

Geauga County General Health District
Board of Health Meeting Minutes
October 18, 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 7:02 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 Burr, and Ms. Melanie Eppich. Dr. Donald Bowers arrived at 8:00 p.m.

Staff members present: Robert Weisdack, Health Commissioner; Peggy Scherer, Personal Health Services Director; Michael Tusick, R.S.; Sandra Gerzeny, Registrar/Fiscal Coordinator; and Alta Kress, Secretary Supervisor.

Others present: Nineteen others were present.

II. Pledge of Allegiance

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

III. Approval of Minutes

Mrs. Burr moved that the minutes from the September 19, 2005 meeting be approved. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

IV. Financial Report/Current Expenses

The Board members reviewed the September financial report for all funds. **Mr. Benenati moved to approve the Current Expenses September 14, 2005 to October 7, 2005. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Mrs. Burr, yes; and Ms. Eppich, yes.**

V. Variances

A. Smith Excavating/Mike Royal

Jack Smith 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 Smith Excavating in behalf of Mike Royal for the existing property located at 11625 Lake Rd., Munson Twp. The request involves section 3701-29-02(G) of the Geauga County Household Sewage Disposal System Regulations which pertains to off-lot discharge and section 3701-29-02(K) which requires a 50' isolation distance to a water well. (Written background information was provided to the Board for consideration in this case) Discussion followed.

Smith Excavating proposed using a chlorinator, retention tank and dechlorinator with discharge to Bass Lake. He was requesting to install the sand filters inside the 50' well isolation distance to avoid placing them within the flood plain.

Mr. Tusick stated that he recommended the use of a UV light in place of the chlorinator, retention tank and dechlorinator since the system would be discharging into Bass Lake. This will eliminate any chemicals being discharged into the lake.

Mr. Benenati moved to approve the variance with the stipulation that a UV light is used in place of the chlorinator, retention tank and dechlorinator. Mrs. Burr seconded the motion. Motion carried with a roll call vote. Mr. Lang, yes; Mr. Benenati, yes; Mrs. Burr, yes; and Ms. Eppich, yes.

B. Loze Excavating/Lalor Herst

Lalor and Bertha Herst were present and sworn in by Mr. Lang. Mr. Tusick was sworn in again by Mr. Lang.

Mr. Tusick stated that this was a variance request by Loze Excavating in behalf of Lalor Herst for the existing property located at 14725 Madison Rd., Middlefield Twp. The request involves section 3701-29-02(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.

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; Mrs. Burr, yes; and Ms. Eppich, yes.

C. Charles Ernst

Charles Ernst was present and sworn in by Mr. Lang. Mr. Tusick was sworn in again by Mr. Lang. Mr. Weisdack was sworn in by Mr. Lang and stated his experience.

Mr. Tusick stated that this was a variance request by Charles Ernst for the existing property located at 12955 Kenyon Dr., Chester 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. Tusick explained that soils were done by three different soil scientists for this lot. Two of the three reports indicate that there is acceptable soils on the lot for an on-lot sewage disposal system. The third soil scientist's report stated that there is not.

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

The finding of fact was as follows: Soil reports from two soil scientists indicate that there are suitable soils to install an on-lot sewage disposal system.

D. Romano Ianiro/Teelea Garbo

Luigi Ianiro, Teelea Garbo and John Grady were present and sworn in by Mr. Lang. Mr. Tusick and Mr. Weisdack were sworn in again by Mr. Lang.

Mr. Tusick stated that this was a variance request by Romano Ianiro Contracting in behalf of Teelea Garbo for the existing property located at 12975 Caves Rd., Chester 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. This update is due to a failed For Sale of Property evaluation.

There are soil reports from two different soil scientists on this property. The first soil report that was done indicated that there was unsuitable soils for an on-lot sewage disposal system. Upon inspection of the lot by the field sanitarian, the question was raised that there seemed to be an area on the lot that could be used for an on-lot system. Another soil scientist inspected the lot and concurred that the area the sanitarian had questioned previously was in fact suitable.

Mr. Ianiro requested that Jim Fincham, Soil Scientist, be allowed to provide testimony. Mr. Fincham was sworn in by Mr. Lang.

