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**CITY OF MENASHA  
BOARD OF HEALTH  
Menasha Health Department  
316 Racine Street, Menasha**

**2-10-2010**

**8:00 AM – NOTE TIME CHANGE**

**AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
  - 1. [January 13, 2010](#)
- D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS
  - 1. January 2010 Communicable Disease Report
  - 2. H1N1 Influenza Update
  - 3. I<sup>3</sup> Stimulus Funding - 2010
  - 4. Spring Semester Student Nurse Schedule
  - 5. [State Agent Evaluation Report - 2009](#)
  - 6. Mass Clinic Exercise - 2010
- E. ACTION ITEMS
  - 1. Policy Approval – Taking Actions Against Distressed Foods by Disposal/Denaturing.
  - 2. Policy Revision Approval – Enforcement Policy and Procedures for Re-Inspections of Establishments with Chronic Critical Violations.
- F. HELD OVER BUSINESS
  - 1. None
- G. ADJOURNMENT
  - 1. Next Meeting March 10, 2010

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha Health Department at 967-3520 at least 24-hours in advance of the meeting for the City to arrange special accommodations."

Board of Health Members: Dorothy Jankowski, Lori Asmus, Susan Nett, Candyce Rusin, Theresa Shoberg

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**CITY OF MENASHA  
BOARD OF HEALTH  
Menasha Health Department  
316 Racine Street, Menasha**

**1-13-2010**

**MINUTES**

- A. Meeting called to order at 8:30 AM by Chairman C. Rusin.
- B. Present: Lori Asmus, Candyce Rusin, Dr. Teresa Shoberg, Dorothy Jankowski  
Excused: Susan Nett  
Others present: PHN Liz Rosin
- C. MINUTES TO APPROVE
1. Motion to approve minutes from November 4, 2009 meeting made by T. Shoberg and seconded by D. Jankowski. Motion carried.
- D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS
1. November/ December 2009 communicable disease report distributed by L. Rosin and reviewed by board members.
  2. H1N1 Influenza Update—L. Rosin reported that 2300 doses of H1N1 vaccine has been distributed by staff and volunteer nurses. There are still cases of H1N1 occurring but they are sporadic. It is difficult to predict at this time if there is going to be a third wave of illness. The state is still strongly recommending vaccinating everyone 6 months of age and older.
  3. Consolidated Grant Contract – 2010. The contract is on the administration committee agenda for Monday nite. Once approved there, it will go to the common council. The dollar value is very similar to 2009. There is a little less funding for lead and prevention and a little more for MCH. S. Nett received approval from the mayor to hire another part time grant nurse to be paid with grant funds with the understanding that if there are no grant funds, the position ends.
  4. 2010 Department Budget---budget was finalized with a 1% increase on 1-1-10 for staff.
  5. H1N1 Future Vaccine Clinics—the health department is now focusing on disparate populations for vaccination. H1N1 vaccine will be offered at St. Joes Food Pantry, the homeless shelter at St. Pats, the noon mealsite at St. Thomas Episcopal Church and possibly at Goodwill Industries. Vaccine will also be offered to students and staff at UW-Fox Valley. Another school based clinic is planned for 1-27-10 at BDM elementary school.
  6. PHER Funding Expenditures to Date—Total funding is \$66734. Expenditures as of 12-31-09 were \$27430. The remaining funds must be used by 7-31-10.

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Board of Health Members: Dorothy Jankowski, Lori Asmus, Susan Nett, Candyce Rusin, Theresa Shoberg

E. ACTION ITEMS

1. Local Health Department Antiviral Stock Program---The state sent a template for policy and procedure related to the antiviral stock program as local health departments do have on hand antivirals for emergency situations. The policy and procedure was reviewed by board members. Motion to approve the Antiviral Stock Program policy and procedure made by L. Asmus and seconded by T. Shoberg. Motion carried.
2. Review of Parochial School Fees—L. Rosin distributed suggested parochial school fees for the school year 2010-11. L. Asmus questioned why the vision/hearing screeners and public health nurse rates weren't increased. Chairman Rusin explained the need to raise the dental hygienist, public health aide and registered sanitarian hourly rate to recoup the hourly wage including insurance benefits. The other two categories don't have insurance benefits for the staff in those positions. Motion to recommend to the common council for approval the proposed parochial school fees for school year 2010-11 made by D. Jankowski and seconded by T. Shoberg. Motion carried.

