

**Wisconsin State Laboratory of Hygiene**

**Board of Directors Meeting**

**February 19, 2013**

**1:00 P.M. – 4:00 P.M.**

**2601 Agriculture Drive**

**Madison, Wisconsin**

**APPROVED MINUTES**

**November 6, 2012**

**MEMBERS PRESENT:** Darryll Farmer (Chair), Jeffery Kindrai (Vice-Chair), Dr. Charles Brokopp, Susan Buroker, Barry Irmén, Scott Hildebrand, Sandra Breitborde, and John R. Sullivan.

**MEMBERS ABSENT:** Darrell Bazzell, Karen McKeown, and Michael Ricker.

**WSLH STAFF PRESENT:** Dr. George Gruetzmacher, Cynda DeMontigny, Kristine Hansbery, Patrick Harding, Jan Klawitter, Steven Marshall, Steven Strebel, Dr. Peter Shult, James Sterk, David Webb, Terry Burk, Toby Kaufmann-Buhler, and Nathaniel Javid.

**DNR STAFF PRESENT:** Camille Turcotte, Ron Arneson

**GUESTS PRESENT:** Thomas Portle (DNR)

**Chair Darryll Farmer called the meeting to order at 1:00 P.M.**

**Item 1. APPROVAL OF MINUTES**

Approve the minutes of the August 21, 2012 board meeting as submitted. John Sullivan made a motion to approve, seconded by Susan Buroker. The motion passed on a unanimous vote.

**Item 2. REORGANIZATION OF AGENDA**

Dr. Brokopp recognized a long-time employee of the WSLH, Pat Harding. Pat Harding will be retiring in December after 35 years of service with the WSLH. Mr. Harding served as the manager of the forensic toxicology laboratory and has done a fantastic job in that role. He has received the American Academy of Forensic Toxicology Ray Abernethy Award, one of the most prestigious awards in the field of forensic toxicology. Dr. Brokopp mentioned that we would not be where we are today if it was not for Mr. Harding's leadership.

**Item 3. PUBLIC APPEARANCES**

There were no public appearances.

**Item 4. BOARD MEMBERS' MATTERS**

Chair Darryll Farmer asked board members if there are any issues they would like to discuss.

Jeffrey Kindrai mentioned that the rescheduled date for this meeting has worked out well and he would like this to continue for next November's meeting.

Dr. Brokopp mentioned that there will be an election of officers at the next board meeting in February. There will be a motion to have the Vice-Chair become Chair and an election for a new Vice-Chair and Secretary.

## **Item 5. SCIENTIFIC PRESENTATIONS ON FRACKING**

Dave Webb (WSLH) introduced Dr. George Gruetzmacher (WSLH) as the first speaker on fracking. Dr. Gruetzmacher has a PhD in industrial hygiene from UW Madison. Recently, Dr. Gruetzmacher has taken the lead on understanding all aspects of fracking.

Dr. Gruetzmacher presented on fracking from a public health perspective in Wisconsin. Dr. Gruetzmacher first introduced the hydraulic fracturing process or "fracking" which is a process used in oil drilling and extraction involving water, sand, and chemicals. A key component of fracking is the need for silica sand, which exists in abundance throughout Wisconsin. Silica sand is considered valuable because of its purity, well-rounded grains, uniform size, and strength. Dr. Gruetzmacher discussed the composition of silica in Earth's crust and crystalline silica dust. He further discussed the location of frac sand mines and processing plants that are active in Wisconsin.

Dr. Gruetzmacher explained the dangers of frac sand mining as a potential air hazard from occupational exposure and silicosis deaths with Wisconsin having one of the greatest death rates in the country. Dr. Gruetzmacher provided statistics on silicosis deaths by industry including primary metals, mining, and stone/clay/glass/concrete products and deaths by occupation.

Dave Webb next introduced the second speaker on fracking, Tom Portle (DNR). Tom Portle has degrees in plant and soil sciences from the University of Southern Illinois – Carbondale. Mr. Portle joined the DNR in 1985 in the waste water field. Since 1992, he has served in a leadership capacity for metallic mining. Mr. Portle is a non-metallic mining expert and has been working on regulations, permitting issues, and chronic exposures.

