

PROCEEDINGS OF THE BOARD OF HEALTH MEETING
Tuesday, March 13, 2012
5:00 PM

Present: Carole Andrews, J. Tibbetts, MD, Harold Pfothenhauer,
Audrey Murphy

Excused: Patti Bacelis-Leon, Don Murray, Joe VanDeurzen

Staff Present: Judy Friederichs, Dale Schmit, Rob Gollman, John Paul

Guests Present: Chan Vu, 2441 Pecan St., Green Bay; Anne Renquin, 3420
Bay Highlands Dr., Green Bay; Darrel & Sarah Cappelle,
5792 Glenmore Rd., De Pere

1. CALL TO ORDER AND INTRODUCTIONS

Guests introduced themselves.

2. APPROVAL / MODIFICATION OF THE AGENDA

MOTION: To approve the agenda. Andrews / Tibbetts

MOTION CARRIED

3. APPROVAL OF MINUTES OF January 10, 2012

MOTION: To approve. Andrews / Pfothenhauer

MOTION CARRIED

4. ELECTION OF CHAIR / VICE-CHAIR

Audrey stated that, by state statute, the board must elect a chair and vice-chair each year.

NOMINATION: Audrey Murphy for Chair. Tibbetts / Pfothenhauer

MOTION: To elect the current chair by unanimous consent.
Andrews / Pfothenhauer

MOTION CARRIED

NOMINATION: Dr. Tibbetts for Vice-Chair. Murphy / Pfothenhauer

MOTION: To elect current vice-chair by unanimous consent.

Andrews / Murphy

MOTION CARRIED

5. WIND TURBINE-RELATED ACTIVITY UPDATE

Judy stated that there have been a number of complaint calls regarding wind turbines since the last meeting that have all been on the Cappelle farm. She recommended that the floor should be opened so that the Cappelles could speak.

MOTION: To depart from the regular order of business so that members of the public may speak.

Pfotenhauer / Andrews

MOTION CARRIED

Darryl Cappelle said that he lives about ¼ mile from the nearest wind turbine. He stated that he believes the turbines are emitting audible sounds that are detrimental to his family's health. South or Southeasterly winds at night seem to cause the turbine noise to be loudest. He has called to complain but by the time someone comes out, the wind has changed. He would like inspectors to come out faster, before the wind changes. So far, Health Department staff has visited his property three times. Twice it was raining or snowing by the time staff came out, so the sound was covered up.

Audrey asked if Darryl has documented the dates and times that the sound was the loudest and when he called the health department. He said that he tracks when the weather is conducive to the sound being a problem. Judy stated that the department tracks the calls. Darryl suggested that staff could be assigned to take the meter home at intervals so that they can come right away when he calls.

Carole asked if the noise is worse at a certain wind speed. Darryl said that about 10 mph, or if there is a lot of cloud cover or humidity is when the noise starts to be bothersome.

Audrey asked Judy if she and John would like to respond.

Judy said that the answering service had been given a call list for this purpose but that they had not given the list to their operators. She stated that the department's contract is with All City Communications who do a good job in general, but the operators may not always have the most

updated protocols. She has talked to them about this particular protocol and they do now have it in place. Judy said that one of the calls came in at 5:15 AM, Dale responded but had to come to the office to pick up the noise meter and then all the way out to the Cappelle's home. She said that she was not sure that everyone at the meeting knew that staff are not paid to be on call, so she can't just assign someone and require them to respond. If someone takes the meter home and is then not able to respond, the staff person who does respond would have the problem of getting the meter from the first staff person's home, which could take much longer.

Judy said that there was an instance when no staff were able to respond to a Sunday morning 5:00AM call until 9:30; and an instance when no staff were available to respond.

Audrey said that it appears that the issue comes down to staff not being paid to be on call. Dr. Tibbetts asked if the job description says anything about people being on call. Judy said that the department does not have the budget to pay people to be on call – two positions were cut from the table of organization this year just to meet the budget target. She stated that there are a lot more urgent calls related to the nursing staff than the environmental, so if the department could afford to pay staff to be on call it would have to be for response to communicable diseases first.

