I. Call to Order

Mr. Goergen, President, called the monthly meeting of the Geauga County Board of Health to order at 7:00 p.m.

Board members present: Mr. Timothy Goergen, President, Mrs. Christina Livers, Pro-Tem, Mr. David Gragg, and Mrs. Catherine Whitright.

Staff members present: Robert Weisdack, Health Commissioner, Dan Mix, Administrator, and Michael Tusick, Registered Sanitarian.

Others present: Kate Jacob, Assistant Prosecuting Attorney, Richard Polomsky, Wanda Polomsky, Kyle VanBoxel, John Charo, Ashley Welch, Don Washington, and Rebecca Buddenburg.

II. Pledge of Allegiance

Mr. Goergen asked everyone to stand and recite the Pledge of Allegiance.

III. Approval of Minutes

Mr. Gragg moved to approve the minutes for the October 17, 2016 Board of Health meeting. Mrs. Whitright seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mrs. Livers moved to approve the minutes for the October 24, 2016 Special Board of Health meeting. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mrs. Whitright moved to approve the minutes for the November 9, 2016 Special Board of Health meeting. Mr. Goergen seconded the motion. Mr. Goergen, yes; Mrs. Livers, abstain; Mr. Gragg, abstain; and Mrs. Whitright, yes. The motion died with the roll call vote.

IV. Current Expenses/Financial Report

Mr. Gragg moved to approve the Current Expenses and Financial Reports, October 13, 2016 to November 10, 2016. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

V. Administrative Hearings

a. Kyle & Nicole VanBoxel

Kyle VanBoxel was present and sworn in by Mr. Goergen. Mr. Tusick and Mr. Weisdack were both sworn in and stated their experience.

Mr. Tusick stated that this was an alleged code violation at the property owned by Kyle & Nicole VanBoxel, 13770 GAR Hwy., Hambden Twp. This case was based on the failure to have a For Sale of Property Evaluation conducted at the time of property transfer as per Section 3701-29-25 of the Geauga County Sewage Treatment System Rules.

3701-29-25(A) “An evaluation of a residential sewage system must be completed at time of transfer of ownership of any parcel with said system. The evaluation shall be conducted by a member of the Health District and
if necessary any corrective actions(s) required shall be accomplished within the time period(s) directed." Discussion followed.

Mr. VanBoxel said he intends to get the system inspected, however, he was having trouble locating the components. He stated he understands the importance of having a functioning system. He has done several different methods to find the components and had some contractors out to the property, but has not had any success. He stated he contacted ODH and they stated that junction boxes are not needed and that the system can be approved with just a dye test.

Mr. Tusick stated that according to the permit information on file, the owner began to install the system in the 70’s and then moved away. The system was never inspected and approved by the Geauga County Health District. He also stated that the procedure for a test is to have the components located and uncovered so they can be inspected. The Geauga County Health District needs these items completed. This will allow for a complete evaluation of the system. Mr. Tusick had been in contact with Mr. VanBoxel and explained all this information. Mr. VanBoxel indicated that he would like to get the dye test done. If the system is found to be failing, then he will install a new system.

Mrs. Livers moved to table the Administrative Hearing for Kyle & Nicole VanBoxel, 13770 GAR Hwy., Hambden Twp. until the December 19, 2016 regular Board of Health meeting. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

b. Donald Washington

Tracey Washington (Donald Washington’s daughter) was present and sworn in by Mr. Goergen. Mr. Tusick and Mr. Weisdack were both sworn in again and stated their experience.

Mr. Tusick stated that this was an alleged code violation at the property owned by Donald Washington, 7488 Mulberry Rd., Chester Twp. This case was based on the failure to have a For Sale of Property Evaluation conducted at the time of property transfer as per Section 3701-29-25 of the Geauga County Sewage Treatment System Rules.

3701-29-25(A) “An evaluation of a residential sewage system must be completed at time of transfer of ownership of any parcel with said system. The evaluation shall be conducted by a member of the Health District and if necessary any corrective actions(s) required shall be accomplished within the time period(s) directed.” Discussion followed.

