

Chautauqua County Board of Health
MINUTES

Meeting Date/Time: Thursday, July 17, 2024 6:00 p.m.
Location: HRC 4th Floor Conference Room, 7 North Erie Street, Mayville, NY 14757
Scribe: Hannah Abram
YouTube Live Link: <https://www.youtube.com/watch?v=1P8RK8eGUGU>

ATTENDANCE:

BOH Members	P/A	BOH Members	P/A	Others Present	Title
Dr. Faulk*	P	Dawn Columbare	P	Jessica Wuerstle	Environmental Health Director
Matt Hanley	P	Kenneth Dahlgren	P	Sherri Rater	Administrative and Communications Coordinator
Rick Ketcham	P	Dr. Kidder	P	Dr. Berke	County Physician
Dr. Khan	E	Dr. Krahn	P	Hannah Abram	Administrative Aide, Board of Health Scribe
Lacey Wilson*	P	Dr. Pender	P	Betsy Dahlgren	
<i>*non-voting member</i>		Legislature Proctor	P		
		Mark Tarbrake	P		

Call to Order	The meeting was called to order at 6:02 p.m. by Kidder.
Privilege of the Floor	none
Approval of 5/16/24 Minutes	Krahn made a motion to approve the minutes with three amendments (correct the typo of “trigate” to “mitigate” in the Director’s Report and to add Dawn Columbare and Legislature Proctor’s names to the attendance sheet with an excused absence). 2 nd by Ketcham; all in favor; motion carried.
New Business: Waiver Request	Wuerstle brought a request for a waiver to the attention of the Board. The waiver was for a septic installation. The requestee is seeking to install a septic system with a leech bed for a dwelling without parceling. Upon reviewing the request, Pender made a motion to approve a variance; 2nd by Krahn; all in favor; motion carried.
Agreements to Settle	Agreements to settle were reviewed. As usual, there were several public water supply violations. These are facilities failing to submit their monthly water report. There was one ATUPA Violation discussed. Every facility that is a registered tobacco retailer must be inspected, and random checks with people under the legal age to purchase (21 years) occur. NYS first offense fee is a \$300 fine with a \$250 surcharge and points against the business license.
Hearing Officer Recommendations	<u>Hearing Summary:</u> 1. In the matter of Bemus 16 LLC Chautauqua Lakes Motel and Apartments, the Hearing Officer having determined that Respondent was properly served notice to appear, and upon Respondent’s failure to appear or request an adjournment, found Respondent in default and proceeded with the hearing <i>in</i>

	<p><i>absentia</i>. The Hearing Officer finds its owner Lacey Pearl failed to comply with the New York State Sanitary Code, Part 5, Subpart 5-1 in that they failed to submit the monthly operation report in a timely manner.</p> <p><u>Discussion Summary:</u> The Department noted that this is not the facility's first violation. The Board suggested raising the fine considering county resources to hold the Hearing and the Respondent's repeated violations. Ketchum recommended an additional warning letter with the maximum fine noted.</p> <p><u>Motion:</u> Ketchum moved to charge Respondent with a fine of \$555 to be paid within 90 days. 2nd by Columbare; all in favor; motion carried.</p> <p>2. In the matter of Patrick's Enchanted Smoke Shop, the Hearing Officer having determined that Respondent was properly served notice to appear, and upon Respondent's failure to appear or request an adjournment, found Respondent in default and proceeded with the hearing <i>in absentia</i>. The Hearing Officer finds its owner Matthew J. Rivera failed to comply with Article 13-F, Section 1399-cc of New York State Public Health Law, Chapter 45, in that an employee or agent of the Patrick's Enchanted Smoke Shop, sold tobacco paraphernalia to an individual under the age of twenty-one (21) years.</p> <p><u>Discussion Summary:</u> Ketchum again recommended an additional warning letter with the maximum fine noted.</p> <p><u>Motion:</u> Pender moved to accept the Hearing Officer's recommendation of \$300 plus the additional surcharge of \$250 within 90 days of the order. 2nd by Proctor; all in favor with one abstention.</p> <p>3. In the matter of The NF Ozone, INC, the Hearing Officer having determined that Respondent was properly served notice to appear for the hearing, and upon Respondent's failure to appear or request an adjournment, found him in default and proceeded with the hearing <i>in absentia</i>. The Hearing Officer finds its owner Nagi Fadel failed to comply with Article 13-F, Section 1399-cc of New York State Public Health Law, Chapter 45, in that an employee or agent of the The NF Ozone, INC, sold tobacco paraphernalia to an individual under the age of twenty-one (21) years.</p> <p><u>Discussion Summary:</u> The Board noted that this was a second violation and that 2 points could potentially be assigned to the facility's record and retained by the commissioner of taxation of finance based on the Board's decision.</p> <p><u>Motion:</u> Ketchum moved to accept the recommendation of the Hearing Officer, a fine of \$1000 and a surcharge of \$250 paid within 90 days. 2nd by Proctor; all in favor; motion carried.</p>
Director's Report	<p><u>New Board Member:</u> New Board member, Kenneth Dahlgren was formally introduced to the Board and his credentials and expertise were discussed. The Board is very enthusiastic to welcome Dahlgren.</p> <p><u>Sanitary Code:</u> The Human Services Committee members have expressed interest in supporting updates to the local Sanitary Code to improve health, safety and protection. It was requested that the Board read and review the code to begin the updating process. A few hard copies were available at the meeting, it was requested that the PDF copy (available on the website) be forwarded to the Board.</p> <p><u>Media:</u> On Facebook, there have been posts circulating that use reports sent to New York State by the Environmental Division of the Health Department. These reports contain public information on various establishments.</p>