F. HELD OVER BUSINESS

1. None

G. ADJOURNMENT

Motion to adjourn at 9:00 AM made by L. Asmus and seconded by D. Jankowski. Motion carried. Next meeting February 10, 2010 at 8 AM.

Minutes submitted by Chairman C. Rusin.



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**State of Wisconsin**  
**Department of Agriculture, Trade & Consumer Protection**  
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November 20, 2009

Susan Nett, Health Officer  
Menasha Health Department  
316 Racine Street  
Menasha WI 54952-2337

Dear Ms. Nett:

During the week of August 10, 2009 The Wisconsin Department of Health Services, Food Safety & Recreational Licensing Section (DHS-FSRL) conducted an evaluation of the Menasha City Health Department (MCHD) retail food establishment program. This evaluation is required by ch. DHS 192.12 Wis. Adm. Code., and s. 97.41(2), Wis. Stats., ch. ATCP 75.12(2), Wis. Adm. Code.

On behalf of both agencies I like to thank you and your staff for their courtesy, professionalism and willingness to assist in this evaluation. This evaluation revealed that the MCHD retail food establishment program is not only in substantial compliance with applicable state statutes, codes and contracts but that MHD is held in high regard by operators based on observations during the field component of the evaluation.

This preliminary letter of evaluation starts a series of steps in the evaluation process. Later in this report we have outline a progression of steps and proposed timelines that will assist in developing a final report.

MCHD operates as an agent of DHS-under the legal authority of s. 254.69 Wis. Stats, and also operates as an agent of the Wisconsin Department of Agriculture, Trade & Consumer Protection, Division of Food Safety (DATCP - DFS) s. 97.41, Wis. Stats. MCHD staff involved in the retail food program includes Health Officer Susan Nett; Environmental Health Program Manager, Mr. Todd Drew; and 1 Public Health Administrative Support person.

Mr. James Mack, DHS-FSRL Food Safety Program Manager conducted the evaluation. Mr. Mack is a registered public health sanitarian and has been standardized and certified as Food Program Inspection/Training Officer by a Food & Drug Administration (FDA) Retail Food Specialist.

The program evaluation consisted of verifying the 2007-2008 annual self-assessment form, record review and validation of the standardization process. These documents were used to determine compliance with statutory requirements under s. 254.69, and s. 97.41 Wis. Stats.; administrative rule requirements under ch. DHS 192.12 and ch. ATCP 75 Wis. Adm. Code; the outdated DHS-FSRL/MHD and DATCP-DFS contract. Also, during the program evaluation, maintenance of standardization in the Wisconsin Food Code was verified for Mr. Todd Drew.

The Departments have a statutory requirement to perform evaluations, but our overriding goal is to help the agent health department improve their food protection program for the citizens in their jurisdiction. We recognize The City of Menasha Health Department and their Board for the commitment and support they have given to their food protection program as an agent for DHS and DATCP.

The following are specific commendations and recommendations for the MCHD retail food establishment program. Those items documented with an \* are ATCP 75 and DHS 192 and/or contract requirements:

**Goal #1 – Program Foundation: \* DHS 192.04(1) (g) & ATCP 75.06**

**Commendations**

- MCHD has an emergency preparedness plan based on Winnebago County Emergency Preparedness Plan. The emergency plan does incorporate federal & state partners.
- During the report period, MCHD reported monthly license changes to DHS & DATCP in a timely manner including licensing information.
- MCHD inspection frequency has not only met requirements under the agent contract and administrative rule, but has substantially surpassed the requirement. Inspection frequency for DHS 181% and DATCP 168%.

**Recommendations**

- A new contract with DATCP should be signed to reflect DATCP rule changes and contract confidentiality changes. Also, the new agent application form should be completed and submitted to DATCP.
- MCHD should report food processing codes and licensing changes to DATCP. DATCP will follow up if not complete.
- MCHD should include DATCP's Emergency Response Manual found in the reference package into your emergency preparedness plan.