Ms. Washington said their realtor never told them about the required inspection. The home was built in 1901. They are having issues with funding to get the system inspected. Mr. Tusick stated that a drawing that is in the file shows just a septic tank. Ms. Washington stated they did not have the funding to pay for the evaluation fee. She indicated they were having problems selling their other home. Ms. Washington said she would contact installers to come locate the components and make a drawing

Mrs. Livers moved to table the Administrative Hearing for Donald Washington, 7488 Mulberry Rd., Chester Twp. until the December 19, 2016 regular Board of Health meeting. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

c. Danielle Knapp

John Charo (Danielle Knapp’s husband) was present and sworn in by Mr. Goergen. Mr. Tusick and Mr. Weisdack were both sworn in again and stated their experience.

Mr. Tusick stated that this was an alleged code violation at the property owned by Danielle Knapp, 8265 Madison Rd., Thompson Twp. This case was based on the failure to have a For Sale of Property Evaluation conducted at the time of property transfer as per Section 3701-29-25 of the Geauga County Sewage Treatment System Rules.

3701-29-25(A) “An evaluation of a residential sewage system must be completed at time of transfer of ownership of any parcel with said system. The evaluation shall be conducted by a member of the Health District and if necessary any corrective actions(s) required shall be accomplished within the time period(s) directed.” Discussion followed.

Mr. Charo said they are experiencing funding problems to pay for the evaluation. His realtor did not tell them the inspection of the system was required. He asked if they could have some extra time to have the evaluation completed.

Mrs. Livers moved to table the Administrative Hearing for Danielle Knapp, 8265 Madison Rd., Thompson Twp. until the May 15, 2017 regular Board of Health meeting and transfer to the name of John and Danielle Charo.
The owners are to have the system pumped as soon as possible. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes. Mr. Charo was instructed to contact the Geauga County Health District office for guidance.

d. Evergreen Dairy

Richard Polomsky was present and sworn in by Mr. Goergen. Mr. Tusick and Mr. Weisdack were both sworn in again and stated their experience.

Mr. Tusick stated that this was an alleged code violation at the property owned by Evergreen Dairy, 14054 Madison Rd., Middlefield Twp. This case was based on the failure to have a For Sale of Property Evaluation conducted at the time of property transfer as per Section 3701-29-25 of the Geauga County Sewage Treatment System Rules.

3701-29-25(A) “An evaluation of a residential sewage system must be completed at time of transfer of ownership of any parcel with said system. The evaluation shall be conducted by a member of the Health District and if necessary any corrective actions(s) required shall be accomplished within the time period(s) directed.” Discussion followed.

Mr. Polomsky stated the property had been vacant for a while. He stated he is confident the system will need to be replaced. There are two homes with tenants in each home. Mr. Polomsky has contacted an installer and some preliminary work was started. A soils test is scheduled for December 9, 2016. Mr. Polomsky’s installer is not available until next year.

Mr. Gragg moved to table the Administrative Hearing for Evergreen Dairy, 14054 Madison Rd., Middlefield Twp. until the May 15, 2017 regular Board of Health meeting to allow time for a lot evaluation and the design of a new sewage system to be completed. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

e. Ashley Welch

Ashley Welch and Doug Welch were present and sworn in by Mr. Goergen. Mr. Tusick and Mr. Weisdack were both sworn in again and stated their experience.

Mr. Tusick stated that this was an alleged code violation at the property owned by Ashley Welch, 12401 Snow Rd., Newbury Twp. This case was based on the failure to have a For Sale of Property Evaluation conducted at the time of property transfer as per Section 3701-29-25 of the Geauga County Sewage Treatment System Rules.

3701-29-25(A) "An evaluation of a residential sewage system must be completed at time of transfer of ownership of any parcel with said system. The evaluation shall be conducted by a member of the Health District and if necessary any corrective actions(s) required shall be accomplished within the time period(s) directed.” Discussion followed.

Mr. Welch said that his daughter bought the home and based on an installer’s recommendation, chose to forego the For Sale of Property evaluation and install a new system. Since that time, Ms. Welch has lost her job and Mr. Welch has been making the mortgage payments. Mr. Welch said they are fully aware that the system needs to be replaced. The system was pumped recently.

