

+Geauga County General Health District
Board of Health Meeting Minutes
February 22, 2011, 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 7:00 p.m.

Board members present: Mr. J. David Benenati, Mr. Timothy Goergen, Ms. Melanie Eppich, and Mrs. Christina Livers. Dr. Janet O'Hara arrived during the Sewage Rules Update.

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

Others present: There was one other person present.

II. Pledge of Allegiance

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

III. Approval of Minutes

Mrs. Livers moved to approve the minutes for the January 18, 2011 regular Board of Health meeting. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; and Mrs. Livers, yes.

IV. Current Expenses/ Financial Report

Ms. Eppich moved to approve the Current Expenses January 4, 2011 to February 14, 2011. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; and Mrs. Livers, yes.

V. Environmental Health Program Update

a. Sewage Rules Update

Mr. Weisdack stated that he wanted to clarify the procedures regarding the sewage appeals board. After a Board of Health has denied a variance regarding a sewage disposal system that the person can appeal it. They can either take the case to court or take it to the sewage appeals board. The sewage appeals board is made up by a person from the Ohio Department of Health, a person appointed by the probate judge and a person from the health district. The person appointed by the probate judge will be the committee chairperson. There will be a submission fee that the requestor must pay. This fee will be set by ODH. Once the appeals board makes a decision, it is the final decision. It cannot be appealed to another court.

Mr. Weisdack stated he recently met with Justin Madden who was appointed by the probate judge. He felt that it was a good meeting. There will be a training session given by ODH for the people appointed by the probate judges.

Mr. Weisdack stated that at a recent meeting for the sewage rules committee it was brought to everyone's attention that part of the law states that all sewage systems within Ohio must have a yearly maintenance contract with a registered service provider. This includes new and existing systems. There will be no "grandfathering" of any systems. Even the supporters of the sewage rules were surprised at this information.

Mr. Weisdack stated that this will put more undue cost upon the homeowners. An annual contract would have to be entered into with a private contractor. If the inspection by the company does not pass, they would recommend that a new system would have to be installed. Also, if someone does not enter into a contract with a service provider, the Health District and Board of Health would have to bring charges against the homeowner. Mr. Weisdack stated he would keep the Board informed of this issue. Mr. Weisdack feels that Senate Bill 110 is going to be a mirror image of the 2007 Sewage Rules.

The sewage law became effective September 17, 2010. Mr. Tusick provided information to the Board regarding the section for lot evaluations that says that an application for an installation of a septic permit that is accepted by a BOH prior to January 1, 2012 shall be valid for 3 years. Discussion ensued regarding the interpretation of this section. The issue is the expiration date of all the lot evaluations that have been approved from April 1, 1985 to September 17, 2010.

Mr. Tusick provided different scenarios for the Board to review and think about for discussion and possible action on at a later date.

Mr. Weisdack stated that discussions on the sewage rules committee continue. They are discussing which professionals should be registered and which ones don't need to be.

VI. Variance

a. James Shiozawa

James Shiozawa was present and sworn in by Mr. Benenati. Mr. Tusick was sworn in by Mr. Benenati and stated his experience.

Mr. Tusick stated that this was a variance request by James Shiozawa for the property located at 8954 Cedar Rd., Chester 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 owners. 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.

Mrs. Livers moved to approve the variance as requested. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

VII. Administrative Hearings

a. William Weber and DAD Properties Ltd.

None of the above mentioned were present. Mr. Tusick stated that this is an alleged code violation to the properties owned by William Weber, 8140 Mayfield Rd., Chester Twp. and DAD Properties Ltd., 12577 GAR Hwy., Hambden Twp.

These cases are 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."

The owners of these properties have failed to make payment for the operational/inspection certificate for their Semi-Public Sewage Disposal System for the 2010-2011 certificate year. Discussion followed.

