

Chautauqua County Board of Health
MINUTES

Meeting Date/Time: Thursday, January 18, 2018 @ 6:00 p.m.
Location: HRC Bldg., 4th floor conference room, Mayville
Scribe: Sherri Rater

ATTENDANCE:

BOH Members	P/A		P/A	Others Present	Title
Tom Erlandson	P	Mark Tarbrake	P	Dr. Berke	County Physician
Dr. Tallett	A	Dr. Ney	P	Christine Schuyler	Public Health Director/Secretary
Dr. Hewes	P	Dr. Khan	P	Kristen Wright	Assistant County Attorney
Natasha Souter	P			Bill Boria	Environmental Health, Senior Water Resource Specialist
				Sherri Rater	Administrative Assistant to Public Health Director
				Breeanne Agett	Epidemiology Manager
				Wendy Douglas	Director of Patient Services

Call to order	The meeting was called to order by Vice President Tom Erlandson at 6:00 p.m.
Privilege of the Floor	None
Approval of Minutes from October 19, 2017	Minutes were approved by Mark Tarbrake, 2 nd by Dr. Ney, all in favor.
New Board Member	Today we welcome Dr. Tariq Khan as our newest member to the Board of Health. Dr. Khan is a pediatrician in Jamestown.
Election of Officers	Dr. Ney nominated the current Vice President, Tom Erlandson for president. Mark Tarbrake moved to nominate Dr. Ney for the position of Vice President. Motion approved by Dr. Hewes, 2 nd by Natasha Souter, all in favor. Christine Schuyler notes that we are still waiting for the County Executive to appoint a representative member of the legislature, preferable someone from the Human Services Committee. We should have a nomination next month.
Review of Bylaws	A few changes were suggested with the most significant being from article II, section I. After much discussion it was agreed to some minor changes. A motion was made to accept the totality of the bylaws as revised by Natasha Souter, 2 nd by Mark Tarbrake, all in favor. A copy of the revised bylaws has been attached to the minutes.

<p>Agreements to Settle</p>	<p>Bill Boria reviewed the agreements to settle.</p> <ul style="list-style-type: none"> • Section one, Violation of Par 5-1, Section 5-1.5(b) Table 11 of the NYS Sanitary Code Respondent as supplier of public water, failed to submit results of Microbiological Minimum monitoring requirements for the said public water supply <ul style="list-style-type: none"> ○ There were five violations all of which settled. • Section two, Violation of Part 5-1, Section 5-1.72 of the New York State Sanitary Code – respondent, as supplier of public water, failed to submit results of Chlorine monitoring for said public water supply. <ul style="list-style-type: none"> ○ There were six violations, all of which settled <p>Establishments have to report drinking water on a regular basis by monitoring disinfection levels daily and submit them monthly. Establishments also have to monitor for bacteria and have to monitor monthly or quarterly depending on the size of the business.</p> <ul style="list-style-type: none"> • Section three, Violation of Article 13-E, Section 1399, of the New York State Public Health Law – in that the respondent permitted indoor smoking of cigarettes. <ul style="list-style-type: none"> ○ There was one establishment found in violation and it has settled. • Section four, Article III, Section 1 of the Sanitary Code of the Chautauqua County Health District – respondent accepted transfer of property without the examination and issued certification by the Public Health Director, for the water supply and/or sewage disposal system serving the property. <ul style="list-style-type: none"> ○ There were eleven. Seven have settled and four will be personally served with paperwork. ○ There are about 500 property transfers per year. The number of violators is low considering the volume of transfers that Chautauqua County incurs on an annual basis. Boria explains that the Department is currently notified by searching the property transfers from the County Clerk’s tax maps and comparing them to water sewage surveys. Most of the transfers that go unreported are cash or land contract deals. <p>We recently had a frequent offender that was not paying his fines. The offender is a property owner who rents subsidized housing. The subsidized housing is paid to him through the Fiscal Division of the Department. We entered an agreement with the offender to use his subsidy to pay down his fines. This is a unique way that the Department has found to collect funds owed from violators.</p>
<p>Director’s Report</p>	<p>-Schuyler reports on the current Public Health vacancies. In Environmental Health we have one sanitarian, a public health technician and one clerical position that are in the process of being refilled. Nursing is still hiring for the jail. Currently the Nursing Division has two part time RPNs and one LPN to fill as well as one resource assistant and a clerk.</p> <p>-We received a two year extension to our Family Planning grant. The NYSDOH stated this is due to uncertainty at the federal level. They want to see us increase volumes at our own Family Planning Clinics. New this year, we are permitted to subcontract for some of the clinical services and this will help us build sustainability throughout the community.</p> <p>-We have become a Health Home Care Coordination Provider for children within our Early Intervention Program. By doing this, we will receive a considerably higher pay rate than what we receive for EI Service Coordination alone. This is necessary especially when working closely with children in foster care.</p> <p>-State Budget: Despite efforts by NYSACHO to increase Article 6 Public Health State Aid and base grants,</p>

