## Agenda Item Description

### Call to Order
- Roll Call

### Approval of Agenda

### Approval of Minutes
- Regular Meeting – November 9, 2021

### Public Session
- Any person wishing to address the Board of Health on a matter not on this Agenda may do so at this time.

### Department Reports
- A. Health Director Update – Lopez

### Current Business

#### Action Items

- A. Policy 222.31 Food Establishment Enforcement
- B. Policy 222.37 FH & FM Enforcement
- C. Policy 222.38 Inspection Intervals
- D. LMC 24.38 Onsite Wastewater Treatment System
- E. County Resolution No. R-15-0004
- F. LMC 24.42 Property Transfer
- G. County Resolution R-13-0064

### Supporting Documents
- Agenda
- Minutes
- Monthly Report
- Select Disease Report
- Financial Report
- Attachments
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<tr>
<th>AGENDA ITEM</th>
<th>DESCRIPTION</th>
<th>SUPPORTING DOCUMENTS</th>
</tr>
</thead>
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<tr>
<td>FUTURE BUSINESS</td>
<td>Request for Information / Topics for Future Agendas</td>
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<tr>
<td>ANNOUNCEMENTS</td>
<td>Next Regular Meeting – January 11, 2022 - 5:00 PM</td>
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<tr>
<td>ADJOURNMENT</td>
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Additional Information: **Glossary of Abbreviations**

This agenda will be kept continually current and will be available for public inspection within the Lincoln-Lancaster County Health Department during normal working hours. A copy of the Open Meetings Law is posted at the meeting site.

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public’s access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln please contact Angel Edwards at the Lincoln-Lancaster County Health Department at 402-441-8093 as soon as possible before the scheduled meeting date in order to make your request.
TO: Board of Health Members, Media and Interested Parties

FROM: James Michael Bowers, President

SUBJECT: Meeting Notice and Tentative Agenda

DATE: November 30, 2021

5:00 PM, Tuesday, December 14, 2021
Training Center
3131 O Street
Lincoln, NE 68510

The tentative agenda is as follows:

I. CALL TO ORDER – Bowers
   A. Roll Call

II. APPROVAL OF AGENDA – Bowers

III. APPROVAL OF MINUTES – Bowers
   A. Regular Meeting – November 9, 2021

IV. PUBLIC SESSION

Those wishing to speak on items relating to other Board of Health business not on the agenda may speak during the public session portion of the agenda. Each speaker is limited to five (5) minutes. Time limits may be extended or reasonably decreased at the discretion of the Board President. The public session period will be limited to one (1) hour.

V. DEPARTMENT REPORTS
   A. Health Director Update – Lopez
   Reaccreditation Status – Lopez
   Vital Statistics Report for Lancaster County – Raju
   Dental Program Report – Meginnis
VI. CURRENT BUSINESS – Action Items

A. Policy 222.31 Food Establishment Enforcement – Daniel
B. Policy 222.37 FH & FM Enforcement – Daniel
C. Policy 222.38 Inspection Intervals – Daniel
D. Lincoln Municipal Code 24.38 Onsite Wastewater Treatment System – Schroeder/Holmes
E. County Resolution No. R-15-0004 Regulating On-Site Wastewater Treatment System – Schroeder/Holmes
G. County Resolution R-13-0064 Procedures for the inspection of on-site water supply systems – Schroeder/Holmes

VII. FUTURE BUSINESS

A. Request for Information/Topics for Future Agenda

VIII. ANNOUNCEMENTS

Next Regular Meeting – January 11, 2022 - 5:00 PM

IX. ADJOURNMENT

This agenda will be kept continually current and will be available for public inspection within the Lincoln-Lancaster County Health Department during normal working hours. A copy of the Open Meetings Law is posted at the meeting site.

