

Geauga County General Health District  
Board of Health Meeting Minutes  
October 20, 2014, 7:00 p.m.  
Geauga County Health District Office  
470 Center Street, Bldg. 8, Chardon, OH 44024

I. Call to Order

Mr. Goergen, President, called the monthly meeting of the Geauga County Board of Health to order at 7:00 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, Michael Tusick, Registered Sanitarian, and Jay Becker, Disease Surveillance Specialist.

Others present: Tracy Luoma, Nick and Diane Stazzone, Patty Sutter, Jennifer Szabo, Hewitt Fredebaugh, Joe Gutoskey, and Robert Kramer.

II. Pledge of Allegiance

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

III. Approval of Minutes

**Mrs. Livers moved to approve the minutes for the September 15, 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.**

IV. Current Expenses/Financial Report

**Mr. Gragg moved to approve the Current Expenses and Financial Reports, September 11, 2014 to October 16, 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.**

V. Variances

a. Gutoskey & Associates/Reverend Richard Lennon

Joe Gutoskey was present and sworn in by Mr. Goergen. Mr. Tusick was also sworn in by Mr. Goergen and stated his experience.

Mr. Tusick stated that this is a variance request by Gutoskey & Associates in behalf of Rev. Richard Lennon/Holy Angels Church for the property located at 18205 Chillicothe Rd., Bainbridge Twp. The request involves section 3701-29-02(C) of the Geauga County Household Sewage Disposal System Regulations, which states:

“Each household sewage disposal system shall serve one dwelling on an individual lot and shall be properly maintained and operated by the owner. All the sewage from the dwelling shall discharge into the system.” (Written background information was provided to the Board for consideration in this case.) Discussion followed.

This request is to build a new rectory on the property for the Holy Angels Church. The existing rectory would be used for church activities and meetings and will not be used as a residence.

**Mrs. Livers moved to approve the variance request by Gutoskey & Associates on behalf of Reverend Richard Lennon for the property at 18205 Chillicothe Rd., Bainbridge Twp. 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.**

b. Paul & Jennifer Szabo

Jennifer Szabo and Hewitt Fredebaugh were present and sworn in by Mr. Goergen. Mr. Tusick was sworn in again by Mr. Goergen and stated his experience.

Mr. Tusick stated that this is a variance request by Paul & Jennifer Szabo for the property located at 148 Turner Dr., Aquilla Village. The request involves the following sections of the Private Water Well Regulations:

- 3701-28-07 (G) "A water source shall be located at least ten feet from the established road right- of way. When no right-of-way has been designated a water source shall be located at least twenty-five feet from the edge of any normal road driving surface or ten feet from any road utility easement whichever is greater, as determined by the Ohio department of transportation, the county engineer, or local officials. "
- 3701-28-07 (J) (14) "Storm water or other ditches with intermittent water flows not included in the road right-of-way.... 15 feet."
- 3701-28-07 (J) (16) "Underground or above ground fuel oil, diesel, chemical or gasoline storage tanks or other refined or unrefined petroleum liquids (less than 1100 gallons.... 50 feet."
- 3701-28-07 (I) "Watertight sewers and drains outside of the foundation of a building shall be located a minimum of ten feet from a water source or water distribution line when attainable except within five feet of the foundation where both lines enter a building and in circumstances when the water line and sewer line must cross. When a watertight sewer line crosses a water service line the following applies:"

This is a very small lot and does not meet many of the isolation distance requirements. (Written background information was provided to the Board for consideration in this case.) Discussion followed.

**Mr. Gragg moved to approve the variance request by Paul & Jennifer Szabo located at 148 Turner Dr., Aquilla Village. 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. Administrative Hearings

a. Paul & Elaine Throckmorton

Paul & Elaine Throckmorton were not present. Mr. Tusick was sworn in again by Mr. Goergen and stated his experience.

Mr. Tusick stated that this is an alleged code violation to the property owned by Paul & Elaine Throckmorton located at 9799 Bainbridge Rd., Auburn Twp. This case is based on 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."

3701-29-17 (A) states: "The Health Commissioner may at any reasonable time during the course of construction or any time thereafter inspect any household sewage disposal system or part thereof, sample the effluent, or take any other steps which he deems necessary to insure proper compliance with regulations 3701-29-01 through 3701-209-23 of the Household Sewage Disposal System Regulations of the Geauga County Health District. The Health Commissioner may utilize inspection reports or other data submitted or obtained from reliable sources to determine compliance.

