

Geauga County General Health District
Board of Health Meeting Minutes
November 13, 2006, 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, and Ms. Melanie Eppich. Mrs. Nan Burr and Dr. Donald Bowers were not present.

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

Others present: Seventeen others were present.

II. Pledge of Allegiance

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

III. Approval of Minutes

Ms. Eppich moved that the minutes from the October 5, 2006 meeting be approved. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Mr. Benenati moved that the minutes from the October 16, 2006 meeting be approved. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

IV. Financial Report/Current Expenses

The Board members reviewed the October financial report for all funds. **Mr. Benenati moved to approve the Current Expenses October 7, 2006 to November 7, 2006. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.**

V. Environmental Health Program Update

A. NPDES Permit Discussion

The beginning process for getting an off-lot discharging system after January 1, 2007 is to have the lot evaluated by the health district. The health district staff must then disapprove the lot for an on-site system. The person(s) proposing the off-lot system must get approval through the OEPA for an NPDES permit. The health district is responsible if the information that is submitted is not accurate. We would be subject to \$25,000 fines and felony charges. We will also be responsible for assuring that these systems are maintained.

We need to develop policies and processes to decide that a property cannot support an on-site system. One thought was to require an Engineer to design the system.

Mr. Tusick explained to the Board some of the other requirements made by the OEPA.

We have received a Memorandum of Understanding from OEPA. Under this MOU, the local health districts would have to do all of the field work and then give the homeowner a letter stating an on-lot system could not be installed. The homeowner would then submit this to OEPA for their NPDES permit. A \$200.00 fee would have to be collected from the homeowner and sent to OEPA. None of the fee would remain with the local health districts. The local health districts are responsible for assuring the systems are maintained.

If the MOU is not signed, homeowners will not be able to get a discharging type sewage system for their property. Mr. Weisdack and the Board all agreed that it is not a good idea to sign this MOU. They stated that they didn't want to inconvenience the property owners, but the penalties under this MOU are excessive and the MOU criteria is open ended.

Mr. Weisdack indicated that he would be contacting some of the other health districts to see what action they are taking with the MOU.

B. Smoke Free Ohio

Issue 5 which prohibits smoking in public places passed on Election Day. From what we understand, this law indicates that the local health district will do the investigation and legal action and all fines will go to ODH. The rules for this law have not been written. The Ohio Department of Health has stated that they will have rules written and implemented within the next 6 months.

Under this law, the health districts will have to write citations for individuals who are smoking. Violators will be fined. Cases that must be taken to court, must be taken to municipal court.

VI. Personal Health Services Update

Mrs. Scherer reported that the flu clinic went well. There were 638 vaccinations given. Time studies were done throughout the clinic. Most people waited less than 5 minutes. Mrs. Scherer reported that she had received many thank you notes and calls about how well the clinic was run. Another flu clinic is scheduled for this weekend.

Beginning January 1, 2007 all of the State of Ohio will be covered by Medicaid managed care. This previously was only a pilot program in some of the larger counties. This will affect the WIC office because of the way they normally receive income verification. It will also affect the Nursing division because in order to bill for Medicaid services we provide, we will have to subcontract with each of the managed care providers that are in our county. Our county has 3 providers. We also must subcontract with Trumbull & Portage county providers because we provide service to some of their residents. This will make it more complicated with billing and contracting. We must have each person who provides services for these children credentialed through each of the plans. Not only must the physicians be credentialed, but the nurses as well.

A. WIC

The WIC office is planning their 1st Annual Christmas party for December 6, 2006 for the WIC clients. There will be activities, crafts and nutritional snacks for the children.

The WIC and Nursing Divisions were recently honored at an awards ceremony for Excellence for Outstanding Performance and Exceptional Commitment to Teamwork to young children. This was presented by the Tri-County Association for the Education of Young Children.

B. Health Education

There was no information about health education.

VII. Variances

Mr. Weisdack reported for the record that the requestor for variance for the property at 15950 Jug Rd. that was tabled from the October 2006 meeting requested that the meeting be discussed at the December 2006 meeting.

