

Geauga County General Health District
Board of Health Meeting Minutes
April 17, 2006, 7:00 p.m.
Geauga County Health District Office
470 Center Street, Bldg. 8, Chardon, OH 44024

I. Call to Order

Mr. Richard Lang, President, called the monthly meeting of the Geauga County Board of Health to order at 7:00 p.m., and stated the meeting was being held to conduct the regular business of the Board.

Board members present: Mr. Richard Lang, Mr. J. David Benenati, Dr. Donald Bowers, Mrs. Nan Burr; and Ms. Melanie Eppich.

Staff members present: Robert Weisdack, Health Commissioner; Peggy Scherer, Personal Health Services Director; Michael Tusick, R.S.; and Alta Kress, Secretary Supervisor.

Others present: Nine others were present.

II. Pledge of Allegiance

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

III. Election of Board of Health President and Pro-Tempore

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

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

IV. Approval of Minutes

Mrs. Burr moved that the minutes from the March 20, 2006 meeting be approved. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

V. Financial Report/Current Expenses

The Board members reviewed the March financial report for all funds. **Mr. Benenati moved to approve the Current Expenses March 13, 2006 to April 10, 2006. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.**

VI. Environmental Health Program Update

A. Sewage Rules Update/Discussion

Mr. Weisdack reported that the sewage rules passed Public Health Council in March and would be going before JCARR for approval later this month. They will be taking testimony during the hearing. Frank Gliha, Munson Township Trustee has stated he would like Mr. Weisdack to provide testimony. Mr. Weisdack requested input from the Board regarding this request.

The Board indicated that it probably wouldn't do any good, but they felt that Mr. Weisdack should provide testimony. Mr. Weisdack stated he would put testimony together and go to the hearing.

Senator Grendell introduced legislation to postpone the implementation of the new sewage rules, but Governor Taft vetoed the bill. The sewage rules will be in place in the beginning of May and then implemented in January of 2007.

Mr. Weisdack and Mr. Benenati provided testimony at a recent hearing and the Ohio Department of Health in regards to the NPDES program. Mr. Weisdack reported that OEPA has initiated the NPDES program under the Clean Waters Act. The Board of Health would be asked to sign a Memorandum of Understanding with OEPA for this program. Mr. Weisdack said he does not recommend the Board sign the MOU.

The local health districts will have to collect a fee from the homeowner and send it to OEPA for any off-lot system. The local health districts will be responsible for everything regarding these systems. They can be fined \$25,000 and face felony and civil penalties if erroneous information is submitted to OEPA.

This program will be very labor intensive and expensive to the local health districts. Geauga County Health District will need to hire more sanitarians to cover all of the requirements of this program.

A sewage subcommittee meeting will need to be scheduled in the future to discuss how Geauga County is going to handle both sets of these new regulations. OEPA plans to implement this program at the same time the ODH sewage rules are.

B. Infiltrator

The Board of Health previously approved a variance for a limited number of variances. Mr. Weisdack recommended that the Infiltrator type system be used the same as gravel trenches. The failure rate is less than 1%.

Mr. Benenati moved that the Infiltrator System be taken off the experimental list and moved to the approve system list. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

VII. Personal Health Services Update

The Public Health Infrastructure grant is getting an additional \$19,515.00 for GY2006. The money must be used by August 2006. Mrs. Scherer stated that the additional funds would be used to purchase supplies for personal safety equipment for the staff and first responders. It will also be used to purchase another laptop and for training of employees.

Mrs. Scherer reported that interviews for a public health nurse have taken place. Three people turned down the position and one is still considering it.

A. WIC

March was National Nutrition Month. The WIC office had the new food pyramid information displayed. They are currently surveying clients on their satisfaction of service within the Geauga WIC office.

B. Health Education Programs

Kraftmaid recently held their health fair that lasted 3 days. A great deal of health promotion and information on the Health District services was distributed at the event.

Mrs. Scherer reported that Geauga Hospital had invited the GCHD to attend their health fair. She stated that because of short notice, we had to pass on this year's event but agreed to combine efforts for next year.

The County Commissioners offered a walking and workout health program to employees. For every pound lost, the employee was to donate 1 can to the Hunger Task Force.