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.

This case was based on a nuisance complaint. The system was tested and found to be failing.

**Mr. Gragg moved that a code violation exists on the property owned by Paul & Elaine Throckmorton, 9799 Bainbridge Rd., Bainbridge 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.**

**Mrs. Livers moved that Paul & Elaine Throckmorton 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. 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.**

b. Nick & Diane Stazzone

Nick & Diane Stazzone were present and sworn in by Mr. Goergen. Mr. Tusick was sworn in again also and stated his experience.

Mr. Tusick stated this was an alleged violation to the property owned by Nick & Diane Stazzone located at 10925 Fairmount Rd., Newbury Twp. This case is based on 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."

3701-29-17 (A) states: "The Health Commissioner may at any reasonable time during the course of construction or any time thereafter inspect any household sewage disposal system or part thereof, sample the effluent, or take any other steps which he deems necessary to insure proper compliance with regulations 3701-29-01 through 3701-29-23 of the Household Sewage Disposal System Regulations of the Geauga County Health District. The Health Commissioner may utilize inspection reports or other data submitted or obtained from reliable sources to determine compliance.

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."

This case also pertains to Section 3718.011 of the Ohio Revised Code-Conditions under which a sewage treatment system causes a public health nuisance:

3718.011 (A) For purposes of this chapter, a sewage treatment system is causing a public health nuisance if any of the following situations occurs and, after notice by a board of health to the applicable property owner, timely repairs are not made to that system to eliminate the situation:

(A) (3) An inspection conducted by, or under the supervision of the environmental protection agency or a sanitarian registered under Chapter 4736 of the Revised Code documents that there is ponding of liquid or bleeding of liquid onto the surface of the ground or into surface water and the liquid has a distinct sewage odor, a black or gray coloration, or the presence of organic matter and any of the following:

(A) (3)(b) The presence of fecal coliform at a level that is equal to or greater than five thousand colonies per one hundred milliliters of liquid as determined in two or more samples of the liquid when five or fewer samples are collected or in more than twenty percent of the samples when more than five samples of the liquid were collected. Discussion followed.

This case was based on a nuisance complaint. The system was sampled and found to be failing. Mr. & Mrs. Stazzone indicated they do not have the funds available to install a new sewage system. They have inquired with Community Development regarding low cost loans, but have been told there is no funding available. The owners stated they did have the system pumped in July 2014. The Board advised Mr. & Mrs. Stazzone that the new sewage rules become effective January 1, 2015 and the cost of the system and permits may increase after that.

Mr. Stazzone said he needs a little time to get his finances worked out. Mr. Weisdack stated that action needs to be taken since the system is failing. He provided several different options that could be considered to help alleviate the nuisance condition for a short time.

**Mrs. Livers moved to table this Administrative Hearing until the next regular Board of Health meeting on November 17, 2014. 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.**

c. Robert Kramer

Robert Kramer was present and sworn in by Mr. Goergen. Mr. Tusick was also sworn in again by Mr. Goergen and stated his experience.

Mr. Tusick stated that this is an alleged code violation to the property owned by Robert Kramer located at 7456 Jackson Rd., Bainbridge Twp. This case is based on 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 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."

3701-29-17 (A) states: "The Health Commissioner may at any reasonable time during the course of construction or any time thereafter inspect any household sewage disposal system or part thereof, sample the effluent, or take any other steps which he deems necessary to insure proper compliance with regulations 3701-29-01 through 3701-29-23 of the Household Sewage Disposal System Regulations of the Geauga County Health District. The Health Commissioner may utilize inspection reports or other data submitted or obtained from reliable sources to determine compliance. Discussion followed.

This case was based on a nuisance complaint. The sanitarian observed black effluent discharging from a pipe in the road ditch from this property. The owner had previously agreed to install a new system by May 2014 and had not followed through on the agreement.

Mr. Kramer stated that he must clear trees from the property to install the system. He is having problems securing financing. He is currently working with a lending institution, but has not received an answer yet.

**Mrs. Livers moved to table this Administrative Hearing until the next regular Board of Health meeting on November 17, 2014. 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.**

d. Patricia Sutter

Patricia Sutter was present and sworn in by Mr. Goergen. Mr. Weisdack was sworn in and stated his experience.