Director's Report
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Pediatric Dental Services: A virtual meeting with the Dean of UB Dental School has been scheduled for Tuesday, July 30th, 2024 to discuss the future of the UB Dental Van and its services within Chautauqua County. The current plan for the van is that it will be pulled from the county completely to serve primarily in intercity Buffalo. Wilson, Kidder, and County Executive Wendel all plan on attending this meeting. Superintendents from local schools who have benefited from the van's services will be reached out to and requested to show their written support in having the program continue within the county. Members of the Board are also invited to attend this meeting.

Mobile Health Vehicle Summer Pilot: Cathy Burgess' team in Community Health has been running a summer pilot program. They have established a recurring schedule with community partner locations, providing outreach and education, lactation and breastfeeding support, harm reduction supplies, etc. They plan to expand the program to identified school districts within specific "communities of concern" to provide catch-up immunizations, lead screening, and testing. They have held ten events so far. They have been to seven different locations and have served over thirty clients and provided 23 vaccines. 45 outreach supplies. The growing program has so far been well received.

Strategic Planning & 2025 Budget Preparations: Aside from the strategic planning, a focus has been set on informed planning with an emphasis on leveraging intra-departmental resources, strengthening CBO and local foundation partnerships, and building community trust. Another goal is to build a strong assessment and evaluation framework into the department's infrastructure to make sure objectives continue to be met.

Staffing plans in preparation for the 2025 budget include; continuing to stabilize amidst the national/local staffing challenges, orient current and future staff to the framework of the department (federal, state, local and departmental structures/laws/RRCs, funding, etc. and develop creative solutions to improve succession planning and recruiting new talent.

The NYS Fellows "2.0" will begin the first week of August. The Health Department has secured 4 Fellows for the duration of 2 years. They will work and train within all the areas of Public Health. The division directors have already organized the plans and projects the Fellows will be working on to enhance the department. Their time, wages, and benefits will be provided by New York State.

The Lead Rental Registry is a part of a recruitment effort by the Environmental division to support the program. Initial estimates include: adding approximately 6 new staff, all funded by New York State, and streamlining work with the City of Jamestown's Registry.

Funding Updates: The Health Department, with staff member Steve Kilburn as the lead, has developed a strategic plan around the primary, secondary and tertiary prevention of Opioid use/mis-use. This plan is meant to provide assistance and guidance for the use of resources (like Opioid Settlement Funds) in efficient, streamlined and meaningful ways throughout the county. The plan emphasizes and prioritizes the 3 stages of prevention. Additionally, Dr. Faulk spearheads the medically assisted treatment (MAT) program for incarcerated individuals within the county jail.

	<p>The County will be receiving a portion of JUUL Settlement Funds. The Health Department is preparing plans to help guide the application of the funds within the “appropriate uses” as set forth in the settlement statute.</p> <p>An update on grants awarded to the Health Department was provided; part of the funding plan portion of our strategic planning includes developing a diversified funding structure (including grants) to ensure continuity and sustainability of necessary long-term efforts that support our public’s health.</p>
Other	The Board and the community can find more information and updates on the county website and the Health Department’s social media pages that have been growing and developing under the Administration and Communications Division.
Adjournment	Krahn made a motion to adjourn at 8:01pm.
Future Meeting Dates	September 19, 2024; November 21, 2021