Tom Portle (DNR) presented on fracking in Wisconsin. Mr. Portle noted the distinction that Wisconsin is an important producer – not a user – of frac sand. Wisconsin frac

sand deposits are particularly desirable because they are usually near the surface, have high crush resistance, and have excellent size gradations and consistency. Mr. Portle also noted that frac sand is significant in the oil mining process because it serves as a proppant to 'prop' newly created fractures to maintain permeability, increasing the production and longevity of gas and oil wells.

Mr. Portle mentioned that frac sand mining has "boomed" in recent years because of new technological advances e.g., horizontal drilling capabilities that enable producers to tap previously inaccessible formations and the development of computer navigation systems that allow for more accurate drilling.

Mr. Portle then described the DNR's role in fracking with regards to permit requirements including zoning permits, air management permits, and high capacity well permits. Mr. Portle also discussed NR135 reclamation permits as a way of regulating large frac mines in order to ensure that sites are properly rehabilitated where nonmetallic mining occurs. The DNR's role in NR135 is to provide oversight, ensure compliance with standards, and to maintain a relationship with the Nonmetallic Mining Reclamation Advisory Committee (NMAC).

## **Item 6. FISCAL YEAR 2013 FIRST QUARTER REPORT**

### **1) Jim Sterk, Wisconsin State Laboratory of Hygiene**

Our net income for our FY '13 annual budget was projected to be \$400,000. Our YTD budget for the first quarter (July through September) was budgeted to be a net income of \$531,000; however, it came in at \$1,500,000 meaning we have a favorable variance of close to \$1,000,000. We are under budget for revenues of \$444,000 and expenses of \$1,400,000. We are under budget on revenues because of reductions in GPR, OWI, and grant funding. This will even-out throughout the year. In the notes to the financial statements, you will see that GPR, OWI, and grant funding is done on a cash basis which means that revenue is recognized as expenses are expended, whereas on accrual accounting, the revenue is recognized as soon as work is completed. The UW posted a payroll payment incorrectly in October that should have been posted in September. Therefore, we have payroll of about \$500,000 that was recognized on a cash basis on the 1<sup>st</sup> of October instead of September. Mr. Sterk is in the process of making adjustments to comply with this. This is why we have variances because the revenue is recognized in October. YTD, we do not have a negative variance on revenues, we actually have a slight favorable variance on agency and non-agency. Ultimately, we are on budget for revenues.

We are under by \$1,300,000 on salaries and fringes. \$500,000 of this is due to the timing of the payment posting. The other remaining balances have to do with the

number of vacancies we have compared to our original budget. Therefore, we are only about \$800,000 underspent on the approved annual budget for salaries and fringes.

We have fewer revenues (approximately \$1,500,000 less) compared to the first six months of FY'12. Similarly, we are under budget on expenses by \$1,200,000, which creates a variance of about \$300,000. Last year we had a very good year with a lot of new grants and contracts. This year, we had an annual budget of \$43,000,000. This year our revenues are substantially lower than last year, although our expenses are also less than last year during the first 3 months.

The WSLH has current assets of \$17,993,760 and current liabilities of \$6,620,243 as of September 30, 2012. In addition, the WSLH maintains a \$2,100,000 operating contingency. During the past quarter, a \$1,400,000 payment was made toward the new laboratory. Funding for completion of the Chemware LIMS was \$250,000 and the eventual relocation of the remaining laboratories in the Henry Mall facility was \$400,000.

The FY 13 budget approved by the Board projected a net operating income of \$400,000. At the end of the first quarter of FY 13, the net operating income was \$1,518,000. Some of this increase is the result of a delay in the actual billing of the September salary and fringe benefits. The actual net operating income at the end of the first quarter is estimated to be about \$200,000.

Dr. Brokopp mentioned that the request for toxicology funding discussed at the last board meeting and the request for about \$400,000 to cover added lease payments had been submitted for consideration by the UW System and the Department of Administration.

