

Chautauqua County Board of Health
MINUTES

Meeting Date/Time: Thursday, January 17, 2019 @ 6:00 p.m.
Location: HRC Bldg., 4th floor conference room, Mayville
Scribe: Sherri Rater

ATTENDANCE:

BOH Members	P/A	BOH Members	P/A	Others Present	Title
Tom Erlandson	P	Mark Tarbrake	P	Natalie Whiteman	Emergency Preparedness Coordinator
Dr. Tallett	A	Dr. Ney	P	Lisa Schmidtfrerick-Miller	DHHS Representative
Dr. Hewes	P	Dr. Khan	P	Roy Harvey	Citizen
Natasha Souter	A	Elisabeth Rankin	A	B. Bedford	Citizen
Others Present		Title		Lynn Bedford	Citizen
Dr. Berke		County Physician		Karen Engstrom	Citizen
Kristen Wright		Assistant County Attorney		Mark Twichell	Citizen
Mark Stow		Env. Health Director		Joni Riggle	Citizen
Christine Schuyler		Public Health Director/Secretary		Leanna Luka-Conley	Deputy Commissioner of Adult, Children & Family Services
Sherri Rater		Scribe		Wendy Douglas	Director of Patient Services

Call to order	The meeting was called to order by President Tom Erlandson at 6:00 p.m.
Privilege of the Floor	<p>Mark Twichell, Fredonia resident, What is an issue that deserves to be placed on the agenda verses privilege of the floor? Is the reason why wind turbine noise has not been placed on the agenda because the noise is not a clearly defined threat to public health? Is it because it is a political issue? Is it because NYSDOH is in charge of writing guidelines for wind turbine noise? NYSDOH is not directly involved in permitting of the Arkwright and Ballhill wind farms. It is involved with the Cassadaga wind farm. Lastly, Mr. Twichell provided an example of an experience he had working with NYSDOH on fluoridation. Mr. Twichell spent 20 years promoting fluoridation in drinking water because it had been determined that fluoridation in the blood stream was critical in the formation of teeth. It was later determined that topical application is just as effective. This was not bad science; it was just incomplete at the time.</p> <p>Lynn Bedford , Arkwright resident has eight windmills surrounding her house. Ms. Bedford lives a clean lifestyle and hasn't been sick in 25 years. Since the turbines have turned on in September her ears have not stopped ringing. They are ringing right now. Last weekend she went away for three days to Ohio and her ears stopped</p>

	<p>ringing for the time since September. Her health has declined. Ms. Bedford states her husband has done some Internet research and has found that some countries don't allow them at all while others states windmills must be 1.5 miles away from a home. Ours are 200, 300, 700, 1000 feet from our house. Something has to be done. It's wintertime and things are closed up and we can still hear it. For our retirement we had planned to open an Air B & B but there is no chance of doing that now. She urges the board to come to her house to experience firsthand what it is like.</p> <p>Joni Riggle, Sinclairville resident, Two more windmill projects coming. The town did not develop protective wind laws. The tests were supposedly compliant but compliant does not mean protective. DEC recommends ambient air noise levels 25 decibels and the DEC said for a new noise source should not be more than 10 decibels above ambient. The study recently done in Arkwright measured 37-44 decibels and she is unsure of how accurate that is because of the way it was measured. Town law is currently 50 decibels, which according to DEC is intolerable. Over 35 decibels of turbine noise is objectionable to 25% of the community. Ms. Riggle urges the board to become stakeholders in these projects. Noise is a public health hazard.</p> <p>Karen Engstrom, Mayville resident spoke about 37 wind turbines operating in Arkwright. Classic symptoms have increased. If you can't hear it, it won't hurt you. Ms. Engstrom gave each board member a CD containing a video regarding infrasound and industrial wind turbines and encouraged others to view the video on YouTube. Ms. Engstrom urges the board to look into the health damaged caused by the Arkwright wind turbines. Cassadaga Wind has asked for an amendment of the NY Public service commission so that they can begin clearing trees and provided documentation to the Board. Ms. Engstrom asks citizens of Chautauqua County to make yourselves aware.</p>
<p>Approval of Minutes from July 19, 2018 & October 18, 2018</p>	<p>Dr. Ney made a motion to approve the July 18, 2018 minutes, Mark Tarbrake 2nd. All in favor. Motion carried. Dr. Hewes made a motion to approve the October 18, 2018 minutes, Dr. Khan 2nd. All in favor. Motion carried.</p>
<p>Review of Bylaws</p>	<p>Discussion was had regarding whether or not the Board should increase the frequency of meetings per year. Currently the Board meets four times a year. Talk was had about changing the meetings to bimonthly or monthly. This is partly because the Department of Health and Human Services Public Health Division has a lot going on and the Board could be more involved. It is also to allow certain processes to be completed in a timelier manner. As discussed in the October meeting, Environmental Health's lead program needs to expedite their process. Currently it takes on average one year to get landlords to comply with lead related violations. This is way too long. Fines and penalties need to be looked at and the possibility of giving more authority to the hearing officer or an enforcement officer.</p> <p>Dr. Ney made a motion to increase the meetings to bimonthly meeting on the third Thursday of each odd month at 6pm in the HRC Building, 7 North Erie Street in Mayville. The Board can meet during any even numbered month if there is a need. Mark Tarbrake 2nd. All in favor. Motion carried.</p> <p>There was much discussion about the lead program, enforcement options and housing options for low-income families. The lead taskforce is now expanded to a healthy housing taskforce, which will include lead in with all of our other safe affordable housing issues we have in the County.</p>