Mr. Fincham had provided the first soil report for this property. He provided testimony that this area was wet. He stated that he felt that an on-lot system would bleed out. Mr. Fincham and Mr. Weisdack discussed the fact that it was possible to hydraulically overload any on-lot system by over-use.

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

The finding of fact was as follows: Based on information from the soil scientist and the field staff's observations, there is suitable soil to install an on-lot sewage disposal system.

E. Lisa Reed

Mike Timas, Engineer Tech for Hess and Associates was present and sworn in by Mr. Lang. Mr. Weisdack was sworn in again by Mr. Lang.

Mr. Weisdack stated that this was a variance request by Lisa Reed for the existing property located at 10143 Little Mountain Rd., Chardon Twp. The request involves section 3701-29-20(A)(2) of the Geauga County Household Sewage Disposal System Regulations which pertains to experimental sewage disposal systems. (Written background information was provided to the Board for consideration in this case.) Discussion followed.

The soil report shows bedrock on this property. Ms. Reed is proposing to install a mound system on the property.

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.

VI. Show Cause Hearing

A. Dale Nicholas/Nicholas & Sons

Mr. Dale Nicholas was present and sworn in by Mr. Lang. Mr. Weisdack was sworn in again also.

Mr. Weisdack stated that this is a Show Cause Hearing under section 3701-29-06(C) and (G) "Registration of sewage tank cleaners" of the Geauga County Health District Household Sewage Disposal System Regulations.

Paragraph (C) states: "The Board of Health shall issue a permit, then the pertinent information indicates then the provisions of the regulations 3701-29-01 to 3701-29-21 of the Household Sewage Disposal System Regulations of the Geauga County General Health District can be met. The Board of Health may specify terms consistent with regulations 3701-29-01 to 3701-29-21 on the permit governing the collection, transportation and disposal of the contents of the sewage tanks or privies."

Paragraph (G) states: "Whenever the Health Commissioner finds that a sewage tank cleaner is or has engaged in practices which are in violation of any provision of regulations 3701-29-01 to 3701-29-21 of the Household Sewage Disposal System Regulation of the Geauga County General Health District or the terms of any permit as required by the Board of Health in regulation 3701-29-04(D) under which installation is performed, the Board of Health shall give notice in writing to the registrant describing the alleged violation and state that an opportunity for a hearing will be provided by the Board of Health to show cause why his registration should not be suspended or revoked".

In addition, Geauga County General Health District has guidelines for Land Application of Septage which outlines the application techniques.

There have been several complaints against Mr. Nicholas regarding his procedure of applying septage to the land application site. Upon inspection by the field staff, it was noted each time that Mr. Nicholas was not using a splash plate/pan when applying the septage. Each time, Mr. Nicholas was instructed to use a splash plate/pan. At a recent inspection, the splash plate/pan was at the site but did not appear to have been used. Discussion followed.

Mr. Nicholas said that he had been having problems with equipment failure of the splash plate. He said that to prevent this problem in the future, he has purchased another one to have as a spare.

Dr. Bowers moved that Dale Nicholas/Nicholas & Sons Inc. be suspended from using the site located at 10441 Wilson Mills Rd., Munson Twp. until the site has been re-approved for application of septage. 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 no septage may be applied to the land application site owned by the Reiter Family LTD Partnership located at 10441 Wilson Mill Rd., Munson Twp. until a full and complete site information submission has been presented to the Geauga County Health District for review and approval. 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

Several Geauga County citizens were present to speak to the Board about the asphalt plant hearings regarding White Road. They came to personally request Mr. Weisdack's presence at the asphalt hearings. They stated that they felt his testimony was instrumental in stopping the asphalt plants from coming to the Hauter site in Burton Twp.

Dr. Bowers stated that the last hearings were very time consuming for Mr. Weisdack. He also stated that the Board wanted to be sure that Mr. Weisdack's presence at the asphalt hearings was at the request of the residents. Geauga resident, Barbara Anderson stated that the hearings have been postponed, until November 10, 2005.

A. Rabies Update

Mr. Weisdack reported that Geauga County has a total of 16 cases of rabies to date. The total consists of 1 bat and 15 raccoons.