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LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

Board of Health
November 9, 2021

I. ROLL CALL

The meeting of the Board of Health was called to order at 5:03 PM by James Michael Bowers at the Lincoln-Lancaster County Health Department. Members Present: James Michael Bowers, Katie Garcia, Jacqueline Miller, Stacie Bleicher, Tom Randa, Sean Flowerday, Jasmine Kingsley, Jay Jarvis, Rick Tast (ex-officio), Candace Berens (ex-officio) and John Ward (ex-officio).

Members Absent: Dustin Loy and Adelle Burk (ex-officio).

Staff Present: Patricia Lopez, Scott Holmes, Steve Beal, Dave Humm, Kerry Kernen, Jeff Chambers, Gwendy Megginis, Angel Edwards, Charlotte Burke, Christina Hitz, Raju Kakarlapudi and Michael Gude.

II. APPROVAL OF AGENDA

Mr. Bowers asked if there were any corrections to the Agenda. Corrections were requested to strike Current Business Informational Items C and E as both items were discussed at the October 12, 2021 and there were no further updates.

Motion: Moved by Dr. Miller to approve the changes to the agenda. Second by Ms. Kingsley. Motion carried by a 8-0 roll call vote.

Mr. Bowers then asked for the approval of the agenda.

Motion: Moved by Dr. Garcia to approve the agenda. Second by Mr. Randa. Motion carried by a 8-0 roll call vote.

III. APPROVAL OF MINUTES

Mr. Bowers asked if there were any corrections to the Minutes. No corrections were requested.

Motion: Moved by Dr. Miller that the October 12, 2021 Minutes be approved as printed. Second by Dr. Garcia. Motion carried by a 8-0 roll call vote.

IV. PUBLIC SESSION

No one came forward.
V. DEPARTMENT REPORTS

A. Health Director Update

Director Lopez provided a brief COVID-19 update by explaining that vaccination clinics for children began on Saturday November 6th at Lincoln High School. More than 1,500 children between the ages of 5 and 11 years old received their first dose of Pfizer. To make the clinic fun for children, a photo booth, stickers and activity pages from Lincoln City Libraries were available. In addition, LFR was on site with a firetruck that the children could explore. Clinics for child vaccinations are scheduled for November 13 and 20th at area high schools.

The Animal Control Manager, Steve Beal, gave a presentation on “Coyotes in Lincoln”. Animal Control continues to patrol high call volume areas and reach out to neighbors for feedback. Education is the primary focus to advise the public on how to prevent problems with coyotes and what people should do if they encounter a coyote. Board members asked questions about where the coyote populations are most prominent. Information about urban coyotes and what factors have contributed to increased numbers was discussed by Board members and staff. Trail cams are being utilized to track coyote movements day and night. There have been NO confirmed reports of coyotes attacking people. Animal Control will continue to work with Parks and Recreation regarding education efforts and posting signs in parks and trails.

The Environmental Health Manager, Scott Holmes, gave a presentation on the “Water Well Program”. The purpose of Lincoln Municipal Code Chapter 8.44 is to:

- Prevent the pollution of groundwater.
- Prevent nuisances
- Minimize the degradation of water supplies
- Minimize disease transmission potential

The number of Water Well Permits issued by The Lancaster County Health Department has seen a steady rise since 2017, along with inspections and sampling. The most common deficiencies are broken electrical caps, lack of seal and broken electrical conduits. Mr. Holmes indicated that fees that are charged/paid through the program are directly responsible for almost all program costs, including staffing that conduct inspections and water testing. The Board asked questions about the large number of wells in the City. Mr. Holmes explained that the City is required to allow wells to continue to exist, even when City annexes property into it’s jurisdiction.

VI. CURRENT BUSINESS (Information Item)

A. Health Equity Initiative Coordinator

The Health Equity Initiatives Coordinator position was recently approved by The City Council. This position will assist with coordination of LLCHD grants, contracts and
initiatives designed to reduce health disparities and advance health equity. The position will be advertised on the City Website before the end of the year.

B. **Health Literacy Grant**

The Public Health Education Manager, Dave Humm, explained that this two-year grant funding will create a sustainable working infrastructure with local agencies and cultural centers to provide consistent and comprehensive health literacy resources and expertise for the future.

