

Geauga County General Health District
Board of Health Meeting Minutes
May 18, 2009, 7:00 p.m.
Geauga County Health District Office
470 Center Street, Bldg. 8, Chardon, OH 44024

I. Call to Order

Mr. Timothy Goergen, President, Pro-Tempore, called the monthly meeting of the Geauga County Board of Health to order at 7:01 p.m.

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

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

Others present: There were four others present.

II. Pledge of Allegiance

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

III. Approval of Minutes

Mrs. Livers moved to approve the minutes from the April 20, 2009 regular meeting. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Dr. Bowers, yes; Ms. Eppich, yes; and Mrs. Livers, abstain.

IV. Financial Report / Current Expenses

Mrs. Livers moved to approve the Current Expenses April 14, 2009 to May 12, 2009. Dr. Bowers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Dr. Bowers, yes; Ms. Eppich, yes; and Mrs. Livers, yes.

V. Environmental Health Program Update

Mr. Weisdack stated that the revenue in the Private Water System fund continues to be very low. He stated that he, along with Mr. Mix and Mrs. Gerzeny will be discussing what options there are. It could have an effect on personnel.

A. Sewage Rules Update

Mr. Weisdack reported that recently testimony was recently given regarding both SB110 and SB100. Mr. Tusick, Mr. Wendell and Mrs. Livers provided testimony in behalf of SB100. Chuck Strazinski and Mike Brown, Chardon Township Trustees and Mary Briggs, Claridon Township Trustee also provided testimony on behalf of SB100. Ms. Briggs also presented a resolution from the North East Ohio Township Association, which supports SB100. Due to timing issues Mr. Weisdack allowed everyone else to provide testimony and gave his the following week.

During his testimony, Mr. Weisdack provided drawings and a copy of a report Mr. Mix wrote on sewage disposal systems. Mr. Weisdack praised Mr. Mix on his report.

Mr. Weisdack also reported that during his testimony he was asked if he felt intimidated or threatened because of his stand against SB110. Mr. Weisdack stated there were times when individuals have tried to intimidate him. There may be a possible investigation by the State Attorney General's office.

The Board of Health indicated that they are in support of SB100.

VI. Personal Health Services Update

The H1N1 Influenza A outbreak has kept the staff very busy. Updates were provided to the staff via conference calls. The Health District staff sent more than 3 dozen press releases to media, physicians, schools, nurses, and first responders. During the outbreak, the staff kept the website up to date with the latest information, created an Antiviral and Countermeasure distribution plan, held daily situation report briefings, and met with community partners as well as the County Superintendent of schools.

The outbreak was so extensive that ODH is accepting it as a substitute for this summer's scheduled Regional Exercise, as long as the correct plans and reports are filed.

Mr. Mix and Mr. Becker have completed the submission of the 2010 PHEP grant. Funding will remain at the current level of \$109,544.00; however the CRI funding has been cut. Our funding for 2010 was cut from \$27,800.00 to \$13,500.00.

The Public Health Nurses' workload is working out and they are able to keep up on home visits. The children's immunization clinics are getting busier as summer approaches. Mrs. Knell is working with Sue Leja on updating the policies and procedures for TB.

A. WIC

The WIC caseload is currently at 949 clients for April. This is the highest caseload to date for Geauga County WIC.

B. Health Education

Mr. Mix stated that an intern from Kent State will be working at the Health District during the summer. The plan is for this person to work on the National Public Health Performance Standards.

VII. Variances

A. Jochen Grocke

Jochen Grocke and Paul Ogint were present and sworn in by Mr. Goergen. Mr. Tusick was sworn in and stated his experience.

Mr. Tusick stated that this was a variance request by Jochen Grocke for the existing property located at 7260 Hillbrook Ln. South, Russell Twp. The request involves section 3701-28-02(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.

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

B. Farris Exc./Ed Babcock

Gregg Farris was present and sworn in by Mr. Goergen. Mr. Tusick was sworn in again and stated his experience.

Mr. Tusick stated that this was a variance request by Farris Exc. in behalf of Ed Babcock for the existing property located at 14228 Ravenna Rd., Newbury Twp. The request involves section 3701-28-02(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.