Audrey said that staff needs to respond to the answering service to indicate that they cannot respond so that they can move on to the next person. Judy and John said that their protocol dictates that they keep calling staff until they get a response – so if someone does not answer, they do not wait for a response from them before calling the next person.

John Paul stated that the Environmental staff has made a change to the way these calls are responded to. Now the inspector who is closest to the location where the complaint is coming from will respond. John also suggested that he could check the weather forecast and try to select a day when staff could plan to meet at the Cappelle residence to take some readings.

John said that he and Marty Adams have taken readings outside of the Enz home, all of which were below the limits set forth in the nuisance ordinance. If he were to get a reading that was above the code limit, what will his course of action be? If a citation is written, from past experience the company will fight it in court. Judy and Audrey stated this is an issue with any violation of the ordinance.

Dr. Tibbetts said that the conditional use permit issued by the township has lower thresholds. If the readings by the health department were

turned over to the township, they may be able to enforce their own permit requirements. He said that he had talked to Bill Acker regarding allowing for ambient noise. Bill said that he takes readings at night in a rural area, selects the lowest reading and adds 5dB. Judy said that a proactive visit would be a good idea as long as the other factors such as ambient noise are factored in.

John said that he had checked the forecast from the National Weather Service and saw that there will be south to southeasterly winds this coming Sunday, Monday and Tuesday between 6:00 and 8:00AM.

Audrey asked the Cappelles if this course of action will be satisfactory for them. Dave said that he came to the meeting hoping to get some action so, if this is what they would like to try that is fine with him. Audrey and Judy said that they are struggling with the limits set by the lack of sophisticated equipment and funding to pay staff to be on call.

MOTION: To return to the regular order of business.

Andrews / Pfothenauer

MOTION CARRIED

Judy said that Bill Acker is an engineer who was asked by the city of Green Bay to try to solve an issue with a thumping noise that a resident was reporting related to a company in the area. Bill investigated voluntarily and recommended that Richard James, an acoustic engineer be brought in to assess the situation. Dr. Tibbetts said that the Enz family (who has experienced health effects from the wind turbines near their home) visited the family in Green Bay who is having a problem with the thumping noise – and they had the same symptoms at that home as they did in their own.

Dr. Tibbetts said that Mr. James is interested in investigating the infrasound emitted by wind turbines. He feels that although some people are very close to determining what the actual medical effects might be, nobody has connected all of the dots yet.

Judy said that there is some discussion about revising both the city and county noise ordinances to include low-frequency sound. Mr. James has been calling Judy and Dr. Tibbetts regarding doing some research regarding the wind turbine issue. Dr. Tibbetts said that Mr. James would be someone who would be able to help revise those ordinances.

Audrey asked the board members if it is time to take another look at the nuisance ordinance. Dr. Tibbetts said that it might be a good idea but will

require some careful research and expert advice before adding additional limits to the ordinance.

Audrey said that SB50 is currently up for a vote in the state senate. The bill must pass by March 15th or Act 128 will go back into effect. She contacted Rob Cowles office and was told that there had been no action on the bill as of 3:00 today.

Audrey said that she had noticed that the memo that was sent to the state by the Board of Health on June 30, 2010 did not include a request for an epidemiological study. Audrey called the Public Service Commission on March 12th and asked to talk with Phil Montgomery, the chairperson. When Audrey told her why she was calling, the executive secretary told Audrey that there is a state statute that does not permit Mr. Montgomery to speak to her on an issue that he is going to take action on. She was forwarded to Dan Sage who asked her if people who have complained have gone to their physicians and asked if those physicians reported their symptoms to the state. Judy said that the state has asked in the past for people to report their symptoms to the state – but there is no requirement that physicians report symptoms without being asked by the patient. Judy said that she has forwarded logs from the Enz and Ashley families to Chuck Warzecha, but she has not gotten actual medical reports from anyone.