C. **Community Health Assessment Status**

Removed from the Agenda.

D. **Minority Health Initiative Status**

The Lincoln Lancaster Health Department continues to work with staff from the culture centers to engage the populations they serve in community conversations to help identify priority issues. Compilation and analysis of data related to minority populations is on-going.

E. **PHAB Accreditation and Functions of a Board of Health**

Removed from the Agenda.

VII. **FUTURE BUSINESS**

No future business items were discussed.

VIII. **ANNOUNCEMENTS**

Next Meeting – December 14, 2021 at 5:00 PM.

IX. **ADJOURNMENT**

Motion: Moved by Dr. Miller that the meeting adjourn. Second by Dr. Bleicher. Motion carried by a 8-0 roll call vote. The meeting was adjourned at 6:13 PM.

Angel Edwards  
Recording Secretary

Katie Garcia  
Vice President
DENTAL HEALTH

WIC

Caseload (Participation)

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>LLCHD (-61 Oct 2020)</th>
<th>State: 34,345 (-521 Oct 2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main</td>
<td>2,630</td>
<td>2,630 (-11 Sept 2021)</td>
<td></td>
</tr>
<tr>
<td>Cornhusker Clinic</td>
<td>1,231</td>
<td>1,231 (+16 Sept 2021)</td>
<td></td>
</tr>
<tr>
<td>%Enrolled with Benefits</td>
<td>86.82%</td>
<td>86.82% (+0.07% Sept 2021)</td>
<td></td>
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Participants by Category/Breastfeeding Information

<table>
<thead>
<tr>
<th></th>
<th>LLCHD</th>
<th>State of Nebraska</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Women</td>
<td>752 (19.5%)</td>
<td>6,961 (20.3%)</td>
</tr>
<tr>
<td>Total Children</td>
<td>2,361 (61.1%)</td>
<td>19,457 (56.7%)</td>
</tr>
<tr>
<td>Total Infants</td>
<td>748 (19.4%)</td>
<td>7,236 (21.0%)</td>
</tr>
<tr>
<td>Infants Receiving Breastmilk</td>
<td>247 (6.4%)</td>
<td>2,391 (7.0%)</td>
</tr>
<tr>
<td>Infants Exclusive Breastmilk</td>
<td>90 (2.3%)</td>
<td>840 (2.4%)</td>
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Mentoring:

<table>
<thead>
<tr>
<th></th>
<th>(Number and school)</th>
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<tbody>
<tr>
<td>Students</td>
<td></td>
</tr>
<tr>
<td>Interns</td>
<td></td>
</tr>
<tr>
<td>Volunteers</td>
<td></td>
</tr>
<tr>
<td>LMEP Residents</td>
<td>Dr. Tyson Carlson</td>
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</tbody>
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WIC QI—No Show Rates:

<table>
<thead>
<tr>
<th>Month</th>
<th>FFY 21 Main Office</th>
<th>FFY 21 North Office</th>
<th>FFY 21 LLCHD Overall</th>
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</thead>
<tbody>
<tr>
<td>October</td>
<td>14.2%</td>
<td>16.7%</td>
<td>15.0%</td>
</tr>
<tr>
<td>November</td>
<td></td>
<td></td>
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<tr>
<td>December</td>
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<td>August</td>
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<tr>
<td>September</td>
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<tr>
<td><strong>Average</strong></td>
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- There were 21 working days in October. The October caseload was 3,861 (-61 from Oct 2020 and +5 from Sept 2021).
- No-show rates increased compared to the previous month (+0.56%).