B. Carlisle Update

The Ohio EPA recently contacted Mr. Weisdack to report that more contamination has been found in the water on the south side of the Carlisle property in Middlefield. The contamination is in and under the buildings, but they have not found the true source. More testing will be done. OEPA asked Mr. Weisdack if it would be possible for the Health District to do some of the testing since the HAPSITE testing machine will be available soon. Mr. Weisdack expressed his concerns because the Health District is not a certified testing laboratory.

C. Manfredi Site Update

During the last visit to the Manfredi site, ultrasound was done so see if there were buried items. Tankers were found buried at the site. They were dug up and the contents were analyzed. The testing showed that the contents were determined to not be hazardous waste. This case has been turned over to the Surface Water division of OEPA.

VIII. Personal Health Services Update

Mrs. Scherer reported 500 doses of flu vaccine were administered over 2 clinics. The flu vaccine shipments are trickling in. Hopefully, no clinics will have to be cancelled.

Some of the 1st responders from Geauga County are aiding in the Gulf Coast Relief Effort. They are coming to the Health District to get vaccine. Mrs. Scherer recommended not charging these people for the vaccine. At this point, it looks like approximately 40 people will be aiding the relief. If it becomes more than that, the Board would need to look at using the Public Health Emergency fund to off-set the cost. The Board concurred that there should be no charge to these individuals.

A. WIC

Mrs. Scherer reported that the WIC department was supposed to get a new computer from the State. It still has not come, but should be here by the end of the week.

There still is no word on whether the Farmers Market Nutrition Program will be funded for next year.

B. Health Education Programs

There was no report for Health Education this month.

IX. Old Business

A. Health Commissioner's Conference

Mr. Weisdack reported that he recently attended the Health Commissioner's Conference. Performance standards are being strongly pushed, as well as the requirement to meet them.

The State would like to know if the Board was interested in endorsing the Smoke Free Ohio Campaign. This item was discussed and it was decided that Mr. Weisdack would get information on the campaign for the Board.

B. Proposed Sewage Rules

The State is proposing that the new sewage rules will be available and implemented by May 2006. It is possible that it may be later than that.

Mr. Weisdack added that the HAPSITE testing unit will be shipped soon. Training will be provided within 2 to 3 weeks of receiving it.

X. Executive Session

Mrs. Burr moved to adjourn to Executive Session at 11:10 p.m. to discuss personnel. 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. Meeting reconvened at 11:45 p.m. Mr. Lang stated that no action would be taken based on the discussion in Executive Session.

XI. New Business

Mrs. Gerzeny provided a report regarding the final outcome of the health care situation for the county. Medical Mutual came in below the other companies that provided quotes. They also offered a 2 year contract as opposed to 1 year. Two plans will be offered, one basic and one enhanced. The County Commissioners agreed to offer the basic plan at no cost to their employees. The Board discussed the plans, what amount was budgeted for 2006 and how much employee contributions would be.

The State is requiring the local vital statistics offices to offer on-line birth/death certificate ordering. Due to this requirement, the Health District must contract with a company called Vital Check who will process the credit/debit cards. The requestor will be required to pay a service fee, which will be retained by Vital Check. Mrs. Gerzeny will provide more information to Board at the next meeting.

Dr. Bowers moved 10.05-1 to maintain the current employee contributions for health care for 2006. 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.

Mr. Benenati moved 10.05-2 to approve the 3rd quarter reimbursements from the grants to BOH as follows: WIC, \$32,363.05; CFHS, \$19,808.51; and HI, \$9,868.78. 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.

Dr. Bowers moved 10.05-3 to approve the contract renewal with Alltel Cellular for 2 years, pending prosecutor's approval. 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 10.05-4 to approve the contract with OPI (Optimal Phone Interpreters) to provide translation during health district clinics, pending prosecutor's approval. 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.

Mr. Benenati moved 10.05-5 to approve the contract with ODH BCMH, effective October 1, 2005 through June 30, 2007, pending prosecutor's approval. 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. Benenati moved 10.05-6 to approve the budget revision to transfer appropriations in the amount of \$10,000.00 from equipment and \$11,971.69 from salaries to 12-E Misc. Expense. 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.

XII. Other Business

There was no other business

XIII. Meetings

The regular meeting of the Board will be held Monday, November 14, 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 12:05 a.m. Mrs. Burr seconded the motion. Motion carried with a unanimous vote.**

Respectfully submitted,

Robert K. Weisdack, RS, MA, MPH
Secretary of the Board