<p>Reappointment of Officers</p>	<p>Dr. Erlandson is our current President and Dr. Ney is our current Vice President. Both have served for a term of one year. Dr. Ney made a motion to reappoint Dr. Erlandson for another year. The motion was 2nd by Dr. Khan. All in favor. So moved. Dr. Erlandson made a motion to reappoint Dr. Ney for another year. The motion was 2nd by Dr. Khan. All in favor. Motion carried.</p> <p>Schuyler adds that Dr. Tallett and Mark Tarbrake's terms ended 12/31/18 and paperwork is being processed at the Legislature to have them reappointed. Additionally Andy O'Brien has agreed to join the Board. Mr. O'Brien's paperwork to be appointed is also being processed at the Legislature.</p> <p>Dr. Ney adds that Dr. Betsy Kidder, a new physician to the Jamestown area, is interested in joining the Board. Dr. Kidder would be an excellent addition to the Board; however, we do not currently have any open spots. Discussion was had regarding the Board's size, currently nine members, same as Cattaraugus County who is a much smaller county population wise. Dr. Ney made a motion to make a recommendation to change the administrative code to increase the Board's membership from nine to 'up to 11'. Mark Tarbrake 2nd. All in favor. Motion carried.</p>
<p>Agreements to Settle</p>	<p>Agreements to settle for the fourth quarter of 2018 were reviewed. Stow indicates many are for operating without a permit, property transfers without certification of water and sewer and one lead violation. There are many repeat offenders. We continue to have difficulties with the mobile home park on Wellman Road but they are aggressively trying to get this back into shape.</p>
<p>Variance Request</p>	<p>Linda Wingerter is asking for a variance request for a septic permit for a parcel that is 35,812 square feet. The minimum required lot size is 40,000 square feet for new construction without public water or sewer to ensure adequate separation distances from water supply and sewage disposal location. After a site inspection and plan review, it was determined by Austin Wellman, Environmental Health staff member, that the proposed system will effectively treat wastewater and protect public health and the environment. A motion was made by Mark Tarbrake to accept the recommendations of Mr. Wellman with conditions as stated below. Dr. Hewes 2nd. All in favor. Motion approved with the following conditions:</p> <ol style="list-style-type: none"> 1. Ms. Wingerter shall obtain Town of Mina approval to construct a new home. 2. New septic system shall be installed per plan and meet all required separation distances. 3. The sewage system shall be operated or maintained at all times to the satisfaction of the Department of Health and Human Services. 4. If public sewer becomes available at this location, the septic system must be properly abandoned and connection to public sewer must be made. <p>We just received a letter from chairman of the board of the South and Center Sewer District inquiring about the number of inspections and what we have done in the Online Training Network program. A report was provided for South and Center Sewer District the outlines all the inspections that have been done to dwellings within 250 feet of Chautauqua Lake. This report was submitted to the Board as well.</p>
<p>Hearing Officer Recommendations</p>	<p>Steven and Tamara Ellsworth failed to submit application to have their septic and water systems certified upon property transfer. They were sent numerous letters, which were ignored. They were then sent a hearing notice, which they also ignored. A hearing was held on December 7, 2018 and respondents did not appear. The Hearing Officer found that they were in violation of Article 3 Section 1, which requires that septic systems and water systems be certified upon transfer. The Hearing Officer recommends the Board invoke an order requiring the respondents submit application to the Environmental Health Unit within ten days of issuance of order and that respondents comply with testing of the system; make any necessary alterations within six months; disinfect the</p>

