



# Kanawha-Charleston Board of Health

## Meeting Minutes

June 6, 2012

### **Members – Present**

Ms. Brenda Isaac  
Dr. Arthur Rubin  
Ms. Shannon Snodgrass  
Mr. James Strawn  
Mr. Stephen Weber

### **Members-Excused**

Mr. Robert Reishman

### **Presenting Guests**

Dr. Rahul Gupta  
Ms. Lolita Kirk  
Ms. Janet Briscoe  
Ms. Krista Farley  
Ms. Anita Ray

### **Also Attending**

Ms. Susan Jordan  
Ms. Kathy Worley

#### **1. Call to Order – President**

Ms. Isaac called the meeting to order at 12:00 p.m.

#### **2. Report of the President – Ms. Isaac**

##### **a. Approval of the minutes from the March 20<sup>th</sup>, April 23<sup>rd</sup> and May 17<sup>th</sup>, 2012 Board of Health meetings**

A motion was made by Mr. Strawn and seconded by Mr. Weber to accept the meeting minutes of March 20<sup>th</sup>, April 23<sup>rd</sup>, and May 17, 2012 as submitted. The motion passed unanimously.

##### **b. Discussion of the proposed Board of Health meeting calendar – July 1, 2012 through June 30, 2013**

The Board reviewed and accepted the proposed meeting calendar for the upcoming fiscal year.

##### **c. Presentation in acknowledgment of Ms. Rachel Holloway's service to the Kanawha-Charleston Health Department**

Ms. Isaac acknowledged the outstanding job Ms. Holloway has done for the Health Department during her two-year assignment as a CDC Public Health Associate. The Board wished Ms. Holloway the best of luck in the future and her next job.

Dr. Gupta informed the Board that Ms. Holloway is a member of the first graduating class of the CDC's Public Health Associate Program. Ms. Holloway has accepted a full-time position with CDC and will be leaving at the end of June.

### **3. Report of the Health – Dr. Rahul Gupta**

#### **a. Report on the Institute of Medicine panel discussion on new report – Washington, D.C.**

Dr. Gupta informed the Board he had been invited to sit on an Institute of Medicine panel discussion in Washington, D.C. He went on to say there were also political representatives there as well and the discussions were very productive. He stated there were 10 points that were and that one very important discussion was regarding the minimum package of service provided to citizens, for instance, insurance, preventive care service, etc. He stated the consensus is all Americans should be able to receive similar treatment and it should be made available. The funding of such programs needs to be discussed and it was stated should come from the Federal government and not through taxing the citizens (copies of this information is available).

Ms. Snodgrass asked who received this information and it was usually made public at a later date. Gupta informed the Board that the reaction from the panel was immediate.

#### **b. Discussion of Federal Transportation Bill**

Dr. Gupta stated that the City has been working on a comprehensive plan to incorporate health/Washington action going on from a regular bill which expired in 2009. It was for producing walking streets, safe environments for exercising.

Dr. Gupta informed the Board they would find in their packets letters he had sent to Senator Rockefeller, Congresswoman Capito and Congressman Rahall regarding the Federal Transportation Bill.

Ms. Snodgrass asked if this is where the rail systems come from in some of the states and Dr. Gupta stated it was. He went on to say bike lanes and walking lanes are developed from some of these grants.

#### **c. Update on DHHR grant issues**

Dr. Gupta informed the Board that Secretary Lewis had resigned from DHHR due to health reasons. He added a copy of the letter regarding the Infrastructure Grant was in their packets.

#### **d. Report on National Association of City/County health Officials (NACCHO)**

Dr. Gupta stated he feels it is very important for KCHD to actively participate in NACCHO. He added he is serving on the NACCHO Board and has encouraged the Department's directors to be actively involved in the organization.

### **1) Committee assignments**

Dr. Gupta informed the Board several of the directors had been assigned to committees; Krista Farley had been assigned to Marketing; Susan Jordan had been assigned to the Work Force; and Janet Briscoe had been assigned to Pandemic Influenza Workgroup and the Preparedness Policy Advisory Group.