A. Charles Toil

Charles Toil was present and sworn in by Mr. Lang. Mr. Tusick was sworn in and stated his experience.

Mr. Tusick stated that this was a variance request by Charles Toil for the vacant property located at 11802 Portlew Rd., Newbury Twp. The request involves section 3701-29-02(H)(1) of the Geauga County Household Sewage Disposal System Regulations which requires a replacement area. This lot was recorded prior to 1985. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Mr. Benenati moved to approve the variance as requested. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

B. John Riha

John and Laurie Riha were present and sworn in by Mr. Lang. Mr. Tusick was sworn in again.

Mr. Tusick stated that this was a variance request by John Riha property located at 9395 Kile Rd., Montville 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) Discussion followed.

Ms. Eppich moved to approve the variance as requested. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

C. Michael Davet

Michael Davet was present and sworn in by Mr. Lang. Mr. Tusick was sworn in again.

Mr. Tusick stated that this was a variance request by Michael Davet for the property located at 9812 Broadway Dr., Auburn 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) Discussion followed.

Mr. Benenati moved to approve the variance as requested. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

D. D. Sizemore Outdoor Service/Lilian Hill

Dan Sizemore and Tom Saunders were present and sworn in by Mr. Lang. Mr. Tusick was sworn in again.

Mr. Tusick stated that this was a variance request by D. Sizemore Outdoor Service in behalf of Lilian Hill for the property located at 15376 Munn Rd., 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) Discussion followed.

Mr. Benenati moved to approve the variance as requested. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

E. Auburn Bainbridge Exc./Travis Hamary

Jeff Sutter for Auburn Bainbridge Exc. was present and sworn in by Mr. Lang. Mr. Tusick was sworn in again.

Mr. Tusick stated that this was a variance request by Auburn Bainbridge Exc. in behalf of Travis Hamary for the property located at 14740 Woodbury Rd., 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) Discussion followed.

Ms. Eppich moved to approve the variance as requested. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

F. Paul Ogint Exc./Tony Cotterman

Paul Ogint was present and sworn in by Mr. Lang. Mr. Tusick was sworn in again.

Mr. Tusick stated that this was a variance request by Paul Ogint Exc. in behalf of Tony Cotterman for the property located at 12077 Lakeside Dr., Newbury Twp. The request involves the following sections of the Geauga County Household Sewage Disposal System Regulations: 3701-29-02(G) which pertains to off-lot discharge; section 3701-29-02(K) which requires a

sewage system to be 50' to a water well and 10' to the property line and section 301-28-10(G) of the Private Water System Rules which requires a well to be 50' to a sewage system. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Mr. Benenati moved to approve the variance as requested. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

G. Alan Masterangelo/Jim Lewis

Alan Masterangelo was present and sworn in by Mr. Lang. Mr. Tusick was sworn in again.

Mr. Tusick stated that this was a variance request by Alan Masterangelo in behalf of Jim Lewis for the property located at 12961 Cherry Ln., Chester Twp. The request involves the following sections of the Geauga County Household Sewage Disposal System Regulations: Section 3701-29-02(G) which pertains to off-lot discharge; and section 3701-29-02(C) which states each system shall serve one dwelling on an individual lot. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Mr. Benenati moved to approve the variance with the addition that new tanks must be installed. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

H. Smith Exc./Jeff Hall

Jack Smith, Wendy Lester-Juhasz, Scott Juhasz and Jeff Hall were present and sworn in by Mr. Lang. Mr. Tusick was sworn in again.

Mr. Tusick stated that this was a variance request by Smith Exc. in behalf of Jeff Hall for the property located at 6696 Madison Rd., Thompson 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) Discussion followed.

Ms. Eppich moved to approve the variance as requested. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

I. Father & Son Septic/Andy Supinski

Shawn Powers and Andy Supinski were present and sworn in by Mr. Lang. Mr. Tusick was sworn in again.

Mr. Tusick stated that this was a variance request by Father & Son Septic in behalf of Andy Supinski for the property located at 12277 Flowerside Rd., Huntsburg 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) Discussion followed.