Ms. Eppich moved that a code violation exists at the properties owned by William Weber, 8140 Mayfield Rd., Chester Twp. and DAD Properties Ltd., 12577 GAR Hwy., Hambden Twp. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

Mr. Goergen moved that William Weber, 8140 Mayfield Rd., Chester Twp. and DAD Properties Ltd., 12577 GAR Hwy., Hambden Twp. be required to make application and pay for the annual permit 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. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

VIII. Personal Health Services Update

a. Public Health Emergency Preparedness

Mr. Mix stated that there has been word from ODH and CDC to expect cuts once the federal budget is in place and the state 2 year budget is approved.

The Board was asked to approve the extension of the Data Use Agreement for National Retail Data Monitor (NRDM) services with the University of Pittsburgh. The Ohio Department of Health pays for the service, but the health district benefits from the services provided. The NRDM monitors sales of over the counter healthcare products to indentify disease outbreaks as early as possible. The goal of the project has been to bring this new type of surveillance into existence quickly to meet the nation's need for the early detection of bioterrorism as well as naturally occurring disease outbreaks.

a. Nursing

Mr. Mix stated that the new nursing director has taken on more scheduling duties and is getting up-to-speed on the training she needs for Incident Command.

A CPR class was provided to the nursing staff. It was taught by a paramedic from Community Care Ambulance Network, free of charge. This is a community outreach opportunity for CCAN and was customized to include training for using our model of defibrillator.

The Board was asked to approve revised budget for IAP and CFHS. Neither includes additional grant money, but only shifts funds from personnel to contract services. This move will decrease the burden on BOH general revenue funds.

The Board was asked to approve the purchase of the immunization and BCMH software from HDIS. It will include two custom reports and moving data from the DOS-based software to HDIS. The existing DOS-based program is almost 20 years old and has become increasingly more difficult to maintain compatibility with PC hardware. This software will allow us to keep pace with ODH ordering and reporting requirements and give us the ability to integrate electronic records with other providers. The BCMH module will enable billing for services that may be overlooked.

Mr. Mix requested the Board approve an agreement with the University of Toledo to place a graduate nursing student with the nursing staff and also to approve an extension of a lead testing Memorandum of Understanding with ODH.

Mr. Mix attended a statewide health assessment steering committee meeting via conference call recently. Some of the indicators used to measure maternal and child health were finalized. The group was divided into four categories including preconception, perinatal, infant and child/adolescent. The Ohio Maternal & Child Health Block Grant Priorities were adopted which would help drive the indicators and YRBSS indicators.

Mr. Weisdack and Mr. Mix continued to present the community health status assessment to local agencies including the Family First Council and United Way of Geauga. Mr. Mix stated that they are close to raising the \$50,000.00 needed to conduct an adult and youth survey. A kickoff meeting has been scheduled for March 17, 2011 at 1:30 pm at the Mental Health Board office. Mr. Mix invited the Board of Health to attend.

Mr. Mix stated that he feels great momentum in this project and have had several agencies offer to help in the planning. These individuals and agencies are being included because this is a community health assessment that will be owned by the community. Mr. Mix will be asking the Board to approve a contract with Hospital Council of NW Ohio to conduct the adult and youth survey at a later date.

There have been 35 out of 37 individuals invited to participate in the workforce needs assessment who have completed the survey. The health district staff and contract RNs and RDs were included to capture as much information as possible. The Ohio State University Center for Public Health Practice has informed us that the report will be available in late April or beginning of May 2011.

Mr. Mix asked the Board to approve the application for the Ohio Voluntary Accreditation Teams (OVAT) 2011 Accreditation Preparation and Quality Improvement Demonstration Sites Project. This grant has a \$10,000.00 award available to fourteen local health departments as part of the voluntary accreditation preparation process. This is a six-month project that has several deliverables. Mr. Weisdack and the Board expressed concern that this accreditation process may have strings attached at a later date.

c. WIC

The January caseload was 951 which is a slight decrease from December.

The Ohio Department of Health WIC has installed five new computers and a server. Mr. Mix stated that the old hardware will be used to setup our communication center for future emergency response.

d. Health Education

There was no report for Health Education.

