

Geauga County General Health District
Board of Health Meeting Minutes
April 20, 2009, 7:00 p.m.
Geauga County Health District Office
470 Center Street, Bldg. 8, Chardon, OH 44024

I. Call to Order

Mr. J. David Benenati, President, called the monthly meeting of the Geauga County Board of Health to order at 7:09 p.m.

Board members present: Mr. J. David Benenati, Dr. Donald Bowers, Ms. Melanie Eppich, Mr. Timothy Goergen and Mrs. Christina Livers.

Staff members present: Robert Weisdack, Health Commissioner; Dan Mix, Personal Health Services Director; Michael Tusick, R.S.; William Wendell, R.S.; and Alta Kress, Administrative Assistant.

Others present: There were four others present.

II. Pledge of Allegiance

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

III. Welcome Christina Livers

The Board welcomed Mrs. Livers to the Board.

IV. Election of President and Pro-Tempore

Ms. Eppich moved to nominate Mr. Benenati as President. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Mr. Goergen moved to nominate Dr. Bowers as Pro-Tempore. Ms. Eppich seconded the motion. Dr. Bowers withdrew his name from the nomination.

Dr. Bowers moved to nominate Mr. Goergen as Pro-Tempore. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

V. Approval of Minutes

Ms. Eppich moved to approve the minutes from the March 16, 2009 regular meeting. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, abstain.

VI. Financial Report / Current Expenses

Dr. Bowers moved to approve the Current Expenses March 5, 2009 to April 13, 2009. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

VII. Environmental Health Program Update

Mr. Weisdack stated that the number of septic permits issued has been increasing slowly over the past couple of months. Hopefully, they will continue to increase as the summer progresses.

A. Sewage Rules Update

Mr. Weisdack and Mr. Tusick reviewed with the Board some of the highlights of the proposed sewage law. Much of it is the same as it had been proposed before with very few changes.

B. SB100

SB 100 is a bill sponsored by Senator Grendell and Senator Cafaro. This bill proposes that the local health districts retain control of their own sewage regulations.

It also states a need to create a revolving loan program to help Ohio residents to repair failing systems. The State is already in the process of developing a fund to aide low-income residents to fix malfunctioning sewage systems. Mr. Weisdack is working with Community Development to develop guidelines for these revolving loans.

C. Bainbridge Well Contamination

Mr. Wendell explained to the Board how the contamination happened. There were many homes affected. Some homes had to have water storage tanks provided because there were still high levels of gas in the water. There are still homes attached to those water storage tanks.

To date, there are still problems on Scotland, Kingswood and English Dr. The Bainbridge Police Department is also experience problems with gas in the well. There are approximately 30 homes on Scotland and Kingswood that are getting black sediment. This sediment is being tested.

City water lines are being run to the homes still experience problems. The gas well drilling company, Ohio Valley Energy, will only be paying to tie-in the 10-20 homes that were directly impacted on the initial day. The residents in the area have hired a lawyer to handle this case for them.

VIII. Personal Health Services Update

Mr. Mix reported that the Geauga County Health District held a local emergency preparedness drill on April 17, which involved 80% of the staff. The drill showed that more practice is needed. Site visits will be made by CDC and ODH in June and July to evaluate our state of preparedness.

The Geauga MRC will be hosting a workshop on May 14, 2009. Volunteers will review core competencies and receive training. An MRC Web site has been incorporated into the Health District Web site.

Mr. Mix explained that after the resignation of Alicia Bright, RN, it was discussed and agreed to by himself, Mr. Weisdack and Mrs. Knell to not hire another full-time nurse but to increase the pool of contract nurses. In addition, the remaining nurses agreed to take on more duties. Mr. Mix stated

that he is requesting that the contract nurse's hourly rate be increased as well as small salary increases for the remaining nurses who are taking on more duties.

The Help Me Grow newborn home visit program will be ending June 30, 2009. Mr. Mix stated that he feels the program serves a vital purpose in identifying potential risks in newborn development as well as post partum depression in new mothers. He asked that the Board consider continuing a newborn home visit after the Help Me Grow program ends.

A. WIC

The WIC caseload is currently at 936 clients for March. This is the highest caseload ever for Geauga County WIC.

