

Geauga County General Health District
Board of Health Meeting Minutes
June 20, 2005, 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 7:05 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, Mrs. Nan F. Burr, and Ms. Melanie Eppich. Dr. Bowers arrived at 7:08 p.m. after the approval of the minutes.

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

Others present: Shawn Powers

II. Pledge of Allegiance

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

III. Approval of Minutes

Mr. Benenati moved that the minutes from the May 16, 2005 meeting be approved. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Lang, abstained; Mr. Benenati, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

IV. Financial Report/Current Expenses

The Board members reviewed the May financial report for all funds. **Mr. Benenati moved to approve the Current Expenses May 10, 2005 to June 9, 2005. 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.**

V. Variances

A. Wanda Myers

Wanda Myers was present and sworn in by Mr. Lang. Mr. Wendell was sworn in and stated his experience.

Mr. Wendell stated that this was a variance request by Wanda Myers for the existing property located at 14570 Shore Dr., Newbury 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)

Mr. Benenati moved to approve the variance as requested. 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.

B. Romano Ianiro/Devan Barker

Luigi Ianiro and Devan Barker were present and sworn in by Mr. Lang. Mr. Wendell was sworn in again by Mr. Lang.

Mr. Wendell stated that this was a variance request by Luigi Ianiro in behalf of Devan Barker for the existing property located at 14368 Chestnut Dr., Burton 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)

Mrs. Burr moved to approve the variance as requested. 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.

C. Colin Cooper/Chris & Scott Banhan

Colin Cooper and Chris & Scott Banhan were not present. Mr. Wendell was sworn in again by Mr. Lang.

Mr. Lang stated that this was a variance request by Colin Cooper in behalf of Chris & Scott Banhan for the existing property located at 18789 Riverview Dr., Bainbridge Twp. The request involves section 3701-29-02(G) of the Geauga County Household Sewage Disposal System Regulations with pertains to off-lot discharge. (Written background information was provided to the Board for consideration in this case)

Mrs. Burr moved to approve the variance as requested. 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.

D. Steve Tricamo/The Potters Company/Infiltrator Systems

Steve Tricamo was not present during the variance, but arrived later and provided more information to the Board. Mr. Weisdack was sworn in by Mr. Lang and stated his experience.

Mr. Weisdack stated that this was a variance request by Steve Tricamo/The Potters Company/Infiltrator Systems. The request involves section 3701-29-20(E) of the Geauga County Household Sewage Disposal System Regulations which pertains experimental sewage disposal systems. (Written background information was provided to the Board for consideration in this case)

Mr. Tricamo is requesting to be allowed to install an additional 200 systems using Infiltrator pipe in place of gravel trenches.

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.

VI. Administrative Hearings

A. Alan & Lisa Derry

Alan & Lisa Derry were not present. Mr. Weisdack was sworn in again by Mr. Lang.

Mr. Weisdack stated that this is a code violation to the property owned by Alan & Lisa Derry located at 12634 Auburn Rd., Munson Township. This case is in regards to the section 3701-29-17(A) of the Geauga County Household Sewage Disposal System Regulations which states: "The Health Commissioner may at any reasonable time during the course of construction or any time thereafter inspect any household sewage disposal system or part thereof, sample the effluent, or take any other steps which he/she deems necessary to insure proper compliance...."

Mr. Benenati moved that a code violation exists at the property owned by Alan & Lisa Derry located at 12634 Auburn Rd., Munson Township. 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.**

Mrs. Burr moved that the owners be ordered to install an acceptable sewage effluent sample well for testing within 15 days of receipt of Board order. If the sewage system is determined to be failing the owner will be required to complete all permit requirements and install a new sewage system within 30 days of receipt of the test results. Should the owners fail or refuse to follow this order, this case will be referred to the Prosecutor's Office for legal action. 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.

B. Rebecca Strock

Rebecca Strock was not present. Mr. Weisdack was sworn in again by Mr. Lang.

Mr. Weisdack stated that this is a code violation to the property owned by Rebecca Strock located at 10141 Pekin Rd., Newbury Township. 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."

Mrs. Burr moved that a code violation exists at the property owned by Rebecca Strock located at 10141 Pekin Rd., Newbury Township. 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.

Mr. Benenati moved that the owners be ordered to obtain the necessary permits and install a new sewage disposal system within 30 days of receipt of Board order. Should the owner fail or refuse to follow this order, this case will be referred to the Prosecutor's Office for legal action. 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. The Board asked Mr. Weisdack to be sure that Ms. Strock gets a list of the registered installers.

C. Mr. & Mrs. Allen Byler

Mr. & Mrs. Allen Byler were not present. Mr. Weisdack was sworn in again by Mr. Lang.

Mr. Weisdack stated that this is a code violation to the property owned by Mr. & Mrs. Allen Byler located at 16311 Nauvoo Rd., Middlefield Township. This case is in regards to the section 3701-29-22(A) of the Geauga County Household Sewage Disposal System Regulations which states: "Any person proposing to sell or offering to sell or transfer title to a parcel of property that has an existing residential sewage disposal system must have the system evaluated before such sale or transfer takes place."

This department has reviewed the Auditor records and found that this property has transferred ownership and has not had an evaluation conducted. Discussion followed.

Mr. Benenati moved that a code violation exists at the property owned by Mr. & Mrs. Allen Byler located at 16311 Nauvoo Rd., Middlefield Township. 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 that the owner be ordered to make application and provide the necessary information to have a For Sale of Property evaluation conducted within 14 days of receipt of Board order. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. 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. Robert Schultz

Robert Schultz was not present. Mr. Weisdack was sworn in again by Mr. Lang.