	<p>water supply while waiting for system to be certified; and pay a fine of \$500 for each violation for a total of \$1,000 within nine months of issuance of the order. A motion was made by Dr. Hewes to accept the Hearing Officer recommendations. Dr. Khan 2nd. All in favor. Motion carried.</p>
<p>Medical Staff Credentialing</p>	<p>Schuyler states Health and Human Services has hired two new part time county physicians, Dr. Michael Faulk and Dr. Brian Walters. They have been hired to serve a variety of rolls. Both are currently on contract through AllStar WCA Services as the medical directors, medical command for emergency services as the Sheriff's Deputies for many years. They are engaged and devoted to Emergency Services. Both are board certified emergency medicine physicians. Dr. Walters is also the Medical Director for Cattaraugus County Jail and works for ER at Olean General, Bradford Regional Medical Center. Dr. Faulk is a former UPMC WCA ER physician and currently the Director at Warren General ER. With the coroner program, NYS County Law 617 states every coroner investigation needs to be done with a physician if the coroner is not a physician. None of our coroners are physicians. Dr. Faulk and Dr. Walters will be Coroner Physicians working with the coroners to determine cause of death and if further investigation such as autopsy is warranted. They are also assuming responsibilities for the County Jail medical direction. Dr. Berke will continue as our County Physician for our public health programs other than the County Jail. Dr. Ney made a motion to approve the addition of Dr. Faulk and Dr. Walters to the medical staff of the Chautauqua County Health Department. Mark Tarbrake 2nd. All in favor. Motion carried.</p> <p>Schuyler states Frank Migliore is our Lead Coroner. Moving forward he will work on education of health care providers, funeral directors, and law enforcement on what cases really are in the jurisdiction of county coroners, on how to fill out death certificates, determine cause of death, etc. Schuyler feels Chautauqua County will lead the way to improving mortality reporting through implementing an effective Coroner Program.</p> <p>Berke – congratulations to Schuyler for taking over the Coroner Program and making these changes. This is something that has been an issue for 30 years and Chris has done a great job at moving forward into the 21st century.</p>
<p>Other- Wind Turbines</p>	<p>Considerable discussion was had as to what the Board can do to assist the public with wind turbine issues.</p> <ol style="list-style-type: none"> 1. Send a letter similar to the letter sent in June 2018 from WNYPHA requesting a full seeker environmental review on all new wind turbine projects, which is currently not happening because it is not a requirement. Dr. Erlandson will review the letter and email a revised copy to the group. 2. Establish a committee to research questions, how we can get involved and what levels of jurisdiction. 3. Report a cluster and request an epidemiological study. 4. Call other Boards of Health to see what they are doing. 5. Schuyler can bring up the topic at the next NYSACHO conference. 6. Include the county planning board in on these issues so that moving forward they can have a part in these discussions. <p>Chautauqua County Board of Health does not have any power to regulate the distance between turbines and a residential area. These laws are generated by the Public Service Commission and the NYSDOH.</p> <p>Wright states that if the Board has something they want to accomplish she will research to see whether or not we are able to.</p>

	<p>Concerned citizen, Mark Twichell, will provide documentation of NYSDOH policy on wind turbine noise exposure.</p> <p>Dr. Erlandson will do some research and bring it back to the next meeting.</p>
Director's Report	<p>Schuyler passed out 2019 goals and 2018 achievements for the Department. We have a lot going on and a lot to be proud of.</p> <p>The community health assessment time is here. This is one of our mandates from NYSDOH, drives our community health improvement plan and sets our priorities moving forward. Lisa Schmidtferick-Miller provided members with flyers with a link to complete the survey online as well as paper copies. All survey participants can enter into a drawing to win one of many \$40 gift cards.</p>
Future Meeting Dates	March 21, 2019, May 16, 2019, July 18, 2019, September 19, 2019, November 21, 2019
Adjournment	Motion to adjourn by Dr. Erlandson, 2 nd by Dr. Khan @ 8:02 p.m.
	Thank you to the Public Health Division Clinic Manager for the new room arrangement!

DRAFT