

Marathon County Board of Health

Tuesday, February 4, 2020 at 7:45 AM

Meeting Location: 1000 Lake View Drive, Suite 100
Wausau, WI 54403

In addition to attendance in person at the location described below, Board of Health Members and the public are invited to attend by telephone conference.

Persons wishing to attend the meeting by phone may call into the telephone conference beginning ten minutes prior to the start time indicated below, using the following number: 715-261-1972.

Committee Members: John Robinson, Chair; Sandi Cihlar, Vice-Chair; Lori Shepherd, Secretary; Mary Ann Crosby; Dean Danner; Kue Her; Tiffany Lee; Michael McGrail; Laura Scudiere

Marathon County Mission Statement: Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated: 12-20-05)

Marathon County Health Department Mission Statement: To advance a healthy Marathon County community by preventing disease, promoting health, and protecting the public from environmental hazards. (Last updated: 5-7-13)

1. **Call to Order**
2. **Public Comment Period**
3. **Approval of the Minutes of the January 7, 2020 Board of Health Meeting**
4. **Operational Functions Required by Statute, Ordinance, or Resolution**
 - A. None
5. **Policy Discussion and Possible Action**
 - A. Overview of the Health Officer 2020 Plan of Work
 - B. Review the 2020 Board of Health calendar of topics
 - C. Explore the Board of Health focus areas for 2020
 - D. Amend the Marathon County Agent Program Regulation regarding the department's ability to refuse to issue or renew a permit
 - E. Updates WALHDAB/WPHA Public Affairs and State of WI Department of Health Services public health policy initiatives
 - i. Governor Evers tobacco policy initiatives
 - ii. Homelessness bills
 - iii. Other

6. Educational Presentations/Outcome Monitoring Reports

- A. Community Health Improvement Team Report – Tobacco 21
- B. Share Addressing Social Determinants of Health Can Improve Community Health & Reduce Costs NIHCM (National Institute of Health Care Management) Infographic
- C. Report from the Health & Human Services Committee January 27, 2020 meeting on policy issues impacting public health

7. Announcements

8. Next Meeting Date & Time, Location, Future Agenda Items: March 3, 2020

- A. Start Right Program outcomes
- B. Pool licensing fee structure
- C. Identification of community health priorities with members from Healthy Marathon County
- F. Other

9. Adjourn

FAXED TO: Daily Herald, City Pages,
Marshfield News, Mid-West Radio Group

Signed _____

THIS NOTICE POSTED AT THE COURTHOUSE

Date _____ Time _____

By _____

Date _____ Time _____

Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500 or e-mail infomarathon@mail.co.marathon.wi.us one business day before the meeting.

MARATHON COUNTY BOARD OF HEALTH
Meeting Minutes
January 7, 2020

Present: John Robinson, Dean Danner, Kue Her, Tiffany Lee, Sandi Cihlar, Mary Ann Crosby, Lori Shepherd

MCHD Staff: Joan Theurer, Dale Grosskurth, Melissa Moore, Eileen Eckardt, Chris Weisgram, Judy Burrows,

Others Present: Donna Krause

1. Call to Order

John Robinson called the meeting to order at 7:48 a.m.

2. Public Comment Period

Donna Krause shared comments and distributed articles related to research around medical marijuana.

3. Approval of the Minutes of the December 3, 2019 Board of Health Meeting

Motion by Sandi Cihlar to approve the December 3, 2019 minutes. Seconded by Dean Danner. The motion was approved.

4. Operational Functions Required by Statute, Ordinance, or Resolution

A. None

5. Policy Discussion and Possible Action

A. Determine next steps in adopting Marathon County Board of Health Statement on Marijuana and the Impact on the Public's Health

John Robinson shared that the draft was provided at the last meeting, and additional articles have been received for further information. Melissa Moore and Judy Burrows shared that no changes have been made to the draft document. Judy Burrows shared that impacts of policy changes in neighboring states will likely be seen locally.

The Board held discussion on proposals being considered at the State level, and the purpose of the statement. Joan Theurer clarified that the original intent of the statement was to provide talking points, and a credible source of information for Board members, with consistent language.

Melissa Moore shared that reports have been developed in other states covering things to consider when states consider legalization.

John Robinson suggested including that the statement was written with information available at the time of the report, given the frequency of new research developments.

The Board held discussion on the merits of adopting the statement, including having the facts as they are currently known, and the statements reads neutral for the purposes of education and consideration.

Melissa Moore clarified that the statement focuses more on the data aspect of the issue, rather than public opinion.

Lori Shepherd motioned to accept and utilize the statement on marijuana and the impact on the public's health, and review the statement at least every two years. Seconded by Kue Her. Motion approved.

B. Determine the 2020-2021 Licensing Fee

Joan Theurer highlighted points from the overview document provided. In 2018, the licensing fees collected cover 82% of the program costs as reported for Priority Based Budgeting. Joan also noted the license fee history table, and explained the reason for fluctuations in revenues and expenses. Impacts include varying numbers of licensed facilities year to year, full time equivalent staff, health insurance premium costs, and staff turnover.

Joan shared fees in 2019 covered a portion of indirect program costs in light of staff vacancy. Joan reviewed the potential revenue increases with associated fee increases.

Lori Shepherd asked if any feedback was received from operators. Dale Grosskurth indicated none had been received.

John Robinson indicated he would be comfortable with 3% given the status of priority based budgeting, currently.

Motion to approve a fee increase of 3% for 2020 made by Dean Danner. Seconded by Mary Ann Crosby. Motion approved.

- C. Update WALHDAB/WPHA Public Affairs and State of WI Department of Health Services public health policy initiatives**
- i. Lead Safe Housing Grant
 - ii. Other

Joan Theurer shared that this item has been included as a standing item to provide an opportunity for ongoing updates on current news and initiatives from the state public health organizations and the State of WI Department of Health Services.

Dale Grosskurth shared that the Lead Safe Housing Grant would be helpful to property owners and community members. The City of Wausau is working to be approved as the administrator of the grant, and the plan is for six properties in the first year to address lead safety issues. The Health Department's role would be to conduct the lead hazard investigations and assist in identifying eligible properties.

Discussion on the prevalence of properties in the area that are unsafe due to lead, and progress made over the last several years to address the issue.

Dale Grosskurth shared that the grant will be available to residents outside of the City of Wausau.

Joan shared that the State of WI Department of Health Services will be working on advancing public health initiatives in the areas of lead abatement, vaping, Medicaid expansion, and immunizations. There is support from the two state associations to move forward bills related to housing, including case managers, job coaches, and subsidies to help address the homelessness and housing issue.

6. Educational Presentations/Outcome Monitoring Reports

A. Overview of Public Health 3.0 and changes to the Wis. Administrative Code DHS 140 level requirements for local health departments

Joan Theurer shared a presentation on Public Health 3.0, and changes to Wisconsin Administrative Code DHS 140. Strategic collaborative partnerships are essential to supporting the work of the Health Department. Joan also reviewed the history of the impacts of public health since the start of the 20th Century, and the timeline of changes to public health's approach. Public Health 3.0 focuses on the need to address social determinants of health, with health departments taking on the role of chief (community) health strategist.

Joan Theurer provided an overview of changes to DHS 140 for local health departments at levels 1, 2, and 3. The updates included incorporation of concepts from Public Health 3.0, core functions and essential services, and foundational public health services models.

New areas of focus for DHS 140 for level 1 include emergency preparedness and response, policy and planning, leadership and organizational competencies (quality improvement, health equity, workforce).

Joan walked through the revised requirements included for level 3 departments, shared the process for a Chapter 140 review, and what is already being done to retool for Public Health 3.0, and the direction for the department going forward.

The Board discussed concerns with the significance of looking at social and economic conditions affecting health, and how the work necessary to make change will be supported.

John Robinson suggested looking at how Public Health 3.0 changes the work plan for the Health Officer, and relative to the Community Health Improvement Plan.

7. Announcements

A. Staffing Update

Joan Theurer shared that Aaron Ruff, Health Educator has resigned from the Health Department. Recruitment for the position will be under way.

B. Other

John Robinson indicated he will be calling in for the next meeting, and asked if other members will not be attending.

8. Adjourn

The meeting adjourned at 9:30 a.m.

Respectfully submitted,

Lori Shepherd, Secretary
Chris Weisgram, Recorder

DRAFT

**Health Officer Notes
February 4, 2020**

Operational Functions Required by Statute, Ordinance, or Resolution

- A. None

Policy Discussion and Possible Action

A. Overview of the Health Officer 2020 Plan of Work

Joan Theurer, Health Officer will share focus areas for 2020, seeking inputs as to areas to consider not address in the plan. Enclosed, find Health Officer 2020 Plan of Work.

