

Geauga County General Health District
Board of Health Meeting Minutes
February 19, 2008, 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 7:10 p.m.

Board members present: Mr. J. David Benenati, Mr. Richard Lang, and Mrs. Nan Burr.

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

Others present: There were seven others present.

II. Pledge of Allegiance

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

III. Approval of Minutes

Mrs. Burr moved that the minutes from the January 22, 2008 regular meeting be approved. Mr. Lang seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

IV. Financial Report / Current Expenses

Mr. Lang moved to approve the Current Expenses January 16, 2008 to February 11, 2008. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

V. Environmental Health Program Update

A. Bainbridge Contamination

Mr. Wendell reported on the recent water well contamination in Bainbridge. Recently, a gas well was drilled in the area off English Drive. In mid-December, a home on English Drive experienced an explosion in the basement, which lifted the home off its foundation. Nearby residents were evacuated. The gas well company provided accommodations for the residents. Since that time, all of the residents except for the ones from the affected home have returned to their homes. Many homes had to have portable water storage and still have.

The Ohio Department of Natural Resources took the lead and began random sampling to determine the scope of contamination. They monitored gas levels in the well water. As of today, most gas levels are a zero although there are some fluctuations occurring.

In January, ODNR asked the Health District to do bacteria water sampling. There were 13 homes initially sampled and some did come back positive with coliform bacteria. We will be sampling more in the near future.

A meeting was held February 7 at the Bainbridge Town Hall with ODNR, Geauga County Health District and a representative from the gas well company. There was a lot of confusion with the residents. This will be a long process to get all the sampling done and get people hooked back up to their water wells.

VI. Personal Health Services Update

Mrs. Scherer reported that flu in Ohio is listed as widespread. It has been found that the vaccine administered this year is not 100% effective.

A new sliding fee scale for CFHS has been released. It is based on the current poverty levels. Mrs. Scherer stated that the Board must approve the new sliding fee scale.

A trailer will be purchased for use during mass clinics. This will allow us to easily move equipment and supplies. It will also be used for storage of some of the equipment. One of the health district vehicles will have a hitch installed to pull the trailer.

A. WIC

The WIC caseload is now at 841 clients. At the request of ODH, outreach is no longer being done. WIC is also administering lead tests under contract with ODH. So far, no elevated levels of lead have been found in any children tested.

B. Health Education

Peggy Herman recently attended an Action for Healthy Kids meeting. We have received a \$1,000.00 grant for children nutrition education.

The 4th Annual Kids Fest will be held April 26 at the Berkshire High School gym. There will be free admission, entertainment and food. There will be 30 to 35 different agencies being represented. Each agency will have a different craft project for the children to do. A magician as well as a one-man band will attend also.

VII. Administrative Hearings

A. Mark & Anne Cozzens

Mark Cozzens was present and sworn in by Mr. Benenati. Mr. Weisdack was sworn in by Mr. Benenati and stated his experience.

Mr. Weisdack stated that this is an alleged code violation to the property owned by Mark & Anne Cozzens located at 7921 Chagrin Rd., Bainbridge Twp. This case is in regards to section 3701-29-02 (D, F, and G) (3) (a & b) of the Geauga County Health District Household Sewage Disposal System Regulations.

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

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

3701-29-02(G) (3) (a & b) states: "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 EPA. In the event there are no applicable standards established by the Director of OEPA, the following standards shall 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."

Discussion followed. The samples taken at the home averaged 236.5 mg/l for BOD and 146 mg/l for suspended solids. Mr. Cozzens stated he was not able to install a new sewage system because he is trying to save for his children's college tuitions.

Mr. Lang moved that a code violation exists at the property owned by Mark & Ann Cozzens, 7921 Chagrin Rd., Bainbridge Twp. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati yes; Mr. Lang, and Mrs. Burr, yes.

