



**KANAWHA CHARLESTON**  
**BOARD OF HEALTH**

Po Box 927

CHARLESTON, WV 25323

Phone: 304.348.6494

Fax: 304.348.6821

[www.kchdvw.org](http://www.kchdvw.org)

*Meeting Minutes*

*July 17, 2008*

**Board Members Present**

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

**Presenting Guests**

Dr. Laura Gateley  
Ms. Lolita Kirk  
Ms. Marcie Myers  
Ms. Janet Briscoe  
Ms. Anita Ray  
Ms. Krista Farley  
Ms. Lois Deal

**1. Call to Order – President**

**a. Moving the Board meeting to the 1<sup>st</sup> floor Multi-Media Center – motion needed**

Ms. Isaac called the meeting to order at 4:30 p.m. As required by the Board's by-laws, Ms. Isaac requested a motion to hold the meeting in the 1<sup>st</sup> floor Multi-Media Center. The motion to move the meeting was made by Dr. Rubin and seconded by Mr. Weber. The motion passed unanimously.

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

**a. Welcome and introduction of new Board member, Mr. Robert Reishman**

Ms. Isaac introduced Mr. Reishman and welcomed him to the Board.

**b. Welcome of the Interim Health Officer, Dr. Laura Gateley**

Ms. Isaac welcomed Dr. Laura Gateley as the Interim Health Officer.

**c. Approval of the minutes from the May 15<sup>th</sup>, June 3<sup>rd</sup>, June 19<sup>th</sup> and July 3<sup>rd</sup> meetings**

A motion was made by Mr. Weber and seconded by Dr. Rubin to approve the minutes of the May 15<sup>th</sup>, June 3<sup>rd</sup>, June 19<sup>th</sup> and July 3<sup>rd</sup> meetings as written. The motion passed unanimously.

**d. Discussion on the search for a full-time health officer**

Ms. Kirk informed the Board that the health officer position has been advertised on 5 web sites, targeted at public health and preventive medicine practitioners. Ms. Kirk presented to the Board a listing of publications for additional advertisement. After discussion, the Board decided to advertising in two of the Journals and to maintain the web postings until the next meeting.

### **3. Report of the Interim Health Officer – Dr. Gateley**

#### **a. Discussion of Legionellosis disease investigation**

Dr. Gateley discussed with the Board the recent cases of Legionellosis. Dr. Gateley stated that final confirmation has been received from the Centers for Disease Control, that the cases are not related. She also added that Legionellosis is not passed from person to person; it is contracted from aerosolized water sources. Dr. Gateley added that the Department received confirmation today (July 17<sup>th</sup>) of a fourth case. This individual does not live or work in the vicinity of the other reported cases and no common sources have been identified.

### **4. Report of the Administrative Director – Ms. Lolita Kirk**

#### **a. Financial Report**

Ms. Kirk noted that the Board would find the standard financial report in their folders.

Mr. Weber asked about the City of Charleston funding. Ms. Kirk replied that the City has not returned the funding agreement, as required by the Annual Program Plan. Ms. Kirk added that without the signed agreement, the State will not give final approval of the Department's Program Plan for FY2009. Mr. Reishman stated that he would check the status of the Department's funding with the City.

### **5. Report of the Director of Business Support Services – Ms. Marcie Myers**

#### **a. Patient Totals**

Ms. Myers informed the Board that the clinic patient totals were in their packets.

#### **b. College shot clinic totals**

Ms. Myers provided the Board with an overview of the Department shot clinics targeted at college bound adolescents. Ms. Myers added that the Department will be holding another one of these clinics on August 8<sup>th</sup>.

Dr. Rubin asked if the Department billed electronically or by paper. Ms. Myers replied that the clinic bills are paper and that the Department's current software does not allow for electronic billing. Ms. Snodgrass asked if Ms. Myers has priced the cost effectiveness of outsourcing for electronic billing. Ms. Myers replied that it is an option that can be evaluated.

#### **c. Wellness Committee activities**

Ms Myers updated the Board on the recent wellness activities. Ms. Myers informed the Board that the Department has hosted its 2<sup>nd</sup> Employee Health Fair. Twenty-four employees participated in the health screening offered through PEIA. Ms. Myers added

that sixteen employees have also enrolled in an eight week program called Tone Zone. Ms. Myers added that a healthy snack club has also been started.

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

**a. Environmental Health activity report**

Ms. Ray informed the Board that the Environmental activity report was in their packets.

Ms. Ray informed the Board that she was happy to report that after considerable effort, a local restaurant has greatly improved their compliance with the food code. Ms. Ray added that the restaurant has so improved, that the Directors took Dr. Gateley there for his farewell luncheon.

**b. Water well prohibition request from Arcadis for property located at 26th Street, West, Charleston**

Ms. Ray referred the Board to the item in their packets titled “Well Prohibition”. Ms. Ray added that the property in question is in the neighborhood of a former Chevron storage and barge loading facility. Arcadis, the company that has performed environmental remediation on the site, is seeking the Board’s approval on the prohibition of any drilling of drinking water wells in the area. Ms. Ray introduced Mr. Farley of Arcadis. Mr. Farley stated that his company was requesting the prohibition due to groundwater contamination. Dr. Rubin asked if the restriction was forever. Ms. Ray replied that it would be. Ms. Ray added that the area is in the City of Charleston and is served by public water. Ms. Ray also added that she recommended the approval. After discussion of the issue, Dr. Rubin made a motion to approve the prohibition. The motion was seconded by Mr. Reishman and passed unanimously.  
(See Attached)

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

Ms. Briscoe informed the Board that in their packets was a document providing information on Legionnaire’s Disease. Ms. Briscoe added that it is important that the message is given to the public that there was no common source of infection for the recent cases.