Mr. Benenati moved to approve the variance as requested. Ms. Eppich seconded the motion. Motion failed with a roll call vote. Mr. Lang, no; Mr. Benenati, no; and Ms. Eppich, no.

The Finding of Fact is as follows: There are adjoining lots which Mr. Supinski owns which could be used to install an on-lot sewage disposal system.

VIII. Old Business

A. Digital Health Department Update

Mr. Weisdack reported that the data has been uploaded to Garrison Enterprises. They will be reviewing the data and scheduling a site visit soon.

B. Sewage Regulations (2nd Reading with revisions)

The Prosecutor's office reviewed the sections of the code that we wanted to make changes to. They had some additional revisions which we have incorporated. We have submitted the final copy to ODH and are waiting for their comments. These revisions were in addition to some that have already been sent to the State for review.

Mr. Benenati moved 11.06-1 to approve the 2nd reading of the proposed Household Sewage Treatment System Regulations with revisions. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

B. Proposed Sewage Fees (2nd Reading)

Ms. Eppich moved 11.06-2 to approve the 2nd reading of the proposed fees for the Household Sewage Treatment System program. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

IX. Executive Session

Mr. Benenati moved to adjourn to Executive Session at 9:50 p.m. to discuss the Health Commissioner's evaluation, personnel and pending litigation. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes. Meeting reconvened at 11:05 p.m.

X. New Business

Mr. Benenati moved 11.06-3 to approve the 4th quarter grant reimbursements as follows: WIC, \$34,274.16; CFHS, \$14,761.23; PHI, \$26,132.10; and IAP, \$8,051.84. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Ms. Eppich moved 11.06-4 to approve the implementation of the Incentive Merit based on Longevity Program for 2006, to be paid on Payroll #24, pay date of November 24, 2006. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Mr. Benenati moved 11.06-5 to approve the rental of a storage facility for the Health District at a cost not to exceed \$120.00 per month. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Ms. Eppich moved 11.06-6 to approve the purchase of a satellite tuner at a cost not to exceed \$2,000.00. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Mr. Benenati moved 11.06-7 to approve the contract with University Hospital Medical Practice to provide physicians services for the Health District Well-Child clinics, pending prosecutor's approval. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Ms. Eppich moved 11.06-8 to approve the contracts with Anthem Blue Cross/Blue Shield, CareSource, Buckeye Community Health Plan, and WellCare of Ohio to be a subcontractor for providing Medicaid services, pending prosecutor's approval. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, abstain.

Mr. Benenati moved 11.06-9 to approve the purchase of a vaccine refrigerator in an amount not to exceed \$5,000.00. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Ms. Eppich moved 11.06-10 to adopt the revisions to Section E (8) (C), Classification and Compensation of the Geauga County Health District Personnel Policy. All previous editions will be rescinded. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Mr. Benenati moved 11.06-11 to approve the purchase of a Supervisor's Training Program from Clemans-Nelson in an amount not to exceed \$6,000.00. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Ms. Eppich moved 11.06-12 to approve the purchase of flu vaccine in an amount not to exceed \$13,000.00. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Mr. Benenati moved 11.06-13 to approve the 6% increase for Robert Weisdack, Health Commissioner, retroactive to February 1, 2006. Ms. Eppich seconded the motion. Mr. Lang stated that the Board is very satisfied with Mr. Weisdack's performance and feel that he has been doing a very good job. He stated that a summary statement would be submitted next month. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; and Ms. Eppich, yes.

Ms. Eppich moved 11.06-14 to approve the dismissal of Ray Herbst, RS effective November 14, 2006 at 4:30 pm. Mr. Benenati seconded the motion. Mr. Lang stated that this decision is based on unsatisfactory performance during the 120 day probationary period. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, 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, December 18, 2006 at 7:00 p.m., in the Environment Health lobby at 470 Center Street, Building 8, in Chardon, Ohio.

XIII. Adjournment

As there was no further business to come before the Board, **Ms. Eppich moved to adjourn the meeting at 11:19 p.m. Mr. Benenati 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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