



CATTARAUGUS COUNTY BOARD OF HEALTH

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Public Health
Prevent. Promote. Protect.
Cattaraugus County
Health Department
Established 1923

Joseph Bohan, MD, President

Giles Hamlin, MD, Vice-President

Zahid Chohan, MD

Sondra Fox, RN, MSN, C.S.

Richard Haberer

Theresa Raftis

David L. Smith, Mayor

James Snyder, Legislator

Kathryn Cooney Thrush, NP, MSN

MINUTES March 6, 2019

The 873rd meeting of the Cattaraugus County Board of Health (BOH) was held at The Point Restaurant, 800 East State Street, Olean, New York on March 6, 2019.

The following members were present:

Dr. Joseph Bohan

Dr. Giles Hamlin

Sondra Fox, RN, MSN, C.S.

Richard Haberer

Theresa Raftis

Mayor David Smith

James Snyder, Legislator Chair

Kathryn Cooney Thrush

Also present were:

Kevin D. Watkins, MD, MPH, Public Health Director

Dr. Gil Witte, Medical Director

Wendy Peterson, Assistant County Attorney

Barb Hastings, Legislator

Donna Vickman, Legislator

Rick Miller, Olean Times Herald

Raymond Jordan, Sr. Public Health Sanitarian

Colette Lulay-Pound, Administrative Officer

Lynne Moore, Director of Patient Services

Dave Porter, Hearing Officer

Eric Wohlers, Environmental Health Director

The meeting was called to order by Dr. Joseph Bohan. The roll was called and a quorum declared. Legislator Snyder, Sr. made a motion to approve the minutes of the BOH meeting held on February 12, 2019, it was seconded by Theresa Raftis and the motion was unanimously approved.

A motion was made by Dr. Hamlin to approve the minutes of the Professional Advisory meeting held on January 16, 2019, it was seconded by Sondra Fox and unanimously approved.

DIRECTORS REPORT: Dr. Watkins reported during the week ending February 23rd influenza activity was categorized as geographically wide spread, which is the 11th consecutive week of widespread activity.

There were 9,561 laboratory confirmed influenza reports in New York State (NYS) which is a 2% increase over the week prior to February 23rd. Of the (99) specimens that were tested at Wadsworth center (85) were positive for influenza. (42) were influenza A(H1N1), (38) were influenza A(H3N2), and (5) were influenza A(not subtype). The number of patients hospitalized with laboratory confirmed influenza in NYS was 1,354 and that's a 0.1% increase over the week prior to February 23rd. There have been (4) influenza associated pediatric deaths in NYS reported this season. Cattaraugus County has reported a total of (149) laboratory confirmed cases of influenza, (145) were influenza A, and (4) were influenza B.

An interim report released by the Center of Disease Control and Prevention (CDC) on the 2018-2019 influenza vaccine effectiveness (VE) was handed out to those in attendance. Dr. Watkins reviewed the findings of (3,254) participants in this study. The overall effectiveness of the vaccine was 47% against both influenza A and influenza B which shows statistically significant protection. In the age groups of 6 months to 8 year olds and 18-49 year olds, the vaccine effectiveness was 61% and 37% respectively, which shows statistically significant protection for both age groups. However, there was no statistically significant protection observed in the age group > 50 year olds (VE=24%).

The strain that is currently most prevalent in the community now is influenza A(H1N1) when looking specifically at this strain, the overall VE for all age groups shows that the vaccine has a 46% protectiveness. Dr. Witte shared that as a person ages, their body does not respond as well to the stimulus provided by the influenza vaccine and a higher dose is needed in those who are 65 and older. Dr. Bohan asked how the numbers compare to last year. Dr. Watkins replied that last year, influenza A(H3N2) was the predominant strain and the vaccine did not hold up well against that strain. The 2017-2018 influenza vaccine overall effectiveness was 37%, but the VE against influenza A(H3N2), was only 22%. This year's vaccine seems to be a better match.

March is colorectal awareness month. In NYS colorectal cancer is one of the most frequently diagnosed cancers and the second leading cause of cancer deaths amongst men and women combined. Each year over (4,600) men and (4,700) women are actually diagnosed with colorectal cancer and about (1,600) men and (1,700) women in NYS will die from the disease. It is estimated that 1 in 20 people will develop colorectal cancer in their lifetime. A handout titled Cancer Incidence and Mortality for Cattaraugus County, 2011-2015 was provided to those in attendance. In Cattaraugus County, the average annual incidence of colorectal cancer for men is 21.2 compared to women which is 25.2. The annual number of deaths for colorectal cancer in Cattaraugus County is 8 for men and 7 for women. The incidence rate is higher for women but the death rate is higher for men. The colorectal screening rate in Cattaraugus County is amongst the lowest in NYS, it ranges from 53.70% ≤ 66.90% compared to 74.7% ≤ 84.3% for counties with the best screening rates. A map of the screening rates for colorectal cancer by counties were distributed to those in attendance. Some of the risk factors associated with colorectal cancer include increasing age, family history, certain hereditary diseases, personal health history, obesity, physical inactivity, diet, and lifestyle factors (long term smoking and alcohol consumption). With the assistance of Senator Young, in November 2018, the department received a \$50,000.00 cancer prevention funding grant from NYS Department of Health, to conduct a five month cancer prevention campaign on breast, cervical, and colorectal cancer. The department has placed ads on cable TV, radio, social media, in newspapers, movie theatres, and print material.