B. Health Education

The PHS staff has discussed using the Health District Web site to promote health education in the community. Plans are underway as to how to accomplish this task.

D. CDC Performance Standards

Mr. Mix and Mr. Weisdack recently attended the National Public Health Performance Standards Program.

Performance Standards are not an evaluation of the local health district, but rather a measure of the entire public health system in a community. The emphasis of the standards is to measure the strength of partnerships and alliance between hospitals, physicians, schools, fire, police, social and civil organizations, faith-based organizations, local businesses, parents, and the health districts.

To complete the NPHPSP, several meetings with these groups need to be held to assess the status of public health in Geauga County. Mr. Mix stated that these meetings will be planned soon.

IX. Administrative Hearings

A. Anthony & Elizabeth Masitto and Charles & Lisa Schultz

Elizabeth Masitto was present and sworn in by Mr. Benenati. Mr. Tusick and Mr. Weisdack were sworn in by Mr. Benenati and stated their experience.

Mr. Tusick stated that this is an alleged code violation to the property owned by Anthony & Elizabeth Masitto, 12790 Wellswood Tr., Chester Twp. This case was tabled from the March 2009 meeting. This case is in regards to the following sections of the Geauga County Health District Sewage Disposal System Regulations, which states:

3701-29-02(D) states: "No household sewage disposal system or part thereof shall create a nuisance."

3701-29-02(E) states: "No person shall discharge, or permit to discharge, treated or untreated sewage, the overflow drainage or contents of a sewage tanks, or other putrescible, impure, or offensive wastes into an abandoned water supply, well, spring, or cistern or into a natural or artificial well, sink hole, crevice, or other opening extending into limestone, sandstone, shale, or other rock formation, or normal ground water table."

3701-29-02(F) states: "No person shall discharge, or permit to be discharged, treated or untreated sewage... or offensive wastes onto the surface of the ground, into any street, road, alley, open excavation, or underground drain."

3701-29-02(G) (4) states: "When test results indicate that the standards set forth in regulation 3701-29-02(G) (3) are not being met or nuisances are being created, additional treatment devices may be require by the Board of Health." Discussion followed.

Dr. Bowers moved to table the Administrative Hearing for Anthony & Elizabeth Masitto, 12790 Wellswood Tr., Chester Twp., for two months. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Lisa Schultz was present and sworn in by Mr. Benenati. Mr. Tusick and Mr. Weisdack were sworn in again by Mr. Benenati and stated their experience.

Mr. Tusick stated that this is an alleged code violation to the properties owned by Charles & Lisa Schultz, 12566 Princeton Rd., Huntsburg Twp. This case was tabled from the March 2009 meeting. This case is in regards to the following sections of the Geauga County Health District Sewage Disposal System Regulations, which states:

3701-29-02(D) states: "No household sewage disposal system or part thereof shall create a nuisance."

3701-29-02(E) states: "No personal shall discharge, or permit to discharge, treated or untreated sewage, the overflow drainage or contents of a sewage tanks, or other putrescible, impure, or offensive wastes into an abandoned water supply, well, spring, or cistern or into a natural or artificial well, sink hole, crevice, or other opening extending into limestone, sandstone, shale, or other rock formation, or normal ground water table."

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3701-29-02(G) (4) states: "When test results indicate that the standards set forth in regulation 3701-29-02(G) (3) are not being met or nuisances are being created, additional treatment devices may be require by the Board of Health." Discussion followed.

Dr. Bowers moved to table the Administrative Hearing for Charles & Lisa Schultz, 12566 Princeton Rd., Huntsburg Twp., for two months. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

B. Richard Foster

Richard Foster was not present. Mr. Tusick and Mr. Weisdack were sworn in again by Mr. Benenati and stated their experience.

Mr. Tusick stated that this is an alleged code violation to the properties owned by Richard Foster, 7640 Cedar Rd., Chester Twp. This case is in regards to the following sections of the Geauga County Health District Sewage Disposal System Regulations, which states:

3701-29-02(D) states: "No household sewage disposal system or part thereof shall create a nuisance."

3701-29-02(E) states: "No person shall discharge, or permit to discharge, treated or untreated sewage, the overflow drainage or contents of a sewage tanks, or other putrescible, impure, or offensive wastes into an abandoned water supply, well, spring, or cistern or into a natural or artificial well, sink hole, crevice, or other opening extending into limestone, sandstone, shale, or other rock formation, or normal ground water table."