Audrey stated that an epidemiological study is still needed and recommended that the board draft another letter to the PSC.

Audrey recommended an article to the students present at the meeting if they are interested in more information about the wind turbine / health effects issue. The article is entitled, *Wind Energy Noise Pollution*, by Robert Rice and can be found in the National Review.

6. ODOR COMPLAINTS

John gave the following information regarding odor and noise complaints:

January: 1 non-verified odor / 0 noise
February: 4 odor (3 verified, 1 non-verified) / 2 noise
March: 0 odor / a few noise

7. CORRESPONDENCE RECEIVED

None

8. DIRECTOR'S REPORT

Judy said that a case of mumps was reported in a student from Mongolia. As a result, the immunizations of 135 students were reviewed – 47 of which did not have adequate MMR immunizations. The vaccine was offered at no charge to those 47 students.

There have been fewer cases of pertussis reported since last November, which was the peak for our community. There have been quite a few outbreaks of Norovirus in long-term care facilities. The Bureau of Quality Compliance has been very helpful in supporting the efforts of the health department to control these outbreaks by mandating that their facilities do appropriate reporting. Judy's colleagues have discussed their impression that the strain of Norovirus they have been dealing with this year seems to be more virulent than in the past.

The flu season has officially started – which is the latest start in 30 years. The first reports are coming from long-term care facilities. The recent report showed that Northeast Region had the most flu activity in the state.

In 2011 there were 71 cases of active TB in Wisconsin, 5 of which were in Brown County. So far in 2012 there have been 9 cases of active TB reported in the state – 4 of which are in Brown County. Of those 4 cases, 3 are in older Hmong people who were previously treated but most likely did not finish their drug regimen. All 4 cases are complicated ones, 2 of which involve very young contacts who are now being treated.

There have been a couple of cases of Hepatitis A in the last two weeks. Judy has heard from other local health departments that they are seeing more cases of Hepatitis A as well.

Recruitment for filling vacant positions is moving along well. All interviews were completed as of yesterday. Now we are waiting for HR to do reference checks, background checks, etc. The new sanitarian for the De Pere health department will be starting on March 26th, so they will no longer need the services of our sanitarians for urgent licensing issues.

The health department has been assisting the Green Bay Water Utility (GBWU) in getting informational materials out regarding lead in drinking water. We have sent the information out to our email group lists and have distributed the paper brochures to community providers such as WIC and NEWCAP. Judy said that GBWU has indicated that the source of the lead is in the water pipeline.

The department has also investigated a situation in which a student body-pierced some other students. The department is offering testing for bloodborne pathogens to the students affected.

The autoclave in the lab needed roughly \$1,300 worth of repairs. This is a very old piece of equipment that will eventually need to be replaced.

The county-wide time and attendance program will be rolled out in the department in the next couple of months. Hourly staff will record their time in the program using their computer.

A telephone auto-attendant will go live in the next few days. This will allow people to route their call to the appropriate person or area without always needing to talk to the operator. The option to talk to a live person will always be available.

The County Board and County Executive are still exploring possible locations for the health department. There are a number of different options being explored. There is a meeting of the Facilities Master Plan subcommittee this Thursday at which this issue will be discussed. Data regarding where people who use the department might be coming from will be helpful in making this decision. Judy will be gathering that information from health department staff.

9. PRESENTATION ON C.H.I.P. PROCESS

Audrey stated that she feels that it is important that the full board sees this presentation. She would like Judy to do the presentation when all board members can be present.

MOTION: To postpone the presentation until more members are present.
Andrews / Pfothenauer

MOTION CARRIED

10. ALL OTHER BUSINESS AUTHORIZED BY LAW

None.

11. ADJOURNMENT / NEXT MEETING

The next meeting is scheduled for Tuesday, May 8th at 5:00 PM.

MOTION: To adjourn. Andrews / Tibbetts

MOTION CARRIED