

Geauga County General Health District
Board of Health Meeting Minutes
September 15, 2008, 7:00 p.m.
Geauga County Health District Office
470 Center Street, Bldg. 8, Chardon, OH 44024

I. Call to Order

Mr. J. David Benenati, President, called the monthly meeting of the Geauga County Board of Health to order at 7:02 p.m.

Board members present: Mr. J. David Benenati, Ms. Melanie Eppich, and Mr. Timothy Goergen. Mr. Richard Lang and Dr. Donald Bowers were not present.

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

Others present: There were three other people present.

II. Pledge of Allegiance

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

III. Approval of Minutes

Mr. Goergen moved that the minutes from the August 18, 2008 regular meeting be approved. Mr. Benenati seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, abstain; and Mr. Goergen, yes.

IV. Financial Report / Current Expenses

Ms. Eppich moved to approve the Current Expenses August 12, 2008 to September 9, 2008. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

V. Environmental Health Program Update

Mr. Weisdack stated that sewage is currently holding its own but water well permits are still down. Currently the staff is working on inspections for the State mandated programs.

VI. Personal Health Services Update

Mrs. Scherer reported that 1000 doses of flu vaccine have been received and there are another 600 doses to come.

A. WIC

The WIC caseload is now at 888. They will be changing their hours so that there will be clinics on Fridays.

The Diaper Dash experienced terrible weather and had to be moved indoors. There were 31 dashers this year. The winners received savings bonds from Geauga Credit Union.

The Farmers Market Nutrition Program has been extended through October. WIC clients receive coupons to use at local farm markets to purchase fruits and vegetables.

B. Health Education

Mrs. Scherer reported that she received no resumes for the position of Disease Surveillance Specialist. There may be a restructuring of the duties for that position.

VII. Variance

A. Thomas Gehalo

Thomas Gehalo was present and sworn in by Mr. Benenati. Mr. Tusick was sworn in and stated his experience.

Mr. Tusick stated that this was a variance request by Thomas Gehalo for the existing property located at 16725 Munn Rd., Auburn Twp. The request involves section 3701-28-10(E) of the Private Water Well Regulations which requires a 10 foot isolation distance to a building. (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. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

VIII. Administrative Hearings

A. James Klatka

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

Mr. Weisdack stated that this is an alleged code violation to the property owned by James Klatka located at 14905 GAR Hwy., Hambden Twp. 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."

Mr. Goergen moved that a code violation exists at the property owned by James Klatka located at 14905 GAR Hwy., Hambden Twp. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Ms. Eppich moved that the owner be required to renew the sewage permit and install a new sewage disposal system within 30days of receipt of Board order. Failure to do so will result in referral to the prosecutor's office for legal action. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

B. Mr. & Mrs. James Tommer

Mr. & Mrs. Tommer were not present. Mr. Weisdack was sworn in again by Mr. Benenati and stated his experience.

Mr. Weisdack stated that this is a code violation to the property owned by Mr. & Mrs. James Tommer, located at 12529 Pearl Rd., Hambden Twp. This case is in regards to section 3701-29-22(A) of the Geauga County Health District Household Sewage Disposal System Regulations that 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." The owners of this property decided to install a new system in lieu of having a For Sale of Property Evaluation done. They have not installed the new system. Discussion followed.

Ms. Eppich moved that a code violation exists at the property owned by Mr. & Mrs. James Tommer located at 12529 Pearl Rd., Hambden Twp. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Mr. Goergen moved that the owners be required to make application, pay for, schedule, and complete a For Sale of Property Evaluation and/or obtain the necessary permits and install a new sewage disposal system within 30 days of receipt of Board order. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich; and Mr. Goergen, yes.

C. Michael Schwartz

Michael Schwartz was not present. Mr. Weisdack was sworn in again by Mr. Benenati and stated his experience.

Mr. Weisdack stated that this is a code violation to the property owned by Michael Schwartz located at 10155 Cutts Rd., Hambden Twp. This case is in regards to section 3701-29-22(A) of the Geauga County Health District Household Sewage Disposal System Regulations that 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." The owner of this property decided to install a new system in lieu of having a For Sale of Property Evaluation done. He has not installed the new system. Discussion followed.

Ms. Eppich moved that a code violation exists at the property owned by Michael Schwartz located at 10155 Cutts Rd., Hambden Twp. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Mr. Goergen moved that the owner be required to make application, pay for, schedule, and complete a For Sale of Property Evaluation and/or obtain the necessary permits and install a new sewage disposal system within 30 days of receipt of Board order. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich; and Mr. Goergen, yes.

