be present. A list was circulated for members to provide their e-mail addresses so that this new procedure could be implemented. It was suggested that regular meetings be held on the 4<sup>th</sup> Tuesday of January, March, May, July, September, and the first Tuesday in December. In the other months, if there is business that requires action by the CCBH, the board could be surveyed to see if they are able to meet in special session.

**RESOLUTION:** A motion was made by Dr. Lambert and seconded by Mr. Gedatus that the Chemung County Board of Health consider a resolution at the next regular CCBH meeting to amend the CCBH By-Laws, Article Four, whereas the current By-Laws state that “the Board of Health shall meet monthly and the President of the Board may schedule special meetings”, the proposed wording shall be that “the Board of Health shall meet on the 4<sup>th</sup> Tuesday of the months of January, March, May, July, September, and on the 1<sup>st</sup> Tuesday of December, and that the President of the Board may schedule special meetings in the intervening months for urgent matters requiring the action of the Board”. Motion approved.

<b>AYES:</b>	Mary Ann Baker, RN William G. Howard, MD Thomas Curran, DDS	Paul Shore, DDS Charles Gedatus Robert Lambert, MD
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**NAYS:** None

**ABSENT:** William Roe, PE

- 6. HEARING – KWIK FILL (ATUPA)** – Hearing Officer Shepard referred to the report included in the CCBH mailing relative to a hearing that was held on September 7, 2006 with *United Refining of Pennsylvania* doing business as *Kwik Fill #A0032* on North Main Street in Horseheads, New York. The allegations made by the CCHD were outlined as well as the respondent’s response to those allegations. A Stipulation Offer of \$350.00 (\$300 penalty and \$50 State surcharge) was declined by the respondent. Mr. Shepard recommends that a fine of \$550.00 (\$500 penalty and \$50 State surcharge) be levied against the respondent for the sale of a tobacco product to a minor.

**RESOLUTION:** A motion was made by Dr. Lambert and seconded by Dr. Shore that, based upon the findings of the Board-appointed Hearing Officer, a \$500 fine and \$50 State surcharge be ordered against United Refining of Pennsylvania d/b/a Kwik Fill #A0032 for the violation of selling a tobacco product to a minor in violation of New York State Public Health Law. Motion approved.

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**NAYS:** None

**ABSENT:** William Roe, PE

- 7. HEARING – GARDNER & COMPANY (SEWAGE SYSTEM)** - Hearing Officer Shepard referred to the report included in the CCBH mailing relative to a hearing that was held on September 13, 2006 with Gordon Gardner d/b/a Gardner & Company, Big Flats, New York. The allegation made by the CCHD that the respondent installed a septic system without a permit from the CCHD was outlined as well as the respondent's response to those allegations. A Stipulation Offer of \$250.00 was declined by the respondent. Mr. Shepard recommends dismissal of the action as there is enough ambiguity in the code and the accepted local practices that the respondent may have complied with regulatory requirements upon completion of initial investigative activities.

**RESOLUTION:** A motion was made by Dr. Curran and seconded by Dr. Lambert that, based upon the findings of the Board-appointed Hearing Officer, the action brought against Gordon Gardner be dismissed. Motion approved.

**AYES:** Mary Ann Baker, RN Paul Shore, DDS  
William G. Howard, MD Charles Gedatus  
Thomas Curran, DDS Robert Lambert, MD

**NAYS:** None

**ABSENT:** William Roe, PE

With no further business to conduct, Dr. Howard adjourned the meeting at approximately 8:55 PM

Dr. Howard also suggested with the consent of the Board that the meeting be adjourned to December 5, 2006 unless urgent action is required of the Board prior to that date, in which case a meeting will be scheduled at the convenience of a majority of the Board.

**Next meeting:** **Board of Health Meeting  
December 5th, 2006 @ 7:30 PM  
at CCHD Conference Room**