An installer has indicated that the home has an old off-lot discharge. Mr. Welch said that his daughter does not have the funds to replace the system. Ms. Welch stated her intent was to use her retirement funds to pay for the new system. She asked for more time to get the funds available.

Mrs. Livers moved to table the Administrative Hearing for Ashley Welch, 12401 Snow Rd., Newbury Twp. until the May 15, 2017 regular Board of Health meeting. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

The Board took a five-minute break.

f. Samuel DiCenzo & Angela DiPaolo

Neither Samuel DiCenzo nor Angela DiPaolo were present. Mr. Tusick was sworn in again by Mr. Goergen and stated his experience.
Mr. Tusick stated that this is an alleged code violation to the property owned by Samuel DiCenzo & Angela DiPaolo, 8304 Sharp Ln., Chester Twp. This case is based on the following section of the Ohio Department of Health and Ohio Administrative Code sections 3701-29 - Sewage Treatment System Rules:

3701-29-06  (E)(1)  Shall be maintained in property working condition

(E)(3)  "No STS or GWRS or part thereof shall create a public health nuisance, as defined in section 3718.011 of the Revised Code, or safety hazard. No STS or GWRS or part thereof shall cause an exceedance of water quality standards for surface water or drinking water."

Discussion followed.

Mr. Gragg moved that a code violation exists at the property owned by Samuel DiCenzo & Angela DiPaolo, 8304 Sharp Ln., Chester Twp. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mrs. Livers moved that the owners be required to make repairs and/or corrections and/or obtain the necessary permits and install a new sewage disposal system within 30 days of receipt of Board order. Failure to follow this order will result in referral to the Prosecutor’s office for legal action. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

g. David & Barbara Subotnik

David & Barbara Subotnik were not present. Mr. Tusick was sworn in again my Mr. Goergen and stated his experience.

Mr. Tusick stated that this is an alleged code violation to the property owned by David & Barbara Subotnik, 17219 Swine Creek Rd., Middlefield Twp. This case is based on the following section of the Ohio Department of Health and Ohio Administrative Code sections 3701-29 - Sewage Treatment System Rules:

3701-29-06  (E)(1)  Shall be maintained in property working condition

(E)(3)  "No STS or GWRS or part thereof shall create a public health nuisance, as defined in section 3718.011 of the Revised Code, or safety hazard. No STS or GWRS or part thereof shall cause an exceedance of water quality standards for surface water or drinking water."

This case also pertains to Section 3718.011 of the Ohio Revised Code-Conditions under which a sewage treatment system causes a public health nuisance:

3718.011  (A)  For purposes of this chapter, a sewage treatment system is causing a public health nuisance if any of the following situations occurs and, after notice by a board of health to the applicable property owner, timely repairs are not made to that system to eliminate the situation:

(A)(3)  An inspection conducted by, or under the supervision of the environmental protection agency or a sanitarian registered under Chapter 4736 of the Revised Code documents that there is ponding of liquid or bleeding of liquid onto the surface of the ground or into surface water and the liquid has a distinct sewage order, a black or gray coloration, or the presence of organic matter and any of the following:

(A)(3)(a)  The presence of sewage effluent identified through a dye test;

Discussion followed.

Mr. Gragg moved that a code violation exists at the property owned by David & Barbara Subotnik, 17219 Swine Creek Rd., Middlefield Twp. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mr. Gragg moved that David & Barbara Subotnik be required to make repairs and/or corrections and/or
obtain the necessary permits and install a new sewage disposal system within 30 days of receipt of Board order. Failure to follow this order will result in referral to the Prosecutor’s office for legal action. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

h. Stacy Gotshell, Robert & Jessica Hallbom, Joseph & Susan Wengerd, David & Laurie Miller, Eileen Viol, William, Robert, & Edna Miller, Norma Sue Adkins, William & Homer Yoder, Brian & Lori Hess, Charlotte Hoyt, Matthew Butler & Tara Haueter, Tri-County Properties, Michael Anderson & Jessica Fassett, Frank & Annette Scavone, Marlin & Marcia Miller, and Brett & Julie Yehl

None of the above mentioned were present. Mr. Tusick was sworn in again and stated his experience.