Mr. Weisdack stated this is an alleged code violation to the property owned by Patricia Sutter located at 14589 Sperry Rd., Newbury Twp. This case is based on 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 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.

This case was based on a nuisance complaint. The system was tested and found to be failing. The owner has not installed a new system.

Ms. Sutter stated she had no funds to install a new system and has been unable to obtain a loan. She has had the tanks pumped.

**Mr. Gragg moved that a code violation exists on the property owned by Patricia Sutter, 14589 Sperry Rd., Newbury 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.**

**Mr. Gragg moved that Patricia Sutter 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.**

The Board took a short break.

e. Tracy & Connie Luoma

Tracy Luoma was present and sworn in by Mr. Goergen. Mr. Weisdack was sworn in again by Mr. Goergen and stated his experience.

Mr. Weisdack stated that this is an alleged code violation to the property owned by Tracy & Connie Luoma, 8006 Plank Rd., Thompson Twp. This case was based on the failure to have a For Sale of Property Evaluation conducted at the time of property transfer as per Section 3701-29-22 of the Geauga County Household Sewage Disposal System Regulations.

3701-29-22(A) "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."

This case was tabled from the September 2014 Board of Health meeting. Discussion followed.

Mr. Weisdack did an inspection of the sewage system. Dye testing was done as well as a pressure test. Dye was observed, but no organic matter was found within the discharge. Mr. Weisdack stated that he did not see a public health nuisance condition at this time. However, he is concerned that there is a bedrock problem. Mr. Luoma agreed to pay for the For Sale of Property evaluation and to also contact a soil professional to find out about the bedrock.

**Mrs. Livers moved to table the Administrative Hearing for Tracy & Connie Luoma until the December 2014 meeting Board of Health meeting to allow time to have the soil report completed and submitted to the Geauga County Health District. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; and Mr. Gragg, yes.**

f. Marty & Ella Miller, Robert McDougall, Patrick Germano, Reuben & Amanda Byler, Heather Hogrefe, David & Dorothy Hershberger, Robert & Susan Byler, Chad & Susan Ollila, and James & Laura Kurtz

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

Mr. Weisdack stated that this is an alleged code violation to the properties owned by Marty & Ella Miller, 11760 Kile Rd., Claridon Twp., Robert McDougall, 14539 Madison Rd., Middlefield Twp., Patrick Germano, 13230 Main Market Rd., Troy Twp., Reuben & Amanda Byler, 17814 Mayfield Rd., Huntsburg Twp., Heather Hogrefe, 7745 Mulberry Rd., Chester Twp., David & Dorothy Hershberger, 15490 Newcomb Rd., Middlefield Twp., Robert & Susan Byler, 17300 Old State Rd., Parkman Twp., Chad & Susan Ollila, 74 Paw Paw Lake Dr., S. Russell Village, and James & Laura Kurtz, 17344 Reynolds Rd., Parkman 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.

Mrs. Livers moved that a code violation exists on the properties owned by Marty & Ella Miller, 11760 Kile Rd., Claridon Twp. , Robert McDougall, 14539 Madison Rd., Middlefield Twp. , Patrick Germano, 13230 Main Market Rd., Troy Twp., Reuben & Amanda Byler, 17814 Mayfield Rd., Huntsburg Twp., Heather Hogrefe, 7745 Mulberry Rd., Chester Twp., David & Dorothy Hershberger, 15490 Newcomb Rd., Middlefield Twp., Robert & Susan Byler, 17300 Old State Rd., Parkman Twp., Chad & Susan Ollila, 74 Paw Paw Lake Dr., S. Russell Village, and James & Laura Kurtz, 17344 Reynolds Rd., Parkman Twp. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; and Mr. Gragg, yes.

Mr. Gragg moved that Marty & Ella Miller, 11760 Kile Rd., Claridon Twp. , Robert McDougall, 14539 Madison Rd., Middlefield Twp. , Patrick Germano, 13230 Main Market Rd., Troy Twp., Reuben & Amanda Byler, 17814 Mayfield Rd., Huntsburg Twp., Heather Hogrefe, 7745 Mulberry Rd., Chester Twp., David & Dorothy Hershberger, 15490 Newcomb Rd., Middlefield Twp., Robert & Susan Byler, 17300 Old State Rd., Parkman Twp., Chad & Susan Ollila, 74 Paw Paw Lake Dr., S. Russell Village, and James & Laura Kurtz, 17344 Reynolds Rd., Parkman 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. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; and Mr. Gragg, yes.