3701-29-02(F) states: "No person shall discharge, or permit to be discharged, treated or untreated sewage... or offensive wastes onto the surface of the ground, into any street, road, alley, open excavation, or underground drain."

3701-29-02(G) (4) states: "When test results indicate that the standards set forth in regulation 3701-29-02(G) (3) are not being met or nuisances are being created, additional treatment devices may be require by the Board of Health." Discussion followed.

Dr. Bowers moved that a code violation exists at the property owned by Charles & Lisa Schultz, 12566 Princeton Rd., Huntsburg Twp., for two months. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Ms. Eppich moved that the owner be required to obtain the sewage permit and install a new sewage disposal system within 30 days of receipt of Board order. Failure to do so will result in referral to the prosecutor's office for legal action. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

C. Todd & Margaret Kruse, Thomas Thorton & George Chapman

Todd Kruse was present and sworn in by Mr. Benenati. Mr. Tusick and Mr. Weisdack were sworn in again by Mr. Benenati and stated their experience.

Mr. Tusick stated that this is an alleged code violation to the property owned by Todd Kruse, 38 Ridgecrest Dr., S. Russell Village. This case is in regards to section 3701-29-22(A) of the Geauga County Household Sewage Disposal System Regulations, which states, "An evaluation of a residential sewage system must be completed prior to the transfer of ownership of any parcel with said system. The evaluation shall be conducted by a member of the Health District and if necessary corrective action(s) required shall be accomplished within the time period(s) directed." Discussion followed. It is possible that sanitary sewers may be coming to this area

Dr. Bowers moved to table the Administrative Hearing for Todd & Margaret Kruse, 28 Ridgecrest Dr., S. Russell Village. Mr. Lang seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Thomas Thorton and George Chapman were not present. Mr. Tusick and Mr. Weisdack were sworn in again by Mr. Benenati and stated their experience.

Mr. Tusick stated that this is an alleged code violation to the property owned by Thomas Thorton, 16428 Munn Rd, Auburn Twp. and George Chapman, 17702 Burrows Rd., Thompson Twp. These cases are in regards to section 3701-29-22(A) of the Geauga County Household Sewage Disposal System Regulations, which states, "An evaluation of a residential sewage system must be completed prior to the transfer of ownership of any parcel with said system. The evaluation shall be conducted by a member of the Health District and if necessary corrective action(s) required shall be accomplished within the time period(s) directed." Discussion followed.

Dr. Bowers moved that a code violation exists at the properties owned by Thomas Thorton, 16428 Munn Rd., Auburn Twp and George Chapman, 17702 Burrows Rd., Thompson Twp. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Ms. Eppich moved that Thomas Thorton, 16428 Munn Rd., Auburn Twp and George Chapman, 17702 Burrows Rd., Thompson Twp be required to make application, pay for, schedule, and complete a For Sale of Property Evaluation 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. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

D. T & E Disposal, LLC

No one representing T & E Disposal, LLC was present. Mr. Tusick was sworn in again by Mr. Benenati and stated his experience. Deputy Mike Matsik, Solid Waste Enforcement Officer was also present and sworn in by Mr. Benenati.

Mr. Tusick stated that this is an alleged code violation against T & E Disposal, LLC located at 432 W. Main St., Madison, Ohio. This case is in regards to section 32 of the Geauga County Sanitary Regulations, which states: "All garbage and other refuse collected, transported and/or disposed of within the Geauga County General Health District shall be disposed of in a manner as prescribed by the Board of Health of the Geauga County General Health District. No person, firm, association or corporation shall engage in the collection and transportation of garbage or other refuse until a permit therefore is obtained from the Board of Health. A permit fee of \$50.00 per truck per annum shall be charged and collected from the person, firm, association, or corporation making application for subject permit. Any permit may be revoked at any time by the Board of Health for sufficient cause." Discussion followed.

