

Geauga County General Health District  
Board of Health Meeting Minutes  
June 16, 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 7:00 p.m.

Board members present: Mr. J. David Benenati, Mr. Richard Lang, Dr. Donald Bowers, and Ms. Melanie Eppich. Mr. Timothy Goergen was not present.

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

Others present: There were seven other people present.

II. Pledge of Allegiance

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

III. Approval of Minutes

**Dr. Bowers moved that the minutes from the May 19, 2008 regular meeting be approved. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

IV. Financial Report / Current Expenses

**Mr. Lang moved to approve the Current Expenses May 9, 2008 to June 10, 2008. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

V. Environmental Health Program Update

A. Private Water System Survey

Mr. Weisdack reported that he had received the results from the survey that was conducted by the State some time ago. The results stated that the Health District meets or exceeds the acceptable standards.

B. Deputy Mike Matsik-Solid Waste Enforcement

Deputy Mike Matsik addressed the Board regarding the enforcement of Solid Waste Nuisances. There is one case that has not complied. After the Board orders someone to comply, Deputy Matsik can issue a citation and fine for every day they are out of compliance through Chardon Municipal Court. Deputy Matsik inquired whether they would like him to pursue that. The Board indicated they did want him to pursue that action.

Discussion ensued whether to have Deputy Matsik pursue the sewage nuisances as well. The Board asked Mr. Weisdack to look into that possibility. Mr. Weisdack stated he would talk to the prosecutor and the Sheriff's office.

Mr. Weisdack stated that there was a small increase in the issuance of septic permits in April.

#### VI. Personal Health Services Update

Mrs. Scherer reported that Case Western Reserve would be sending nursing students to intern with the Health District. This is required to fulfill their curriculum. We will also be getting some nursing students from Kent State again.

A contract with the University of Pittsburg is needed to receive RODS information. This information will alert the local health districts of any increase in over-the-counter medications, which could signify an outbreak.

Linda Knell, Nursing Supervisor and the Nursing Supervisor from Lake County Health District teamed up to locally designate June as Adolescent Immunization Month. They did press releases and sent out letters to schools and physicians offices to promote immunizations for teenagers. They received ODH recognition for their efforts. As a result, we have received many phone calls regarding immunizations for the teenagers.

##### A. WIC

The FY2009 WIC grant will be adequately funded. The BOH will not need to supplement the program. The caseload and show rates continue to be elevated.

The Farmer's Market Nutrition Program has begun for the summer. It is very popular with the WIC clients. The amount of coupons we receive this year will be about the same as last year.

##### B. Health Education

The car seat check that was held was fairly well attended. It also gave us the opportunity to set up the large tent again. Ashtabula County Health Dept. loaned us their tent to try out. It worked very well and we will be purchasing one as well.

We have collaborated with the Geauga Park District and the Chardon Local Schools in a program called Safe Routes to School. It is an effort to get more kids to walk or ride bikes to school rather than be driven or taking the bus. The first step will be to create a school travel plan to identify and address barriers to safe walking and biking in the community.

There was only one smoking complaint last month in Geauga County. We will have less than 60 complaints registered since the beginning of the program.

#### VII. Administrative Hearings

##### A. Debra Baxter, 15646 Ravenna Rd., Newbury Twp.

Joe Weiss, Attorney, 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 a code violation to the property owned by Debra Baxter located at 15646 Ravenna Rd., Newbury Twp. This case is in regards to the following sections:

Geauga County Household Sewage Disposal System Regulations

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

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) (3 a & b) states: "Sewage effluent quality as measured at the point of discharge in the system shall comply with current effluent standards. (a) Biochemical oxygen demand shall not exceed twenty milligrams per liter; (b) Suspended solids shall not exceed forty milligrams per liter."

Semi-Public Sewage Systems Rules:

52.10.01 states: "NUISANCE PROHIBITED – In accordance with the ORC Section 6111, no semi-public sewage system or part thereof shall create a nuisance such as, but not limited to, exposed septic sewage, noisome or offensive odors, or excessive noises."