**Goal #2 –Trained Staff:**

**Commendations \* DHS 192.05 & ATCP 75.07**

- The inspection and licensing program is conducted by registered public health sanitarian\* Todd Drew.
- MCHD staff attends DATCP's Division of Food Safety's Annual Agent Meetings.
- Todd Drew has completed HACCP Training Workshop January 2006
- MCHD staff have attended FDA State Training Branch courses, including:
  - Drew 2006 "Food Borne Illness Investigation"
- MCHD staff has made use of FDA's Office of Regulatory Affairs' (ORA) on-line university.
  - Drew – (1) Microbiology; (2) Risk Based Inspections; (3) HACCP
- MCHD staff has served on DHS committees; HFS 196 Revision.

**Recommendations**

- MCHD staff should take opportunities to attend DHS's agent meetings on a regular basis.
- MCHD staff should take the Communication Skills training as soon as possible (a DVD was provided on September 15, 2009)
- MCHD Staff should complete the FDA Retail Food Level 1 curriculum

**Goal #3 – Risk-based Inspections:**

**Commendations**

- Retail establishments have been placed in risk categories based on DFS licensing categories.
- Restaurants have been placed in risk categories based on DHS categories of complex, moderate and simple.
- MCHD is doing a superior job working with food establishments and providing educational materials.

- MCHD has used risk control plans as a method of Active Managerial Control for food establishments.
- MCHD is emphasizing risk based inspections.
- MCHD is currently using DHS Reinspection Criteria for Restaurant, Vending Machines Commissaries & Storage Facilities.

#### **Recommendations**

- MCHD should ensure that risk assessments are routinely conducted based on the frequency established in MCHD Restaurant Risk Assessment Policy.
- MCHD should develop a written policy on how to discard and denature food
- MCHD should record not applicable, N.A. and not observed, N.O. on inspection forms when appropriate in addition to IN or OUT of compliance.  
NOTE: Computer malfunctions did not enable MCHD to do this on a routine basis. These issues are currently under review and should be corrected within the next several months.
- MCHD should strongly consider developing a procedure guide that includes many elements of the procedures outlined in several sections of the MCHD ordinance Ch 6 Sec 7-6-1(e). Such should include procedural guidelines for the long term control of risk factors in establishments that involves the following if applicable:
  - Risk control plans
  - Standard operating procedures
  - Buyer specifications
  - Menu modification,
  - HACCP plans

#### **Goal #4 – Uniform Inspection: \*ATCP 75.07(2) & 192.06**

##### **Commendations**

- Todd Drew has been standardized and maintained by state standards.\*
- Todd Drew has had HACCP Training
- Good job of focusing routine inspections on risk factors.

##### **Recommendations**

- MCHD should seek to utilize long term control methods for risk factors frequently out of control as part of the routine inspection program.
- MCHD should ensure that conducting menu reviews become standard during all routine inspections.

#### **Goal #5 – Foodborne/Waterborne Illness: \*ATCP contract & DHS 192.04(1) (i)**

##### **Commendations**

- MCHD staff member Todd Drew has attended FDA Foodborne course.
- MCHD utilizes DHS Foodborne & Waterborne Disease Manual.

##### **Recommendations**

- Recommend MCHD incorporate DATCP's Emergency Response Manual found in the reference package into their procedural guidelines for foodborne and waterborne disease investigations.

**Goal #6 – Compliance and Enforcement: \* ATCP 75.06(2) (f) & DHS 192.07**

**Commendations**

- MCHD has very good compliance & enforcement policies.
- MCHD staff maintains inspection schedules and reports on personal computers.
- MCHD has established the use of DHS re-inspection criteria.

**Recommendations**

MCHD should ensure that compliance policies specifically include DATCP establishments.

**Goal #7 – Industry And Community Relations: \* DHS 192.12(3) (b)**

**Commendations**

- MCHD does a good job working with local communities and events to encourage and ensure safe handling of food. Part of what is done is handing out flyers and handouts at these events.
- MCHD utilizes food code fact sheets.

**Recommendations**

- MCHD should consider developing a Food Advisory committee to improve communication and involvement of industry.

\*NOTE: DHS is currently developing a model State Food Service Advisory Committee that Agent departments can utilize in designing their local chapters.