DENTAL HEALTH

Dental Clinic Services:

- Total number of clients served (unduplicated count): 529
- Total number of patient encounters (duplicated client count): 729
- Total number of patient visits (duplicated provider appointments/visits): 1070
- Total number of Racial/Ethnic and White non-English speaking patients: 452 (85%)
- Total number of children served: 385 (73%)
- Total number of clients enrolled in Medicaid: 455 (86%)
- Total number of all clients with language barriers: 321 (61%)

(Albanian, Arabic, Burmese, Chinese, Farsi, French, Karen, Kurdish, Russian, Spanish, Ukranian, Vietnamese, Other)

There was an increase of 149 provider visits when compared to September 2021 and a decrease of 34 provider visits when compared to October 2020. The failed appointment rate for October was 10%, down from 11% in September.
Community Outreach Services Total: 716

Community Events: 77
WIC Baby Shower Event at the Auld Pavillion – 40 (20 child toothbrush kits, 20 toothbrush infant kits)
YWCA Family Event – 12 (10 toothbrush kits, 2 infant kits)
WIC Trunk or Treat Event – 5 children
Health 360 Baby Shower Event – 20 (8 child toothbrush kits, 12 infant toothbrush kits)

School Screenings: 639
Eagle Elementary – 166
Waverly School – 122
Brownell Elementary – 57
Eastridge Elementary – 90
Norwood Elementary – 83
Prytle Elementary - 121

ENVIRONMENTAL PUBLIC HEALTH

Environmental Public Health FY21
Selected Performance Measures, Indicators and Programmatic Data

WATER QUALITY PROGRAMS

90% of industries pose minimal risk of illicit discharge to the stormwater system

Source: LLCHD 12/20
Note: Industries continue to do a great job in reducing the risk of illicit discharges to the stormwater system. This ensures that Lincoln remains in compliance with the State issued municipal stormwater permit. Discharges can impact surface water and potentially groundwater posing both health and environmental risks.

Note: In FY17, when arriving to inspect a pool, if LLCHD staff found it to be closed by the operator due to their own action to correct violations, it was marked as out of compliance. Policy change in FY18 resulted in such a pool not being marked as not meeting public health standards. This resulted in an increase in the percent of pools identified to be in compliance with our goal of 80% of pools meeting public health standards. Fluctuation in compliance is impacted by many factors, including heat, pool loading, and pool operators ongoing monitoring of key parameters such as disinfection levels and pH.
Despite the pandemic, onsite wastewater systems permits have been consistently high. FY20 set the record at 209. In FY21, 193 permits were issued, only 16 fewer than last year’s record.
Note: Recent annexations resulted in a large increased in the number of water wells requiring permits. About 625 water wells now exist in the City of Lincoln, about one-half of which are used for drinking water.
FY20 had a record number of property transfers reviewed, followed by a drop to 195 in FY21. Combined with a growing numbers of pools, annexations of new areas into Lincoln that have water wells that require permitting, inspection and sampling, and high numbers of onsite wastewater treatment systems, the Water Team staff has had a growing workload over the past several years.
Maintain Number of Food Safety Complaints at less than 130 per year and Foodborne Illness Reports at less than 40 per year (per 100,000 Population)

Note: Decreases in complaints and foodborne illness reports appear to be heavily influenced by the pandemic and perhaps changes in patterns of eating out.

Source: LLCHD
Performance Measure: Conduct 95% of all food inspections within the required frequency.

Note: Food establishment inspections were significantly impacted by the COVID-19 pandemic. During surge periods, in-person inspections were not completed unless to open a new establishment, respond to a significant complaint or fire, or other unique circumstance. Instead, Food Team Staff made phone contact and provided technical assistance with establishments. LLCHD Food Safety Team is now back to conducting regular inspections and the goal will be to get caught up with inspection intervals to ensure food safety for the public.
Note: Food establishment permits issued have remained fairly level, ranging from a high in 1416 in FY17 to a low of 1381 in FY20. The number of inspections conducted reflects reduced number of inspections conducted due to the COVID-19 outbreak. As with many food safety programs around the country, staff were temporarily not conducting regular inspections during surge periods with severe risk of spread of COVID-19 in our community. Inspections were still conducted for high risk complaints, such as plausible foodborne illness outbreaks. Food Safety Team Environmental Health Specialists contacted food establishments to check in and see how things were going and to offer consultation on specific concerns or issues. Food Safety Team staff were also temporarily reassigned to help Lincoln and Lancaster County residents register for and get an appointment for LLCHD mass vaccination clinics in the early part of 2021. In addition, staff provided mobility and parking assistance, which was especially important for the tens of thousands of older adults that were vaccinated over a period of about three months. Food Safety Team staff support helped ensure the clinics ran smoothly and literally helped saved lives.
Note: The reduction in Food Handler Permits issued in FY20 and FY21 is directly associated with the impacts of the COVID-19 Pandemic on the food service industry. Fewer employees were needed and hiring new employees was difficult due to labor shortages. Almost all food handler permits were issued through the joint UNL/LLCHD online training system. As inspections increase in FY22, the Food Safety Team will remind managers of the importance of food handler permits.