These cases were based on the failure to have a For Sale of Property Evaluation conducted at the time of property transfer as per Section 3701-29-25 of the Geauga County Sewage Treatment System Rules.

3701-29-25(A) “An evaluation of a residential sewage system must be completed at time of transfer of ownership of any parcel with said system. The evaluation shall be conducted by a member of the Health District and if necessary any corrective actions(s) required shall be accomplished within the time period(s) directed.” Discussion followed.


VI. Environmental Health Program Update

Mr. Weisdack reviewed the number of sewage permit issued to date versus where they were last year. Mr. Weisdack attributes the increase in permits to the good work of the prosecutor’s office. Kate Jacob explained the process she goes through for the cases that come to her office.
Mr. Weisdack received an emergency call from USEPA regarding high lead levels at a property in Hambden. This property was a former gun range. A conference call will be held in the near future between the Geauga County Health District, OEPA and USEPA. This is the first notification we had received about this property.

a.  Mosquito Update

The Board was provided information regarding the number of cases of different mosquito-borne illnesses within the state of Ohio.

Mr. Weisdack stated that trapping has been done in various locations within Geauga County. There have been no species identified within the county that carry the Zika Virus.

Herb Shubick and some MRC members distributed mosquito dunks within the Chagrin Falls Park area recently. Approximately 500 of the 700 dunks the Geauga County Health District received have been distributed throughout the county. There have been several presentations in the county where dunks were also provided.

b.  Rabies Update

There have been three documented cases of rabies in Ohio to date.

c.  Reassignment of EH Staff Duties

Due to the retirement of Mike Tusick, duties have been reassigned. Mr. Weisdack provided information about the reassignments. The staff participated in this as well. The SITs are very eager to learn new things. Dave Sage will be the lead on sewage and Eric Robb will be the lead on water. At any time, they can come to Mr. Weisdack for any questions they cannot answer.

VII. Personal Health Services Update

a.  Public Health Emergency Preparedness

During the months of October, the staff attended regional workgroup meetings. The Northeast Ohio Regional EPI Plan annual revision was conducted and sent to the regional LHDs to review.

Mr. Mix acknowledged Jay Becker for the seven years he provided to Geauga County.

b. Disease Surveillance

The disease count for October was 42 cases; 29 of those cases were STDs but also included Hepatitis C, LaCrosse Virus, Legionellosis, Lyme Disease, Salmonellosis, and TB.

c. Nursing Services

During the months of October, the nursing staff provided 2 Amish Well Child Clinics, 6 children and adolescent immunization clinics, 4 Friday Morning Adult clinics, and 4 Senior Center clinics. Included were visits for 29 children at the well child clinics, 485 vaccinations given to 162 children, 117 BP checks, 23 adult immunizations, 368 flu vaccines, and 6 TB tests. The nurses also provided vision screenings that resulted in referrals for glasses for 34 children. They also conducted 2 maternal/newborn visits and 3 parochial school visits.

The Board was asked to adopt a revised 2016 IAP budget. The grant was extended three months and the total will be approximately $37,535.00, which represents a 25% increase. The additional funding will be used for personnel expenses for cleaning the IMPACT SIIS database.

Mr. Mix stated he Mr. Weisdack and Darla Andrews are working with two staff members to fill the communicable disease surveillance role. He indicated that a recommendation would be brought to the Board in December. Since this position is being filled in-house, the Board was asked to advertise and hire a Public Health Nurse. This nurse will serve as backup to the communicable disease specialist.
The Board was also asked to increase Robin Maynard, PHS secretary from part-time to full-time. She has taken over many roles and will now be trained to assist with clerical responsibilities for the communicable disease surveillance program.

The Board asked to receive a copy of the personnel policy manual. Mr. Mix indicated he would send it to them.

d. WIC

The WIC caseload for June was 726.