### **2) Conference presentations**

Dr. Gupta stated KCHD will be delivering two presentations at the NACCHO Conference in July. Ms. Farley will be presenting on KEYS and he will be discussing the Wellness Initiative at the Legislature. Ms. Snodgrass asked if anyone had presented at NACCHO previously and Dr. Gupta stated Ms. Farley did last year.

Dr. Gupta informed the Board KCHD recently received an endorsement from the American Academy of Pediatrics (WV Chapter), regarding the School Immunization Program and how it affects school absenteeism.

### **e. Introduction of summer interns**

Dr. Gupta stated KCHD has once again a number of summer interns in place. He stated he felt it gave the interns some knowledge of public health and the different areas. Ms. Farley provided an introduction of this year's interns. Chad Crigger, Masters in Public Health at WVU, attending medical school in the fall. Blair Suter, WVU Medical School, Keaton Hughes, Masters in Public Health at WVU, Casey Tompkins, Criminal Justice at the University of Dayton, and Kenneth Dexter, Biology at Florida State. The interns will rotate through each of the divisions so they may benefit from a comprehensive public health experience. Mr. Strawn introduced his intern Tyler Chaney who is attending WVU in the field of Advertising and Marketing.

Dr. Gupta informed the Board that there is a meeting scheduled for October in San Francisco with the American Public Health Association. There would be over 12,000 attendees and that several of his papers had been accepted and there would be more to follow.

## **4. Report of the Board of Sub-Committee on Finance**

### **a. Financial report as of March 31, 2012**

### **b. FY2013 budget presentation and discussion**

Ms. Snodgrass stated that the budget for the upcoming fiscal year was \$3.89 million. The proposed budget is an increase of almost \$800,000 from the current fiscal year. Added Ms. Snodgrass, funding from the State Aid, City, County and emergency preparedness remains at or near the funding for levels for FY2012. Ms. Snodgrass stated the finance sub-committee has discussed a replacing the Health Departments heating and cooling system and a remodel of the Environmental Health area. She stated KCHD was needed to purchase 2 new vehicles since 5 of the Department's fleet have over 100,000 miles. Also, included in the budget is \$40,000 in merit raises. These increases would be to employees based on the evaluation process with their supervisors

and will be approved by Administration. The Board discussed instituting a cap on the amount an employee could receive. The Board also discussed the increase in the budget from the Community Transformation program using reserve funds for the heating and cooling system work and remodeling sanitarian workstations. The question was asked about the process for a new heating/cooling system and Ms. Kirk replied there will be a bid process for the project. A motion was made by Ms. Snodgrass to approve the budget as presented. The motion was seconded by Mr. Strawn. The Board then voted unanimously to approve the budget for FY2013.

#### **5. Report of the Board Sub-Committee on the Food Establishment Public Notice system Review – Mr. John Luoni**

In the absence of Mr. Reishman, Mr. Luoni provided the sub-committee's report. Mr. Luoni stated the sub-committee had been meeting for approximately six months and they have developed a proposal – which depending on the software, would start on July 1. The vendor has been working with the Health Department on training on the software and that the target date of July 1<sup>st</sup> was looking good.

The target area for a pilot of the new system was agreed upon was South Charleston and the Corridor G area. These areas would be using the new requirements while the other areas in the County will continue to use the current system. With the new requirements there will also be a \$35.00 charge to those needing to be re-inspected.

Mr. Luoni reviewed the new inspection reports and matrix that will be used with the new system. He added he felt the new rating charts and reports spelled everything out. He stated even though there had been a comment period and very few comments had been received, he believed that once the new system had been implemented, the comments would start coming in. Then Mr. Luoni explained the rating system – Excellent, Good, Fair and Closed. How many critical violations would cause a restaurant to close, how much time a restaurant was given to correct the critical violations s, etc.

Ms. Ray stated KCHD has always and would continue to work with the restaurants to keep them open, but there were no guarantees as to how soon a re-inspection would be performed.

Mr. Strawn asked if a time frame could be given to the owners for a re-inspection. Ms. Ray said she is working short-handed and that her staff was getting to the restaurants as soon as possible, but in the case of a closure, the staff would re-inspect at their earliest convenience, however, there could be no definite time frame. Dr. Gupta reiterated KCHD will always work with the owners to keep their facilities open.