Mr. Lang moved that the owner be required to complete the necessary paperwork for a lot evaluation and obtain all permits within 30 days of receipt of Board order. The installation of the system shall be completed within 90 days of Board order. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

B. Raymond & Mary Ellen Slaughbaugh

Neither Raymond nor Mary Ellen Slaughbaugh was present. Mr. Weisdack was sworn in again by Mr. Benenati and stated his experience.

Mr. Weisdack stated that this is an alleged code violation to the property owned by Raymond & Mary Ellen Slaughbaugh located at 12995 Hayes Rd., Middlefield Twp. This case is in regards to section 3701-29-22(A) of the Geauga County Health District Household Sewage Disposal System Regulations that 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.

Mr. Lang moved that a code violation exists at the property owned by Raymond & Mary Ellen Slaughbaugh located at 12995 Hayes Rd., Middlefield Twp. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati yes; Mr. Lang, yes; and Mrs. Burr, yes.

Mrs. Burr moved that the owners be required to contact the Geauga County Health District and pay for and schedule a For Sale of Property evaluation before May 15, 2008. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

C. Raymond & Victoria Liptak

Neither Raymond nor Victoria Liptak was present. Mr. Weisdack was sworn in again by Mr. Benenati and stated his experience.

Mr. Weisdack stated that this is an alleged code violation to the property owned by Raymond & Victoria Liptak located at 11750 Pinewood Tr., Chester Twp. This case is in regards to section 3701-29-02 (D & F) of the Geauga County Health District Household Sewage Disposal System Regulations.

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

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

Mr. Lang moved that a code violation exists at the property owned by Raymond & Victoria Liptak located at 11750 Pinewood Tr., Chester Twp. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

Mrs. Burr moved that the owners be required to contact the Geauga County Health District and pay for and schedule a For Sale of Property evaluation before May 15, 2008. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

D. (1) Salem & Soad Antar; Trevor & Victoria Murfello; Jerry & Sherry Chafin; Stacy Hacket; and Scott Sekerak

Salem & Soad Antar; Trevor & Victoria Murfello; Jerry & Sherry Chafin; Stacy Hacket; and Scott Sekerak were not present. Mr. Weisdack was sworn in again by Mr. Benenati and stated his experience.

Mr. Weisdack stated that this is an alleged code violation to the following properties: Salem & Soad Antar, 11796 Joyacre Ln., Chardon; Trevor & Victoria Murfello, 14220 Watt Rd., Russell; Jerry & Sherry Chafin, 11665 Pekin Rd., Newbury; Stacy Hacket, 13721 Mayfield Rd., Claridon; and Scott Sekerak, 8693 Craig Dr., Bainbridge. This case is in regards to section 3701-29-02 (D, F, and G)(3) (a & b) of the Geauga County Health District Household Sewage Disposal System Regulations.

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

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

3701-29-02(G)(3)(a & b) states: "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 EPA. In the event there are no applicable standards established by the Director of OEPA, the following standards shall 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."

Discussion followed.

Mr. Lang moved that a code violation exists at the following properties: Salem & Soad Antar, 11796 Joyacre Ln., Chardon; Trevor & Victoria Murfello, 14220 Watt Rd., Russell; Jerry & Sherry Chafin, 11665 Pekin Rd., Newbury; Stacy Hackett, 13721 Mayfield Rd., Claridon;and Scott Sekerak, 8693 Craig Dr., Bainbridge. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati yes; Mr. Lang, and Mrs. Burr, yes.

Mrs. Burr moved that the owners be required to obtain all permits and install a new sewage disposal system within 90 days of receipt of Board order. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Mr. Lang seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

D. (2) Raymond & Marilyn Wengerd

Raymond Wengerd was present and sworn in by Mr. Benenati. Mr. Weisdack was sworn in again by Mr. Benenati and stated his experience.

Mr. Weisdack stated that this is an alleged code violation to the property owned by Raymond & Marilyn Wengerd located at 15836 Shedd Rd., Middlefield Twp. This case is in regards to section 3701-29-02 (D, F, and G)(3) (a & b) of the Geauga County Health District Household Sewage Disposal System Regulations.