B. Review the 2020 Board of Health calendar of topics

Enclosed, find draft Board calendar of topics for 2020. This was identified as an action from the Board of Health Plan of Work. Members will review and revise as needed.

C. Explore the Board of Health focus areas for 2020

Enclosed, find summary of the Board of Health 2019 accomplishments. Members will review accomplishments and determine focus for 2020.

D. Amend the Marathon County Agent Program Regulation regarding the department's ability to refuse to issue or renew a permit

Enclosed, find proposed amendment to the Marathon County Agent Program Regulation on page 10. The proposed language will enable the Health Department to refuse to issue or renew a permit for specific circumstances. Dale Grosskurth, Program Director – Environmental Health & Safety will provide background for this proposed regulation change.

E. Updates from WALHDAB/WPHA Public Affairs and the State of WI Department of Health Services public health policy initiatives

- i. Governor Evers tobacco policy initiatives
- ii. Homeless bills
- iii. Other

The Board of Health along with Marathon County Health Department staff will provide updates on public health policy initiatives. Judy Burrows, Program Director and Jenna Flynn, Public Health Educator will provide an overview of Wisconsin tobacco policy initiatives. Joan Theurer, Health Officer will share WALHDB/WPHA Public Affairs request in regards to homeless bills.

Educational Presentations/Outcome Monitoring Reports

F. Community Health Improvement Team Report – Tobacco 21

Judy Burrows, Program Director and Jenna Flynn, Public Health Educator will provide an overview of Tobacco 21. Enclosed, find program report on Tobacco 21.

G. Share Addressing Social Determinants of Health Can Improve Community Health & Reduce Costs NIHCM (National Institute of Health Care Management) Infographic

Enclosed, find infographic to further understanding of the value of addressing the social determinants of health.

H. Report from the Health & Human Services Committee January 27, 2020 meeting on policy issues impacting public health

Mary Ann Crosby, County Board Supervisor will share highlights from the discussion that impact public health.

Announcements

Next Meeting Date & Time, Location, Future Agenda Items: March 3, 2020

Start Right Program outcomes

Pool licensing fee structure

Identification of community health priorities with members from Healthy Marathon County



Health Department - Health Officer's 2020 Plan of Work

Mission - "Do we know where we are going?"					
Objective	What We Have Already Done	Outcomes	Timeline	Progress	Updates
<p>Marathon County Health Department will have a DHS 140 Review conducted.</p> <p>Who: Joan Theurer, Lead MCHD Directors, Support</p>	<p>The State of WI requires local health departments to have a DHS 140 Review conducted every 5 years. The last DHS 140 Review was done in November of 2014. DHS Administrative Code 140 was revised in June 2019, resulting in additional requirements to be a level 1, 2, or 3 health department.</p>	<p>DHS 140 Review site visit will be conducted.</p> <p>A plan of work to address deficits identified in meeting Level 3 requirements is created.</p>	<p>April 25, 2020</p> <p>TBD</p>		
<p>Develop the 2021-2024 Marathon County Community Health Improvement Plan.</p> <p>Who: Joan Theurer, Oversight Judy Burrows and Community Health Improvement Team</p>	<p>The State of WI DHS 140 requires local health departments to conduct a community health assessment and improvement plan every 5 years. The LIFE Report is used as the basis for the Marathon County Health Department's community health assessment every 4 years. Members of Healthy Marathon County and Board of Health are responsible for identifying the community health priorities.</p>	<p>Leadership and support for the release of the 2019-2021 LIFE Report is provided.</p> <p>Community health priorities are identified.</p> <p>The community health improvement plan is developed with community stakeholders and released to the public.</p>	<p>January 24, 2020</p> <p>June 5, 2020</p> <p>January 1, 2021</p>		



Health Department - Health Officer's 2020 Plan of Work

<p>Marathon County Health Department will reassess readiness for national Public Health Accreditation.</p> <p>Who: Joan Theurer, Lead MCHD Directors and Amanda Ostrowski, Support</p>	<p>The Prevention Block Grant requires local health departments to address one or more objective to further readiness for national Public Health Accreditation. Marathon County Health Department's last self-assessment was in August 2014.</p>	<p>Self-assessment findings shared with the Board of Health and MCHD All-Staff.</p>	<p>December 31, 2020</p>		
<p>The 2019-2023 Marathon County Strategic Plan outcomes for 2020 will be implemented.</p> <ul style="list-style-type: none"> - Develop a shared health equity learning experience for MCHD All-Staff, Board of Health and Healthy Marathon County - Quality improvement project will be completed for each of the six program areas - Establish benchmarks for Priority Based Programs with investments \$25,000 or more - Develop Public Health 101 Orientation - Develop an annual media plan <p>Who: Joan Theurer, Oversight MCHD Directors, All-Staff</p>	<p>An overarching goal in implementing the 2019-2023 strategic plan is to have staff involvement and ownership. In 2019, 100% of employees contributed to one or more strategy to further one or more strategic plan goal.</p>	<p>80% of employees will be able to state one contribution they made in 2020 to advance one or more goal of the 2019-2023 Marathon County Health Department's Strategic Plan.</p>	<p>December 31, 2020</p>		



Health Department - Health Officer's 2020 Plan of Work

Health Department Strategic Plan Crosswalk

Citizen Perspective: Integrate concepts of health equity into programs and initiatives that address the population health needs in Marathon County.

Operations: Advance strategic collaborative partnerships at the local, regional, and state level to fulfill the department's mission.

Fiscal: Inform and advance public health policy in support of the County's mission and strategic goals.

Marathon County Strategic Plan

Objective 3.3: Ensure that every child makes it to adulthood with health, stability, and growth opportunities.

Objective 3.7: Ensure that every person has local access to effective mental health treatment.

Objectives 6.3: Protect and enhance the quantity and quality of potable groundwater and potable surface water supplies.

Objective 7.2: Mitigate the impacts of heroin and methamphetamine epidemics in Marathon County through evidence-based practices.



Health Department - Health Officer's 2020 Plan of Work

Adaptability - "Are we listening to the marketplace?"					
Objective	What We Have Already Done	Outcomes	Timeline	Progress	Updates
<p>Marathon County Health Department will further the application of the Results Based Accountability model for programs.</p> <p>Who: Joan Theurer, MCHD Directors and Managers, Amanda Ostrowski</p>	<p>The Marathon County Health Department is one of twelve pilot health departments to look at the application of Results Based Accountability framework to produce measureable improvements for programs and community health priorities.</p>	<p>MCHD Directors will have collectively read Trying Hard is Not Good Enough.</p> <p>Results Based Accountability framework will be applied to three programs.</p> <p>Results Based Accountability framework will be used to develop the Marathon County Community Health Improvement Plan.</p> <p>The 2019-2023 Marathon County Strategic Plan and dashboard will be incorporated onto the Clear Impact software.</p> <p>The feasibility of using Clear Impact software to monitor progress for the Marathon County Strategic Plan will have occurred.</p>	<p>September 30, 2020</p> <p>December 31, 2020</p> <p>December 31, 2020</p> <p>December 31, 2020</p> <p>September 1, 2020</p>		



Health Department - Health Officer's 2020 Plan of Work

<p>The Marathon County Health Department will have a system in place to measure the contributions of partners in terms of in-kind time, money and other resources for major program areas.</p> <p>Who: Joan Theurer, Season Welle, MCHD Directors</p> <p>Employees will further their ownership in leading and/or contributing to quality improvement activities.</p> <p>Who: Joan Theurer, QI Team, Innovators</p>	<p>Currently no system exists for identifying what program areas will track for in-kind contributions of partners that further program goals. Priority-based budget model tracks revenue, however does not track in-kind contributions from partner organizations. Partners are instrumental in leverage resources to advance program and community initiatives goals.</p> <p>The Marathon County Health Department established a quality improvement plan in 2012. The plan lays out expectations for quality improvement activities for the department. A self-assessment in 2019, indicated the department is between phase 4 and 5, out of 6 phases in having a culture of QI.</p>	<p>Program and community initiatives will be identified as well as what in-kind contributions will be tracked.</p> <p>Department-wide system will be developed.</p> <p>Three quality improvement projects will create leadership opportunities for MCHD All-Staff (e.g., facilitate QI tool).</p> <p>Minimum of six formal QI projects will be completed.</p>	<p>August 1, 2020</p> <p>December 31, 2019</p> <p>December 30, 2020</p> <p>December 30, 2020</p>		
<p>Health Department Strategic Plan Crosswalks Fiscal: Inform of and advance public health policy in support of the County's mission and strategic goals.</p>					
<p>Marathon County Strategic Plan Objective 12.3 Promote cost-effective public services.</p>					