D. Mr. & Mrs. Andrew Mast, Mr. & Mrs. Donald Hamm and Mr. & Mrs. David Studley

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

Mr. Weisdack stated that this is a code violation to the properties owned by Mr. & Mrs. Andrew Mast, 18585 Hobart Rd., Parkman Twp.; Mr. & Mrs. Donald Hamm, 11311 Kile Rd., Huntsburg Twp.; and Mr. & Mrs. David Studley, 11964 Meadow Ridge Dr., Chester Twp. These cases are in regards to section 3701-29-22(A) of the Geauga County Health District Household Sewage Disposal System Regulations that 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." The For Sale of Property Evaluation has been paid but has never been scheduled and completed. Discussion followed.

Ms. Eppich moved that a code violation exists at the properties owned by Mr. & Mrs. Andrew Mast, 18585 Hobart Rd., Parkman Twp.; Mr. & Mrs. Donald Hamm, 11311 Kile Rd., Huntsburg Twp.; and Mr. & Mrs. David Studley, 11964 Meadow Ridge Dr., Chester Twp. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Ms. Eppich moved that Mr. & Mrs. Andrew Mast, 18585 Hobart Rd., Parkman Twp.; Mr. & Mrs. Donald Hamm, 11311 Kile Rd., Huntsburg Twp.; and Mr. & Mrs. David Studley, 11964 Meadow Ridge Dr., Chester Twp. be required to schedule and complete a For Sale of Property Evaluation and/or install a new sewage disposal system within 30 days of receipt of Board order. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

- E. William Miller & Mary Ann Kuhns; Gina Dorazio; Ryan Radonich; Michael Wells; Mr. & Mrs. Joseph Tucholski; Kevin Hollesh; Nellie Beaubien; QAJAQ Inc.; Jeffrey Pickett; Jaggan Ltd.; Mr. & Mrs. Paul Taylor; Robert & James McDivitt; Daniel Maschek & John Hurst.

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

Mr. Weisdack stated that this is a code violation to the properties owned by William Miller & Mary Ann Kuhns, 17583 Bradford Rd., Parkman Twp.; Gina Dorazio, 13300 Cedar Acres Dr., Chester Twp.; Ryan Radonich, 13761 Chillicothe Rd., Russell Twp.; Michael Wells, 14986 Grove Rd., Troy Twp.; Mr. & Mrs. Joseph Tucholski, 16940 Kinsman Rd., Middlefield Twp.; Kevin Hollesh, 14871 Mayfield Rd., Claridon Twp.; Nellie Beaubien, 14833 Overlook Dr., Newbury Twp.; QAJAQ Inc., 15170 Ravenna Rd., Newbury Twp.; Jeffrey Pickett, 18701 Rivers Edge Dr., Bainbridge Twp.; Jaggan Ltd., 13784 Rock Haven Rd., Newbury Twp.; Mr. & Mrs. Paul Taylor, 9980 Stafford Rd., Auburn Twp.; Robert & James McDivitt, 15340 Valentine Rd., Thompson Twp.; Daniel Maschek & John Hurst, 13009 Winagle Rd., Troy Twp. These cases are in regards to section 3701-29-22(A) of the Geauga County Health District Household Sewage Disposal System Regulations that 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.

Mr. Goergen moved that a code violation exists at the properties owned by William Miller & Mary Ann Kuhns, 17583 Bradford Rd., Parkman Twp.; Gina Dorazio, 13300 Cedar Acres Dr., Chester Twp.; Ryan Radonich, 13761 Chillicothe Rd., Russell Twp.; Michael Wells, 14986 Grove Rd., Troy Twp.; Mr. & Mrs. Joseph Tucholski, 16940 Kinsman Rd., Middlefield Twp.; Kevin Hollesh, 14871 Mayfield Rd., Claridon Twp.; Nellie Beaubien, 14833 Overlook Dr., Newbury Twp.; QAJAQ Inc., 15170 Ravenna Rd., Newbury Twp.; Jeffrey Pickett, 18701 Rivers

Edge Dr., Bainbridge Twp.; Jaggan Ltd., 13784 Rock Haven Rd., Newbury Twp.; Mr. & Mrs. Paul Taylor, 9980 Stafford Rd., Auburn Twp.; Robert & James McDivitt, 15340 Valentine Rd., Thompson Twp.; Daniel Maschek & John Hurst, 13009 Winagle Rd., Troy Twp. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Ms. Eppich moved that William Miller & Mary Ann Kuhns, 17583 Bradford Rd., Parkman Twp.; Gina Dorazio, 13300 Cedar Acres Dr., Chester Twp.; Ryan Radonich, 13761 Chillicothe Rd., Russell Twp.; Michael Wells, 14986 Grove Rd., Troy Twp.; Mr. & Mrs. Joseph Tucholski, 16940 Kinsman Rd., Middlefield Twp.; Kevin Hollesh, 14871 Mayfield Rd., Claridon Twp.; Nellie Beaubien, 14833 Overlook Dr., Newbury Twp.; QAJAQ Inc., 15170 Ravenna Rd., Newbury Twp.; Jeffrey Pickett, 18701 Rivers Edge Dr., Bainbridge Twp.; Jaggan Ltd., 13784 Rock Haven Rd., Newbury Twp.; Mr. & Mrs. Paul Taylor, 9980 Stafford Rd., Auburn Twp.; Robert & James McDivitt, 15340 Valentine Rd., Thompson Twp.; Daniel Maschek & John Hurst, 13009 Winagle Rd., Troy Twp. be required to make application, pay for, schedule, and schedule a For Sale of Property Evaluation and/or install a new sewage disposal system within 30 days of receipt of Board order. Failure to follow this order will result in referral to the Prosecutor's Office for legal action. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