## **Item 7. STRATEGIC PLAN UPDATE**

### **1) Steven Marshall, Wisconsin State Laboratory of Hygiene**

Steven Marshall presented an update on the strategic plan. Last year we were at about 2% growth and this year we are at about 2.5% growth. Goal 1 (getting the LIMS systems set up) has been fully attained. We also experienced growth in laboratory excellence for the new building, but we are waiting to see what will happen with Henry Mall so our goal has not been fully attained. Financial situations have been on hold because of the economy and mass retirements, so we have not seen improvement in this area. With workforce development, there has been some improvement from new hires but overall there was not much growth. With informatics (mainly the new LIMS systems) there has been growth now that we have our EPIC system in place. Next year, we will complete Chemware instrumentation and RFP for Proficiency Testing. We plan to achieve all goals next year and a new strategic plan will be developed in the spring.

Jack Sullivan asked if there is a specific plan in place to address the major staff shortages that have affected these goals. Dr. Brokopp responded to note that all the retirements have hurt the WSLH (45 people left with an average of 23 years of experience) and we have struggled to fill these through the state system.

## **Item 8. HR UPDATE**

### **1) Cynda DeMontigny, Wisconsin State Laboratory of Hygiene**

Cynda DeMontigny presented a list of new hires by division from July 2012 to present date. Ms. DeMontigny clarified that new hires are individuals who may have come from another agency on campus, but are entirely new to the WSLH. Re-hires are employees who have left and came back. Transfers are individuals who were in a similar type of position but have now moved to a different location in the system. All together, we have 41 new hires for this time period.

We have also been given the ability to award Discretionary Merit Compensation awards (DMCs) to our staff based on performance and/or retention. DMCs are awarded through lump sums and base increases. The total award for lump sums was \$37,700. The total for base increases was \$243,609. Recently, we were given money for a critical compensation fund. This fund is aimed at targeting individuals we want to retain. We have awarded \$81,922 for retention. This gives us a grand total of \$363, 231.

We have 25 classified active recruitments and 5 unclassified active recruitments. These active recruitments are constantly being updated and are accessible on the UW HR website.

Dr. Brokopp followed up on one recruitment: we have two candidates for the Director of the Environmental Health Division position. We are currently negotiating with one of the candidates and hope to have an announcement by February. The new EHD Director will split time between the WSLH and the Department of Civil and Environmental Engineering .

## **Item 9. STATEWIDE LOCAL PUBLIC HEALTH LABORATORY NETWORK**

### **1) Jan Klawitter, Wisconsin State Laboratory of Hygiene**

Jan Klawitter gave an update on the Local Public Health Laboratory Network. Ms. Klawitter presented a poster to the Board that was previously presented by Kristi Sorsa

and Jan Klawitter at a joint conference in September between the partnership programs at the UW School of Medicine and Public Health and the Medical College of Wisconsin entitled "Leading the Way." In 2006, the WSLH and the City of Madison Health Department applied for a planning grant from this UW partnership fund to create a network of local public health labs. Over the course of this grant, they met quarterly and performed strategic planning and networking. The grant expired after two years however additional money was received from APHL to support the ongoing efforts to develop local public health laboratories in Wisconsin. In 2009, the network approached the Wisconsin Association of Local Health Departments and Boards (WALHDAB) to establish a permanent administrative home within this public health organization. The network of local laboratories continues to meet about twice a year. We have been rotating the meeting between the local health departments. Our public health laboratory network has grown over time as well. The current chair of the network is Kristi Sorsa from the Madison/Dane County Health Department.

Dr. Brokopp asked Ms. Klawitter if there is anything the WSLH can do to help foster this network. Jan mentioned help with purchasing supplies and equipment is something that is always needed. Dr. Brokopp mentioned that we may be able to pursue this.

## **Item 10. WSLH/DATCP CO-LOCATED LABORATORY UPDATE**

### **1) Terry Burk, Wisconsin State Laboratory of Hygiene**

The outside of the new building is more or less completed. This week the crew will be installing temporary heating in preparation for the winter. We are on schedule at this point. The inside of the building is being framed in and sheetrock is being installed. The \$2,200,000 in contingency funds and the \$1,400,000 contributed by the WSLH is being spent much faster than anticipated. There is only \$550,000 left in the combined contingency fund with six or seven months of construction left. It is still projected that the new laboratory will be completed on budget.