NURSING DIVISION REPORT: Mrs. Moore reported that there were (101) homecare admissions for February and that the patients appeared to require more nursing care than usual.

The lead program is following (68) children with elevated blood lead levels between 5ug/dl and 35ug/dl (normal < 5ug/dl). There were (5) children added to the program in February, the highest blood lead level was 10ug/dl. Nine children were tested at the point of care WIC clinics in Delevan, Salamanca, and Olean and none of those children had elevated blood lead levels.

Lead education and information was provided at point of care WIC clinics, and the food pantry in Olean. The program is applying for a \$25,000 grant which would be used for additional Environmental Protection Agency (EPA) certified training.

The clinic supervisor is being replaced, and that position has been accepted by Barb Parish, Supervising Community Health Nurse.

Shawna Trudeau, immunization nurse, and Lynne Moore, Director of Patient Services, will be attending the 2019 Statewide Immunization Training next week in Saratoga Springs.

Influenza vaccines are still being given, (44) doses were administer in February.

Reportable communicable diseases included (1) case of invasive strep group B, (1) case of campylobacter and (6) cases of chronic hepatitis C.

Sexually transmitted diseases included (14) cases of chlamydia, (2) cases of gonorrhea, and (2) cases of syphilis.

A resident awoke to a raccoon in his home that bit him on his face, right arm, and hand. Apparently the raccoon entered his home through a pet door. The person required sutures to his face and follow-up rabies prophylaxis shots.

Dr. Bohan inquired about the influenza immunization rate for Cattaraugus County compared to other counties. Mrs. Moore stated that she will report back this information to the board next month.

A discussion was held regarding the recent news story of a student who at age 18 decided to catch up on his vaccines since his mother refused to vaccinate him as a child. Mrs. Vickman asked what repercussions could happen for an individual who got their immunizations so late. Dr. Watkins responded that he didn't believe that there would be any difference in the types of adverse effects associated with childhood vaccines occurring for an adult receiving those vaccines as an adult than there would be for a child receiving the same vaccines as a child, (pain, redness, tenderness, itching or swelling at injection site, headache, fever etc. which are all potential adverse effects). He stated, like a child, the late childhood vaccines would be given to an adult on a schedule and would not all be given at one time.

ENVIRONMENTAL HEALTH DIVISION REPORT: Mr. Wohlers reported that it is getting close to spring and this is the time of year that the department anticipates more activity of rabid animals as they are coming out of hibernation.

The department will seek permission to hire two health program aides for the upcoming mosquito surveillance program.

NYS Department of Health has indicated that they will be releasing the 2018 tick surveillance data for Cattaraugus County, and hopefully the information will be available for distribution at the next BOH meeting.

A brief update on the sewer district project at Lime Lake. There are only (35) cottages that still need to be connected to the sewer system which will be completed in the next two months.

Mr. Wohlers reported that he attended a town Board meeting in the town of Yorkshire. Last year the town was awarded an engineering planning grant from Lake Erie Protection Alliance, and they hired a consulting engineer to do a study, it looks very promising, and the project should score well in the grant process.

The Town of Great Valley also received a grant for an updated study that will hopefully lead to additional funding for public sewer in their area.

Last month the legislature approve a request for the creation of another public health sanitarian. Interviews will take place in March and hopefully the new hire will start in April.

Administrative Hearing 2-19-2019

Enforcement Report: Mr. Porter reported on Docket # 19-006:

Respondent: Cheyenne Lore, 28 Sheldon Street, Randolph, New York 14772.

Violations: Subsection 24.2.5 of the sanitary code of the Cattaraugus County Health District. Respondent failed to provide proof of a current rabies vaccination certification of the animal confinement verification for her dog to the Health Department following a biting incident.

Recommendation: That the respondent pay a \$150.00 fine and submit a completed confinement form and proof of rabies vaccination for her dog by March 30, 2019 to the CCHD. A \$10.00 per day per diem will be levied for every day not in compliance.

A motion was made by Dr. Hamlin, seconded by Mrs. Fox and unanimously approved.

Mr. Porter reported on Docket #19-008:

Respondent: Terry Grimes, 1517 Olean-Portville Road, Olean, New York 14760.

Violation: Section 11.8 of sanitary code of Cattaraugus County Health District. Failure to comply with conditions of a stipulation offer agreed to and paid for by respondent.

Recommendation: The Respondent construct and have inspected for compliance by CCHD an on-site waste water treatment system at 1517 Olean-Portville Rd., Olean, NY by 5-31-19. A \$10.00 per day per diem will be levied for every day not in compliance.