F. Chris Light

Chris Light was present and sworn in by Mr. Benenati. Deputy Mike Matsik, Solid Waste Enforcement Officer was also present and sworn in by Mr. Benenati. Mr. Weisdack was sworn again by Mr. Benenati and stated his experience.

Mr. Weisdack stated that this is an alleged code violation to the property owned by Chris Light known as parcel 16-051701 Hunt Rd., Huntsburg Twp. This case is in regards to section 3734.03 of the Ohio Revised Code which states: "Solid Waste" means such unwanted residual or semi-solid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining or demolition operations, or other waste materials of the type that would normally be included in demolition debris non-toxic fly ash, spent non-toxic foundry sand, slag, and other substances that are not harmful or inimical to public health and include, but are not limited to, garbage, tires, combustible material, street dirt and debris. Solid waste does not include any material that is an infectious waste or hazardous waste." Discussion followed.

Mr. Goergen moved that a code violation exists at the property owned by Chris Light known as parcel 16-051701 Hunt Rd., Huntsburg Township. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Mr. Goergen moved that the owner be required to remove all solid waste and tires and submit receipts from a registered dumpsite within 14 days of receipt of Board order. Failure to do so will result in referral to the prosecutor's office for legal action. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

G. Chris Light

Chris Light and Deputy Matsik were sworn in again by Mr. Benenati. Mr. Weisdack was also sworn again by Mr. Benenati and stated his experience.

Mr. Weisdack stated that this is an alleged code violation to the property owned by Chris Light located at 11080 Madison Rd., Montville Twp. This case is in regards to section 3734.03 of the

Ohio Revised Code which states: “Solid Waste” means such unwanted residual or semi-solid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining or demolition operations, or other waste materials of the type that would normally be included in demolition debris non-toxic fly ash, spent non-toxic foundry sand, slag, and other substances that are not harmful or inimical to public health and include, but are not limited to, garbage, tires, combustible material, street dirt and debris. Solid waste does not include any material that is an infectious waste or hazardous waste.” Discussion followed.

Mr. Goergen moved that a code violation exists at the property owned by Chris Light located at 11080 Madison Rd., Montville Township. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Ms. Eppich moved that the owner be required to remove all solid waste and tires and submit receipts from a registered dumpsite within 14 days of receipt of Board order. Failure to do so will result in referral to the prosecutor’s office for legal action. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

IX. Old Business

A. Financial Update

Mr. Weisdack reviewed the current financial reports with the Board. The revenue from the sewage program is still doing all right as of this month. Private Water revenue is lower due to the lack of new homes being built.

B. Levy Committee Update

Mr. Weisdack distributed the pamphlets and booklets for the levy. He stated that presentations are being scheduled for various locations around the county.

X. Executive Session

Mr. Goergen moved to adjourn to Executive Session at 9:20 p.m. to discuss personnel and legal updates. Ms. Eppich seconded the motion. Motion approved with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes. Meeting reconvened at 9:45 p.m.

XI. New Business

Mr. Goergen moved 9.08-1 to adopt section F (8) (A) of the Geauga County Health District Personnel Policy pertaining to Family Medical Leave as presented. All other versions are rescinded. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Mr. Goergen moved 9.08-2 to approve the WIC GY2008 Budget Revision as presented. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Mr. Goergen moved 9.08-3 to approve the renewal of the contract with George Denniston, RN. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

Ms. Eppich moved 9.08-4 to approve the Memorandum of Understanding with ODH for case management of children with elevated lead levels, pending prosecutor’s approval. Mr.

Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Ms. Eppich, yes; and Mr. Goergen, yes.

XII. Other Business

There was no other business

XIII. Meetings

The regular meeting of the Board will be held Monday, October 20, 2008 at 7:00 p.m., 470 Center St., Bldg. 8, Chardon.

XIV. Adjournment

As there was no further business to come before the Board, **Ms. Eppich moved to adjourn the meeting at 9:55 p.m. Mr. Goergen 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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