	<p>Governor Cuomo has proposed to maintain Article 6 Public Health State Aid at 36% of salaries (no fringe benefits) and maintain base grant amounts. The Governor's proposal is to take 30 separate line items and put them into four categories which would be disease prevention, maternal child health, health workforce and health outcomes and advocacy programs and then cut it by 20%. Last year our public health programing was cut by 20%.</p> <ul style="list-style-type: none"> -Printed copies of the Sanitary Code were distributed. The Sanitary Code is available to view on our website as well. -Wendy Douglas reports that state grants have been cut consistently by 10-20% and deliverables are up have only increased. We are being asked to do more with less. -Current funding for our Maternal and Infant Health Programs through NYS DSRIP is slated to decrease or be eliminated. The programs are critically important and other sources of funding will be sought.
<p>Open Floor</p>	<ul style="list-style-type: none"> -Bill Boria reports that Governor Cuomo has allocated \$65M to address harmful algae blooms in 12 lakes in the state. Chautauqua Lake is one of those lakes. Initially \$500,000 will be allocated to each lake to develop an action plan for harmful algae blooms. - Boria reports that Environmental Health needs to update its GIS computer system that stores nearly 18,000 records because the old GIS application is no longer available. The original quote was \$100,000 to purchase the software. A plan was developed with our County IT department to develop a program using internal staff that will allow us to upgrade for around \$30,000, saving the county \$70,000. -Boria updated the Board on sewer projects <ul style="list-style-type: none"> -There will be an extension to the south and center sewer district that runs from Goose Creek to just past Stow which will include a number of private septics, one large campground and other commercial facilities. \$7.5M is needed in grant funds for this project. So far we have secured \$5M. If the remaining \$2.5M is not secured in 2018, the \$5M already secured may be lost. -Chautauqua Lake wastewater treatment plants which include South and Center, Chautauqua Institution, North Chautauqua Lake Sewer District and Chautauqua Heights Sewer District are investing \$17M into upgrading their plants. -Findley Lake has voted down the formation of a sewer district so we are moving aggressively into our mandatory septic system inspection program in this area. -The Town of Ripley will get funding to extend sewers from Shortman Road to Route 5 to the PA state line. It will pick up a number of private homes, a campground and other businesses. Erlandson adds that there is a health benefit to public sewerage in that we are eliminating the possible risk to homeowners from contaminating their or their neighbor's drinking water with private septic. Berke adds that there is an economic benefit as it could attract new homes and businesses to come to the area. -Breeanne Agett gave a presentation on STDs tracked by NYS. Currently NYS tracks syphilis, gonorrhea and chlamydia. Chautauqua County's syphilis rates are lower than average. We ranked 3rd in gonorrhea and in the 4th quartile among the state. Chlamydia is the second most common communicable disease in the county that's reportable to New York State. We see about 503 cases a year on average. We saw a 32% increase among 15-19 year olds from 2010-2016 and a 186% increase among 30-39 year olds during the same time period. Frewsburg, Dunkirk and Jamestown schools more than doubled their rates. The burden of Chlamydia is among females; however our male population has a higher rate of Chlamydia than the rest of the state. NYS DOH looked at Chlamydia infections in children ages 10-19 from 2012 -2014 in school district throughout NYS. For