Health Department - Health Officer's 2020 Plan of Work

Consistency - "Does our system create leverage?"					
Objective	What We Have Already Done	Outcomes	Timeline	Progress	Updates
<p>Planned action will be carried out to increase employees' autonomy and flexibility as well as increase one another's understanding of "managers not practicing what they preach".</p> <p>Who: Joan Theurer, MCHD All-Staff</p>	<p>Since 2008, the Denison Culture model has been the framework used by Marathon County Government to assess and shape organizational culture. In 2019, the health department scored 75% or better in 10 of the 12 sectors on the Denison survey in the areas of mission, consistency, involvement, and adaptability. In the summer of 2019, employees identified two areas to explore and strengthen: 1) Increase autonomy and flexibility; and 2) Managers not practicing what they preach.</p>	<p>A facilitated discussion will be held to increase understanding of what flexibility and autonomy look like. Current policies and practices will be adapted keeping in mind core values of services, shared purpose, and stewardship of resources.</p> <p>A facilitated discussion will be held to increase understanding of "managers not practicing what they preach", resulting in a relook at practices on the part of the Management Team.</p>	<p>June 30, 2020</p> <p>November 30, 2020</p>		
<p>Everyone is responsible for giving and receiving "on and off" track feedback.</p> <p>Who: Joan Theurer, Management Team</p>	<p>In May 2014, Marathon County Health Department established and defined key behaviors of honesty, respect and personal accountability as foundational in supporting the department's core values. SMART Behavioral Core Value examples were established in the summer-</p>	<p>Every day, everyone at the Health Department will choose to contribute to a strong work culture.</p> <p>All employees will demonstrate skill to give and receive "on and off track"</p>	<p>Ongoing</p> <p>Ongoing</p>		



Health Department - Health Officer's 2020 Plan of Work

	<p>fall of 2014, being evaluated and adjusted in the summer of 2016.</p> <p>In 2017, a “Giving and Receiving” Feedback educational plan was launched. The plan was developed and implemented by cross-team workgroup and provided u-tube videos, team discussions and two training sessions. In 2018 and 2019, practice sessions were offered, having training on giving and receiving feedback incorporated into new employee orientation.</p> <p>Rounding recognitions are tied to behaviors that support core values.</p>	<p>feedback by all employees.</p> <p>Supervisors and staff address behaviors not in keeping with core values.</p> <p>Employees exuberate pride and joy in their work.</p> <p>A cross-team approach will be utilized for the department’s organizational culture orientation of new employees.</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>		
<p>Health Department Strategic Plan Crosswalk Employee Learning and Growth: Foster an organizational culture that supports innovation and excellence.</p>					
<p>Marathon County Strategic Plan Objective 12.3: Promote cost-effective public services.</p>					



Health Department - Health Officer's 2020 Plan of Work

Involvement - "Are our people aligned and engaged?"					
Objectives	What We Have Already Done	Outcomes	Timeline	Progress	Updates
<p>The Marathon County Health Department will assess staff involvement on local community groups or county-wide initiatives, having 50% of employees be a member of a group/initiative that advances one or more program goals.</p> <p>Who: Joan Theurer, Management Team</p>	<p>An outcome for the 2019-2023 Marathon County Strategic Plan Goal 3: Advance Strategic Partnerships is for 50% of employees will be a member of a local community group or county-wide initiative that advances one or more program goals.</p>	<p>The Marathon County Health Department will have a department inventory of staff involvement on local community groups or county-wide initiatives; realigning as needed.</p>	<p>October 1, 2020</p>		
<p>The Marathon County Health Department will be proactive in pushing out public health messages to the media.</p> <p>Who: Joan Theurer, Management Team, Media Workgroup</p>	<p>An outcome for the 2019-2023 Marathon County Strategic Plan Goal 4: Inform and Advance Public Health Policy is for the department to be proactive in their messages to the public. A cross-team workgroup will be formed to identify key public health messages, creating further alignment across programs.</p>	<p>A cross-team workgroup will have identified and developed three public health prevention stories for the media.</p>	<p>November 30, 2020</p>		
<p>A Public Health 101 Orientation Training will be developed to supplement the state orientation for</p>	<p>The Marathon County Health Department has no formal orientation to public health. The</p>	<p>Cross-team members will contribute to the planning and presenting Public Health 101</p>	<p>September 30, 2020</p>		



Health Department - Health Officer's 2020 Plan of Work

<p>new employees.</p> <p>Who: Joan Theurer, Oversight MCHD Workgroup</p> <p>Marathon County Health Department will implement one change in how we work to further a sense of inclusivity and belonging.</p> <p>Who: Joan Theurer, Management Team</p>	<p>vast majority of employees come from educational and work backgrounds not grounded in public health.</p> <p>In December 2018, Marathon County Government conducted an inclusivity survey. Findings from the survey along with focus groups was shared on Martin Luther King Jr. Day On in January of 2019. The 2020 Martin Luther King Jr. Day On breakout sessions focused on increasing employees' understanding of diversity, inclusiveness and belonging. In the fall of 2020, all managers participated in an awareness training conducted by Alzeno Kelly.</p>	<p>Orientation.</p> <p>One change in practice or policy occurred to further employees' sense of inclusivity and belonging.</p>	<p>December 30, 2020</p>		
<p>Health Department Strategic Plan Crosswalk</p> <p>Employee Learning and Growth: Promote a work environment that fosters innovation and excellence.</p> <p>Citizen Perspective: Integrate concepts of health equity into programs and initiatives that address the population needs in Marathon County.</p>					
<p>Marathon County Strategic Plan</p> <p>Objective 12.3: Promote cost-effective public services.</p>					

2019 Marathon County Board of Health Calendar of Topics – Draft 01/23/2020

January	February	March	April	May	June
License Fees	Health Officer Plan of Work Board Policy Focus	Identification of Community Health Priorities Strategic Plan Update Board Self-Assessment Plan of Work Update	Identification of Community Health Priorities	Identification of Community Health Priorities Report of DHS 140 Onsite Review	Identification of Community Health Priorities Election of Officers Budget Update Annual Report Presented Community Health Improvement Plan Report

July	August	September	October	November	December
Annual Board Self-Assessment conducted Determine if meeting will be held	Develop Board Self-Assessment Plan of Work County Strategic Plan Update	Strategic Plan Update	Budget Update		Budget Update Present the Community Health Improvement Plan

Notes:

- WALHDAB/WPHA Public Affairs and State of WI Department of Health Services public health policy initiatives standing agenda item
- Merits of hosting Legislative Educational meeting?
- Merits of having a half day retreat in 2020?
- Educational topics – Health equity and role/scope in addressing social determinants of health; Implications of PH 3.0 in terms of skills and capacity for the health department

Board of Health Policy Opportunities and Strategies 2019 Accomplishments

Background: The following is meant to guide the identification and development of policy opportunities for the Board of Health. The document will be reviewed and updated at a minimum on a quarterly basis.

Be Proactive in Shaping Policy and Communicating on Policy Opportunities

Strategies:

- Seize opportunities to education state legislators on public health issues impacting Marathon County residents
- Be informed of public health education policy initiatives being championed by Healthy Marathon County Board, Marathon County Standing Committees, and staff at the Health Department
- Review Wisconsin Association of Local Health Departments and Boards (WALHDAB) legislative updates and action alerts to identify opportunities for alignment with Marathon County Government regarding legislative priorities and positions taken on proposed bills. Legislative priorities for 2019-2020 are focused on four social determinants of health to include:
 - Criminal justice reform,
 - Early childhood education,
 - Income stability and employment, and
 - Housing.
- Advance public health policy in support of Marathon County Health Department’s mission and Marathon County’s Strategic Plan
 - Identify policy opportunities to advance to the Marathon County Health & Human Services Committee for strategic plan objectives the department has been assigned led to:
 - Objective 3.7 – Ensure that every person has local access to effective mental health treatment
 - Objective 7.2 – Mitigate the impacts of heroin and methamphetamine epidemics in Marathon County through evidence-based practices

Actions Taken:

- Set fees for the 2019-2020 licensing year
- Held Legislative Educational meeting with state representatives focused on adverse childhood experiences, behavioral health, substance abuse, and current investments in the health of our communities
- Adopted changes to the Marathon County Agent Program Regulations
- Learned about the impact of the government shutdown would have had on food insecurity (e.g., Women, Infants and Children (WIC) Program)
- Kept abreast of the 2019-2020 Biennial State of Wisconsin Budget public health policy priorities; Medicaid Expansion, Tobacco 21, Restrictions on Vaping products, lead testing schools and daycares, immunization personal conviction waivers

- Learned about key takeaways from the Marijuana & Youth Services as public policy issues and educational opportunities

Advocate for Programs, Services, and Community Initiatives Based on Identified Needs

Strategies:

- Identify programs in jeopardy, evaluate short and long-term impact for reduction/elimination in the County achieving Priority Based Program goals
- Advocate for resources in the implementation of the 2017-2020 Community Health Priorities, based on priority order – Alcohol and Other Drugs Misuse and Abuse, Behavioral Health, Adverse Childhood Experiences, Healthy Weight, Health Needs of Aging, Oral Health
- Speak to the benefits of the county’s investment in programs, services, community initiatives (e.g., Start Right being instrumental in reducing child abuse and Adverse Childhood Experiences)
- Identify areas of alignment and gaps as well as advocate for realignment of the Health Department programs/services in relationship to the goals and objectives in the 2018-2022 Marathon County Strategic Plan and Comprehensive Plan
- Support community conversations and linkages to further department’s mission

Actions Taken:

- Accepted the goals and strategies of the 2019-2023 Marathon County Strategic Plan
- Learned about issues related water quality in Marathon County (Marathon County Strategic Objective 6.3), having Becky Frisch, Director, Conversation, Planning and Zoning co-present
- Advocated to have the Board of Health membership requirements align with Wisconsin Statute, Chapter 251.02, broadening background requirements. Marathon County Ordinance section 2.05(1) members of the Board of Health was amended by the County Board of Supervisors, having a presentation provided as to the powers of the Board of Health
- Advocated to have Medicaid Expansion included as a Marathon County state budget priority given the health and economic benefits to Marathon County
- Passed Board of Health resolution Medicaid Expansion on June 4, 2019, having the resolution presented to the Health and Human Services Committee on July 22, 2019
- Adopted the policy statement on Workplace Naloxone Use Program on August 6, 2019, having the policy statement presented to the Health and Human Services Committee – County Board of Supervisor’s amended the County Administrator’s Plan of Work to have an assessment conducted as to benefits in having a program in place
- Passed Board of Health Resolution on the End of the Use of Personal Conviction Waivers for School and Day Care Immunizations on November 5, 2019
- Drafted Position Paper on Marijuana: Impact on the Public’s Health that was adopted on January 7, 2020
- Passed a motion to support continued full funding for the Start Right Program
- Distinguished the Board of Health’s scope in carrying out its advocacy role and the reporting relationship to Marathon County Health & Human Services and County Board of Supervisor’s

- Determined the Board of Health’s role in identifying health priorities for the 2021-2024 community Health Improvement Plan
- Conducted Board Self-Assessment and developed a plan of work to strengthen the board’s ability to carry out its functions

References:

Marathon County Board of Health Bylaws. Adopted October 7, 2008.

Wisconsin Statutes, Chapter 251.03-04 Local Board of Health.

<http://docs.legis.wisconsin.gov/statutes/statutes/251.pdf>

National Association of Local Boards of Health (NALBOH) Six Functions of Public Health Governance.

November 2012. http://www.dhd10.org/wp-content/uploads/2016/12/Governance_Functions_2013.pdf

Marathon County Health Department Policy		
Policy Name	Marathon County Agent Programs Regulation	
Relevant Policy(s)/Procedure(s)	Marathon County Health Department Food Facility Enforcement Policy Marathon County Health Department Food Safety Inspection Procedures Marathon County Health Department Licensing Permit Renewal Procedure Marathon County Health Department Public Pool and Water Attraction Enforcement and Re-Inspection Policy	
Applicable To	EHS Program Staff Director of Environmental Health & Safety Health Officer	
Location	O:\Policies and Procedures – Final\Licensing\Marathon County Agent Programs Regulation 2019-03-05.pdf	
Effective Date	April 1982	
Date of Revision	July 7, 2016, December 6, 2016; February 8, 2017; February 5, 2018; March 5, 2019;	
Legal and Other References	State Statutes: 66, 101, 97, 251, 125 Wisconsin Administrative Code Chapters: ATCP 74, ATCP 75 and Wisconsin Food Code, ATCP 72, ATCP 73, ATCP 76, ATCP 78, ATCP 79, SPS 390, SPS 221, and SPS 326	
Authorizing Signatures		
	Dale Grosskurth, Director of Environmental Health & Safety	Date
	Joan Theurer, Health Officer	Date

Purpose Statement

The purpose of this regulation is to protect the public health, safety and general welfare, and to improve and maintain the public health for the citizens and communities in the County of Marathon through agent program activities.

Policy

Whereas the Wisconsin Departments of Safety and Professional Services and Agriculture, Trade, and Consumer Protection, under Wisconsin State Statute Sections 101.935, 97.41, 97.615, 97.67 and respectfully, grant authority to the Board of Health of the County of Marathon as their agent and to adopt rules and regulations promulgated by state statute and administrative rule and, in addition, adopt their own regulations which may be more strict than said statute, or administrative rules; and

Whereas Wisconsin State Statute Sections 251.04, and provides that the Board of Health of the County of Marathon shall have authority to adopt regulations to protect and improve public health; and

Whereas Wisconsin State Statute Sections 97.30, 97.41, 97.615, 251.04, and 254.51 provide that such boards shall take such measures and make such rules and regulations as shall be most effectual for the preservation of public health; and

Whereas Wisconsin State Statute Section 125.68(5) requires all "Class B" and "Class C" taverns to conform to the same sanitation requirements governing restaurant sanitation; and

Whereas the purpose of this regulation is to protect the public health, safety and general welfare, and to improve and maintain the public health for the citizens and communities in the County of Marathon; and

Whereas it is the considered opinion and judgment of the Board of Health of Marathon County that it is in the public interest and necessary for public health to provide the regulations herein contained; and

Therefore the Marathon County Board of Health does ordain the following regulations:

100.1 - Scope of Regulation

- [1] Applicability - The provisions of this regulation apply to all areas of the County.

100.2 - General Provisions

- [1] This regulation shall be referred to as the "Marathon County Public Health Agent Programs Regulation".
- [2] The effective date of this regulation shall be after adoption and promulgation by the Marathon County Board of Health and publication date as required by State Statute.
- [3] Administration and the interpretation of this regulation shall be by the Health Officer or designee. The Health Officer shall have the authority to insure compliance with the intent and purpose of this regulation.
- [4] The fees for permits shall be established by the Marathon County Board of Health to cover part or all of the cost of issuing permits, making investigations, inspections, sampling, providing education, training and technical assistance to establishments and facilities, plus the cost required to be paid to the state for each permit.

100.3 - Definitions: In this regulation

- [1] "Automated System" means a commercially available system which continuously monitors disinfectant concentrations.

- [2] "County" means the County of Marathon.
- [3] "Department" means Marathon County Health Department.
- [4] "Employee" means any person working in a public facility or establishment.
- [5] "Extensive remodeling" means the construction or repair of an existing public facility or establishment that significantly alters the design or operation of the food service area. Extensive remodeling does not include redecorating, cosmetic refurbishing, or altering seating design or capacity.
- [6] "Human Health Hazard" means a substance, activity or condition that is known to have the potential to cause acute or chronic illness, to endanger life, to generate or spread infectious diseases, or otherwise injuriously to affect the health of the public" Wisconsin State Statute 254.01(2)
- [7] "Health Officer" means the Health Officer of Marathon County, his or her designee or authorized agent. The Environmental Health Sanitarian and the Director of Environmental Health and Safety are considered designees.
- [8] "Immediate/Imminent Danger to Health" means a significant threat or danger to health that is considered to exist when there is evidence sufficient to show that a product, practice, circumstance, or event creates a situation that requires immediate correction or cessation of operation to prevent injury based on:
- (a) The number of potential injuries; or
 - (b) The nature, severity, and duration of the anticipated injury. [DATCP 75 Appendix]
- [9] "Manufactured Home Community" means any plot or plots of ground upon which 3 or more manufactured homes that are occupied for dwelling or sleeping purposes are located. "Manufactured home community" does not include a farm where the occupants of the manufactured homes are the father, mother, son, daughter, brother or sister of the farm owner or operator or where the occupants of the manufactured homes work on the farm.
- [10] "Non-Automated System" means a system that is entirely under the control of the owner/operator and must be manually controlled to maintain required disinfectant levels.
- [11] "Person" means any individual, partnership, association, firm, company, corporation, or other legal authority and any municipality, town, and county; whether tenant, owner, lessee, licensee or the agent, heir or assignee of any of these.

