

Geauga County General Health District
Board of Health Meeting Minutes
April 17, 2017, 5:00 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 5:00 p.m.

Board members present: Mr. Timothy Goergen, President, Mrs. Christina Livers, Pro-Tem, Mr. David Gragg, Mrs. Catherine Whitright and Dr. Jonathan Wynbrandt.

Staff members present: Robert Weisdack, Health Commissioner, Herb Shubick, Interim Environmental Health Director, Darla Andrews, Nursing Director, and Alta Wendell, Administrative Assistant.

Others present: Adam Litke, John Fant, Robert Kovach, Natalie Jerneck, Riley Jerneck, Tammy Spencer, and Colin Cooper.

II. Pledge of Allegiance

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

III. Welcome Jonathan Wynbrandt, MD

Dr. Wynbrandt provided some information about himself. He stated he was looking forward to working with the Board.

IV. Election of President and Pro-Tempore

Mrs. Livers moved to nominate Tim Goergen as President. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, abstain; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

Mr. Gragg nominated Christina Livers as Pro-Tempore. Mrs. Whitright seconded the motion. Motion carried with a roll call vote. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, abstain; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

V. Approval of Board Minutes

Mrs. Livers moved to approve the minutes for the March 20, 2017 Board of Health meeting. Mrs. Whitright seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, abstain.

Mr. Gragg moved to approve the minutes for the March 24, 2017 Special Board of Health meeting. Mrs. Whitright seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, abstain.

VI. Current Expenses/Financial Report

There were no financial reports for this month.

VII. Variances

a. Nancy Kotowski

Nancy Kotowski was not present.

Mrs. Livers moved to table the variance until the May 18, 2017 meeting. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

b. Colin Cooper

Colin Cooper was present and sworn in by Mr. Goergen. Mr. Weisdack and Mr. Shubick were also sworn in and stated their experience.

Mr. Shubick stated that this is a variance request by Colin Cooper/Horizon Excavating for the property located at 11420 Frostwood Dr., Auburn Twp. The request involves section 3701-29-06(G)(3)(b) of the Household Sewage Treatment System Regulations which requires fifty feet (50) of horizontal isolation from a wetland.

Section 3701-29-06(G)(3)(b) states: "A sewage treatment system soil absorption component shall be at least fifty feet from any surface water impoundment, lake, river, wetland, perennial stream and road cut-banks or stream cut-banks."

Mrs. Livers moved to approve the variance as requested. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

VIII. Administrative Hearings

a. John & Stephanie Sutter/Ramble Inn/Bill Prots/Mill Enterprises

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

Mr. Shubick stated that this is an alleged code violation to the property owned by John & Stephanie Sutter/Ramble Inn/Bill Prots/Mill Enterprises, 10311 Kinsman Rd., Newbury Twp.

This case is in regards to the following sections of Article V, of the Geauga County Health District Semi-Public Sewage Disposal System Regulations, which states:

Section 52.05.02: "APPLICATION – Any person, firm, association, or corporation who, subsequent to the first day of September of that year, has intent of operating a semi-public sewage disposal system must obtain an inspection certificate from the Geauga County Health Department."

Section 52.05.04: "CERTIFICATE ISSUANCE – Certificate renewal forms will be mailed the last week of July. Owners of the property are responsible for returning the completed form and proper payment to the Geauga County Health Department by the filing deadline of September 1 of that year. All applications post marked later than the September 1 date shall be regarded as late and be subject to a 25% late fee. The fee schedule shall be adopted by the Geauga County Board of Health." Discussion followed.

Mr. Gragg moved that a code violation exists at the property owned by John & Stephanie Sutter/Ramble Inn/Bill Prots/Mill Enterprises, 10311 Kinsman Rd., Newbury Twp. Mrs. Whitright seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

Mrs. Whitright moved that the owners be required to pay the certificate renewal and any associated late fees to operate a semi-public sewage treatment system within 30 days of receipt of Board order. Failure to do so 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; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

b. Marlene Lindgren and Phillip Sindelar & Michelle May

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

Mr. Shubick stated that this was an alleged code violation to the properties owned by Marlene Lindgren, 9212 Kile Rd., Hambden Twp. and Phillip Sindelar & Michelle May, 6464 Short Rd., Thompson Twp. These cases were based on the failure to have a For Sale of Property Evaluation conducted at the time of property transfer as per Section 3701-29-25 of the Geauga County Sewage Treatment System Rules.