	<p>each school district they compared the rate of Chlamydia among females ages 10-19 in school districts throughout the state with the state average. In our county there are three schools that have more than doubled the number of expected cases. Frewsburg, Dunkirk and Jamestown had at least twice the number of expected cases of Chlamydia among females. Forestville, Falconer, Southwestern, Cassadaga Valley and Silver Creek had a rates ranging from 120-200% increase of expected cases. Schuyler notes that this data is compelling and states that within the past two weeks the Department has been in contact with Dunkirk, Jamestown and Falconer schools to discuss the data and brainstorm initiatives to prevent the spread of disease. All three districts are very receptive to being proactive. Dr. Khan indicates he feels the disease may be spreading more due to an increase in females having multiple male partners at one time. It was noted that Dunkirk, Jamestown, Falconer, Frewsburg and Westfield schools all have higher pregnancy rates. Dr. Khan states the pregnancy rates are not as high as the STD rates. Much discussion was had regarding sex education in the schools. Dr. Berke indicates that in 1982 Chautauqua County ranked third highest in the state for teen pregnancy. At that time programs were implemented and the rates dropped. Since then there has been less of a push and the Project Know project is outdated, therefore contributing to the increase in unprotected sexual activity. Discussion was had regarding Hepatitis C and the correlation of that with the ongoing drug epidemic. Dr. Berke indicates that most of the positive Hepatitis C cases that he sees in his office are linked to drug use. Concerns were discussed regarding early pregnancy screening for Hepatitis C and drug use in an effort to prevent infection of Hep C to the newborn and to try to get help for the patient so that they can overcome their drug addiction and allow their newborn to have less complications and withdrawal symptoms at birth. Schuyler will draft a recommendation for the board to review recommending providers test prenatally early on for Hep C and drug use and that all women and newborns be tested again at the hospital at time of delivery.</p> <p>-The Board also recommended that staffing levels be maintained as critical public health work must be done and we must have the workforce to do it. A letter of recommendation for the County Legislature to maintain staff at its current level will be drafted by Schuyler.</p>
2018 Board meeting dates	April 19, 2018, July 19, 2018 and October 18, 2018
Adjournment	Motion to adjourn by Natasha Souter, 2 nd by Dr. Khan @ 7:58 p.m.



CHAUTAUQUA COUNTY BOARD OF HEALTH

TOM ERLANDSON
President

CHRISTINE SCHUYLER
Secretary

BYLAWS

ARTICLE I. NAME AND PURPOSE

Section I. Name: The name of this organization shall be the Chautauqua County Board of Health.

Section II. Purpose: Pursuant to Chautauqua County Administrative Code Section 5.02A the purpose of the Board shall be to formulate, promulgate, adopt and publish rules, regulations, orders and directions for the security of life and health in the Chautauqua Health District, under provisions of New York State's Public Health Law.

ARTICLE II. MEMBERSHIP

Section I. Membership: Membership on the Board shall be in accordance with the requirements of Section 5.02A of the Chautauqua County Administrative Code and Sections 343 and 344 of the New York State Public Health Law, the terms of which are incorporated herein by reference. Pursuant to those provisions the Board shall be composed of nine members appointed by the County Executive and confirmed by the County Legislature for six-year terms, with the term of one of the members expiring annually; except that the term of office of the legislative representative shall be for such lesser period as may be required in the event that such representative does not continue as a Legislator. The Board shall include at least one member from the board of legislators, three physicians licensed to practice in New York, a member from each city in the health district and three members at large. Board members must be residents of the health district.

