

Geauga County General Health District
Board of Health Meeting Minutes
June 16, 2014, 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, called the monthly meeting of the Geauga County Board of Health to order at 7:01 p.m.

Board members present: Mr. Timothy Goergen, President, Mrs. Christina Livers, Pro-Tempore, Mr. David Gragg and Dr. Janet O'Hara were present. Mr. J. David Benenati was not present.

Staff members present: Robert Weisdack, Health Commissioner, Dan Mix, Personal Health Services Director and Mike Tusick, Registered Sanitarian.

Others present: Jeffrey Koper and Representative Matt Lynch were present.

II. Pledge of Allegiance

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

III. Appointment of Committee Members

Mrs. Livers moved to reappoint committee members as they were for 2013. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes. The committees are comprised of: Mr. Goergen, Strategic Planning and Personnel; Mrs. Livers, Personnel; Dr. O'Hara, Finance and Sewage; Mr. Gragg, Finance and Sewage; and Mr. Benenati, Strategic Planning.

IV. Approval of Minutes

Mrs. Livers moved to approve the minutes for the May 19, 2014 Board of Health meeting. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, abstain; and Mr. Gragg, yes.

V. Current Expenses/Financial Report

Mr. Gragg moved to approve the Current Expenses and Financial Reports, May 9, 2014 to June 12, 2014. Dr. O'Hara seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

VI. Variances

a. Jeffrey & Katrina Koper

Jeffrey Koper was present and sworn in by Mr. Goergen. Mr. Tusick was also sworn in by Mr. Goergen and stated his experience. A representative from the company building the addition was present but did not provide testimony.

Mr. Tusick stated that this was a variance request by Jeffrey & Katrina Koper for the property located at 18799 Rivers Edge Dr., Bainbridge Twp. The request involves section 3701-28-07 (D) of the Private Water Well Regulations, which requires a 10 foot isolation distance from a building foundation to a well. (Written background information was provided to the Board for consideration in this case.) Discussion followed.

Mrs. Livers moved to approve the variance request by Jeffrey & Katrina Koper for the property located at 18799 Rivers Edge Dr., Bainbridge Twp. The variance involves section 3701-28-07(D) of the Private Water Well Regulations, which requires a 10-foot isolation distance from a building foundation to

a well. This variance is to allow the building to be 5 feet from the building. The owner has been made aware that in the event the well cannot be serviced within that distance, repairs or re-drilling are at the owners obligation. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

VII. Administrative Hearings

a. Christine Semarjian

Christine Semarjian was not present. Mr. Tusick was sworn in again by Mr. Goergen and stated his experience. Mr. Weisdack was sworn in and stated his experience.

Mr. Weisdack stated that this is an alleged code violation to the property owned by Christine Semarjian, 7350 Calley Ln., Russell Twp.

This case is based on following sections of the Geauga County Household Sewage Disposal System Regulations:

3701-29-22(A) 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 any corrective actions(s) required shall be accomplished within the time period(s) directed."

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 cause to be discharged, treated or untreated sewage, the drainage or contents of a sewage tank, or other putrescible or offensive wastes onto the surface of the ground, into any street, road, alley, open excavation, or underground drain." Discussion followed.

Mr. Gragg moved that a code violation exists on the property owned by Christine Semarjian, 7350 Calley Ln., Russell Twp. The case is based on the following sections of the Geauga County Household Sewage Disposal System Regulations: 3701-29-22(A), 3701-29-02(D) and 3701-29-02(F). Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

Mr. Gragg moved that Christine Semarjian, 7350 Calley Ln., Russell Twp. be required to 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. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

b. Wesley & Jennifer Shortridge, Richard Athens, Thomas & Lisa O'Brien, Richard & Louise Rickelman, Mark & Ruby Byler, Lawrence Teichman, Arms Land LLC, John & Susan Miller, Nicole Brown, Marvin & Mary Ellen Byler, Jeffrey & Sondra Seaman, and Tim & Rebecca Caputa