52.10.02 states: "DISCHARGE – No person shall discharge, or permit to discharge treated or untreated sewage, overflow drainage or contents of a sewage tank, or other impure or offensive waste into any abandoned water supply, well, spring, or cistern, or into a natural or artificial well, sink hole, crevice, or other rock formations, or any normal ground water tables, except as prescribed by the Ohio EPA."

52.10.03 states: "DISCHARGE - No person shall discharge, or permit to discharge treated or untreated sewage, the drainage or contents of a sewage tank, or other component of the system, or offensive wastes onto the surface of the ground, into any street, road, alley, open excavation, or underground drain except as prescribed by the Ohio EPA."

52.10.04 states: "ABATEMENT – Any person who uses, occupies, establishes, or conducts a nuisance, or aids or abet therein, and the owner, agent, lessee of any interest in any such nuisance together with the persons employed in or in control of any such nuisance by any such owner, agent, or lessee is guilty of maintaining a nuisance and shall be enjoined as provided in Section 3767.03 to 3767.06, inclusive, of the Revised Code and Section 6121.041 of the ORC.

Mr. Weiss indicated that an engineer had been hired to find out if it is feasible monetarily to install a new sewage system at the property, or just to close the business. The house on the property is currently vacant. He indicated that he did not think that there was a restroom in the business.

After further discussion, the Board stated that Mr. Weisdack would go to the property to assure the house is vacant and verify if there is a restroom in the business.

**Mr. Lang moved that the issue of the alleged violation at this property be tabled until the next regular Board of Health meeting so that an inspection can be done at the**

**property. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

B. Christopher Lose

Christopher Lose 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 a code violation to the properties owned by Christopher Lose located at 16033 Leggett Rd., Thompson 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.

**Ms. Eppich moved that a code violation exists at the property owned by Christopher Lose located at 16033 Leggett Rd., Thompson Twp. Mr. Lang seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

**Mr. Lang moved that the owner be required to install a sample well within 14 days of Board order. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.** Mr. Weisdack indicated he would meet Mr. Lose the following day to assist him in finding the discharge point for his system.

C. Mr. & Mrs. Brian Braga; Mr. & Mrs. Patrick Nusrala; John Riser; and Mr. & Mrs. Ronald Weaver

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

Mr. Weisdack stated that this is a code violation to the properties owned by: Mr. & Mrs. Brian Braga, 8080 Chagrin Mills Rd., Russell Twp.; Mr. & Mrs. Patrick Nusrala, 7139 Mulberry Rd., Chester Twp.; John Riser, 13618 Northwood Dr., Russell Twp.; Mr. & Mrs. Ronald Weaver, 8610 Sumner Rd., Hambden Twp.

These cases are 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.

**Dr. Bowers moved that a code violation exists at the properties owned by: Mr. & Mrs. Brian Braga, 8080 Chagrin Mills Rd., Russell Twp.; Mr. & Mrs. Patrick Nusrala, 7139 Mulberry Rd., Chester Twp.; John Riser, 13618 Northwood Dr., Russell Twp.; Mr. & Mrs. Ronald Weaver, 8610 Sumner Rd., Hambden Twp. Mr. Lang seconded the motion.**

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

**Dr. Bowers moved that the owners be required to make application, pay for, schedule, and schedule a For Sale of Property Evaluation or 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. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

D. Patrick Cathan

Patrick Cathan was 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 property owned by Patrick Cathan located at 10394 Auburn Rd., Chardon Twp. This case is in regards to the following sections of the Geauga County Household Sewage Disposal System Regulations:

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

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) (3 a & b) states: "Sewage effluent quality as measured at the point of discharge in the system shall comply with current effluent standards. (a) Biochemical oxygen demand shall not exceed twenty milligrams per liter; (b) Suspended solids shall not exceed forty milligrams per liter." Discussion followed.