3701-29-25(A) "An evaluation of a residential sewage system must be completed at time of 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." Discussion followed.

Mrs. Livers moved that a code violation exists at the property owned by Marlene Lindgren, 9212 Kile Rd., Hambden Twp. and Phillip Sindelar & Michelle May, 6464 Short Rd., Thompson Twp. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

Mrs. Whitright moved that Marlene Lindgren, 9212 Kile Rd., Hambden Twp. and Phillip Sindelar & Michelle May, 6464 Short Rd., Thompson Twp. are required to make corrections 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; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

- c. Debra Linn Kates, Melvin & Leona Shetler, Christopher & Sue Ann Ewald, Mahlon & Barbara Miller, David George Schneider, and Aaron Miller

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

Mr. Shubick stated that this is an alleged code violation to the properties owned by Debra Linn Kates, 11542 Chillicothe Rd., Chester Twp., Melvin & Leona Shetler, 14845 Hayes Rd., Middlefield Twp., Christopher & Sue Ann Ewald, 7634 Kinsman Rd., Russell Twp., Mahlon & Barbara Miller, 15781 Madison Rd., Middlefield Twp., David George Schneider, 500 North St., Chardon City, and Aaron Miller, 14380 Old State Rd., Middlefield Twp.

These cases are based on the failure to have a For Sale of Property Evaluation conducted as per Section 3701-29-25 of the Geauga County Sewage Treatment System Rules.

3701-29-25(A) "An evaluation of a residential sewage system must be completed at time of 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."

Mr. Gragg moved that a code violation exists at the property owned by Property Renovation Group, 13034 Cherry Ln., Chester Twp., Michael Verik, 12190 Chillicothe Rd., Chester Twp., Benjamin & Lauren Hess, 14068 Ensign Rd., Claridon Twp., John Yoder, 15390 Newcomb Rd., Middlefield Twp., James & Nora Meister, 12658 Sperry Rd., Chester Twp., Brian & Gabrielle Dulmage, 12815 Sperry Rd., Chester Twp., Rebecca Bendlak & Jeffrey McNish, 14549 Sperry Rd., Newbury Twp., CCP Properties Ltd., 9800 Welk Rd., Chardon Twp., and Bianca Marcellino, 7224 Wilson Mills Rd., Chester Twp. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

Mrs. Whitright moved that Property Renovation Group, 13034 Cherry Ln., Chester Twp., Michael Verik, 12190 Chillicothe Rd., Chester Twp., Benjamin & Lauren Hess, 14068 Ensign Rd., Claridon Twp., John Yoder, 15390 Newcomb Rd., Middlefield Twp., James & Nora Meister, 12658 Sperry Rd., Chester Twp., Brian & Gabrielle Dulmage, 12815 Sperry Rd., Chester Twp., Rebecca Bendlak & Jeffrey McNish, 14549 Sperry Rd., Newbury Twp., CCP Properties Ltd., 9800 Welk Rd., Chardon Twp., and Bianca Marcellino, 7224 Wilson Mills Rd., Chester 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; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

These cases are based on the failure to have a For Sale of Property Evaluation conducted as per Section 3701-29-25 of the Geauga County Sewage Treatment System Rules.

3701-29-25(A) "An evaluation of a residential sewage system must be completed at time of 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."

Mr. Gragg moved that a code violation exists at the property owned by Debra Linn Kates, 11542

Chillicothe Rd., Chester Twp., Robert & Joan Kovach, 17288 Farmington Rd., Parkman Twp., Melvin & Leona Shetler, 14845 Hayes Rd., Middlefield Twp., Christopher & SueAnn Ewald, 7634 Kinsman Rd., Russell Twp., Mahlon & Barbara Miller, 15781 Madison Rd., Middlefield Twp., David George Schneider, 500 North St., Chardon City, and Aaron Miller, 14380 Old State Rd., Middlefield Twp. Mrs. Whitright seconded the motion. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