Mr. Weisdack stated that this is a code violation to the property owned by Robert Schultz located at 17655 Wing Rd., Auburn Township. This case is in regards to the section 3701-29-22(A) of the Geauga County Household Sewage Disposal System Regulations which states: "Any person proposing to sell or offering to sell or transfer title to a parcel of property that has an existing residential sewage disposal system must have the system evaluated before such sale or transfer takes place."

This department has reviewed the Auditor records and found that this property has transferred ownership and has not had an evaluation conducted. Discussion followed.

Mr. Benenati moved that a code violation exists at the property owned by Robert Schultz located at 17655 Wing Rd., Auburn Township. 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.

Mrs. Burr moved that the owner be ordered to make application and provide the necessary information to have a For Sale of Property evaluation conducted within 14 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. Lang, yes; Mr. Benenati, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

VII. Environmental Health Program Update

A. Phase II Stormwater

Mr. Weisdack reported that the scanning of the drawings for the townships effected by the Phase II plan is going well.

Two of the townships involved have indicated that they want the Health District to do all the inspections of the wet weather flows for free. Technically, the Health District is not required to do those inspections, but the townships could turn them in as nuisances. If that happens, we would be required to do the inspections as part of the nuisance program.

Discussion ensued as to how to fund these inspections. Possible solutions would be an hourly rate charged to the townships turning in the nuisance complaints. The Board felt that that the townships need to come to them to discuss possible options.

B. HB231

Mr. Weisdack reported that the Ohio Department of Health is interpreting the language differently than the legislator had intended. A lawyer for ODH says that the interpretation is that every septic system will be inspected every year. Rep. Neihaus indicated that the language in the bill does not say that. Rep. Neihaus has stated that if that is the way ODH is going to interpret the bill, he plans to put severe restrictions on the bill.

C. Rabies Update

Geauga County now has 8 cases of rabies.

VIII. Personal Health Services Update

Mrs. Scherer reported that they have been notified what the composition of the flu vaccine will be for this season.

The University of Akron Nursing Director has contacted the Health District about hosting an intern. The person is highly recommended by their instructor. It would be for a 5 week program. Mrs. Scherer asked the Board if they had any issues with having the intern come. They indicated that they saw no problem with it.

There is still no word about the funding for the CFHS grant for 2006. Mrs. Scherer said they should know by the end of the month. This funding allows the Health District to do Well Child Clinics.

We have received word that we will be getting \$2,900.00 in additional funding for the PHI Grant. This money will be used to purchase additional SWIPERS equipment.

Mrs. Scherer reported that there have been many problems getting the MARCS radio antenna installed. Maintenance is requiring the Health District to get the installer to do more than has previously been done with the other antennas installed at different agencies in the county (i.e.: EMA, Sheriff). The installer is having trouble getting in touch with Maintenance and with the lightning specialist that is located in Cincinnati. We are required to have this system as part of the PHI Grant. If it is not installed by a certain time, then we lose the grant money. The Board expressed their concern for the delay. Mrs. Scherer stated she is continuing to work on it.

A. WIC

Mrs. Scherer stated that WIC recently had a management evaluation from the State WIC office. They were impressed in how the program is being run in light of recent staff changes. They indicated that this evaluation was better than ones from the past.

Mrs. Scherer said that they hired a WIC Supervisor. She is a licensed dietitian with experience from Medina and Cuyahoga counties.

The Farmer's Market Nutrition Program began June 1st. Approximately 150 coupons have been distributed already.

IX. Old Business

A. Flu Shot Fee Increase (3rd and Final Reading)

Dr. Bowers moved 6.05-1 to approve the 3rd and final reading of the increase of flu shots from \$15.00 to \$20.00 per dose for non-Medicare, non-Medicaid. 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. Adult Immunization Fee Increase (2nd Reading)

Mrs. Burr moved 6.05-2 to approve the 2nd reading of the proposed fee increase for adult immunizations as follows: Purchase price of vaccine per dose + administration fee = immunization charge. 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.

X. Executive Session

Mr. Benenati moved to adjourn to Executive Session at 9:32 p.m. to discuss personnel. 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. Meeting reconvened at 10:02 p.m.

XI. New Business

Mr. Benenati moved 6.05-3 to approve the reimbursement from the grants to the BOH a follows: WIC, \$22,425.87; CFHS, \$13,612.52; and PHI, \$34,642.46. 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.

Mrs. Burr moved 6.05-4 to approve the payment to Eugene Nevada in the amount of \$1,020.00 for legal services. 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 6.05-5 to approve the CFHS GY05 budget revision 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.

Mrs. Burr moved 6.05-6 to certify and appropriate CFHS GY06 funds in the amount of \$89,320.00, pending notice of award. 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 6.05-7 to approve the PHI Grant FY2006 budget as presented, pending approval by ODH. 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 6.05-8 to certify and appropriate PHI Grant GY06 funds in the amount of \$109,544.00, pending notice of award. 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 6.05-9 to approve the PHI GY2005 budget revision as presented. 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.

Dr. Bowers moved 6.05-10 to certify and appropriate PHI Grant GY05 funds in the amount of \$2,899.00. 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. Weisdack reported that the Vital Statistics fees will be going up due to mandates by the State.

The Board briefly discussed changing the wording for the For Sale of Property regulation. Mr. Weisdack will do some research and bring this issue back to the Board at a later date.

XII. Other Business

There was no other business.

XIII. Meetings

The regular meeting of the Board will be held July 18, 2005 at 7:00 p.m., in the meeting room at 470 Center Street, Building 8, in Chardon, Ohio.

XIV. Adjournment

As there was no further business to come before the Board, **Dr. Bowers moved to adjourn the meeting at 10:12 p.m. Ms. Eppich 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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