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

Mr. Tusick stated that this is an alleged code violation to the properties owned by Wesley & Jennifer Shortridge, 16703 Brigadoon Dr., Bainbridge Twp., Richard Athens, 12348 Carroll Dr., Munson Twp., Thomas & Lisa O'Brien, 14065 Caves Rd., Russell Twp., Richard & Louise Rickelman, 11546 Claridon Troy Rd., Claridon Twp., Mark & Ruby Byler, 17171 Farmington Rd., Parkman Twp., Lawrence Teichman, 13014 Frazier Dr., Munson Twp., Arms Land LLC, 13342 GAR Hwy., Hambden Twp., Russell Twp., John & Susan Miller, 15600 Newcomb Rd., Middlefield Twp., Nicole Brown, 10570 North Woods Cr., Chardon Twp., Marvin & Mary Ellen Byler, 17747 Peters Rd., Middlefield Twp., Jeffrey & Sondra Seaman, 8725 Prescott Dr., Chester Twp., and Tim & Rebecca Caputa, 10060 Waterford Tr., Auburn Twp.

Section 3701-29-22(A) of the Geauga County Health District Household Sewage Disposal System Regulations 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. Gragg moved that a code violation exists on the properties owned by Wesley & Jennifer Shortridge, 16703 Brigadoon Dr., Bainbridge Twp., Richard Athens, 12348 Carroll Dr., Munson Twp., Thomas & Lisa O’Brien, 14065 Caves Rd., Russell Twp., Richard & Louise Rickelman, 11546 Claridon Troy Rd., Claridon Twp., Mark & Ruby Byler, 17171 Farmington Rd., Parkman Twp., Lawrence Teichman, 13014 Frazier Dr., Munson Twp., Arms Land LLC, 13342 GAR Hwy., Hambden Twp., Russell Twp., John & Susan Miller, 15600 Newcomb Rd., Middlefield Twp., Nicole Brown, 10570 North Woods Cr., Chardon Twp., Marvin & Mary Ellen Byler, 17747 Peters Rd., Middlefield Twp., Jeffrey & Sondra Seaman, 8725 Prescott Dr., Chester Twp., and Tim & Rebecca Caputa, 10060 Waterford Tr., Auburn Twp. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O’Hara, yes; and Mr. Gragg, yes.

Dr. O’Hara moved that Wesley & Jennifer Shortridge, 16703 Brigadoon Dr., Bainbridge Twp., Richard Athens, 12348 Carroll Dr., Munson Twp., Thomas & Lisa O’Brien, 14065 Caves Rd., Russell Twp., Richard & Louise Rickelman, 11546 Claridon Troy Rd., Claridon Twp., Mark & Ruby Byler, 17171 Farmington Rd., Parkman Twp., Lawrence Teichman, 13014 Frazier Dr., Munson Twp., Arms Land LLC, 13342 GAR Hwy., Hambden Twp., Russell Twp., John & Susan Miller, 15600 Newcomb Rd., Middlefield Twp., Nicole Brown, 10570 North Woods Cr., Chardon Twp., Marvin & Mary Ellen Byler, 17747 Peters Rd., Middlefield Twp., Jeffrey & Sondra Seaman, 8725 Prescott Dr., Chester Twp., and Tim & Rebecca Caputa, 10060 Waterford Tr., Auburn Twp. 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. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O’Hara, yes; and Mr. Gragg, yes.

VIII. Environmental Health Program Update

a. Sewage Rules Update

Representative Matt Lynch was present at the meeting. Representative Lynch, Mr. Weisdack, Dr. Hubert, Health Commissioner from Tuscarawas County and Herb Shubick met with Lance Himes, Interim Director of ODH, Rebecca Fugitt, Sewage Program Coordinator, and the secretarial aide from ODH today. Judge Tim Grendell participated via speakerphone.

Representative Lynch explained that after the frustration with the new sewage rules, he introduced a bill which would allow county commissioners to decide whether they want to use the new rules. He attended a meeting in Columbus in which ODH gave a presentation indicating the new rules would not be a problem and new systems would not be costly. The meeting was to work out some of the conflicting information between what ODH presented and what is actually in the rules.

In regards to the operation and maintenance issue, ODH indicated at the meeting that the local boards of health will need to institute regulations of some sort, whether it be that all systems are inspected every 3 years or that the systems are pumped every 3 years, that would cover the O/M matter. ODH also stated that we could use the perimeter drain as we use curtain drains now. There were other topics discussed at the meeting.

Mr. Weisdack also brought up his concern about the lack of registering and bonding the soils professionals. ODH also agreed to consider the registration and bonding of those individuals.