Ms. Eppich moved that a code violation exists against T & E Disposal, LLC located at 432 W. Main St., Madison, OH. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Dr. Bowers moved that the owner be required to pay for and obtain the solid waste hauler permit for all trucks working within Geauga County within 7 days of receipt of Board order. Failure to do so will result in referral to the Solid Waste Enforcement Officer for legal action. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

E. Middlefield Roll-Off/Chris Light

Chris Light was not present. Mr. Tusick was sworn in again by Mr. Benenati and stated his experience. Deputy Mike Matsik, Solid Waste Enforcement Officer was also sworn in again by Mr. Benenati.

Mr. Tusick stated that this is an alleged code violation against Middlefield Roll-Off/Chris Light, PO Box 311, Middlefield. This case is in regards to section 32 of the Geauga County Sanitary Regulations, which states: "All garbage and other refuse collected, transported and/or disposed of within the Geauga County General Health District shall be disposed of in a manner as prescribed by

the Board of Health of the Geauga County General Health District. No person, firm, association or corporation shall engage in the collection and transportation of garbage or other refuse until a permit therefore is obtained from the Board of Health. A permit fee of \$50.00 per truck per annum shall be charged and collected from the person, firm, association, or corporation making application for subject permit. Any permit may be revoked at any time by the Board of Health for sufficient cause." Discussion followed.

Ms. Eppich moved that a code violation exists against Middlefield Roll-off/Chris Light, PO Box 311, Middlefield. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Dr. Bowers moved that the owner be required to pay for and obtain the solid waste hauler permit for all trucks working within Geauga County within 7 days of receipt of Board order. Failure to do so will result in referral to the Solid Waste Enforcement Officer for legal action. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

X. Old Business

Mr. Weisdack stated that the presentation of the 2010 Health District budget went very well. They were very happy that no assessments were needed. He did inform the council that should we lose our funding, we may need to come back to them for assessments.

XI. Executive Session

Dr. Bowers moved to adjourn to Executive Session at 10:00 p.m. to discuss legal updates. Mr. Goergen seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes. Meeting reconvened at 10:30 p.m.

XII. New Business

Dr. Bowers moved 4.09-1 to acknowledge the resignation of Alicia Bright, RN effective March 30, 2009. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Mrs. Livers moved 4.09-2 to approve the rate increase for contract nurses from \$18.50 to \$20.00/hr. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Ms. Eppich moved 4.09-3 to approve the contracts with Kathy Pinkava, RN & Susan Lejay, RN for nursing services. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Mr. Goergen moved 4.09-4 to approve the transfer of \$17,500.00 from salaries to contract services within the BOH fund. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Mr. Goergen moved 4.09-5 to approve the salary increases for Mary Ann Marsh, RN & Karen DeWeese RN in the amount of \$.61 and \$.96 /hour respectively. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Ms. Eppich moved 4.09-6 to approve the continuation of the Newborn Home Visit Program beginning July 1, 2009 using BOH funds. Dr. Bowers seconded the motion. Dr. Bowers stated he would like to see an end date for this program. Discussion ensued. Mrs. Livers moved to amend the motion to "beginning July 1, 2009 to June 30, 2010. Dr. Bowers seconded the amendment. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Dr. Bowers moved 4.09-7 to approve the continuation of the memorandum of understanding for the ODH Lead Prevention program from July 1, 2009 to June 30, 2011. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Ms. Eppich moved 4.09-8 to approve the out of state travel for Dave Sage to attend the Hazardous Material Response team Conference in Hunt Valley, MD from May 27-31, 2009. all expenses are paid by Geauga County DES. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

Mrs. Livers moved 4.09-9 to approve the purchase of a Dissolved Oxygen Meter at a price not to exceed \$1,500.00. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Dr. Bowers, yes; Ms. Eppich, yes; Mr. Goergen, yes; and Mrs. Livers, yes.

XIII. Other Business

Dr. Bowers stated he would like to see time studies done for the Personal Health Services section. He also stated that the staffing should be looked at as well. Mr. Weisdack and Mr. Mix both stated that the staff duties are being reviewed.

XIV. Meetings

The regular meeting of the Board will be held May 18, 2009 at 7:00 p.m., 470 Center St., Bldg. 8, Chardon.

XV. Adjournment

As there was no further business to come before the Board, Mrs. Livers moved to adjourn the meeting at 10:45 p.m. Mr. Goergen seconded the motion. Motion carried with a unanimous vote.

Respectfully submitted,

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