Regular weekly meetings with the management of the DATCP lab and the DOA building managers are used to discuss interior signage, garbage collection, cleaning crews, etc. A move-in schedule will also be developed.

We are also starting to experience serious impacts from the construction of the new building on our existing WSLH building. The area connecting the two buildings has affected our shipping area. This will continue to be a major disruption.

Last month, we had involvement from our scientific staff in working with the contractors. Members from CDD went on a tour of the BSL suites in the new lab last month and began talking to the commissioning agents to make sure that all systems were being installed as required. Following a meeting between our key scientists and the engineers/construction crew, several things were discovered that had to be remedied in

order to accommodate our needs. The staff and DOA are continuing to address security issues and the federal requirements for the possession and use of select agents.

## Item 11. CONTRACT'S REPORT

### 1) Dr. Brokopp, Director Wisconsin State Laboratory of Hygiene

Dr. Brokopp referred to the list of recent contracts below:

GRANTOR	CONTRACT NAME	START DATE	END DATE	SCOPE OF WORK	REVENUE
SCS BT Squared	PO 2012-2013	09/30/12	09/29/13	Environmental Testing	\$ 60,000.00
APHL	56400 200 621 13 13	09/15/12	01/31/13	Influenza rRT-PCR Clinical Studies	\$ 80,000.00
APHL	56400 200 621 13 02	10/01/12	06/30/13	Influenza Virus Isolation	\$ 100,000.00
APHL	56400 200 621 13 12	10/01/12	06/30/13	Neuraminidase Inhibition	\$ 100,000.00
APHL	56400 200 642 13 09	09/01/12	03/31/13	Afb Slides - Training	\$ 2,000.00
APHL	56400 200 450 13 02	10/01/12	06/30/13	Cryptosporidium	\$ 7,000.00
AMEC	CO12600753	07/31/12	07/30/13	Pesticide in Air Samples	\$ 2,500.00
Office of Justice Assistance - WI	2009 DS 06 9918	09/14/12	02/28/13	Byrne Recovery Act	\$ 400,000.00
Centers for Disease Control	200 2012 M 52504	09/15/12	09/14/13	PPHF Bordetella	\$ 65,926.00
Wisconsin Dept of Health Services	FAC 30016	06/01/12	09/30/12	Harmful Algal Blooms	\$ 34,288.20
Wisconsin Dept of Health Services	FAC 30027	07/01/12	06/30/13	Biological Response	\$ 812,971.00
Wisconsin Dept of Health Services	FAC 30028	07/01/12	06/30/13	Level 1 Lab	\$ 1,321,085.00
Wisconsin Dept of Health Services	FAC 30035	07/01/12	06/30/13	Congenital Coordinator	\$ 72,000.00
Wisconsin Dept of Health Services	FAC 30036	07/01/12	06/30/13	Genetics Consultation	\$ 82,000.00
Wisconsin Dept of Health Services	FAC 30121	07/01/12	12/31/12	HIV Testing	\$ 49,000.00
Wisconsin Dept of Health Services	FAC 30130	01/01/12	12/31/12	State Foodborne and Communicable	\$ 261,996.00
Wisconsin Dept of Health Services	FAC 30131	09/30/12	09/29/13	ELC OSS	\$ 244,170.00
Wisconsin Dept of Health Services	FAC 30141	07/01/12	06/30/13	Preconception Health	\$ 14,113.33
Wisconsin Dept of Health Services	FAC 30188	07/01/12	09/29/12	SPHERE	\$ 25,000.00

Dr. Brokopp mentioned that a number of contracts came from DHS. Some of these are environmental health related contracts. Some are also updates to federal grants that DHS has received. One of the contracts discussed at the last board meeting from the Office of Justice Assistance (\$400,000 for forensic toxicology) has been received. We are in the process of using those funds to send out additional drug testing samples, purchase two pieces of equipment, and pay staff overtime in order to cut down turn-around time and address the back log. We also received five contracts from APHL in the Communicable Disease Division. These generally involve short-term projects that APHL and CDC would like to have completed and have asked our lab to do the work.