Source: LLCHD 11/21
Note: In FY20, the weekly operation of our new Lincoln’s Hazardous Waste Center – HazToGo was disrupted by the Pandemic, resulting in a significant reduction in pounds of household hazardous waste collected. After being closed for several months, the Center was reopened in August of 2020. The pent up demand for hazardous waste collection services is evidenced by the record amount collected in FY21, exceeding our goal of 100,000 pounds.
After an increase in graffiti complaints reported in FY18; complaints dropped in FY19, followed by another large increase in FY20. FY20 increase was attributed to Generic/Political and Hip Hop type graffiti. LPD reported increases in other similar crimes during the Pandemic. FY21 once again saw a significant decrease in complaints.
The Mayor’s Budget Indicator is to “Ensure the average time for graffiti to be removed or covered is less than 10 days from being reported.” In FY21, the average was just over 6 days. Quick removal of graffiti is a key to preventing additional vandalism.
Note: Investigation and resolution of garbage complaints continues to be a significant workload for the Solid Waste and Hazardous Materials Team.
After dropping for two years, the total number of reports of illegal dumping outside of the city increased in FY20 and FY21. Tires, junk, and furniture continue to be the most common items found.
AIR QUALITY PROGRAMS

Maintain "Good" Air Quality at Least 90% of Days Measured

Note: The chart above uses air quality monitoring data collected by LLCHD for both Ozone and Particulate Matter (PM2.5) and data is shown for the FY21 fiscal year (9/20 through 8/21). It contains preliminary data on Ozone for the months of July and August of 2021. Thus, the final percent of days in 2021 that will meet the Good AQI criteria may be slightly different. Our Air Quality Program goal to “Maintain ‘Good’ Air Quality at least 90% of the Days Measured” has been met in three of the last five years. EPA’s classification of ‘Good’ air quality ensures people’s health is protected. Air pollution (mostly small particles called ‘PM2.5’) from out-of-state fires, including spring burning in the Flint Hills ecoregion and wildfires in the western U.S. and Canada, are the primary reasons for days not being categorized as ‘Good’. 

Source: LLCHD Air Quality Program (Dec. 02, 2021)
The chart above contains preliminary data for Ozone levels for the months of September and October of 2021. Data will not final until early in 2022. Ozone levels decreased significantly from 2018 to 2019 and decreased again in 2020. Ozone levels increased in 2021, but the 3-year average concentration dropped due to the 2021 annual value being lower than the 2018 annual value. The levels are well below the National Ambient Air Quality Standard of 0.070 parts per million (ppm).
Note: There are two primary national standards by which fine particulate matter (PM$_{2.5}$) are assessed, one based on annual average concentration and another based on 24-hour average concentration. The level of fine particulate (PM$_{2.5}$) has held fairly steady for the past several years. PM$_{2.5}$ is primarily associated with combustion sources of air pollution, including fires in other states when smoke is transported to Nebraska. As reflected in the charts above, the annual average is well below the standard of 12 micrograms per cubic meter (µg/m$^3$), and the 24-hour average is well below the standard of 35 µg/m$^3$. 