ARTICLE III. COMPENSATION, POWERS AND DUTIES OF THE BOARD

Section I. Compensation, powers and duties: The compensation and expenses allowable to each member of the Board, and each member's powers and duties, are set forth in Sections 345 and 347 of the New York State Public Health Law and in Chautauqua County Resolution 24-80.

ARTICLE IV. OFFICERS

Section I. Election of officers: The Board shall elect annually from among its members a President and a Vice President as its governing officers. Pursuant to the authority granted to the Board by Section 350 of the New York State Public Health Law, the Director of Health & Human Services, as Public Health Director, (herein referred to as Director) is designated to act as the Board's Secretary without extra compensation.

Section II. Qualifications: The President and Vice President shall be members of the Board who have been duly appointed members for at least one (1) year. The President's and Vice President's terms of office shall each be limited to three (3) consecutive years.

Section III. Month of election: Election of officers will take place at a regular January meeting.

Section IV. Month of installation: Installation of officers shall occur at the end of the regular January meeting.

Section V. Duties of the President: The President shall be empowered to preside at all meetings of the Board. The President is empowered to call special meetings of the Board. The President shall, at his or her discretion, appoint the members of all standing Committees. Such appointments shall be for the remainder of the President's term. The President will serve as an ex-officio member of all Committees except the Nominating Committee.

Section VI. Duties of the Vice President: The Vice President shall be empowered to act in place of the President in the conduct of regular or special Board meetings at the designation of the President. In the event the President is unavailable to perform his or her duties, the Vice President shall be empowered to perform the duties of the President. When so empowered, the Vice President shall have the President's full responsibility and authority for the time so empowered, except that all Committee appointments must be with the approval of the President.

In the event the President resigns, is impeached, or otherwise ceases to act as President, the Vice President will automatically assume the office of the President of the Board for the remainder of the President's term of office. The Vice President shall, immediately on assuming such office, appoint a Nominating Committee for recommendation of a member to fill the remaining term in the vacant position of Vice President. The vacated office shall be filled by special election no more than thirty-one (31) days after the office is vacated.

Section VII. Duties of the Secretary: The Secretary is responsible for creating and maintaining accurate and complete notes of all transactions at regular and special meetings of the Board. The Secretary is also responsible for creating and maintaining a transcript of the minutes of all meetings and mailing or delivering them to each member of the Board at least seven (7) days prior to the next regular meeting of the Board, unless such meeting has occurred within seven (7) calendar days of the next regular Board meeting, in which case the minutes shall be provided at the next regular Board meeting.

Section VIII. Impeachment: In the event an officer's behavior, in performing the duties of office or otherwise, is not in the best interests of the Board, the officer may be removed by impeachment proceedings. Impeachment proceedings may be initiated by any member of the Board of Health at any regular or special meeting.

The Board member seeking impeachment shall submit written charges against the officer to all members of the Board. The officer subject to impeachment shall have the opportunity to respond to such charges in writing, by submitting a written response to all members of the Board. A vote shall be taken only after a reasonable period of time has elapsed to permit the members of the Board to review the charges and any response thereto. Vote shall be by secret ballot. The results of the vote shall be tabulated by the Secretary and by a non-officer member of the Board. The proponent of the impeachment motion and the member seconding such motion may not tabulate the results of the vote.

ARTICLE V. MEETINGS

Section I. Regular meeting dates: Meetings of the Board shall be held on such dates and at such times as determined by the Board at a regularly scheduled meeting, except that the

Board shall meet at least once every three months. The President may call a special meeting at such time as the President deems necessary, provided that appropriate notice of the meeting time, place and agenda is made available to the other members and to the public in accordance with all applicable provisions of the Open Meetings Law.

Section II. Special meeting dates: Special meetings may be called only by the President of the Board on petition of any members of the Board, the Director or, in the event of the Director's absence, by the Director's duly authorized representative. The person calling the special meeting must provide each Board member with at least three (3) days advance written notice of the meeting.