- [12] “Preinspection” refers to an inspection of a Public Facility or Establishment to determine compliance with applicable regulations prior to issuing an operating permit.
- [13] “Public Facility or Establishment” refers to a restaurant (includes taverns subject to statute or administrative rules for permitting purposes as a restaurant or retail food establishment), grocery, convenience store, bakery, body art, hotels, motel, tourist rooming house, bed and breakfast, swimming pool, campground, recreational and educational campground, manufactured home community, and any facility or establishment used by the general public that requires a permit or license under this regulation, Wisconsin Administrative Code, or Wisconsin State Statute adopted by reference in this regulation.
- [14] “Regulation” means the Marathon County Public Health Agent Programs Regulation.
- [15] “Reinspection” means a follow-up inspection conducted on a specified date, to verify that an ordered remediation has occurred or corrected in compliance with this regulation {Refer to 100.8(3)(b)}.
- [16] “Temporary Order” means an enforcement action that lasts for 14 days and can be extended for an additional 14 days pursuant to sec. 66.0417, Wis. Stats. A Temporary Order may include but is not limited to:
- (a) The immediate exclusion of an individual from employment;
 - (b) The immediate closing of the facility or establishment concerned until, in the opinion of the Health Officer, no further immediate/imminent danger to health exists;
 - (c) Restriction of employee(s) services to an area of the Public Facility or Establishment where there is no risk of disease transmission;
 - (d) Adequate medical and laboratory examination of the employee(s).
- [17] “Revocation” means to officially cancel or invalidate a permit previously issued due to:
- (a) Failure to comply with a Temporary Order;
 - (b) Repeated violations that have resulted in more than one Temporary Order;
 - (c) Interference with the Health Officer or designee in the performance of duties enforcing the provisions of the Marathon County Public Health Agent Programs Regulation.
- [17] “Special Condition Inspection” means inspections or consultation activities not related to permitting responsibilities which are performed to provide information assessing compliance with sanitation, equipment, or licensing standards. Consultation inspections are advisory and not enforceable under this regulation.

- [18] "Suspension" means a notice of Suspension is an enforcement action which extends a Temporary Order until a final decision is made by the Health Officer.
- [19] "Tavern" means a business with a "Class B" or "Class C" license issued under authority of WI Statute 125, in which alcohol beverages are sold for consumption on the premises, and which is not subject to statute or administrative rules requiring restaurant or retail food permitting. Taverns can fall into two categories:
- a. Taverns that sell commercially prepared food items including but not limited to pickled eggs, pickles, cured meats, and prepackaged chips. Foods may sold in individual packing or from bulk.
 - b. Taverns that sell only alcoholic and non-alcoholic beverages.
- [20] "Unique" means pertaining to one specific Public Facility or Establishment only.
- [21] Other Definitions will be found and are enumerated in the Wisconsin State Statutes and Administrative Codes referenced in this regulation and which are incorporated herein by specific references as if set forth in full.

100.4 - Conflict and Severability

- [1] *Conflict of provisions.* If the provisions of the different chapters of this Code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions arising out of the subject matter of such chapter.
- [2] *Severability of code provisions.* If any section, subsection, clause or phrase of the Code is for any reason held to be invalid or unconstitutional by reason of any decision of any court of competent jurisdiction, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase or portion thereof. The Board hereby declares that it would have passed this Code and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions may be declared invalid or unconstitutional.

100.5 - Adoption and Provisions by Reference

- [1] Adoption by Reference: Except as provided in sub [2] below, this regulation adopts by reference Wisconsin Statute Sections 97.12, 97.30, 97.41, 97.615, SPS 463, and 66.0417 and Wisconsin Administrative Code Chapters, ATCP 74, ATCP 75, SPS 390, ATCP 72, ATCP 73, ATCP 76, ATCP 78, ATCP 79, SPS 221 and SPS 326, and any successor statutes or regulations as if fully set forth. Any and all amendments and/or revisions thereto are adopted and by reference made a part of this regulation as if fully set forth herein.

[2] Exceptions:

Section ATCP 76.16 (3) WI Administrative Code is specifically modified by the Marathon County Board of Health as follows:

Pool Water Bacteriological Quality/Sampling: Samples of pool water shall be submitted by the owner/operator every two weeks at a minimum. Samples may be required on a more frequent basis for new facilities or to monitor bacteriological water quality.

100.6 - Application for Permits and Fees:

- [1] Applications for permits by Public Facilities or Establishments covered by this regulation shall be made upon such forms supplied and prescribed by the department. The department shall, within 30 calendar days of the receipt of a completed application, act upon the application, except for Retail Food Establishments. The department shall act upon a completed application for Retail Food Establishments within 15 calendar days from receipt of a completed application.
- [2] Prior to approval of an application for a permit, the department shall inspect the Public Facility or Establishment to determine compliance with the requirements of this regulation.
- [3] The fee for permits required by this regulation shall be due before the issuance of a permit. The renewal fee shall be postmarked on or before June 30 of each year. An additional \$50.00 fee shall be required whenever the renewal annual fee is not received or postmarked on or before June 30 of each year.
- [4] A preinspection fee for each new permit shall be collected at the time of application from the operator or new operator of a Public Facility or Establishment.
- [5] The preinspection fee shall be equal to the licensing permit for a new Public Facility or Establishment and for a new operator of an existing Public Facility or Establishment with extensive remodeling. The definition for Extensive Remodeling will be used in making the determination.
- [6] The preinspection fee shall be one half the licensing permit for a new operator of an existing Public Facility or Establishment without extensive remodeling. The definition for Extensive Remodeling will be used in making the determination.
- [7] A preinspection fee shall be collected when an existing Public Facility or Establishment upgrades from an Eating and Drinking Establishment to a

Restaurant permit and shall be based on the fee associated with the new licensing category.

- [8] For an existing Public Facility or Establishment without extensive remodeling and where there is an upgrade from one license category to a higher license category, only the difference between the license category fees will be collected. A pre-inspection fee is not required.
- [9] If the payment is by check or other draft drawn upon an account containing insufficient funds, the permit applicant shall pay the permit fee(s), late renewal fee charges, and any insufficient funds charges by cashier's check or other certified draft, money order, debit card, credit card, or cash, within 7 working days after receipt of notice from the department. The day on which notification occurs is day 0. If the permit applicant fails to pay all applicable fees, late renewal fees, and/or any insufficient funds charges within 7 working days after the applicant receives notice of the insufficiency, the permit is void. In an appeal concerning voiding of a permit under this paragraph, the burden is on the permit applicant to show that the entire applicable fees, late fees and processing charges have been paid. During any appeal process concerning payment dispute, operation of the establishment in question is deemed to be operation without a permit.

100.7 - Permit Issuance and Requirements:

- [1] Permit Requirements:
 - (a) The Marathon County Board of Health shall establish all pre-inspection fees and permit fees for all Public Facilities or Establishments. Permits required in this regulation are listed below:
 - (1) Public indoor and outdoor swimming pools are subject to an annual permit fee [Wisconsin Administrative Code ATCP 76, Department of Agriculture, Trade, and Consumer Protection]
 - (2) Recreational and Educational Camps are each subject to an annual permit fee [Wisconsin Administrative Code ATCP 78, Department of Agriculture, Trade, and Consumer Protection].
 - (3) Campgrounds and Camping Resorts are subject to an annual permit fee [Wisconsin Administrative Code ATCP 79, Department of Agriculture, Trade, and Consumer Protection].
 - (4) Restaurants are subject to an annual permit fee [Wisconsin Administrative Code ATCP 75, Department of Agriculture, Trade, and Consumer Protection].

- (5) Hotels, Motels, and Tourist Rooming Houses are subject to an annual permit fee [Wisconsin Administrative Code ATCP 72, Department of Agriculture, Trade, and Consumer Protection].
- (6) Bed and Breakfast Establishments are subject to an annual permit fee [Wisconsin Administrative Code ATCP 73, Department of Agriculture, Trade, and Consumer Protection].
- (7) Temporary public facilities or establishments that are operated on a short-term basis as defined in this regulation, Wisconsin Administrative Code, or a Wisconsin State Statute referenced in this regulation are subject to a permit fee. If possessing a valid permit issued by another agency, a temporary inspection fee may be assessed. [Wisconsin Administrative Code ATCP 75, Department of Agriculture, Trade, and Consumer Protection].
- (8) Tattoo or body piercing establishments are subject to a permit fee. [Wisconsin Administrative Code SPS 221, Department of Safety and Professional Services].
- (9) Retail Food Establishments are subject to an annual permit fee [Wisconsin Administrative Code ATCP75, Department of Agriculture, Trade, and Consumer Protection].
- (10) Manufactured Home Communities are subject to an annual permit fee [Wisconsin Administrative Code SPS 326, Department of Safety and Professional Services].
- (11) "Class B" or "Class C" taverns that sell only alcoholic and non-alcoholic beverages requesting an inspection to determine restaurant sanitation compliance in keeping with Wisconsin State Statute 125.68(5) are subject to a Special Condition Inspection and inspection fee. No permit is required under this regulation. [Wisconsin State Statute 125.68(5)].