VIII. Old Business

A. Private Water Fees (3rd and Final Reading)

Mrs. Burr moved 4.06-1 to approve the 3rd and final reading of the proposed Private Water fees as follows: New/Single/Sample, \$275.00; New/Non-Single/Sample, \$285; Alteration/Single/Sample, \$150.00 and Alteration/Non-Single/Sample, \$165.00. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

IX. Variances

A. John Althans

John Althans was present and sworn in Mr. Lang. Mr. Weisdack and Mr. Tusick were sworn in by Mr. Lang and stated their experience.

Mr. Tusick stated that this was a variance request by John Althans for the existing property located at 16995 Catsden Rd., Bainbridge Twp. The request involves section 3701-28-10(E) of the Private Water Well Rules which requires a 10' isolation distance to the foundation of a building. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Mr. Benenati moved to approve the variance as requested. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

B. Jamie Lukas

Jamie Lukas was present and sworn in Mr. Lang. Mr. Lang swore in Mr. Weisdack and Mr. Tusick again.

Mr. Tusick stated that this was a variance request by Jamie Lukas for the existing property located at 9777 Bainbridge Rd., Auburn Twp. The request involves section 3701-28-10(E) of the Private Water Well Rules which requires a 10' isolation distance to the foundation of a building. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Mrs. Burr moved to approve the variance as requested. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

C. Garrett Evans

Garrett Evans was present and sworn in Mr. Lang. Mr. Lang swore in Mr. Weisdack and Mr. Tusick again.

Mr. Tusick stated that this was a variance request by Garrett Evans for the existing property located at 16745 Brigadoon Dr., Bainbridge Twp. The request involves section 3701-28-10(E) of the Private Water Well Rules which requires a 10' isolation distance to the foundation of a building. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Mrs. Burr moved to approve the variance as requested. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

D. Frank Petronzio

Frank Petronzio and Shawn Powers were present and sworn in Mr. Lang. Mr. Lang swore in Mr. Weisdack and Mr. Tusick again.

Mr. Tusick stated that this was a variance request by Frank Petronzio for the vacant property located at 10444 Meadowhurst Ln., Munson Twp. The request involves section 3701-29-02(H)(1) of the Geauga County Household Sewage Disposal System Regulations which requires a replacement area. This property was recorded prior to 1985. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Mrs. Burr moved to approve the variance as requested. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, abstain.

E. Auburn Bainbridge Exc./Mario Alegmango

Lew Tomsic was present and sworn in Mr. Lang. Mr. Lang swore in Mr. Weisdack and Mr. Tusick again.

Mr. Tusick stated that this was a variance request by Auburn Bainbridge Exc. in behalf of Mario Alegmango for the existing property located at 11220 E. Washington St., Auburn Twp. The request involves section 3701-29-02(C) of the Geauga County Household Sewage Disposal System Regulations which pertains to more than one home on a lot. (Written

background information was provided to the Board for consideration in this case) Discussion followed.

Mr. Benenati moved to approve the variance as requested. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

F. Auburn Bainbridge Exc./Dominic Bisesi

Mr. Lang swore in Lew Tomsic, Mr. Weisdack and Mr. Tusick again.

Mr. Tusick stated that this was a variance request by Auburn Bainbridge Exc. in behalf of Dominic Bisesi for the existing property located at 9823 South Blvd., Auburn Twp. The request involves section 3701-29-02(G) of the Geauga County Household Sewage Disposal System Regulations which pertains to off-lot discharge. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Mrs. Burr moved to approve the variance as requested. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

G. Edmund Leopold

Edmund Leopold and Ken Winters were present and sworn in Mr. Lang. Mr. Lang swore in Mr. Weisdack and Mr. Tusick again.

Mr. Tusick stated that this was a variance request by Edmund Leopold for the existing property located 7340 Cardinal Ln., Russell Twp. The request involves section 3701-29-02(C) of the Geauga County Household Sewage Disposal System Regulations which pertains to more than one home on a lot. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Mr. Leopold was asking for a variance to install a sewage disposal system for an outbuilding on the property. This building has a shower, sink, toilet, utility sink and other fixtures. The workers on the site use the facilities.

The Russell Township Zoning Inspector sent a letter recommending denial of the variance because of concerns that someone in the future may add living quarter and change it into a dwelling. Discussion ensued as to whether this request really comes under the jurisdiction of the Health District. This facility is being used by workers which make it a commercial application.

Mr. Winters stated that information was submitted to the OEPA. The OEPA referred them to the Health District for approval.

After more discussion, Mr. Leopold and the Board agreed that a pump station could be used to pump the liquid from the sink and toilet to the sewage system for the house.