Section III. Meeting agendas: The Secretary shall submit in writing to each Board member an agenda of all significant items to be discussed at any meeting of the Board. Such agenda shall be mailed or delivered to members of the Board at least seven (7) days prior to a general meeting, and at least three (3) days prior to a special meeting.

Section IV. Quorum: A quorum for the conduct of business at any meeting shall be five (5) members, which represents a simple majority of the number of appointed members of the Board as required by Section 41 of the New York State General Construction Law. An "aye" vote of five (5) members is required for enactment of all motions coming before the Board and for the exercise of any power, authority or duty by the Board.

Section V. Conduct of meetings: The rules contained in the "Roberts Rules of Order Newly Revised" shall govern the conduct of all meetings of the Board, to which they are applicable, except to the extent they may be inconsistent with these By-Laws or applicable statutes, laws, rules or regulations.

Section VI. Resignation: Any member who fails to attend fifty percent (50%) of the meetings without being excused by the President shall be deemed to have resigned his or her membership. Excuses for missed meetings shall promptly be filed with the Secretary of the Board.

ARTICLE VI. POLICIES OF THE BOARD

Section I. Laws and regulations: The Board subscribes to and is bound by New York State Public Health Law, the New York State Code of Rules and Regulations, the Sanitary Code of the Chautauqua County Health District, and New York State Open Meetings Law.

Section II. Enforcement: The enforcement of the Health laws, rules, and regulations, including but not limited to those contained in the County Sanitary Code, and of all regulations, orders, directions and ordinances of the Chautauqua County Board of Health and the New York State Department of Health is the responsibility of the Director of the County of Chautauqua to the full extent of his or her powers, with the assistance, when necessary, of the office of the County Attorney, the New York State Department of Health, the New York State Department of Environmental Conservation, and the State Attorney General's Office.

Section III. Compliance: It is the policy of the Board to solicit voluntary compliance with all applicable laws, rules, regulations, orders, directions and ordinances. In the event of failure of voluntary compliance, the Board will hold Public Hearings and will, if necessary, issue orders mandating compliance. Such hearings may be conducted by a Hearing Officer appointed by the Board. The Director may exercise all powers granted under New York State Public Health Law, New York State Regulations, and the Chautauqua County Charter and Administrative Code to ensure compliance with any and all provisions of the County Sanitary Code, or applicable New

York State Public Health Law and Regulations. Respondents who fail to pay fines imposed by Order of the Board of Health may be turned over to a collection agency by the County Department of Health & Human Services, Public Health Division, Environmental Health unit.

ARTICLE VII. RESPONSIBILITY OF THE DIRECTOR TO THE BOARD

Section I. Secretary: The Director shall also act as Secretary to the Board as defined in Article IV, Section I.

Section II. Department of Health activity: It is the responsibility of the Director to keep the Board advised at regular intervals of the activities of the Local Health Department preferably, but not necessarily exclusively, at Board of Health meetings. The Director shall submit such written reports of departmental activity as may be required or requested by the Board, so that the Board may make an assessment of the adequacy of its policies and the effectiveness of the local health department in carrying out its duties.

Section III. Budget: The Director shall submit appropriate budgetary information to the Board for their review and approval prior to submission to the County Legislature for its adoption and appropriation.

Section IV. General policy: It is the policy of the Board to encourage complete and frank communications between the Director, the Director's division heads and the Board to ensure the continuance of an intensive effort toward the maintenance and improvement of the health of the residents of the County of Chautauqua.

ARTICLE VIII. REVIEW OF AMENDMENTS TO THE BYLAWS

Section I. Review: Bylaws shall be reviewed annually at a regular January meeting.

Section II. Adoption of changes: Amendments to the Bylaws may be made at a regular meeting of the Board. Adoption of any change in the Bylaws requires approval by at least six (6) members, which represents a two-thirds majority of appointed Board members.

Adopted by the Chautauqua County Board of Health January 26, 2006
Revised and adopted by the Chautauqua County Board of Health January 17, 2013
Revised and adopted by the Chautauqua County Board of Health January 18, 2018