Representative Lynch asked Rebecca Fugitt to send him a memo to concur that the items they agreed to would be allowed after the rules become effective. Ms. Fugitt indicated she would put these points in writing.

Mr. Weisdack stated he felt that this meeting was a major step in the right direction if ODH would put it in written form. The Board agreed. He thanked Representative Lynch for stepping up to take on this task.

b. General Information

Mr. Weisdack stated there still is only one documented case of rabies in Ohio. The case involved a raccoon and was found in Mahoning County. We have been submitting raccoon specimens for testing.

Mr. Weisdack reviewed the number and types of sewage permits issued to date.

Mr. Weisdack will be reviewing the salary range adjustments and will present those to the Board at a later date. His plan is to form a committee of several staff members to look at the association of Ohio Health Commissioners salary survey for 2013.

IX. Personal Health Services Update

a. Public Health Emergency Preparedness

The Public Health Emergency staff has been working with Geauga County DES and local first responders to prepare for the PNPP exercise in September. They are also meeting with Kent State Geauga and DES to develop a tabletop exercise for their facility which will take place June 19, 2014.

The Board was asked to approve a contract with Cuyahoga County Board of Health to provide Cities Readiness Initiative activities in Geauga County. They were also asked to approve the CRI FY2015 budget not to exceed \$12,764.00. This amount represents a 15.4% decrease from FY2014.

The CRI contract that the health district be responsible for these activities: Preparing and participating in the annual CRI assessment and achieve a score of 79% (our 2014 score is 100%); conducting regular CDC/SNS RAND drills and submitting after action reports; using HSEEP for exercise design and planning and participating in one full-scale prophylaxis exercise within the five-year PHEP project period; continue to develop/refine plans to provide oral medications in response to an event to their entire population within 48 hours.

b. Disease Surveillance

Mr. Mix reported that disease activity continues to rise. We have had three suspected cases of mumps and 2 suspected cases of measles. All cases turned out to be negative.

We currently have 4 suspected and two confirmed cases of Pertussis in the Amish community. We have been working closely with several local physicians trying to contain the cases by identification and vaccination. Community partners have been notified with guidance from ODH and fact sheets.

The staff attended the state EPI meeting June 12, 2014 and received updates on the measles and mumps cases within the state. Measles is still primarily in the non-vaccinated Amish community. Stark County now has over 300 confirmed cases to date. Ashland County has declared a state of emergency due to the number of measles cases.

c. Nursing Services

During the month of May, the nursing staff provided two Amish Well Child Clinic, 6 children and adolescent immunization clinics, five Friday Morning Adult clinics and 3 Senior Center clinics. Included were physician visits for thirty-four children, 554 vaccinations given to 157 children, thirty-four adult immunizations, one flu vaccinations, eleven TB tests and 49 blood pressure screenings. The nurses also provided 44 vision screenings that resulted in providing glasses for 27 children. There were eight newborn and six BCMH home visits. Twenty-four communicable disease investigations were conducted.

The staff hosted twenty-seven Kent State Geauga nursing students for a public health orientation. The students were presented with information on the various aspects of the health district operations.

The Board was asked to acknowledge the retirement of Chris Pintchuk, Nursing Director effective December 1, 2014. Mr. Mix and Mr. Weisdack will be reviewing the job duties of the Nursing Director before advertising and hiring replacement.

Mr. Mix reported that the Geauga County Health District was awarded a 5-year CFHS grant for \$66,000.00 per year. This will enable us to provide early childhood screening and direct medical care for about 180 children up to two-years old. In order to provide the screening, the Board was asked to approve a contract with UH Medical practice to provide physician services for the grant, beginning July 1, 2014 through June 30, 2015, not to exceed \$10,000.00.

The Board was also asked to approve public health nursing contracts with Barbara Eyring, RN and Yvonne Mulacek, RN for the grant period July 1, 2014-June 30, 2015, not to exceed \$1,500.00 each.

d. WIC

The WIC caseload for May was 723. This is a 3% decrease since April. This is a continued downward trend both locally and throughout the state.

Irene Olp, Peer Counselor, participated in the Mother's Day Stroll on Chardon Square with the Geauga LeLeche League mothers to benefit milk banks.

The Board was asked to approve the WIC FY2015 budget not to exceed \$203,275.00. This is a 4.6% increase over FY2014 funding.