IX. Old Business

a. Injection Wells

Mr. Weisdack expressed his concern again that there has been no testing of the water being injected. The water has chemicals in it that are known carcinogens. Mr. Goergen stated that at a recent meeting, there were many questions that could not be answered by the representatives from the Ohio Department of Natural Resources.

Elected officials are going to attempt to get some sort of legislation started to monitor this sort of activity. Mr. Weisdack has been informed that county and local officials may be looking into requiring monitoring this trucked in liquid that is being injected into these wells.

X. Executive Session

Mrs. Livers moved to adjourn for Executive Session at 9:32 pm to discuss pending legal cases. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes. The meeting reconvened at 9:55 pm. The Board took the following action as a result of the discussion during Executive Session.

Mrs. Livers moved that per paragraph 3 of the PERSO (Public Entities Risk Services of Ohio, Inc.) certified letter dated February 15, 2011 and received by Geauga County Health District on February 18, 2011, that the Geauga County Board of Health authorize the expenditure not to exceed \$7,500.00 in defense of a lawsuit identified in the letter as file #PEP015020A1. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

XI. New Business

Ms. Eppich moved 2.11-a to approve the IAP Grant budget revision in an amount not to exceed \$44,550.00. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

Mrs. Livers moved 2.11-b to approve the CFHS Grant budget revision in an amount not to exceed \$59,044.00. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

Mr. Goergen moved 2.11-c to approve the extension of the agreement with University of Pittsburgh to June 30, 2011 to allow national retail monitoring data use. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

Mr. Goergen moved 2.11-d to approve the Ohio Voluntary Accreditation Teams Application for the 2011 Accreditation Preparation and Quality Improvement Demonstration Sites Project. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

Ms. Eppich moved 2.11-e to approve the WIC Budget Revision in an amount not to exceed \$221,334.00 to reallocate expenditures from personnel to contracts. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

Mrs. Livers moved 2.11-f to approve the Memorandum of Understanding with ODH to provide lead screenings. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

Mrs. Livers moved 2.11-g to approve the purchase of the immunization and BCMH modules for HDIS from CHC Software in an amount not to exceed \$5,000.00 from the CHC Software. Mr. Goergen seconded the motion. Due to redundancy in the wording of the motion, Mr. Benenati moved to withdraw the motion. Mrs. Livers second the motion. Motion carried with a unanimous vote.

Mrs. Livers moved 2.11-g to approve the purchase of the immunization and BCMH modules for HDIS from CHC Software in an amount not to exceed \$5,000.00. Mr. Goergen seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

Mr. Weisdack presented the preliminary 2012 Geauga County Health District budget to the Board. He reviewed 2010 actual expenditures, 2011 estimated expenditures and 2012 proposed expenditures. He also reviewed 2010 actual revenue, 2011 estimated revenue and 2012 proposed revenue.

The Board indicated they had no objections on what Mr. Weisdack had proposed for the 2012 budget. Mr. Goergen moved 2.11-h to approve the Preliminary 2012 Geauga County Health District budget and allow Mr. Weisdack to present it at the Preliminary HDAC Meeting on February 23, 2011. Mrs. Livers seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

Mr. Goergen moved 2.11-i to approve the agreement with University of Toledo College of Nursing to provide clinical learning experiences for nursing students, pending prosecutor's approval. Ms. Eppich seconded the motion. Motion carried with a roll call vote. Mr. Benenati, yes; Mr. Goergen, yes; Ms. Eppich, yes; Mrs. Livers, yes; and Dr. O'Hara, yes.

XII. Other Business

A copy of the 2010 Geauga County Health District Annual Report was given to each Board member.

XIII. Meetings

The regular meeting of the Board will be held Monday, March 21, 2011 at 7:00 p.m., 470 Center St., Bldg. 8, Chardon.

XIV. Adjournment

As there was no further business to come before the Board, **Mr. Goergen moved to adjourn the meeting at 10:06 p.m. Ms. Eppich 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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