Source: LLCHD Air Quality Program (03/23/2021)
Health Promotion & Outreach Monthly Report – November 2021

Chronic Disease Prevention
Diabetes Action Now! network celebrated World Diabetes Day on November 14 by creating and sharing social media posts. 88 million people have prediabetes and more than 8 out of 10 do not know they have it.

Minority Health Initiative and CDC COVID-19 Health Disparities grant work continues with expanding relationships with community partners and organizing upcoming listening sessions to be held in December. In addition to specific racial and ethnic groups, other groups include unhoused, deaf/hard of hearing, and blind communities.

Data was shared at Opioid Overdose Prevention Coalition’s regular meeting on November 15 by LPD’s Drug Task Force Captain Ryan Dale:
Accidental overdoses by year:
- 2015 - 82
- 2016 - 55
- 2017 - 53
- 2018 - 103
- 2019 - 90 (10 opioid related deaths - 3 fentanyl)
- 2020 - 133 (20 opioid related deaths - 13 fentanyl)
- 2021 - 202 year to date (20 opioid related deaths – 19 fentanyl)

Tobacco staff was interviewed on Channel 8 Mid-Day Forum sharing #GASOLNK #GASOLancasterCoNe campaign tips to support those that are making tobacco quit attempts, and community resources that are available.

Tobacco staff facilitated county-wide #GASOLNK #GASOLancasterCoNe campaign with 16 participating businesses reaching over 20,000 employees. Staff presented CenterPointe with 2021 #GASOLNK #GASOLancasterCoNe Tobacco-Free Business Champion Award.
**Injury Prevention**

Staff coordinated two car seat check events at LFR station #10. A total of 31 car seats were checked and 15 seats were provided to families in need.

Staff was a guest speaker at Lincoln High School’s teen parenting class and shared the purpose of Safe Kids Lincoln-Lancaster County and went over home safety tips. Staff also provided the students with home safety devices such as doorknob covers, outlet covers, anti-tip furniture straps, and cord wind-ups.

**Employee Wellness**

STEPtember walking challenge took place September 1-30 with 65 employees participating. The recreational division had 15 teams of three employees and averaged 9,500 steps per day per person. The competitive division had 8 teams of three employees and averaged 11,400 steps per day per person. Throughout the challenge, participants received weekly health tips.

Question. Persuade. Refer. (QPR) Gatekeeper Training was offered for all City/County employees via Zoom, facilitated by Region V. In one hour, attendees learned how to recognize warning signs of suicide, know how to offer hope, and know how to get help and save a life. 28 employees participated in this training.

**ANIMAL CONTROL**

On November 23, 2021, Animal Control Officers DeMon Wimes and Nick Finelli responded to a call regarding a cat trapped in a 10 ft, narrow, cement lined hole at 32nd & W St. The hole was located under a back porch, so space was small and confined. Citizens had tried to get the cat in a basket and failed. The officers made a lasso for the cat and after a few attempts, were finally able to get the cat. The cat appeared uninjured and was taken to the Capital Humane Society. The cat was later adopted out.
Coyote calls continue to come into Animal Control. Many of the calls are from the Taylor Park area. Animal Control officers patrol the Taylor Park and surrounding neighborhood daily. Officers have been talking to residents and providing education and tips on minimizing any problems with coyotes.
TO: Board of Health

FROM: Justin L. Daniel, REHS, CP-FS, Environmental Health Supervisor Environmental Public Health Division

DATE: December 2, 2021

SUBJECT: Proposed Revisions to Food Safety Program Policy 222.31 - Food Establishment Enforcement

This policy was reviewed by the Food Advisory Committee and the committee recommends approval to the Board.

**222.31 - Food Establishment Enforcement**

This policy revision was made during a routine review of policies by the food team. Changes to this policy include clarifying when a Food Enforcement Notice (FEN) may be issued for food handler non-compliance and pest infestations.

Policy language was updated to be consistent with Policy 222.37 Food Handler & Food Manager Permit Enforcement. Language now clarifies that a FEN may be issued immediately for non-compliance with Food Handler or Food Manager permits.