**Mr. Lang moved that a code violation exists at the property owned by Patrick Cathan located at 10394 Auburn Rd., Chardon Twp. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

**Mr. Lang 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 follow this order 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; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

E. Ingrid Gambino

Ingrid Gambino was 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 property owned by Ingrid Gambino located at 8273 Chagrin Mills Rd., Russell Twp. This case is in regards to the following sections of the Geauga County Household Sewage Disposal System Regulations:

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

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) (3 a & b) states: "Sewage effluent quality as measured at the point of discharge in the system shall comply with current effluent standards. (a) Biochemical oxygen demand shall not exceed twenty milligrams per liter; (b) Suspended solids shall not exceed forty milligrams per liter." Discussion followed.

**Ms. Eppich moved that a code violation exists at the property owned by Ingrid Gambino located at 8273 Chagrin Mills Rd., Russell Twp. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, 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 follow this order 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; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

F. Daniel Chapin & Heather McIntire

Daniel and Doug Chapin were 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 Daniel Chapin & Heather McIntire located at 9139 Music St., Russell Twp. This case is in regards to the following sections of the Geauga County Household Sewage Disposal System Regulations:

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

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) (3 a & b) states: "Sewage effluent quality as measured at the point of discharge in the system shall comply with current effluent standards. (a) Biochemical oxygen demand shall not exceed twenty milligrams per liter; (b) Suspended solids shall not exceed forty milligrams per liter." Discussion followed.

Dan Chapin stated that the previous owner did not tell him that the system had failed the For Sale of Property inspection.

**Mr. Lang moved that a code violation exists at the property owned by Daniel Chapin and Health McIntire located at 9139 Music St., Russell Twp. Ms. Eppich seconded**

**the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

**Mr. Lang moved that the owner be required to renew the sewage permit and install a 150 gallon dosing tank (fail-safe design) after the septic tank and a 31 sq. ft. surface sand filter by July 16, 2008. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

VIII. Old Business

Mr. & Mrs. Beebe from Auburn Road were present to get an update on the nuisance complaint that they filed against their neighbor. Mr. Weisdack stated that he would meet with the Beebe's the following day to discuss the issue.

A. Resolution 4-2008

**Mr. Lang moved 6.08-1 to adopt resolution 4-2008 requesting the levy be put on the ballot for the November 2008 election. Dr. Bowers seconded the motion. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

B. Levy Committee Update

Mr. Weisdack reported that they had between eight and ten people volunteer to be on the levy committee. A meeting will be held on June 19, 2008.

C. Financial Update

Mr. Weisdack reviewed the current financial reports with the Board. He will continue to keep them informed every month.

IX. Executive Session

**Dr. Bowers moved to adjourn to Executive Session at 10:13 p.m. to discuss legal updates and personnel. Ms. Eppich seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes. Meeting reconvened at 11:07 p.m.**

X. New Business

**Dr. Bowers moved 6.08-2 to approve the WIC GY2009 initial budget as presented. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

**Mr. Lang moved 6.08-3 to certify and appropriate WIC GY2009 funds in the amount of \$178,919.00. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

**Mr. Lang moved 6.08-4 to approve the contract with University of Pittsburgh, which will provide Real-time Outbreak & Disease Surveillance (RODS) data to GCHD. Dr.**

**Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

**Ms. Eppich moved 6.08-5 to approve the contract renewal with Case Western Reserve to accept senior nursing students for their community health practicum. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

**Mr. Lang moved 6.08-6 to accept the resignation of Ryan Brickman, RS effective June 20, 2008. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

**Dr. Bowers moved 6.08-7 to approve the transfer of \$300.00 from Travel to Remit-to-State in the Trailer Park fund. Mr. Lang seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

**Dr. Bowers moved 6.08-8 to adopt resolution 5-2008 honoring Jeannette (Teeter) Grosvner. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

**Mr. Lang moved 6.08-9 to advertise/hire a Registered Sanitarian. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; and Ms. Eppich, yes.**

XI. Other Business

There was no other business

XII. Meetings

The regular meeting of the Board will be held Monday, July 21, 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 11:00 p.m. Dr. Bowers 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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