(b) Exemptions:

- (1) A retail food establishment permit is not required under Wisconsin Administrative Code ATCP 75.03(9) for the following:
 - a. A retail food establishment that sells only packaged foods or fresh fruits and vegetables, provided the establishment does not sell potentially hazardous food and does not engage in food processing.

b. A retail food establishment operated by a person holding a food processing plant license under s. [97.29](#), Wis. Stats., if all the following apply:

1. The person operates the retail food establishment at the same location as the licensed food processing plant.
2. Sales from the retail food establishment are included in the computation of the food processing plant license fee under s. [97.29 \(3\)](#), Wis. Stats.

c. A retail food establishment operated by a person holding a restaurant permit issued 97.30 Stats., if all of the following apply:

1. The person operates the retail food establishment at the same location as the restaurant for which the person holds a permit under s. 97.30, Wis. Stats.
2. Non-meal food sales from that location comprise no more than 50% by dollar volume of all meal and non-meal food sales from that location. Sales of alcohol beverages and vitamin supplements shall be excluded from the calculation of food sales under this subdivision.

d. A restaurant, vending machine, vending machine commissary or other establishment for which a permit is issued under s.97.30, Stats., to the extent that the activities of the establishment are covered by that permit.

e. A retail food establishment operated by a person holding a dairy plant license under s. [97.20](#), Wis. Stats., if all the following apply:

1. The person operates the retail food establishment at the same location as the licensed dairy plant.
2. Food sales from that location, other than sales of dairy products produced at that location, comprise no more than 25% by dollar volume of all dairy and non-dairy food sales from that location.

f. A retail food establishment operated in conjunction with a state licensed or federally inspected meat establishment if all the following apply:

1. The meat establishment is licensed under s. [97.42](#), Wis. Stats., or inspected under [21 USC 601](#) et seq. or [21 USC 451](#) et seq.
2. The person operating the meat establishment operates the retail food establishment at the same location.
3. Food sales from that location, other than sales of inspected meat or meat products produced at that location, comprise no more than 25% by dollar volume of all meat and non-meat food sales from that location.

- g. A retail food establishment primarily engaged in selling fresh fruits and vegetables, honey, cider, sorghum or maple syrup produced by the operator of the retail food establishment if no other food processing activities are conducted at that retail food establishment.
- h. A temporary retail food establishment operated by a religious, charitable or non-profit organization for no more than 12 days in any license year.

[2] Permit Issuance

- (a) No person shall operate a Public Facility or Establishment covered in this regulation within the County of Marathon who does not have a valid permit issued to him/her by the department, unless otherwise exempt in this regulation.
- (b) A Conditional Permit specifying corrections to be made and the time within which the corrections must be made may be issued by the Department at the time of initial issuance or renewal of a permit, or continued validity of a permit issued under this section.

The Conditional Permit shall be posted until a regular permit is issued or violations are corrected after a designated time frame determined by the Department.

If the permittee fails to meet the conditions within the specified period of time, the permit is void.

- (c) Only a person who complies with the requirement of this regulation shall be entitled to receive or retain such a permit.
- (d) A valid permit shall be posted in every Public Facility or Establishment as required in this ordinance.
- (e) A \$5.00 fee shall be assessed for each duplicate permit.

- (f) The Marathon County Health Department may refuse to issue or renew a permit to operate a facility under any of the following circumstances:
 - 1. The Department has not conducted a preinspection of the facility for which an initial or new permit is required.
 - 2. The owner of facility has not corrected a condition for which the Department has issued a written health or safety-related order.
 - 3. All applicable fees under have not been paid, including preinspection fees, permit fees, late renewal fees, reinspection fees.

[3] Permit Transfer

- (a) Permits are not transferable for retail DATCP facilities under Wisconsin Statute 97.30(2) and in Wisconsin Administrative Code ATCP 75.03 between persons or establishments.
- (b) Department of Agriculture, Trade, and Consumer Protection restaurant permits, Wisconsin Administrative Code ATCP 75.104(3), An individual may transfer a permit to an immediate family member, as defined in s. [97.605 \(4\) \(a\) 2.](#), Wis. Stats., if the individual is transferring operation of the restaurant. A sole proprietorship that reorganizes as a business entity, as defined in s. [179.70 \(1\)](#), Wis. Stats., or a business entity that reorganizes as a sole proprietorship or a different type of business entity may transfer a permit to the newly formed business entity or sole proprietorship if the restaurant remains at the location for which the permit was issued and at least one individual who had an ownership interest in the sole proprietorship or business entity to which the permit was issued has an ownership interest in the newly formed sole proprietorship or business entity. Except as provided in this subsection, no permit issued under this subchapter is transferable from one premise to another or from one person or entity to another.
- (c) Department of Agriculture, Trade, and Consumer Protection hotel, tourist rooming house, vending machine commissary or vending machine permits, s. 97.605 (4)(b) Wis. Stats. No permit issued under this section is transferable from one premise to another or from one person, state or local government to another except as provided in (1) and (2) below.
 - (1) A permit issued under this section may be transferred from an individual to an immediate family member, as defined in s. 97.605 (4)(a)2. Wis. Stats., if the individual is transferring operation of the facility to the immediate family member.
 - (2) Except as provided in par. a. or b., no license is transferable from one premises to another or from one person to another.
 - a. The holder of a license issued under this section may transfer the license to an individual who is an immediate family member if the holder is transferring operation of the hotel, tourist rooming house, bed and breakfast establishment, or vending machine to the immediate family member.
 - b. A sole proprietorship that reorganizes as a business entity, in s. [179.70 \(1\) Wis. Stats.](#), or a business entity that reorganizes as either

a sole proprietorship or a different type of business entity may transfer a license issued under this section for operation of a hotel, tourist rooming house, bed and breakfast establishment, or vending machine commissary to the newly formed business entity or sole proprietorship if the following conditions are satisfied:

1. The hotel, tourist rooming house, bed and breakfast establishment, or vending machine commissary remains at the location for which the license was issued.
2. At least one individual who had an ownership interest in the sole proprietorship or business entity to which the license was issued has an ownership interest in the newly formed sole proprietorship or business entity.

(d) Department of Agriculture, Trade, and Consumer Protection
campgrounds and camping resorts, recreational and educational camps, and public swimming pools, s 97.67 Wis. Stats.

(1) A separate license is required for each campground, camping resort, recreational or educational camp, and public swimming pool.

(2) Except as provided in par. a. or b., no license issued under this section is transferable from one premises to another or from one person, state or local government to another.

a. A license issued under this section may be transferred from an individual to an immediate family member, as defined in s. [97.605 \(4\) \(a\) 2. Wis. Stats.](#), if the individual is transferring operation of the campground, camping resort, recreational or educational camp, or public swimming pool to the immediate family member.

b. A sole proprietorship that reorganizes as a business entity, as defined in s. [179.70 \(1\) Wis. Stats.](#), or a business entity that reorganizes as a sole proprietorship or a different type of business entity may transfer a license issued under this section for a campground, camping resort, recreational or educational camp, or public swimming pool to the newly formed business entity or sole proprietorship if all of the following conditions are satisfied:

1. The campground, camping resort, recreational or educational camp, or public swimming pool remains at the location for which the license was issued.

2. At least one individual who had an ownership interest in the sole proprietorship or business entity to which the license was

issued has an ownership interest in the newly formed sole proprietorship or business entity.

- (e) Permits are not transferable for Department of Safety and Professional Services (DSPS) manufactured home communities under Wisconsin Administrative Code SPS 326.08.
- (f) Permits are not transferable for DSPS body art facilities under Wisconsin Administrative Code SPS 221.04(1)(a)2.

[4] Certification of restaurant operator or manager:

- (a) The operator or at least one manager of a facility or establishment, required under the Wisconsin Food Code, shall have a valid Food Service Operator course completion certificate issued by the Wisconsin Department of Agriculture, Trade, and Consumer Protection approved trainer.
- (b) The operator or a manager of a new or change-of-operator restaurant and shall become certified within 90 days after the restaurant opens for business.
- (c) If more than one restaurant operated by the same person is located on the same property or contiguous properties, only the operator or one manager is required to be certified.

100.8 - Inspections

[1] Inspection Frequency

An inspection of Public Facilities or Establishments shall be performed at least once per license year. Additional inspections of facilities and establishments shall be performed as often as necessary for the enforcement of this regulation.

[2] Inspection and Sampling

Representatives of the department, after proper identification, may enter, at normal business hours, any premises for which a permit is required under this regulation to inspect the premises for the purpose of determining compliance with this regulation, secure samples or specimens, examine and copy relevant documents and records or obtain photographic or other evidence needed to enforce this regulation {Reference Wisconsin State Statutes 97.12, 97.65, 66.0417, and Wisconsin Administrative Code SPS 221.06 and 326.09}. Should

access be denied, the department may obtain a special inspection warrant in addition to actions set forth in 100.9.

- [3] "Class B" or "Class C" Tavern -Taverns that sell only alcoholic and non-alcoholic beverages.

"Class B" or "Class C" taverns need to be in keeping with restaurant sanitation compliance per Wisconsin State Statute 125.68(5). Taverns requesting an inspection shall include the following areas of sanitation and be performed as a "Special Condition Inspection".