Additionally, policy language was changed to indicate a FEN as an Immediate Suspension Notice will be issued when a “pest infestation” is observed. This language is less specific from previous language of “significant rodent or cockroach infestation” as other types of pest infestations may occur.

Exhibits were updated to reflect more recent examples of the different types of enforcement.

This Policy was reviewed by the Food Advisory Committee on November 18, 2021, and they recommended approval of these revisions.

**Staff recommends that the Board of Health approve the proposed revisions to Food Safety Program Policy 222.31 - Food Establishment Enforcement.**
TO: Board of Health

FROM: Justin L. Daniel, REHS, CP-FS, Environmental Health Supervisor Environmental Public Health Division

DATE: December 2, 2021

SUBJECT: Proposed Revisions to Food Safety Program Policy 222.37 Food Handler and Food Manager Permit Enforcement.

This policy was reviewed by the Food Advisory Committee and the committee recommends approval to the Board.

222.37 - Food Handler and Food Manager Permit Enforcement

This policy revision was made during a routine review of policies by the food team. Language was updated in the Food Manager Permit Compliance Chart to be consistent with the FDA and Nebraska Food Codes from “Potentially Hazardous Food” to “Time/Temperature Control for Safety Foods (TCS).

Exhibit 1 was updated with the current Employee Roster distributed by staff. The updated exhibit has columns added for Responsible Beverage Server/Seller information if applicable.

This policy continues to require 100% compliance with food handler and food manager permits and establishes the criteria for the enforcement action to be taken.

This Policy was reviewed by the Food Advisory Committee on November 18, 2021 and they recommended approval of these revisions.

Staff recommends that the Board of health approve the proposed revisions to Food Safety Program Policy 222.37 - Food Handler and Food Manager Permit Enforcement.
TO: Board of Health

FROM: Justin L. Daniel, REHS, CP-FS, Environmental Health Supervisor
Environmental Public Health Division

DATE: December 2, 2021

SUBJECT: Proposed Revisions to Food Safety Program Policy 222.38 – Food Establishment Inspection Intervals

Lincoln-Lancaster County Health Departments Food Safety Program establishes Food Establishment Inspection Intervals based on risk. This approach prioritizes staff time for inspections based on associated risk due to menu, population served, or inspection history. Environmental Public Health reviews policies on a regular basis to ensure they are current. Staff reviewed policy 222.38, Food Establishment Inspection Intervals. Staff proposed minor revisions to this policy, and it was reviewed by the Food Advisory Committee. The committee recommends approval to the Board.

The proposed revisions include:
- Language was updated to be consistent with the FDA and Nebraska Food Codes from “Potentially Hazardous Food” to “Time/Temperature Control for Safety Foods (TCS).
- Type I and type IV establishments were better clarified.
- Type V establishment language was updated to be consistent with Policy 222.31- Food Establishment Enforcement related to pest infestations, and language was updated from critical to priority or priority violations.

This Policy was reviewed by the Food Advisory Committee on November 18, 2021, and they recommended approval of these revisions.

Staff recommend that the Board of Health approve the revisions to Policy 222.38 – Food Establishment Inspection Intervals.
Proposed On-site Wastewater Treatment System and Property Transfer Regulation Changes

LMC 24.38 – On-site Wastewater Treatment Systems

24.38.020 Definitions.

Certified professional shall mean a private onsite wastewater treatment system professional certified under the Nebraska Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act to perform the tasks defined in Nebraska Title 124, Chapter 20, effective August 11, 2012, for which the certification has been issued.

