

Geauga County General Health District
Board of Health Meeting Minutes
May 21, 2007, 7:00 p.m.
Geauga County Health District Office
470 Center Street, Bldg. 8, Chardon, OH 44024

I. Call to Order

Mr. Dave Benenati called the monthly meeting of the Geauga County Board of Health to order at 7:05 p.m.

Board members present: Mr. J. David Benenati, Mrs. Burr and Ms. Melanie Eppich. Dr. Bowers and Mr. Richard Lang joined the meeting during the EH update

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

Others present: Five others were 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 April 16, 2007 meeting be approved. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

IV. Financial Report / Current Expenses

Mrs. Burr moved to approve the Current Expenses April 12, 2007 to May 11, 2007. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

V. Environmental Health Program Update

a. Sewage Update HB 119

Mr. Weisdack reported on HB119 which is also known as the Budget Bill. This bill has passed through the House of Representatives and is now at the Senate. HB119 contains the wording that would repeal the new sewage law (HB231) and the rules that became effective on January 1, 2007. For this to happen HB119 must pass through the Senate and be signed by the Governor by June 30, 2007 as it was presented. There are other bills being introduced that have variations regarding sewage laws. Our intent is to have a working sewage system within a reasonable price range.

Anne Harnish, acting Director from ODH, sent a letter stating that preliminary data from 20 health districts across Ohio reported around 700 permits being issued in 2007 including

traditional leach trench systems. The costs for these new sewage systems have prices comparable to 2006 ranging from \$6,000.00 to \$8,000.00 and not exceeding \$20,000.00. Our cost estimates are much higher.

To date, Geauga County Health District has issued 2 permits under the new code. Off lot permits have not been issued due to the MOU not being signed. Reviewing of the MOU agreement will be needed in the future. Data collected from the For Sale of Property Program over the past 5 years shows the passing rate of sewage systems in this county far exceeds what is shown in the NOACA study.

VI. Personal Health Services Update

Judy Loudon, PHN will be retiring at the end of June. She has been with the Health Department for 15 years doing the Communicable Disease Program and specialty clinics.

PHS was notified that CDC funding for the Public Health Infrastructure grant is decreasing with the next grant year which begins at the end of August 2007. The final numbers have not been disclosed. Funding cuts will be distributed evenly to affect all local health departments across Ohio.

Mrs. Scherer reported on different budgets being worked on in Columbus pertaining to CFHS and Well Child. The Governor's budget will leave CFHS funding the same, but the Legislature's budget would cut CFHS funding by 76%. This budget would mean 18 counties in Ohio would lose their well child funding. Some counties will be forced to discontinue their well child clinics. Geauga County will not be one of them but we would be subject to cuts if this passed.

The flu program for 2007-2008 was discussed at the AOHC conference. Approximately 69,000 doses of flu vaccine was left over at the end of last years season. ODH is thinking of opening up flu vaccines for local health departments earlier in the season to help alleviate the surplus.

PHS is checking on a 13kw generator for back up operations. The 5kw generator that is currently in use is not large enough to supply power in an emergency. The 13kw generator would help with lights, phones, a computer to send out blast faxes, our confidential fax line to take in communicable disease reports and the Marcs base station to be able to communicate when an emergency situation arises. The County received an estimate and would be responsible for the outside installation of the generator and the Health District would do the inside installation. Mrs. Scherer is checking to see who would actually own it case the Health Department would ever move to a different location. This is a natural gas generator and is hooked up with a flexible gas line which can also be used with liquid propane.

A. WIC

June 1 is the start of the Farmers Market Program for fresh produce. WIC clients will receive a coupon to purchase fresh produce from various produce markets around Geauga County.

WIC will be moving from Bainbridge to Chagrin Falls Park Community Center starting with their July clinic. The residents of Chagrin Falls Park are excited to have them there.

B. Health Education

There have been seven official complaints regarding the smoking ban. Reports are not considered official until ODH has confirmed the proprietors name, address and phone number. The initial step is sending out a Notice of Report letter to the establishment. They then have 30 days to reply. Nursing has done two site visits. Most non-compliance has been with private clubs such as the VFW's and Elk's Club. The court has ruled that private clubs are not exempt from the smoking ban.

VII. Administrative Hearing

A. David and Yvonne White, 13434 Cedar Acres Dr., Chester

Mr. Weisdack was sworn in by Mr. Benenati and stated his experience. Mrs. Yvonne White was also sworn in by Mr. Benenati.

Mr. Weisdack stated that this is a code violation in regards to a malfunctioning sewage treatment system under section 3701-29-07 Paragraph (C)(1) & (C)(3) of the sewage treatment system rules of the Ohio Administrative Code. This is a written nuisance complaint that is coming back to the Board of Health because of the new rules and implementation since January 1, 2007. There is no sewage permit information in our files regarding this property. During site visits a large pool of dark liquid was evident. This pool of liquid is running onto the neighbors property and he has even put drain lines in to evacuate the liquid. The White's claim that snaking their drain line would take care of the problem. Mrs. White had the drain line snaked out and a sample well installed earlier in the day on May 21, 2007. Mrs. White mentioned that the septic tank has been pumped recently. Discussion followed.