## **Item 13. DIRECTOR'S REPORT**

### **1) Dr. Charles Brokopp, Director Wisconsin State Laboratory of Hygiene**

Dr. Brokopp recognized the retirement of two members from the Board. First was Dr. Bud Poeschel, representing the clinical labs. Dr. Poeschel was first appointed to our Board in 2008. Dave Taylor, representing our public member, was first appointed to our Board in 2004. Mr. Taylor has many projects he has taken on with the Madison Metropolitan Sewer District.

The next Board Meeting will be on February 19<sup>th</sup>, 2013. During this Board Meeting, we will have a second quarter budget update, a review of future meeting dates, and a review of board appointments and the election of the Chair, Vice-Chair and Secretary of the Board for the next year.

Dr. Pete Shult (WSLH, Director of the Communicable Disease Division) gave an update on public and environmental health incidents of educational interest. Dr. Shult noted that since early August there has been ongoing transmission of KPC in a long-term care facility. The WSLH has been performing testing and DPH has been conducting the Epi investigation. This represents a form of antibiotic resistance that can, and has, spread among bacteria that are normal inhabitants in our digestive tract. This is particularly dangerous because there are not many antibiotics that can be used once this bug emerges.

Also, a new Influenza A (H3N2v) virus was the cause of major outbreaks this summer. Virtually all the cases were in children who have had direct contact with swine. Transmission of this virus is only from direct contact with swine to humans.

The WSLH confirmed *Vibrio cholera* O1 (Inaba) in a patient. The specimen was sent to CDC, which confirmed the WSLH result. This is particularly interesting because the patient denied traveling to a foreign country and eating uncooked shellfish, so we are unsure where this came from. This typically does not spread human to human so there is no major cause for concern. There have been no other cholera cases reported in Wisconsin.

In other news, the WSLH Communicable Disease Division was selected by the CDC and APHL to be one of four Vaccine Preventable Diseases (VPD) Reference Laboratories. The WSLH was the only lab to be selected in all areas – virology, bacteriology, and proficiency testing.

Chair Darryll Farmer asked Dr. Shult for an update on West Nile Virus. Dr. Shult mentioned that West Nile Virus was fairly quiet this year – the total cases were under a

dozen in Wisconsin. However, areas in Texas and the Dakotas had record years. This is likely due to extreme weather changes.

Dr. Brokopp mentioned several accomplishments of WSLH staff. James Powell (WSLH) has been asked to speak at a national rabies workshop for APHL. Drs. Mei Baker, Curtis Hedman, and Jennifer Laffin had their work on collaborative research projects highlighted during the University of Wisconsin's Translational Sciences Resource Fair last month. Also, Dr. Pete Shult was involved in a national influenza update for 2012.

Dr. Brokopp mentioned that the WSLH has had a number audits (ABFT for forensic toxicology, OSHA for programmatic and financials, and CAP internal audit for clinical areas of the lab). All of the audits had very little, if any, significant findings. Dr. Brokopp mentioned that this says a lot about the ability of our staff to maintain the capabilities of the lab.

Dr. Brokopp also asked Sandra Breitborde to describe the Newborn Screening Task Force that was recently appointed by DHS Secretary Smith. Ms. Breitborde mentioned that the first meeting is scheduled for December 7<sup>th</sup>. The Secretary of the Department of Health called this task force to address current standards and criteria for newborn screening from both a scientific and ethics point of view. Dr. Brokopp mentioned that this is important because a lot of technology involved in newborn screening has expanded the options to detect more conditions in newborns which raised more ethical issues that must be addressed.

**Chair Darryll Farmer called the meeting to adjourn at 4:00 P.M.**

**John R. Sullivan** approved the motion.

**Jeffery Kindrai** seconded the motion.

Respectfully submitted by:

A handwritten signature in black ink that reads "Charles D. Brokopp, DrPH". The signature is written in a cursive, flowing style.

Charles D. Brokopp, DrPH

Secretary, Wisconsin State Laboratory of Hygiene Board of Directors