



## COUNTY OF LAKE

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*Promoting an Optimal State of Wellness in Lake County*

### MEMORANDUM

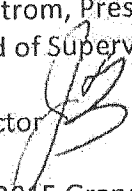
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**DATE:** August 21, 2015

**TO:** The Honorable Stephen O. Hedstrom, Presiding Judge of the Superior Court, via the Lake County Board of Supervisors

**FROM:** Jim Brown, Health Services Director 

**SUBJECT:** Required Response to FY 2014-2015 Grand Jury Final Report on Food Safety in Lake County

Pursuant to Penal Code Section 933, I am submitting this response to the FY 2014-2015 Final Grand Jury Report via the Lake County Board of Supervisors.

#### Response to Recommendations (Page 7)

R1 EHD should continue to aggressively recruit a third inspector.

Environmental Health Specialists/Inspectors are required to be trained in all programs (e.g., foods, septic, wells, water, hazardous materials, etc.) to receive State certification. Depending upon our needs, we sometimes assign inspectors to work predominantly in just one program area (e.g., foods) to meet increased demands or catch up on backlogs. Rather than have inspectors focus on a specific program (e.g., food inspections), we are moving to assign the majority of inspectors to cover all program inspections in assigned regions. This will increase the number of inspectors performing food inspections.

As noted in **Discussion and Analysis** section (page 5) we had hired a trainee who was working predominantly in foods, but he resigned for a higher salary in another county. We immediately began recruitment upon receiving this trainee's notification that he would be leaving. Due to the low pay of our inspectors, recruitments generally take longer, and we rarely get applicants with skill levels beyond a trainee. It took a few months to fill this vacancy with another trainee. Unfortunately, last week I was informed that this trainee has given verbal notification that he will be leaving for a higher paying trainee position in another county. We will again begin recruitment as soon as we receive written notification from the employee.

Until we increase salaries comparable to other rural counties, we will continue to have problems with recruitment and retention of employees. I plan to request an increase in E.H. inspector's salaries through the County's Reclassification Committee during the application period in November.

R2 In accordance with the California Retail Food Code (Health and Safety Code Sections 114381, 114384, 114395, 114419.3), when inspection violations are identified, offending organizations should have to pay the defined fine or fee. We recommend that the amount of the fine or fee should be

based on the severity of the violations, the level of risk faced by the public, and/or the limits set by the Code.

The E.H. Director, Deputy Director of Health Services Administration/Fiscal, and I have had several meetings on fees, declining revenue, staffing shortages, assignment changes, and fines. This recommendation regarding fines has been one topic of conversation at our meetings. I have discussed fines with the DA in the past, and he encouraged me to look at other options that would be less burdensome on his office and the courts. We have come up with several other options, and we plan to discuss these and other ordinance changes with the County Administrative Officer (CAO) and the Board of Supervisors in the near future. I've already had several conversations with the CAO regarding ordinance changes, fee increases, and penalties, and we agree that it would be helpful to include other departments who might also benefit from these ordinance changes in these meetings before taking it to the BOS for consideration

- R3 When inspection violations are identified, offending organizations should be required to pay a set rate for EHD inspectors for every re-inspection. This may require a change in current county ordinances.

As above, I have had several conversations with the CAO regarding ordinance changes, and we are planning a more formal meeting to include other departments before taking it to the Board of Supervisors. I agree with this recommendation and hope to include it as one of the items on that agenda.

- R4 There should be an annual increase in permit fees.

I agree with this recommendation, and, as above, I have discussed this with the CAO and we plan to meet with other departments who would also benefit from this recommended ordinance change before placing it on the BOS agenda for discussion and consideration.

- R5 Since some county departments (i.e., IT) charge other county departments/agencies for their services, EHD should be able to charge county departments/agencies for their services or be paid for them out of the county funds.

I agree with this recommendation, and we have implemented some charges to other departments for some of our services (e.g., jail inspections). We will include this recommendation in our discussions with the CAO and, if appropriate, include it for consideration by the BOS.

- R7 Have staff certified as trainers in this field and start offering training for a fee (like that required for a Food Handlers Permit which is no longer offered locally).

We have discussed this recommendation and currently don't feel the cost to train one of the inspectors nor the time spent teaching the course would provide much benefit to our department, restaurants, or the community. Although we encourage restaurants to have as many employees as possible trained in safe food handling, not all employees are required to take this course, and their needs are currently being met by local, private, certified trainers. If we see more demand for the training and lack of certified trainers, we may reconsider this recommendation at that time.

- R8 In coordination with California Retail Food Code (Health and Safety Code Section 114381(e)), develop a color coded/alpha-numeric system posted on each facility that the public can easily see to verify the safety rating of the organization and that a current, valid permit exists.

I agree with this recommendation; however, the recommended color-coded/alpha-numeric system is only one possible method of "ranking" food facilities. We are considering this recommendation, but we also wish to

continue to explore other methods. We will be moving a few different options forward to the BOS for consideration.

- R9 Research the possibility of opening an EHD testing laboratory as an income generator and offer those services to other counties.

We have explored this recommendation in the past and have found that many county labs (and state labs) have had to close due to high operating and staffing costs, and we don't believe the limited need would justify the huge startup expenses that would be needed. Based on our findings, unfortunately, we do not believe this is something we should pursue at this time.

- R10 To ensure that all permit funds due are collected, online sources should be used to identify new start-up food service organizations in the area.

We are currently using online sources as one way to identify new food establishments. However, our inspectors identify far more new food establishments while traveling around making their routine inspections and from other owners and the public than we do from online sources. Although we will continue to use online searches, we feel it is more productive to have our inspectors out in the field rather than spend a lot of time in front of a computer trying to identify new food facilities. Also, as I mentioned earlier, our shift is to assign inspectors to regions; thus inspectors will become very familiar with their assigned areas and will be able to quickly identify new establishments.

- R11 Develop a program to recruit student interns (paid and unpaid) among college students in California.

We have tried using interns in the past without a great deal of success. The regulations for inspections and permitting are very complex, so training interns becomes very time intensive and reduces the number of inspections being completed. Also, most of our work is limited to credentialed environmental health specialists; thus there is little interns can do on their own. I have, however, thought of other uses and projects for interns in both public and environmental health, and I have had discussions with Michelle Scully at Marymount California University and hope to find ways to use her students as interns on some of these projects.

- R12 Post organizations in violation on the EHD website. Add the website address to the posted permit ([http://www.co.lake.ca.us/Government/Directory/Environmental\\_Health.htm](http://www.co.lake.ca.us/Government/Directory/Environmental_Health.htm)).

We currently post inspection information, including violations, regarding food facilities on the E.H. webpage. As soon as staffing availability allows, we plan to improve our site and develop a more simple, easy-to-read method of informing the public of current inspection information, violations, and provide them with some type of ranking as stated in R8. We will add our website to placards or any type of rating that would be posted in the food facility. We plan to move this forward to the BOS for consideration during FY 15-16.

In closing, I wish to thank the Grand Jury for their recognition of Environmental Health's efforts to monitor and assure the public that safe food standards and practices are being met at the food facilities in Lake County. I also wish to thank them for acknowledging the challenges we face and providing us with some valuable recommendations to help us improve our department and our services.