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

C. Freeman Miller/Ryan & Abigail Walker

Freeman Miller was present and sworn in by Mr. Goergen. Mr. Tusick was sworn in again and stated his experience.

Mr. Tusick stated that this was a variance request by Freeman Miller in behalf of Ryan & Abigail Walker for the existing property located at 16037 McCall Rd., Parkman Twp. The request involves section 3701-28-02(K) of the Geauga County Household Sewage Disposal System Regulations which requires a sewage disposal system to be 10' from a property line. (Written background information was provided to the Board for consideration in this case.) Discussion followed.

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

VIII. Administrative Hearings

A. Kristoffer & Carla Jones, Edward & Joyce Hrebek, and Davet Investments

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

Mr. Tusick stated that this is an alleged code violation to the properties owned by Kristoffer & Carla Jones, 17265 Mayfield Rd., Huntsburg Twp.; Edward & Joyce Hrebek, 12004 Crestwood Dr., Newbury Twp.; and Davet Investments, 14508 Woodlawn Dr., Newbury Twp. These cases are 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."

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 properties owned by Kristoffer & Carla Jones, 17265 Mayfield Rd., Huntsburg Twp.; Edward & Joyce Hrebek, 12004 Crestwood Dr., Newbury Twp.; and Davet Investments, 14508 Woodlawn Dr., Newbury Twp. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Dr. Bowers, yes; Ms. Eppich, yes; and Mrs. Livers, yes.

Ms. Eppich moved that Kristoffer & Carla Jones, 17265 Mayfield Rd., Huntsburg Twp.; Edward & Joyce Hrebek, 12004 Crestwood Dr., Newbury Twp.; and Davet Investments, 14508 Woodlawn Dr., Newbury Twp. be ordered to obtain a 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. Mrs. Livers seconded the motion. Motion carried with a roll call vote.

B. Johannes Vanderwee and Richard Long

Johannes Vanderwee and Richard Long were not present. Mr. Tusick was sworn in again by Mr. Goergen and stated his experience.

Mr. Tusick stated that this is an alleged code violation to the properties owned by Johannes Vanderwee, 11975 Bean Rd., Munson Twp. and Richard Long, 13455 Cedar Acres Dr., Chester 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 property owned by Johannes Vanderwee, 11975 Bean Rd., Munson Twp. and Richard Long, 13455 Cedar Acres Dr., Chester Twp. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Dr. Bowers, yes; Ms. Eppich, yes; and Mrs. Livers, yes.

Ms. Eppich moved that Johannes Vanderwee, 11975 Bean Rd., Munson Twp. and Richard Long, 13455 Cedar Acres Dr., Chester Twp. be required to make application, pay for, schedule, and complete a For Sale of Property evaluation and/or obtain the necessary permits 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. Goergen, yes; Dr. Bowers, yes; Ms. Eppich, yes; and Mrs. Livers, yes.

IX. Old Business

Mr. Weisdack reported that during a call from OEPA recently, they indicated that they will be denying any new off-lot discharges and will be requiring on-lot sewage treatment systems for vacant lots.

Mr. Tusick and Mr. Weisdack stated that they will continue doing lot evaluations for these smaller lots, disapproving them and sending them to OEPA for processing.

X. Executive Session

Mrs. Livers moved to adjourn to Executive Session at 8:36 p.m. to discuss legal updates. Ms. Eppich seconded the motion. Motion approved with a roll call vote. Mr. Goergen, yes; Dr. Bowers, yes; Ms. Eppich, yes; and Mrs. Livers, yes. Meeting reconvened at 9:03 p.m. **Mr. Goergen** stated that no action would be taken as a result of Executive Session.

XI. New Business

There was no new business.

XII. Other Business

There was no other business.

XIII. Meetings

The regular meeting of the Board will be held June 15, 2009 at 7:00 p.m., 470 Center St., Bldg. 8, Chardon.

XIV. Adjournment

As there was no further business to come before the Board, **Mrs. Livers moved to adjourn the meeting at 9:04 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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