Mrs. Burr moved to approve the variance as requested. Dr. Bowers seconded the motion. Motion failed with a roll call vote. Mr. Lang, no; Mr. Benenati, no; Dr. Bowers, no; Mrs. Burr, no; and Ms. Eppich, no.

The Finding of Fact was as follows: This is a non-residential application; Approval of the variance would be a violation of the code; and the concern of the Russell Township Zoning office of the future use of this building.

H. Father & Son Septic/Freddie & Helen Wells

Freddie Wells was present and sworn in by Mr. Lang. Mr. Lang swore in Mr. Weisdack, Mr. Tusick and Shawn Powers again.

Mr. Tusick stated that this was a variance request by Father & Son Septic in behalf of Freddie & Helen Wells for the existing property located at 13695 Northwood Rd., Russell Twp. The request involves section 3701-29-02(G) of the Geauga County Household Sewage Disposal System Regulations which pertains to off-lot discharge. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Dr. Bowers moved to approve the variance as requested. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

X. Administrative Hearings

A. David Ruyf

David Ruyf was not present. Mr. Lang swore in Mr. Weisdack again.

Mr. Weisdack stated that this is a code violation to the property owned by David Ruyf located at 9802 Broadway Dr., Auburn Twp. The case involves the following sections of the Geauga County Household Sewage Disposal System Regulations:

Section 3701-29-02(G)(3): Sewage effluent quality as measured at the point of discharge in the system shall comply with current effluent standards established by the Director of the Ohio Environmental Protection Agency.

In the event there are no applicable standards established by the Director of the Ohio Environmental Protection Agency, the following Standards apply:

- (a) Biochemical oxygen demand (five day)- the arithmetic mean of two or more effluent samples taken at intervals of not less than twenty-four hours shall not exceed twenty milligrams per liter.
- (b) Suspended solids- the arithmetic mean of two or more effluent samples taken at intervals of not less than twenty-four hours shall not exceed forty milligrams per liter.

Section 3701-29-02(G)(4): 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 required by the Board of Health.

A For Sale of Property evaluation was conducted at this site. The code violation is based on the fact that the sewage effluent test results exceed the current discharge standards.

Mrs. Burr moved that a code violation exists on the property owned by David Ruyf located at 9802 Broadway Dr., Auburn Twp. Ms. Eppich seconded the motion.

Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mr. Benenati moved that the owner be required to make application and obtain a sewage permit and install a new sewage disposal system within 30 days of receipt of Board order. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

XI. Executive Session

Ms. Eppich moved to adjourn to Executive Session at 9:32 p.m. to discuss the Health Commissioner's evaluation. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes. Meeting reconvened at 10:40 p.m. Mr. Lang stated that no action resulted from the Executive Session discussion at this time.

XII. New Business

Mrs. Burr moved 4.06-2 to adopt Resolution 1-2006 in appreciation to the Geauga Veterinary Association for its role in sponsoring the Rabies Pet Vaccination Clinic. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 4.06-3 to approve the purchase of license and software for Microsoft Service 2003 Enterprise Edition in an amount not to exceed \$3,000.00. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 4.06-4 to certify and appropriate grant reimbursements to BOH as follows: WIC, \$52,519.01; CFHS, \$17,318.25; PHI, \$34,832.05; IAP, \$1,900.07; PHI, \$82.64; and Welcome Home \$3,644.73. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 4.06-5 to approve the CFHS GY2007 Budget as presented. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Dr. Bowers moved 4.06-6 to approve the contract with Evans Medical Center to provide CFHS services at Amish Well Child clinics for 2007, pending prosecutor's approval. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, abstain; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 4.06-7 to approve the contract with Linda Kallay, PNP to provide CFHS well child services when physicians group is not available, pending prosecutor's approval. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, abstain; Mrs. Burr, yes; and Ms. Eppich, yes.

Mr. Benenati moved 4.06-8 to approve the WIC budget revision as presented. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 4.06-9 to approve the PHI budge revision as presented. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Ms. Eppich moved 4.06-10 to certify and appropriate PHI grant fund sin the amount of \$19,515.00 for GY2006. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

XIII. Meetings

The regular meeting of the Board will be held Monday, May 15, 2006 at 7:00 p.m., in the meeting room at 470 Center Street, Building 8, in Chardon, Ohio.

IX. Adjournment

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

Respectfully submitted,

Robert K. Weisdack, RS, MA, MPH
Secretary of the Board

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