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

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

3701-29-02(G)(3)(a & b) states: "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 EPA. In the event there are no applicable standards established by the Director of OEPA, the following standards shall 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."

Discussion followed. The samples taken at the home averaged 25 mg/l for BOD and 47.5 mg/l for suspended solids. Mr. Wengerd explained the reason he has not installed a new sewage system was that he currently has over \$100,000.00 in medical bills and is not working full-time.

Mr. Lang moved that a code violation exists at the property owned by Raymond and Marilyn Wengerd located at 15836 Shedd Rd., Middlefield Twp. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati yes; Mr. Lang, and Mrs. Burr, yes.

Mr. Lang moved to table this case for 13 months at which time it will be revisited. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

VIII. Old Business

There was no old business to discuss.

IX. Executive Session

Mrs. Burr moved to adjourn to Executive Session at 9:30 p.m. to discuss the Health Commissioner's 2007 evaluation and pending litigation. Mr. Lang seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes. Meeting reconvened at 10:23 p.m.

X. New Business

Mr. Lang moved that in accordance with the health commissioner's contract, approve the salary increase for Mr. Weisdack by 3%. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes. Mr. Weisdack thanked the Board for the increase, but respectfully declined. He stated in light of the current economic situation of the health district budget, he could not with clear conscience take the increase. The Board indicated that they understood Mr. Weisdack's reasoning, and expressed their appreciation.

Mr. Lang moved 2.08-1 to adopt the CFHS Sliding Fee Scale as presented. Mrs. Burr seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

Mrs. Burr moved 2.08-2 to certify & appropriate Action for Healthy Kids Alliance funds in the amount of \$1,000.00. Mr. Lang seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

Mr. Lang moved 2.08-3 to approve the contract renewals with George Dennison, RN and Barb Eyring, RN. Mrs. Burr seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

Mrs. Burr moved 2.08-4 to approve the purchase of a trailer at a cost not to exceed \$3,500.00. Mr. Lang seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

Mrs. Burr moved 2.08-5 to approve the first reading of the proposed increase of Semi-Public Sewage Disposal System fees as presented. Mr. Lang seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

Mrs. Burr moved 2.08-6 to approve the first reading of the proposed increase of For Sale of Property Evaluation fees as presented. Mr. Lang seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

Mr. Lang moved 2.08-7 to approve the first reading of the proposed increase of certified birth & death certificates to \$18.00 each. Mrs. Burr seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

Mrs. Burr moved 2.08-8 to approve the transfer to salary & fringes in the following funds: \$15,775.00 in Solid Waste; \$9,700.00 in Swimming Pools; and \$4,000.00 in Trailer Parks. Mr. Lang seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

XI. Other Business

Mr. & Mrs. Andrew Beebe addressed the Board about a complaint they had filed. They did not feel that things were moving along fast enough as far as abating the complaint was concerned. Mr. Tusick reviewed with the Board what had happened to date. There are 3 dwellings on the property. Nuisance complaints on properties with more than 2 dwellings fall under OEPA jurisdiction. This complaint has been turned over to the OEPA.

A. Employee of the Year

Nominations for the 2007 Employee of the Year were recently made. Eric Robb was voted Employee of the Year. Mr. Robb will get an extra day of vacation this year.

Mr. Weisdack discussed the lack of participation of Employee of the Year. He stated he was considering the possibility of discontinuing the Employee of the Year. The Board stated they would like to keep this for the staff and asked Mr. Weisdack to look into other ways of handling the voting procedure.

B. Budget

Mr. Weisdack discussed the few changes made to the budget since the Budget Workshop.

Mr. Lang moved for Mr. Weisdack to take the 2009 Health District budget to the Preliminary HDAC meeting. Mrs. Burr seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; and Mrs. Burr, yes.

XII. Meetings

The regular meeting of the Board will be held Monday, March 17, 2008 at 7:00 p.m., 470 Center St., Bldg. 8, Chardon.

XIII. Adjournment

As there was no further business to come before the Board, **Mr. Lang moved to adjourn the meeting at 11:02 p.m. Mrs. Burr 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

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