Mr. Gragg moved that Debra Linn Kates, 11542 Chillicothe Rd., Chester Twp., Robert & Joan Kovach, 17288 Farmington Rd., Parkman Twp., Melvin & Leona Shetler, 14845 Hayes Rd., Middlefield Twp., Christopher & SueAnn Ewald, 7634 Kinsman Rd., Russell Twp., Mahlon & Barbara Miller, 15781 Madison Rd., Middlefield Twp., David George Schneider, 500 North St., Chardon City, and Aaron Miller, 14380 Old State Rd., Middlefield Twp. be required to 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. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

d. Robert & Joan Kovach

Mr. Kovach was present and sworn in by Mr. Goergen. Mr. Shubick was sworn in again and stated his experience.

Mr. Shubick stated that this is an alleged code violation to the property owned by Robert & Joan Kovach, 17288 Farmington Rd., Parkman Twp. This case is based on the failure to have a For Sale of Property Evaluation conducted as per Section 3701-29-25 of the Geauga County Sewage Treatment System Rules.

3701-29-25(A) "An evaluation of a residential sewage system must be completed at time of 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."

Mr. Kovach stated that he did not know an inspection was needed of the septic when he purchased the home. His realtor did not inform him of the regulation. He stated that he would have to destroy his yard to put in a sample well and that it cost too much money to do it. More discussion followed. Mr. Kovach was instructed to contact Mr. Shubick to review the site and decide what was needed at his property.

Mrs. Livers moved to table the case until the May 18, 2017 meeting. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

VII. Environmental Health Program Update

a. Sarah LaTourette

Representative LaTourette will be meeting with Mr. Weisdack soon. He will be discussing g accreditation and the sewage rules with her. The Board was invited to attend.

b. Campground Survey

Mr. Weisdack reported that he received the results of our recent survey. The Geauga County Health District has been placed on the approved list.

c. Dennis Wolcott

Mr. Wolcott continues to make progress at his site. He recently made another payment toward his fine.

VIII. Personal Health Services Update

a. Public Health Emergency Preparedness

Mrs. Andrews reported that Robyn Bull has successfully completed the FEMA Emergency Operation Center Course. This will enable her to be a backup for Tammy Spencer.

The staff attended multiple different workgroups this past month and represented the Health District at the Geauga County Local Emergency Planning Committee.

The current PHEP grant concludes June 30, 2017. The staff continues to work on grant deliverables. We received notice of award for the 2017-2018 grant which will begin July 1, 2017.

b. Disease Surveillance

There were 34 Investigations for April. Forty-one percent were STDs.

Ms. Spencer & Mrs. Bull attended a Hepatitis C workshop in Columbus recently.

c. Nursing Services

Mrs. Andrews stated that the Health District successfully completed the Vaccine for Children onsite review.

The New IAP grant began April 1, 2017. Work on the grant deliverables continue. The staff is working to assure that the needs of the community are met while being fiscally responsible.

d. Accreditation

The Accreditation Team has been assembled and is progressing through the work plan.

IX. Old Business

a. Mansour-Gavin Contract Increase

Mrs. Livers moved 4.17.17-a to approve the contract increase for Mansour-Gavin for legal fees not to exceed \$13,000.00. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

b. WIC Move

WIC will be moving within the next 30 days to a site in Huntsburg.

X. New Business

a. State Auditor

Mr. Weisdack stated that the State Auditor would be starting our audit within the next few days. He is meeting with Mr. Weisdack this week. Adam Litke said that this is a general audit.

Mr. Litke will be working on an ODH audit of the PHEP grant.

Mrs. Livers moved to approve the appropriation and subsequent payment to the Auditor of State in an amount not to exceed \$6,000.00. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

XI. Other Business

There was no other business

XII. Executive Session

Mrs. Livers moved to adjourn to Executive Session at 6:52 p.m. to discuss pending litigation. Mr. Gragg seconded the motion. Motion carried with a roll call vote. Mr. Goergen, yes; Mrs. Livers, yes; Mr. Gragg, yes; Mrs. Whitright, yes; and Dr. Wynbrandt, yes.

XIII. Meetings

Regular Board of Health Meeting, Thursday, May 18, 2017 at 5:00 p.m. in the meeting room of 470 Center St., Bldg. 8, Chardon, Ohio.

XIV. Adjourn

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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