The WIC clinic in Chagrin Falls Park will be closed due to lack of use. This will be replaced with more clinic time in Chardon.

e. Administration

No discussion was held.

f. Accreditation

The Strategic Planning Committee has been creating an implementation plan, which includes assigning staff and creating timeline for completion of improvements.

X. Old Business

a. Strategic Priorities

Mr. Mix stated that the plan would be presented to the Board at the next meeting.

b. Sunshine Law Presentation.

House Bill 59 requires Board of Health members to have 2 CE credits per year. Several DVD's were purchased from the National Association of Local Boards of Health (NALBOH), which will meet the credit requirements.

The Board viewed a presentation regarding Effective Governance and the Open Meetings Act.

The Board of Health completed their first continuing education requirement under new laws governing health districts. We selected a presentation prepared by the Ohio Association of Boards of Health (OABH) on "Effective Governance and Open Meetings," which summarized many of the Ohio Sunshine Laws around open meetings and public records.

During the discussion that followed, the Board identified five areas of improvement:

1. Develop a public participation policy. The Board has asked us to research and draft a policy that includes time allotments and advance notice of attendance when necessary.

Mr. Mix stated he would check with the Public Entities Pool of Ohio to see if they have a template for this sort of policy.

2. Determine the status of our digital recording of the meeting, i.e. is the recording a record since it is intended to be a temporary way to transcribe the minutes? If it is a public record, consider no longer recording the meeting.

The Board asked to get an opinion from the prosecutor's office regarding this issue.

3. Draft minutes are considered public records, however, we do not post them on the website. Currently, we do not fulfill records requests for minutes before they are approved by the Board of Health at its next regular meeting. Are the drafts still a public record after the final minutes are adopted and posted on the website?
4. The law states that legal counsel must be present whenever the Board enters Executive Session to discuss legal issues. It is the Board's intent to stop going into executive session without appropriate legal counsel, i.e. Susan Wieland and/or Abe Cantor or other duly appointed legal representation. Mr. Weisdack will speak with Susan Wieland about attending the Board of Health meetings to discuss legal issues.
5. The Board will use more specific motions when entering Executive Session, e.g. can no longer say "move to go into executive session to discuss personnel matters." Rather something like, "It is moved by _____ and seconded by _____ to go into executive session to consider the dismissal of a public employee."

Another training session will be scheduled for the September Board of Health meeting.

XI. Executive Session

There was no need for Executive Session.

XII. New Business

Mrs. Livers moved 6.14-a to adopt Resolution 3-2014 honoring Judi Howard. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

Mr. Gragg moved 6.14-b to acknowledge the retirement of Chris Pintchuk, Nursing Director effective December 1, 2014. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

Mr. Gragg 6.14-c to approve the FY2015 WIC budget not to exceed \$203,275.00. Dr. O'Hara seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

Mr. Gragg moved 6.14-d to approve the contract with UH Medical Practice for physician services at CFHS clinics for the grant period July 1, 2014 to June 30, 2015 not to exceed \$10,000.00. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, abstain; and Mr. Gragg, yes.

Mr. Gragg moved 6.14-e to approve the contract with Barbara Eyring for public health nursing services at CFHS clinics for the grant period July 1, 2014 to June 30, 2015 not to exceed \$1,500.00. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

Mr. Gragg moved 6.14-f to approve the contract with Yvonne Mulacek for public health nursing services at CFHS clinics for the grant period July 1, 2014 to June 30, 2015 not to exceed \$1,500.00. Dr. O'Hara seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

Mr. Gragg moved 6.14-g to approve the contract with the Cuyahoga County Board of Health to conduct Cities Readiness Initiative (CRI) activities. Dr. O'Hara seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

Mr. Gragg moved 6.14-h to approve the Cities Readiness Initiative (CRI) FY2015 budget not to exceed \$12,764.00. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.

XIII. Other Business

There was no other business.

XIV. Meetings

Regular Board of Health Meeting, July 21, 2014, 2014 at 7:00 pm in the meeting room at 470 Center St., Bldg. 8, Chardon, Ohio.

XV. Adjournment

As there was no further business to come before the Board, **Mrs. Livers moved to adjourn the meeting at 9:20 p.m. Dr. O'Hara seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.**

Respectfully submitted,

Robert K. Weisdack, R.S., M.A., M.P.H.
Secretary of the Board

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