A motion was made by Mr. Haberer and seconded by Ms. Raftis and unanimously approved.

Mr. Porter reported on Docket #18-046: New evidence was recently presented, the docket will be discussed at next month's meeting.

Mr. Porter reported on Docket #19-001:

Respondent: Daniel Berry, 708 Irving Street, Olean, NY 14760.

Violation: Subsection 24.2.5 of the sanitary code of the Cattaraugus County Health District. Respondent failed to provide proof of a current rabies vaccine certification or the animal confinement verification form for his dog to the CCHD when directed following a biting incident.

Recommendation: Respondent pay a \$75.00 fine to the CCHD on or before 3-30-19 and furnish proof of rabies vaccination for his dog. Failure to be in compliance will result in a \$10.00 per day per diem to be levied for every day not in compliance.

A motion was made by Mayor Smith, seconded by Dr. Hamlin and unanimously approved.

Mr. Porter reported on Docket #19-003:

Respondent: Slovenian Club of Gowanda, Inc., 36 Palmer Street, Gowanda, N.Y., 14070. Dave Eastman appeared, cook.

Violation: Certified Food Protection Manager Training course not completed by 12-31-18.

Recommendation: The respondent pay a \$50.00 fine on or before 3-30-19. A \$10.00 per day per diem will be levied for every day not in compliance.

A motion was made by Legislator Snyder, and seconded by Ms. Raftis. The motion was carried with one abstention by Mayor Smith.

Administrative Hearing 2-21-19

Mr. Porter reported on Docket #19-012:

Respondent: Tang You Wen, New Lakeview Chinese Restaurant, Inc. 3042 W. State Street, Olean, NY, 14760.

Violations: State sanitary code subpart 14-1, 1.71 & 1.40(a) Food workers observed not washing their hands when contamination may have occurred. 1.42 & 1.43 9(a) Food not protected during storage, stored on floor and uncovered. 1.86 Large bowl of raw frozen chicken found thawing in standing water at room temperature in sink. 1.110(b,c) multiple food contact surfaces and utensils throughout kitchen not washed, rinsed and sanitized after contamination with raw foods. 1.143(c) Clean, individual single service towels and hand soap not provided at hand wash sink. 1.110(d) Non-food contact surfaces or equipment not cleaned when necessary. 1.170 & 1.171(a) Floors and walls throughout kitchen not cleaned when necessary.

Docket #19-012 (continued):

Recommendation: a.) That the respondent pay the following fines:

Category 1 critical violation (1)	\$150.00 repeat offense
Category 2 violations	(6) \$ 600.00 repeat offense
Category 2 violations	(4) \$ 200.00 1 st offense
	\$ 950.00 TOTAL

b.) Respondent pay the fine by 3-30-19 or a \$10.00 per day per diem will be levied until in compliance.

c.) The respondent has a Certified Food Manager and by strict adherence to the State Sanitary Codes the number of reportable violations should decrease.

After a discussion by the Board, the recommendation was as follows:

Recommendation: a.) That the respondent pay the following fines:

Category 1 (1) critical violation repeat offense	\$ 75.00
Category 2 (6) violations repeat offense	\$300.00
Category 2 (4) violations 1 st offense	<u>\$100.00</u>
	\$ 475.00 TOTAL

b.) Respondent pay the fine by 3-30-19 or a \$10.00 per day per diem will be levied until in compliance.

c.) The owner, You Wen Tang, enroll in a Certified Food Protection Manager Training course and pass the exam by May 31, 2019.

d.) For one year, New Lakeview Chinese Restaurant-permit to operate, be issued every quarter and the facility re-inspected before the end of each quarter.

e.) If full compliance is not met then the full fine of \$950.00 will be re-instated and certificate to operate will be revoked.

A motion was made by Ms. Raftis, seconded by Mrs. Fox and unanimously approved.

Three appeals were reviewed by the BOH members and discussion and recommendations were decided:

Appeal #1- Docket#18-039 Alice Ferguson (R & R Dude Ranch):

After discussion by the Board a motion to accept the appeal was made by Legislator Snyder, seconded by Mr. Haberer and unanimously approved.

Appeal #2-Docket #18-043 Todd Boser (Bonaview Mobile Park):

After much deliberation by the Board, a motion to deny the appeal was made by Mayor Smith, seconded by Ms. Fox and unanimously approved.

Appeal #3-Docket #18-045 Marie Hutchins (Woods at Bear Creek) After discussion by the Board, a motion to reduce the fine originally imposed of \$200.00 to \$100.00 to be paid by March 29, 2019 was offered by Legislator Snyder, seconded by Ms. Raftis and unanimously approved.

There being no further business to discuss, a motion to adjourn was made by Mr. Haberer and seconded by Mrs. Fox. and unanimously approved.

The next BOH meeting will be Wednesday, April 3rd, 2019.

Respectfully submitted,

Handwritten signature of Kevin D. Watkins, M.D. in blue ink.

Kevin D. Watkins, M.D., M.P.H.
Secretary to the Board of Health