24.38.030 Requirements for On-site Wastewater Treatment Systems.

Minimum requirements are hereby prescribed in this chapter together with design standards and regulations adopted pursuant to this chapter governing the design, construction, installation, operation, and maintenance of on-site wastewater treatment systems. All standards and regulations for the design, operation and maintenance of on-site wastewater treatment systems referred to herein shall be filed with the City Clerk. Except as hereinafter provided by specific amendment, the standards and regulations set forth in Neb. Rev. Stat. §§ 81-1505(8), and Nebraska Department of Environmental Quality, Title 124 Rules and Regulations For The Design, Operation and Maintenance of Onsite Wastewater Treatment Systems chapter 1, chapters 5 through 19, and chapter 20 sections 001 to 006, as amended from time to time effective August 11, 2012, are hereby adopted by reference and incorporated into Chapter 24.38 of the Lincoln Municipal Code. No person shall construct an on-site wastewater treatment system on a property which is less than three (3) acres in size. No person shall construct, alter, extend, operate, or clean any on-site wastewater treatment system within the City of Lincoln or the three-mile zone contrary to the provisions of this chapter or design standards adopted pursuant to this chapter; no privies shall be constructed or installed for use after the effective date of the ordinance codified in this chapter. Any on-site wastewater treatment system that does not conform to the requirements of this chapter and design standards adopted pursuant to this chapter shall be designed by a Registered Master Installer or Professional Engineer (P.E.) licensed in the State of Nebraska as defined by Title 124 of the Nebraska Administrative Code. (Ord. 17939 §3; November 26, 2001: prior Ord. 9150 §3; January 16, 1967).

LMC 24.42 – Regulation of Property Transfers with On-site Systems

24.42.020 Definitions.

Title 124 Nac shall mean the Nebraska Administrative Code Title 124 (Nebraska Department of Environment and Energy Title 124 - Rules and Regulations for the Design, Operation and Maintenance of On-site Wastewater Treatment Systems, effective August 11, 2012).
County Resolution No. R-15-0004 Regulating On-site Wastewater Treatment Systems

Section II. DEFINITIONS

CERTIFIED PROFESSIONAL shall mean a private onsite wastewater treatment system professional certified under the Nebraska Private Onsite Wastewater Treatment System Contractors Certification and System Registration Act to perform the tasks defined in Nebraska Title 124, Chapter 20, effective August 11, 2012, for which the certification has been issued.

Section III. REQUIREMENTS FOR ON-SITE WASTEWATER TREATMENT SYSTEMS.

Minimum requirements are hereby prescribed in this resolution together with standards and regulations adopted pursuant to this resolution governing the design, construction, installation, operation, and maintenance of on-site wastewater treatment systems. All standards and regulations for the design, operation and maintenance of on-site wastewater treatment systems referred to herein shall be filed with the County Clerk. Except as hereinafter provided by specific amendment, the standards and regulations set forth in Neb. Rev. Stat. §§ 81-1505(8), and Nebraska Department of Environmental Quality, Title 124 Rules and Regulations For The Design, Operation and Maintenance of Onsite Wastewater Treatment Systems chapter 1, chapters 5 through 19, and chapter 20 sections 001 to 006, as amended from time to time effective August 11, 2012, are hereby adopted by reference and incorporated into this resolution. No person shall construct an on-site wastewater treatment system on a property which is less than three (3) acres in size. No person shall construct, alter, extend, operate, or clean any on-site wastewater treatment system within the County of Lancaster contrary to the provisions of this resolution or design standards adopted pursuant to this resolution; no privies shall be constructed or installed for use after the effective date of the ordinance codified in this resolution. Any on-site wastewater treatment system that does not conform to the requirements of this resolution and design standards adopted pursuant to this resolution shall be designed by a Registered Master Installer or Professional Engineer (P.E.) licensed in the State of Nebraska as defined by Title 124 of the Nebraska Administrative Code.

County Resolution No. R-13-0064 Procedures for the Inspection of On-site Water Supply Systems and On-site Wastewater Treatment Systems Prior to the Sale, Transfer, or Conveyance of Property in Lancaster County, Nebraska

Section II. DEFINITIONS

TITLE 124 NAC shall mean the Nebraska Administrative Code Title 124 (Nebraska Department of Environmental Quality Title 124 - Rules and Regulations for the Design, Operation and Maintenance of On-site Wastewater Treatment Systems, effective August 11, 2012).