The transition to Lake-Geauga WIC has been progressing very well. The staff have been able to offer extended clinic hours to clients. Breastfeeding initiation rate for women is 53% and for infants 71%. Bonding with breastfeeding support group had five mothers in attendance this month. In addition, our peer helper, Sue Derus passed Certified Lactation Counselor training this month, so Geauga WIC now has 3 CLC’s on staff.

e. Administration

The Board was asked to approve a revised FY2017 Maternal Child Health Service (MCH) grant budget, not to exceed $49,785.00. This revision moves $10,000.00 to contracts, which allows us to collaborate with the Hospital Council of NW Ohio and several other LHDs to conduct our assessments as a partnership.

The Board was asked to approve a contract with HCNO to conduct the planning, assessment and report generation of the Moving to the Future assessment for Geauga County.

The Board was asked to adopt several fiscal resolutions. The first was for the Trailer Park/Camp fund and includes a re-appropriation to pay additional expenses that were incurred because of increased revenue.

The second resolution the Board was asked to adopt authorizes the transfer of BOH funds to pay the Geauga County Health District review by human resource specialist Mansour Gavin, LPA.

The final resolution asks the Board to authorize the creation of additional expenditure line items in the Private Water, Sewage Treatment Systems and FSP funds. These included legal fee and refund line times. This will allow us to track and budget costs more effectively.

f. Accreditation

Mr. Mix stated that the community health assessment is still ongoing.

The Center for Public Health Practice at the Ohio State University and ODH have begun the evaluation of each LHD’s ability to become accredited. We have submitted information and responses to an online survey indicating areas we feel most challenged and in need of technical assistance.

VIII. Old Business

There was no old business.

IX. New Business

Mrs. Livers moved 11.16-a to approve Resolution 2016-4 Trailer Park/Camp Fund Appropriation to revise the 2016 appropriations for 6004 Trailer/Camp Fund. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mr. Gragg moved 11.16-b to approve the agreement with the Hospital Council of Northwest Ohio to produce a comprehensive Nutrition and Physical Activity Assessment Report for Geauga County, not to exceed $10,000.00. Mrs. Whitright seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mrs. Whitright moved 11.16-c to approve the IAP budget revision for the period 1/1/2016 to 3/31/2017 not to exceed $37,600.00. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.
Mrs. Livers moved 11.16-d to approve the Maternal and Child Health budget revision not to exceed $49,785.00. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mr. Gragg moved 11.16-e to acknowledge the retirement of Robert Weisdack, Environmental Health Director/Health Commissioner effective November 30, 2016. Mrs. Whitright seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mrs. Livers moved 11.16-f to approve Resolution 2016-5 Board of Health Appropriation Transfer requesting the Geauga County Auditor’s office to move $25,000.00 from Board of Health Salaries 6002-053-501 and $7,500.00 from Board of Health Worker’s Compensation 6002-053-505 to Board of Health Other Expense 6002-053-901. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mrs. Livers moved 11.16-g to approve Resolution 2016-6 Fund Line Item Creation requesting the Geauga County Auditor’s office create additional expenditure line items in the Private Water, Sewage Treatment Systems and For Sale of Property funds. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mr. Gragg moved 11.16-h to approve the advertising and hiring a Public Health Nurse within the approved salary range. Mrs. Whitright seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

Mrs. Livers moved 11.16-i to acknowledge the change of Robin Maynard, PHS Secretary from part-time to full-time. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes.

X. Other Business

The Board thanked Mr. Tusick for his years of service to the Geauga County Health District.

XI. Executive Session

Mrs. Livers moved to adjourn for executive session at 9:45 p.m. to discuss the health commissioner’s contract. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; and Mrs. Whitright, yes. The meeting reconvened at 10:50 p.m. Mr. Goergen stated no action would be taken because of discussion during executive session.

XII. Meetings

Regular Board of Health Meeting, Monday, November 14, 2016 at 7:00 pm in the meeting room of 470 Center St., Bldg. 8, Chardon, Ohio.

XIII. Adjourn

As there was no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,

Robert K. Weisdack, R.S., M.A., M.P.H.
Secretary of the Board