- (a) Cleaning and sanitizing multiuse equipment and utensil surfaces
- (b) Handwashing equipment and supplies
- (c) Toilet facilities
- (d) Employee hygiene or hygiene practices
- (e) Employee health as related to diseases transmissible through food based on diagnosis including but not limited to Norovirus, Hepatitis A, Shigella, Enterohemorrhagic or Shiga Toxin-producing Escherichia coli, and Salmonella or symptoms including but not limited to vomiting, diarrhea, jaundice, or a lesion.
- (f) Provision of potable water and protection from cross contamination and sewerage disposal
- (g) Maintaining the establishment in a clean condition and in good repair
- (h) Pest control

- [3] Report of Inspections:

Whenever an inspection of a Public Facility or Establishment is made, the findings shall be recorded on an inspection report form. The inspection report form shall summarize the requirements of this regulation. A copy of the completed inspection report form shall be furnished to the holder of the permit or his/her agent in charge of the Public Facility or Establishment at the conclusion of the inspection.

- [4] Correction of Violations:

- (a) A reinspection shall be conducted when a violation(s) or Human Health Hazard has not been brought into compliance by the operator of a Public Facility or Establishment. The completed inspection report form shall specify a reasonable period of time for the correction of the violation(s) or Human Health Hazard found. Correction of the Human Health Hazard or violation(s) shall be accomplished in the period specified.
- (b) A \$100.00 fee may be assessed for a first reinspection, a \$200.00 fee may be assessed for a second reinspection, and a \$300.00 fee may be

assessed for a third reinspection when a violation(s) or Human Health Hazard has not been brought into compliance by the operator of a Public Facility or Establishment. A reinspection fee will not be assessed when the violation(s) or Human Health Hazard has been brought into compliance.

[5] Approved Comparable Compliance:

When it appears that strict adherence to a provision of this regulation or an administrative code is impractical for a particular facility or establishment, the facility or establishment may seek a variance approval to that rule through the Wisconsin Department of Agriculture, Trade, and Consumer Protection or Department of Safety and Professional Services as applicable. Satisfactory proof must be provided that the grant of a variance will not jeopardize the public's health, safety or general welfare. If a variance is granted, there shall be documentation as to the extent of the variance and the specific reasons for it. The applicant shall be given a copy of the documentation.

100.9-Temporary Order

- [1] Whenever, as a result of an examination, the County has reasonable cause to believe that any examined food constitutes, or that any construction, sanitary condition, operation or method of operation of the premises or equipment used on the premises creates an immediate/imminent danger to health, the Health Officer or designee may issue a temporary order either verbally or in writing and cause it to be delivered to the permittee (his/her employee, agent, assignee, or representative), or to the owner or custodian of the food, or to both. If the Temporary Order is delivered verbally, a written notice shall be sent within 72 hours excluding weekends and legal holidays. The order may prohibit the sale or movement of the food for any purpose, prohibit the continued operation or method of operation of specific equipment, or require the premises to cease any other operation or method of operation which creates the immediate/imminent danger to health, or set forth any combination of these requirements. The Health Officer or designee may order the cessation of all operations authorized by the permit only if a more limited order does not remove the immediate/imminent danger to health. Except as provided in par. [2], no temporary order is effective for longer than 14 days from the time of its delivery, but a temporary order may be reissued for one additional 14-day period, if necessary to complete the analysis or examination of samples, specimens or other evidence.
- [2] If the analysis or examination shows that the construction, sanitary condition, operation or method of operation of the premises or equipment constitutes an immediate danger to health or safety, the department or agent, within the effective period of the temporary order specified in par. [1], shall provide

written notice of the findings to the owner, operator or responsible supervisor. Upon receipt of the notice, the temporary order remains in effect until a final decision is issued under s. [ATCP 75.108](#) Wisconsin Administrative Code. The notice shall include a statement that the facility has a right to request a hearing under s. [ATCP 75.108](#) Wisconsin Administrative Code within 15 days after issuance of the notice.

- [3] No food described in a temporary order issued and delivered under par. [1] may be sold or moved and no operation or method of operation prohibited by the temporary order may be resumed without the approval of the Health Officer or designee, until the order has terminated or the time period specified in par. [2] has run out, whichever occurs first. If the Health Officer or designee, upon completed analysis and examination, determines that the food, construction, sanitary condition, operation or method of operation of the premises or equipment does not or no longer constitutes an immediate/imminent danger to health, the permittee, owner or custodian of the food or premises shall be promptly notified in writing and the temporary order shall terminate upon his or her receipt of the written notice.

100.10- Notice of Suspension

- [1] If the analysis or examination shows that the food, construction, sanitary condition, operation or method of operation of the premises or equipment constitutes an immediate/imminent danger to health, the permittee, owner or custodian shall be notified within the effective period of the temporary order issued under par. 100.9 [1]. Upon receipt of the notice, the temporary order remains in effect until a final decision is issued under sub. [100.10 [2]], and no food described in the temporary order may be sold or moved and no operation or method of operation prohibited by the order may be resumed without the approval of the village, city or county.
- [2] A notice issued under sub. [1] shall be accompanied by notice of a hearing before the Marathon County Health Officer, or his or her designee. The County shall hold a hearing no later than 15 days after the service of the notice, unless both parties agree to a later date. A final decision shall be issued within 10 days of the hearing. The decision may order the destruction of food, the diversion of food to uses which do not pose a immediate/imminent danger to health, the modification of food so that it does not create a immediate/imminent danger to health, changes to or replacement of equipment or construction, other changes in or cessations of any operation or method of operation of the equipment or premises, or any combination of these actions necessary to remove the immediate/imminent danger to health. The decision may order the cessation of all operations authorized by the permit only if a more limited order will not remove the immediate/imminent danger to health.

- [3] All notices, written or verbal, shall contain reasons for the Health Officer or designee's belief that a violation(s) or Immediate/Imminent danger to Health exists.
- [4] The Health Officer or designee may lift the suspension at any time if the reasons for the suspension no longer exist.

100.11 - Revocation of Permits:

Prior to revocation the department shall notify, in writing, the person issued the permit of the specific reason(s) for which the permit is to be revoked. The permit shall be revoked at the end of the 10 working days following service of such notice unless a written request for hearing is filed with the department. The day on which notification occurs is day 0. If no request for hearing is filed within the 10 day period, the revocation of the permit becomes final.

100.12 – Appeals:

Any person having a substantial interest that is adversely affected by an administrative determination made on behalf of the County pursuant to any of the provisions of this Regulation may have such determination reviewed as provided in Chapter 68, Wis. Stats., and in conformance with the following procedures:

- [1] Any person having a substantial interest that is adversely affected by a determination by a staff person or persons may, within 30 days of notice to such person of such determination, request in writing a review of the determination before the Health Officer. The request shall state the ground or grounds upon which the person adversely affected contends that the decision should be modified or reversed. The request for review shall be made to the staff person or persons who issued the initial determination, the Environmental Health and Safety Director or to the Health Officer.
- [2] The Health Officer shall review the initial determination and make a decision within 15 days of receipt of the request for review. The time for review may be extended by agreement with the person aggrieved. The decision shall state the reasons for such decision and shall advise the person aggrieved of the right to appeal the decision, the time within which the appeal shall be taken and the office or person with whom notice of appeal shall be filed.
- [3] Any person having a substantial interest that is adversely affected with the decision of the Health Officer (pursuant to the review procedure, set forth above, or by a decision regarding suspension or revocation of a permit under §100.9[4] or §100.10, above) may appeal to the Marathon County Administrative Board of Review by requesting a hearing within 30 days of notice of the Health Officer's decision. The request must be in writing and must be filed with or mailed to the office of the Health Officer.

- [4] The Marathon County Administrative Board of Review shall constitute the appeals board to provide a hearing of the appeal of the Health Officer's decision. A member of the Board shall conduct the hearing within 15 days of receipt of the notice of appeal. The hearing will be conducted pursuant to s. 68.11, Wis. Stats. The procedures of the hearing shall be in accordance with the Marathon County General Code of Ordinances, Chap. 24.

100.13 -Penalties

- [1] In the case of violations of State of Wisconsin Administrative Codes enforced under this regulation, the penalty for violation of any of the provisions of this regulation shall be a penalty as provided in applicable Administrative Code or Wisconsin State Statute.
- [2] In all other cases, any person convicted of violating a provision of this regulation shall be subject to a forfeiture not less than \$100 nor more than \$1,000. Each and every violation of the provisions of this regulation shall constitute a separate offense. Each day of noncompliance after the order is served is a separate offense.
- [3] Prosecution of violations of this Regulation shall be conducted by the Office of Corporation Counsel for Marathon County.

This regulation shall take effect upon passage and publication.