- MCHD should consider designing a program of recognition for outstanding operators. Such a program will enhance not only those operators that are outstanding in their food safety efforts but will hopefully provide a needed incentive to all operators.

**Goal #8 – Program Support and Resources: \* ATCP 75.06(2) (c) & DHS 192.04(1) (b)**

**Commendations**

- It appears MCHD has the necessary budget and staff to support the inspection and surveillance of DHS & DATCP food establishments within the jurisdictional boundaries of Menasha.\*

**Recommendations**

- None

**Goal #9 – Program Assessment**

**Inspection Profile \* ATCP 75.08 & DHS 192.06**

**Commendations**

- MCHD is doing a good job of conducting risk based inspections of all establishments.
- MCHD is doing an excellent job of maintaining their inspectional load with an annual inspection frequency of 181% for DHS facilities and 168% for DATCP facilities.

**Recommendations**

- None

### **Violation Profile**

#### **Commendations**

- MCHD is doing a good job of debiting/marketing risk factors violations. MCHD staff is commended for making the effort to concentrate on risk factors.
- Good job of submitting CDC Risk Factor Reports.

#### **Recommendations**

- None

### **Consumer Complaints** \* ATCP 75.09 & DHS 192.04(1) (h)

#### **Commendations**

- MCHD is doing a great job of handling food complaints. In the past year, MHD received 21 complaints and all 21 were investigated and resolved.

#### **Recommendations**

- None

### **Sampling Program** \* ATCP 75.08(3)

#### **Recommendations**

MCHD should schedule swab sampling training with DATCP.

### **Annual Self Assessments** \* ATCP 75.11(2) & DHS 192.08 (2)

#### **Commendations**

- MCHD submitted a complete 2007-2008 annual self assessment in a timely manner. Thank you.

#### **Recommendations**

NOTE: Under new ch. ATCP 75.11(2), annual self assessment is due to WDATCP by September 30 of each year.

The primary purpose of this retail food establishment program evaluation is to validate MCHD 2007-2008 Self Assessment form, your compliance with s. 97 and s. 254, Wis. Stats.; ch. ATCP 75, ch. DHS 192 and ch. DHS 196, Wis. Adm. Code; and the signed agent contracts with DATCP & DHS. MCHD is in substantial compliance with the applicable state statutes, codes and contracts.

The Department of Health Services would like to establish a mutually agreeable timeline for your department to respond to these recommendations. Our overall expectation is that MCHD, during the next several years, show progress toward meeting some of these recommendations documenting your progress in your annual self-assessment reports. More specifically and more immediately our initial proposal is that during December 2009 WDATCP, WDHS and MCHD meet in Menasha and discuss this preliminary letter of evaluation. Then:

- By **February 15, 2010**, the MCHD develop a written response and response plan to this preliminary letter and recommendations. Your response plan will include an outline of changes, and when and how changes will occur.
- By **April 15, 2010**, DHS will review and comment on your response and response plan in a final letter of evaluation.

- In your 2009-2010 self assessment (**due September 30, 2010**) you will document progress and then your subsequent self assessments forms will continue to document progress.

It is our observation that both management and field staff are eager to have a close working relationship with DHS and DATCP. Your staff is excited to participate in training opportunities made available by the state departments. Your continued cooperation with DHS and DATCP is appreciated.

Your entire staff was very pleasant and enjoyable to work with. If you have further concerns, questions or want to discuss issues regarding this retail food establishment program evaluation, please feel free to call me at the telephone number listed below or James Mack at (608) 266-8351.

Sincerely,

<p>James Kaplanek          Chief, Food Safety and Recreational Licensing          Department of Health Services          James.Kaplanek@wisconsin.gov          608-261-8361</p>	<p>Michael E. Barnett          Chief, Regulatory &amp; Technical Service          Section          WDATCP – DFS          Mike.Barnett@wisconsin.gov          608/224-4716</p>
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- Cc. Susan Nett - Health Officer Menasha Health Department  
 Todd Drew - Environmental Health Specialist  
 Wayne Kopp – WDATCP DFS Evaluation Officer  
 James Mack, WDHS Food Program Manager  
 Chuck Warzecha – Director Bureau Environmental and Occupational Health.  
 Tom Leitzke – WDATCP DFS Food Bureau Director