VII. Environmental Health Program Update

a. Sewage Rules Update

Mr. Weisdack stated he is working on a formula of how to determine when we need another full time sanitarian. He will continue to work on the formula which will be based on number of inspections and work hours.

Cost analysis' will be done to determine what the new proposed fees will be for the sewage program.

VIII. Personal Health Services Update

a. Presentation by Jay Becker

Jay Becker is the Disease Surveillance Specialist for the Geauga County Health District. He gave the Board a short presentation on the Ebola situation and how it affects Geauga County. There are no Ebola cases in Geauga County.

Surveillance is ongoing with any of the people who may had exposure to the most recent case. Those individuals have been undergoing monitoring twice a day. There is also a link on the Geauga County Health District website for information about Ebola.

b. Disease Surveillance

Mr. Mix stated there were 27 communicable disease cases in October.

c. Nursing Services

Mr. Mix stated as a follow up from last month, 83 vaccinations were given to out-of-county residents; 53 for Lake County, 1 for Carroll County, 12 for Portage County, 1 for Ashtabula County, and 16 for Trumbull County.

The Board was asked to approve a contract with Lake County Health District for the IAP Grant as well as the budget for the IAP grant.

d. WIC

The WIC caseload for September was 724. This is a 1.4% decrease since August.

e. Administration

The Board was asked for approval to pay an invoice from SC Solutions for scanning services \$16,839.00. This will be paid as a Then and Now purchase order.

The Board was asked to approve the 2015 health insurance premiums and continue employee contributions at the same rate as 2014. The Board was also asked to establish rates for “over age dependent children 26-28 years old” at a rate of \$286.68 per month for the enhanced plan, and \$245.96 per month for the basic plan.

f. Accreditation

Mr. Mix stated that the Partnership for a Healthy GEAUGA has met three times since September. There have been between 30 and 36 people representing more than 40 agencies attending. The group has made headway toward identification of the key health issues. By the next Board meeting, a report will be finalized listing those key health issues.

IX. Old Business

a. Building

The first meeting was held recently. Mr. Goergen was able to attend. Mr. Weisdack provided the commissioners with a packet of information outlining our space needs.

Nothing was determined at the meeting. There will be more meetings held in the next few weeks.

X. New Business

**Mrs. Livers moved 10.14-a to approve the contract with the Lake County General Health District to conduct IAP activities as a sub grantee. 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 10.14-b to approve the IAP 2015 Budget not to exceed \$25,808.00. 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 10.14-c to approve participation in the Geauga County Commissioner's health insurance program for 2015 and continue employee contributions at the same rate as 2014, and establish the cost of participation of “over age dependent children 26-28 years old” for \$286.68 per month for the enhanced plan and \$245.96 per month for the basic plan. 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.**

**Mrs. Livers moved 10.14-d to approve the first reading to adopt the State Sewage Rules. 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 10.14-e to approve the first reading to adopt the Geauga County Health District Land Application Rules. 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 10.14-f to approve the first reading of the proposed sewage fees as presented. 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.**

**Mrs. Livers moved 10.14-g to sign a letter of support for application to apply to the Ohio Public Health Partnership (OPHP) to develop and implement a performance management system in 2015. Mr. Gragg seconded the motion. Mr. Mix stated that this is a requirement as part of our accreditation. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Dr. O'Hara, yes; and Mr. Gragg, yes.**

**Mr. Gragg moved 10.14-h to approve an appropriation transfer request asking the Geauga County Budget Commission to authorize the Geauga County Auditor to move \$25,000.00 from 6002-801 Equipment to 6002-901.5302 Other Expenses within the BOH fund. 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 10.14-i to adopt Resolution 4-2014- Payment of Then & Now Purchase Order to**

pay SC Solutions not to exceed \$16,839.43 for scanning services conducted between October 2013 and October 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.

XI. Other Business

There was no other business.

XII. Meetings

**Regular Board of Health Meeting**, November 17, 2014, 2014 at 7:00 pm in the meeting room at 470 Center St., Bldg. 8, Chardon, Ohio.

XIII. Adjournment

As there was no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,

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

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