Dated this March 5, 2019

New Federal Policies Raise Tobacco Age to 21, Partially Restrict E-Cigarette Flavors

Two newly announced federal policies raise the legal age to buy tobacco and restrict some flavors in pod or cartridge-based systems. The first law makes 21 the legal age to purchase tobacco in the U.S. The law is currently in effect, meaning tobacco retailers cannot sell tobacco products, including e-cigarettes, to those under the age of 21. The FDA is responsible for the law's enforcement.

The second policy comes from the FDA and prohibits the use of fruit, candy, and mint flavors for pod or cartridge-based e-cigarettes (tobacco and menthol flavors for those products are exempted). The policy also exempts e-juice flavors for open systems like mod and tank-based e-cigarettes. The policy takes effect 30 days from when the policy publishes in the federal registrar.

Key facts about the law

The Federal Tobacco 21 law makes 21 the legal age for purchasing tobacco products in the United States.

The law is effective immediately, meaning that tobacco retailers in Wisconsin and other states cannot sell tobacco products (including e-cigarettes) to individuals under the age of 21.

The U.S. Federal Drug Administration (FDA) is responsible for the enforcement of the law.

Tobacco 21 laws reduce youth tobacco use

Most adult tobacco users start before the age of 21. According to the National Survey on Drug Use and Health, 80 percent of adult smokers started before they turned 18, and nearly 95 percent started before the age of 21.

18 year old seniors are often a supply source for tobacco products for their younger classmates. By raising the tobacco purchasing age to 21, that social supply is disrupted since your typical high school student knows fewer 21 year olds than 18 year olds.

The 2019 YRBS (Youth Risk Behavior Surveillance) data for Marathon County shows that:

- 7% of high school teens smoked cigarettes in the past 30 days,
- 21% have ever tried smoking cigarettes,
- 37% have ever tried vaping,
- 16% currently vape

What the law means for Wisconsin retailers and programs like WI Wins

While Wisconsin law has not been changed to match the Federal law, Wisconsin retailers must still immediately comply with the Federal law by not selling tobacco products to individuals under the age of 21. Individuals must be 21 years or older in order to legally purchase tobacco in Wisconsin and in the U.S.

Wisconsin Wins compliance checks will continue to monitor the sale of tobacco products to those under the age of 18, per Wisconsin law. The U.S. FDA is responsible for enforcing the national Tobacco 21 policy.

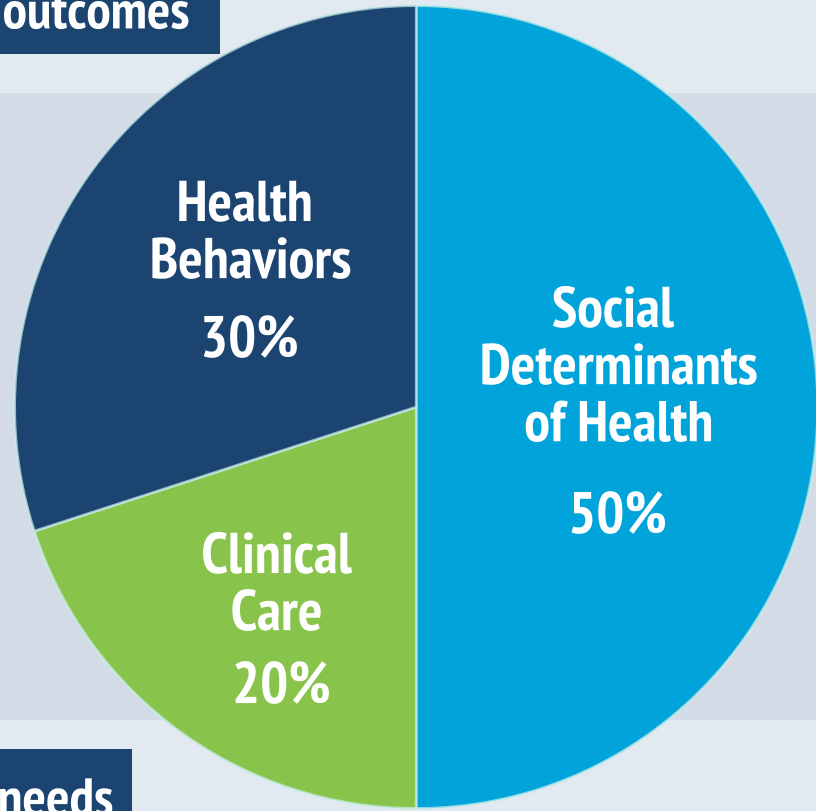
Unlike the program's compliance checks, WI Wins' retailer materials and community education will focus on raising awareness of the Federal law and the requirement to not sell tobacco to those under the age of 21.



Addressing Social Determinants of Health Can Improve Community Health & Reduce Costs

Social determinants influence 50% of health outcomes

- Economic Stability
- Education
- Social & Community Context
- Health & Health Care
- Housing
- Transportation
- Food Security



Our communities are reporting unmet social needs

Recent survey findings show the prevalence of unmet social needs that impact health care



Food Environment

35%



Community Safety

25%



Housing

21%



Social Support

17%



Transportation

15%

Addressing determinants can improve health and reduce costs



FOOD INSECURITY

2.4x

more likely to go to the emergency room



TRANSPORTATION NEEDS

2.6x

more likely to go to the emergency room



COMMUNITY SAFETY NEEDS

3.2x

more likely to go to the emergency room

Solutions are already underway to address some determinants



FOOD ENVIRONMENT

school and summer food programs and farmer's market access



HOUSING

healthy home programs and rural housing services



TRANSPORTATION

non-emergency medical transportation, including ride-share programs



EDUCATION

early childhood education and Job Corps



Collaboration is the key to driving change

The health sector is incorporating social determinants into programs



MEDICARE REIMBURSEMENT FOR SOCIAL SERVICES



ADDRESSING SOCIAL NEEDS IN PRIMARY CARE



**Wisconsin Department of Health Services
Division of Public Health
PHAVR - WEDSS**

YTD Disease Incidents by Episode Date

Incidents for MMWR Weeks 1 - 52 (Through Week of December 28, 2019)

Jurisdiction: Marathon County

Disease Group	2019		2018
	Week 52	Total	
Arboviral Disease	0	2	2
Babesiosis	0	1	5
Blastomycosis	0	9	57
Campylobacteriosis (Campylobacter Infection)	0	31	0
Carbapenem-Resistant Enterobacteriaceae	0	1	0
Coccidioidomycosis	0	0	1
Carbon Monoxide Poisoning	0	12	3
Chlamydia Trachomatis Infection	5	363	342
Cryptosporidiosis	1	30	39
Cyclosporidiosis	0	0	8
Ehrlichiosis / Anaplasmosis	0	19	28
Environmental and occupational lung diseases	0	1	0
Giardiasis	0	37	39
Gonorrhea	3	125	54
Haemophilus Influenzae Invasive Disease	0	4	3
Hepatitis B	0	8	10
Hepatitis C	0	22	25
Influenza	1	65	147
Invasive Streptococcal Disease (Groups A And B)	0	19	20
Lyme Disease	0	41	47
Mumps	0	2	0
Mycobacterial Disease (Nontuberculous)	0	13	15
Parapertussis	0	1	8
Pathogenic E.coli	1	12	18
Pertussis (Whooping Cough)	0	21	14
Salmonellosis	0	34	19
Streptococcal Infection, Other Invasive	0	2	0
Streptococcus Pneumoniae Invasive Disease	0	17	15
Syphilis	0	6	5
Tuberculosis	0	1	1
Tuberculosis, Latent Infection (LTBI)	0	10	18
Varicella (Chickenpox)	0	7	5
Vibriosis, Non Cholera	0	1	0
	11	917	948



**Wisconsin Department of Health Services
Division of Public Health
PHAVR - WEDSS**

YTD Disease Incidents by Episode Date

Incidents for MMWR Weeks 1 - 3 (Through Week of January 18, 2020)

Jurisdiction: Marathon County

Disease Group	2020				2019 *
	Week 1	Week 2	Week 3	Total	
Campylobacteriosis (Campylobacter Infection)	0	1	0	1	31
Carbon Monoxide Poisoning	0	1	0	1	12
Chlamydia Trachomatis Infection	7	8	3	18	363
Haemophilus Influenzae Invasive Disease	1	0	0	1	4
Hepatitis B	0	0	1	1	8
Hepatitis E	1	0	0	1	0
Influenza	2	1	0	3	65
Mycobacterial Disease (Nontuberculous)	0	2	0	2	13
Tuberculosis	0	1	0	1	1
Tuberculosis, Latent Infection (LTBI)	0	1	0	1	10
Varicella (Chickenpox)	0	1	0	1	7
	11	16	4	31	

* **2019** - Subject to change as not all cases have been finalized