Ms. Snodgrass asked about those restaurants that obtain a Fair compliance. Dr. Gupta stated the intent was to try to get an idea of how often we will need to re-inspect. Ms. Snodgrass asked if we inspect as they come due. Ms. Ray stated they are on a schedule.

Mr. Luoni asked if the posting requirements are already in effect and Ms. Ray stated the Board needs to read the proposed policy and vote on the matter.

Ms. Ray stated that all the reports will be typed with the new system. She added that on re-inspections, when items are marked for re-inspection, there will now be a full inspection. Dr. Gupta stated there will be two separate programs; the one that is current in effect and the new system that will apply to a target area only (Pilot program and the regular program). He said the approved policy will have to cover both systems. Right now there is the difference of a partial re-inspection with the old system, but with the new system, it will be a total re-inspection. He stated the policy may need to be revised to be more specific. The Board discussed with staff a few changes to wording.

Mr. Luoni stated there will be another meeting in August to continue the process.

Mr. Strawn asked how large the inspection sheets would be and Ms. Ray stated they are legal size.

Dr. Rubin made a motion to approve the policy with the revisions for the pilot program and Ms. Snodgrass seconded the motion. It was voted on and approved unanimously.

Dr. Rubin made a second motion to revise the policy to accommodate both systems. Ms. Snodgrass seconded the motion and it passed unanimously.

Ms. Isaac added that she had a complaint situation arise recently and had contacted Ms. Kirk. Ms. Kirk referred the issue to Environmental Health and the business involved was very pleased with the Health Department's response.

## **6. Report of the Director of Environmental health – Ms. Anita Ray**

### **a. Discussion of staff vacancies**

Ms. Ray informed the Board that she currently has two sanitarian vacancies. The positions have been posted, but she has only received two entry level applicants and no applications for the Sanitarian Supervisor position.

### **b. Food training course**

Ms. Ray added that she is planning another food training class at the Charleston Civic Center. It is scheduled for Thursday, June 28<sup>th</sup>, from 9:00 a.m. to 12:00 p.m. Topics to be addressed are food safety and the new rating system and how it works.

Dr. Gupta stated that this information needed to get out to the public so that the restaurants could get the training before the new system begins in July. Ms. Snodgrass asked if it was on the website and Ms. Ray added that it could be posted there. Dr. Gupta added that it needed to be posted through the community and on community websites; allowing people to ask questions. Ms. Snodgrass stated that maybe the City could post it also. Dr. Gupta went on to say that there would be no fee charged this year and that this was the first rating system of its kind in West Virginia. In the future there may be a charge.

**7. Report of the Director of Epidemiology & Threat Preparedness – Ms. Janet Briscoe**

**a. Discussion of the CDC Local Technical Assistance Review (LTAR) of the Health Department's Strategic National Stockpile (SNS) Plan**

On May 21 and 22, KCHD staff members and Medical Reserve Corps volunteers in partnership with the West Virginia Bureau for Public Health, participated in a two-day Community Assessment for Public Health Emergency Response (CASPER). CASPER is a rapid door to door survey used to canvas neighborhoods after a disaster. Similar surveys have been successfully deployed to collect critical data following hurricanes, ice storms, and most recently the tornados in West Liberty, KY. The information collected from this exercise will be used to identify health and service needs in Kanawha County while helping to better prepare residents for an emergency.

On May 30<sup>th</sup>, the CDC Program Services Consultant conducted a review of the KCHD's Medical Countermeasure Mass Dispensing Plan via video conferencing. The plan is assessed annually in accordance with our federal grant funding requirements. Marked improvements to the plan over the past few years have resulted in increasing the LTAR score from a 71 to an 89 last year. KCHD expects to receive a score in the low to mid 90's this year. Ms. Briscoe thanked Rachel Holloway for her assistance the past two years.

Dr. Gupta informed the Board that over the past year KCHD has participate in meetings with the State Department of Administration, Secretary Joe Thornton and staff from the Department of Military Affairs and Public Safety. As a result of these discussions, KCHD has been able to establish a point of dispensing (POD) at the State Capitol Complex. In the event of an emergency, plans need to be in place on how State leaders and essential personnel will receive medications.