Dr. Bowers moved that a code violation exists at the property owned by David and Yvonne White at 13434 Cedar Acres Dr., Chester Township. Mr. Lang seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Dr. Bowers moved that the owner be required to have 2 sets of test results taken after 60 days which would be July 17, 2007. The test results will determine if this septic system meets acceptable standards. If it were found to be a nuisance, the homeowner would be required to install a new sewage disposal system within 60 days of receipt of the test result letter. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

B. Anthony DeGeronimo and Jennifer Bressler, 12937 Heath Rd., Chester

Mr. Weisdack was sworn in by Mr. Benenati and stated his experience. Mr. DeGeronimo was also sworn in by Mr. Benenati.

Mr. Weisdack stated that this is a code violation in regards to Section 3701-29-07 Paragraph (C)(3) of the Sewage Treatment System Rules of the Ohio Administrative Code. This case is based on a For Sale of Property Evaluation. There is no sewage permit information in our files regarding this property however, a registered sewage installer indicates that there is a 500-gallon septic tank followed by 200 feet of leaching trench. The sewage system was dye tested and dye showed in the road ditch. A Health Commissioner's Hearing was held in April

2006. Mr. DeGeronimo failed to take corrective action to resolve the problem. Discussion followed.

Dr. Bowers moved that a code violation exists at the property owned by Anthony DeGeronimo and Jennifer Bressler at 12937 Heath Rd., Chester Township. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mr. Lang moved that the owner be required to take all necessary steps in order to obtain a sewage installation and operation permit within 30 days of receipt of the Board of Health order and 60 days to install a sewage treatment system. 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; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

C. Michael Bailey, 14381 View Dr., Newbury

Mr. Weisdack was sworn in by Mr. Benenati and stated his experience. Mr. Bailey was not present.

Mr. Weisdack stated that this is a code violation in regards to Section 3701-29-07 Paragraph (C)(3) of the Sewage Treatment System Rules of the Ohio Administrative Code. This is a written nuisance complaint. There is no sewage permit information in our files regarding this property. Sewage effluent discharging onto the surface of the ground has been seen making this a public health nuisance. Mr. Bailey attended a Health Commissioner's Hearing in February 2007 and was sent to Community Development for assistance. Numerous issues need to be resolved before Community Development will consider helping Mr. Bailey. Discussion followed.

Dr. Bowers moved that a code violation exists at the property owned by Michael Bailey at 14381 View Dr., Newbury Township. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved that the owner be required to immediately cap and pump his septic tank(s) and take steps to obtain a sewage installation and operation permit and install a sewage treatment system within 30 days of receipt of the Board of Health order. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

IX. Old Business

Mrs. Burr moved 5.07-1 to approve the 3rd and final reading of the proposed Hapsite Chemical Water Testing Fee in the amount of \$150.00 effective June 4, 2007. Dr. Bowers seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 5.07-2 to approve the 2nd reading of the increase in price of private pay vaccines and TB tests by \$10.00 per dose for non-Geauga County residents, effective July 1, 2007. Dr. Bowers seconded the motion. Motion approved with a roll call

vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 5.07-3 to approve the contract with UHMP Evans Middlefield Medical Center to provide physicians for the CFHS clinic as approved by the prosecutor. Dr. Bowers seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

X. Executive Session

Dr. Bowers moved to adjourn to Executive Session at 9:16 p.m. to discuss the Health Commissioner's 2006 Evaluation and salaries. Ms. Eppich seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes. Meeting reconvened at 10:45 p.m.

XI. New Business

Mrs. Burr moved 5.07-4 to approve Resolution 2-2007 ratifying payments and rescinding those portions of Resolution 2-2005. Dr. Bowers seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 5.07-5 to approve Resolution 3-2007 waiving attorney-client privilege of Attorney Pete Nevada. Ms. Eppich seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Ms. Eppich moved 5.07-6 to approve the contract with ODH to provide lead testing to children participating in the WIC program effective July 1, 2007. Mrs. Burr seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mr. Lang moved 5.07-7 to approve the CFHS Grant 2007 Budget Revision as presented. Mrs. Burr seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Dr. Bowers moved 5.07-8 to approve the 2 year rabies contract with ODH, pending prosecutor's approval. Mrs. Burr seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mr. Lang moved 5.07-9 to approve the transfer of \$100,000.00 from the Public Health Emergency appropriations and transfer to BOH salary and fringes. Mrs. Burr seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 5.07-10 to approve salary increases for the health district staff effective payroll #14, pay date July 6, 2007. Dr. Bowers seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mr. Lang moved 5.07-11 to approve the purchase and installation of a backup generator in an amount not to exceed \$7,500.00 pending approval of the Geauga County Commissioners. Ms. Eppich seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 5.07-12 to approve the retirement of Judy Loudon, RN effective June 29, 2007. Ms. Eppich seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, no; Mrs. Burr, yes; and Ms. Eppich, yes.

Mrs. Burr moved 5.07-13 to approve the advertising of a Public Health Nurse. Ms. Eppich seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Mr. Lang, yes; Dr. Bowers, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

XIII. Meetings

The regular meeting of the Board will be held Monday, June 18, 2007 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. Burr moved to adjourn the meeting at 10:50 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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