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

**a. Take Your Best Shot**

Ms. Farley noted that the Board would find a copy of an advertisement for the Take Your Best Shot campaign in their packets. Ms. Farley added that the ad will run in “Parenting” magazine and in school sports programs.

**b. CDC Prevention Specialist**

Ms. Farley informed the Board that she and Judy Crabtree of the Kanawha Coalition for Community Health Improvement interviewed CDC Prevention Specialist candidates on July 11<sup>th</sup> in Atlanta, Georgia. Ms. Farley added that if selected, the CDC will assign a specialist to KCHD for a two year assignment at no cost to the Department. Ms. Farley stated that the selections will be made the first week of August.

**c. Other**

Ms. Farley noted that the Board will find a revised Department brochure in their packets. Ms. Farley added that the Department will be distributing the brochure at community events and other display opportunities.

Ms. Farley informed the Board that the Department partnered with West Virginia Action for Health Kids and received a \$25,000 Kellogg Healthy Kids Grant to facilitate the enhancement of school wellness teams at five Sissonville area schools.

Ms. Farley informed the Board that she had attended a pre-bid conference at the Kanawha County Commission for the County's Wellness & Health Improvement Program. Ms. Farley added that staff will be evaluating the information and recommending whether the Department should bid on the contract.

**9. Report of the Director of Home Health Services – Ms. Lois Deal**

**a. Home Health activity report**

Ms. Deal informed the Board that her report was in their packets. Ms. Deal added that the second page of her report was the annual report.

**10. Old Business**

**11. New Business**

**a. Public Comment Period**

The following individuals spoke regarding their concerns over the CIAR

Daniel Kryzak asked why there wasn't a vote on the ban. Ms. Isaac replied that the Regulation is the purvey of the Board.

Steve Adkins called the ban crazy, ridiculous.

Rebecca Atkins stated that businesses should be able to put a sign on the door saying smoking was allowed.

Ivan Neeley stated that if the goal was to put bar owners out of business then it was succeeding.

Albert Griffey stated that his business had dropped 80% in business. He added that people use to spend 3 – 4 hours at the machines and now are spending 15 – 20 minutes before going out to smoke; they then don't come back.

The owner of Griff's commented on the loss of video lottery revenue and added that he was going to lose everything.

Doug Fisher asked why fireworks were allowed and people could park on the interstate to watch them but smoking in bars is not allowed.

Sandy Hartwell asked what people were to do when it rained.

Dick Nalle, McNalley's, asked whose health they (the Board) were trying to protect. Ms. Isaac replied everyone's. Mr. Nalle asked why the legislators are exempt. Ms. Isaac replied that the State office buildings are not under the Board's control. Mr. Weber added that the buildings in the State Capitol Complex are not subject to the Board's regulation.

Keith Jenkins, Cantina, stated that the ban has hurt businesses. He added that he has abided by the laws and has kept people from smoking 15 feet from the door, but the police are harassing his patrons. He added that somebody has to bend. Owners of business have the right to say if they are smoking or not.

C. Loudon, Eagles, stated that 75% of the members smoke. He added that he didn't smoke. He stated that businesses should have the right to choose whether or not they allow people to smoke. He also asked if the Board considered what the not being able to smoke would do to businesses. He added that there is a significant number of people that smoke and it is taxation without representation

Rick, Eagles, asked why bingo halls can smoke. Ms. Ray replied that a section of WV State Code allows the non-profit entities holding bingo games to permit smoking.

Donald Peck, Eagles, asked why bingo halls can smoke, and fraternal organization, also non-profit, can not.

Steve Adkins stated why not ban all cigarettes and ban smoking in cars.

Rick, Smiley's, asked what would have to be done to change the laws? He also asked why can't we run our businesses? He also stated that it (the regulation) was being thrown down their throats and asked why can't it (the regulation) be changed?

John Grass added that he agrees with the others. He added that the Board can remove their air from his business and he will put in his own air.

John Carney stated that it (the regulation) has hurt a lot of families. He also stated that they should throw money in a pool and file a class action law suit. He added that the Commission and Mayor Jones do have to answer to the bar owners.

Carol McCormick stated that the Board said if the regulation hurt businesses they would look at the numbers. She added that business owners should provide the Board with their numbers.

Loretta, B & E Past Time, asked what it would take for it (the regulation) to change? She asked if the Board did a poll? Ms. Isaac replied that the Board did not do a poll.

Ms. Isaac stated that the Board felt compelled to protect the public's health and that comments were 3 to 1 in favor of the revision. She added that the Board has concerns for the employees of the businesses as well as the customers.

Dick Nalle said 85% of the dog track employees smoke. He also said he had heard the Health Department could fine people \$500 for smoking. Ms. Ray replied that the fines were up to the magistrates.

Keith Jenkins, Cantina, stated that he understood banning smoking where kids were, but a bar is 21 and over. He also asked, why not allow bars to post a sign allowing smoking?

## **12. Adjournment**

A motion was made by Mr. Weber to adjourn. The Board then voted to adjourn.

Respectfully submitted,

Laura T. Gateley, MD  
Interim Health Officer

## **Kanawha-Charleston Board of Health**

### **Water Well Prohibition in North Charleston**

The Kanawha-Charleston Board of Health on this the 17<sup>th</sup> day of July, Two Thousand and Eight hereby prohibits the drilling of drinking water wells in the neighborhood situated in North Charleston along 2<sup>nd</sup> Avenue from 29<sup>th</sup> Street West on the western edge to the end of 2<sup>nd</sup> Avenue as it enters the former Chevron facility #1322113 on the eastern edge. The southern boundary of the prohibition area is the Kanawha River; to the north would be the railroad tracks. This is to complete remedial action on this site, ensure environmental compliance and protect the public health.