**8. Report of the Director of Health Promotion – Ms. Krista Farley**

**a. Update on Community Transformation Grant**

The Community Transformation Grant is getting a slow start because we are awaiting budget approval, however we will be hiring four staff as soon as approved, to implement the project within our nine county region. The implementation plan was finally approved by CDC and includes coalition development, train the trainer on the Diabetes Prevention Program and the Chronic Disease Self Management Program; enhance the capability of farmer's markets to accept EBT, healthy checkout aisles and other policy and environmental changes to impact the health of our communities.

Ms. Farley went on to say that there is a new, small community grant that we are applying for. It is for communities under 500,000 (Kanawha County averages about 192,000). The application process runs from June 18 through July 31.

**9. Old Business**

None.

## 10. New Business

Mr. Strawn announced the Ribbon Cutting for the new Highland Hospital was June 28<sup>th</sup>. Tours of the new facility will also be available.

### a. Public comment period

Ms. Isaac asked if there was anyone present who would like to make a public comment.

Richard Wittberg, Ph.D., addressed the Board and identified himself as the executive director of the Mid-Ohio Valley Health Department. Dr. Wittberg stated that Mid-Ohio is the state's only regional health department, consisting of six counties. He added that Mid-Ohio is the state's largest health department and second in population. Dr. Wittberg stated he was a member of Association of Local Health Departments, but did not hold a leadership position, nor was he on the Board of or Local Health Inc. He added that he was not at the Board meeting because of anyone else, but he was there because he was deeply disturbed about the amount of bad press about local health coming from Kanawha-Charleston and the position the Board of Health had taken. He wondered if the Board had been given accurate information and had a few questions to put before the Board:

- Would KCHD have raised these questions if they (KCHD) had gotten the \$260,000 they had requested?
- Was the Board confident in the information they received from their employees?
- Is the Board comfortable with the way the issue has played out? He didn't feel it was wise to accuse other local health departments all across the state of being inept?

Dr. Wittberg stated that he is preparing a packet of information for the Board, but the information was not complete. He added that he would e-mail the material to the Board. Dr. Wittberg urged the Board to reach outside of the agency and get the opinions of others.

Ms. Isaac stated that at this time she wanted to speak on the behalf of the Board of Health. She stated the decision to withdraw had nothing to do with the money, because no matter what, the money should go to help the citizens of Kanawha County. She went on to say that KCHD tried to set up a face to face meeting at the State level to resolve this situation, but they made it very clear they did not have time for us as a result, the Board was left with no recourse but to discuss the issue a public Board meeting.

Dr. Wittberg stated regardless of what the intentions were it was the money that directed KCHD and that he knows for a fact that there were private meetings with the press and that if they had been one of the persons that had been targeted, he would be in a defamation suit with the Board now.

Dr. Gupta stated he feels public money should be discussed publicly. He wanted to reiterate public health is not for sale by KCHD, nor should it be by Mid-Ohio Valley or any other health department. We (KCHD) never accused anyone of anything, we asked

for an opinion by the Ethics Commission, and we do not like the threats that are being made against the Board.

Mrs. Isaac ended by saying the Ethics Opinion will be coming down at the end of the month.

Ms. Kirk stated that we needed to swear in one of our Board members, Ms. Isaac. Ms. Kirk read the statement and Ms. Isaac was sworn in

**b. Executive Session to discuss legal issues**

Ms. Isaac stated that the Board needed to adjourn to Executive Session and a motion was made by Dr. Rubin to adjourn to Executive Session and it was seconded by Ms. Snodgrass. It passed unanimously. They adjourned to Executive Session at 1:23 p.m.

At 1:33 the Board returned from Executive Session. Dr. Rubin made a motion to go back into regular session and it was seconded by Ms. Snodgrass. It passed unanimously.

**11. Adjournment – 1:34 p.m.**

A motion was made by Dr. Rubin to adjourn and seconded by Mr. Weber. It passed unanimously.

Respectfully submitted,



Rahul Gupta, MD, MPH, FACP  
Health Officer/Executive Director