

MEETING OF THE BOARD OF HEALTH
OF THE
SUMMIT COUNTY COMBINED GENERAL HEALTH DISTRICT

May 10, 2007

Gale Betterly, Ph.D., President, called the meeting of the Board of Health of the Summit County Combined General Health District to order at 5:02 p.m., on Thursday, May 10, 2007.

On roll call the following members were present: Ms. Allen, Dr. Betterly, Ms. Burns, Ms. Clark, Mr. Debevec, Dr. Gill, Mr. Hasbrouck, Dr. Kolaczewski, Ms. Lachowski, Dr. Mamonis, Mr. Marcy (Alternate), Mr. Mariola, Mr. Snell, Dr. Williamson, and Mr. Young. Absent was Mr. Haught.

Also present were:

Gene Nixon, R.S., M.P.A.
Gillian Solem, R.N., M.S.N.
Tom Welding, M.S., R.S.
Heather Pierce, B.A.
Bonnie Pitzer, L.S.W., M.A.
Ryan Pruett, R.S.
Diane Weigand
Judy Jones, Council-at-Large, City of New Franklin
Holly Mothes, Property Owner

Dr. Betterly introduced Judy Jones, Council-at-Large, City of New Franklin, who wished to address the Board of Health in terms of positive support for new aggressive ordinances to assist their Zoning Administrator in cleaning up litter and junk vehicles. Working in partnership with the Summit County Health District, New Franklin's City Council feels enforcement of public health violations could be addressed expediently.

Mr. Nixon and Mr. Welding were most agreeable to the proposed legislation and feel that this would be a win-win situation for the community and the Health District.

Ms. Jones stated that she will provide the Health District with a copy of additional legislation, which mirrors the efforts of the City of Green, to create a Code Enforcement Board to act on any appeal reviews. Mr. Nixon referenced this model legislation and how joint efforts of the city and the Health District would show a more successful outcome.

Ms. Jones expressed her appreciation to members of the Environmental Health staff (Bob Hasenyager, R.S., Environmental Health, Supervisor; Laura Wall-Stuart, R.S., and Darrick Willis, R.S.) who have been instrumental in putting this action in place.

The Board acknowledged Ms. Jones' request and responded with their complete support.

Dr. Betterly introduced John Marcy, Alternate Representative for the Licensing Council, who attended tonight's meeting due to the absence of Board of Health member, Mike Haught.

Heather Pierce, B.S., Fiscal Administrator introduced Mathew Brown, C.P.A., from James G. Zupka, C.P.A., Incorporated. Mr. Brown thanked Ms. Pierce and her staff for the efficient manner in which they assisted the auditors in performing their task. Mr. Brown provided an informal report on the 2006 Audit of the Summit County Combined General Health District, which was conducted in accordance with the Generally Accepted Accounting Principles (GAAP) in the United States. Mr. Brown invited the Board to follow him as he reviewed the financial statements (cash receipts, cash disbursements, and changes in fund cash balances – all governmental fund types); federal awards expenditures; supplemental data; and overall compliance for the year ending December 31, 2006. All the information presented led to an unqualified opinion, the best opinion that can be given.

Dr. Betterly offered congratulations to Heather Pierce. She further stated that of all the Boards on which she has participated, this was the cleanest audit. Ms. Pierce stated that the entire Fiscal staff had a part in the success of this audit.

1. Motion by Ms. Clark, seconded by Ms. Burns, to approve the minutes from April 12, 2007.

Approved by voice vote.

2. PERSONNEL:

- a. Motion by Ms. Clark, seconded by Mr. Debevec, to approve appointment of positions for the Mosquito Control Program:

| <u>Name</u> | <u>Effective Date</u> |
|----------------|-----------------------|
| Brian Strebler | 05/11/07 |
| Ryan Pratt | 05/14/07 |
| Matt Aikens | 05/14/07 |
| Andrew Raines | 05/14/07 |
| Jacob Razka | 05/14/07 |
| Justin Smith | 05/14/07 |
| Tim Stewart | 05/14/07 |
| Matt Milosovic | 05/14/07 |

Approved by voice vote.

- b. Motion by Ms. Clark, seconded by Mr. Debevec, to approve appointment of Sandra (Hamp) Knezevich, Dental Assistant, part-time, effective April 2, 2007.

Approved by voice vote.

- c. Motion by Ms. Clark, seconded by Mr. Debevec, to approve appointment of Jessica Miles, M.Ed., L.S.W., Community Health Educator, Medical Reserve Corps/Health Promotion Risk Reduction (MRC/HPRR), full-time, effective May 14, 2007.

Approved by voice vote.

- d. Motion by Ms. Clark, seconded by Mr. Debevec, to approve appointment of Elizabeth Mazzola, Student Intern, temporary part-time, effective May 21, 2007.

Approved by voice vote.

3. FINANCE:

- a. Financial Reports Heather Pierce reviewed the Statement of Cash Receipts, Cash Disbursements, and Changes in Fund Cash Balances Report for the period ending April 30, 2007 and the Report of Revenue and Expenditures by Division for the period ending April 30, 2007. All figures represent a normal financial situation.

Due to restructure efforts, the Community Health Division has been renamed to the Policy and Planning Division with Donna Skoda, M.S., R.D., L.D., as Director. She called attention to several Community Health programs that have been reassigned to the Nursing Division to improve service coordination.

- b. Review of Payment Vouchers Heather Pierce reminded the Board that at the April 12, 2007 meeting, the Board passed a resolution delegating authority to the Health Commissioner to approve payment of routine expenses. The Board took this opportunity to review the vouchers that were processed on Mr. Nixon's approval.

- c. Approve Non-Routine Expenses Motion by Ms. Clark, seconded by Dr. Gill, to adopt Resolution No. 78-07, entitled, "Resolution Authorizing Payment of Non-routine Expenses".

Approved by voice vote.

- d. Approve Preparation of Payroll Forms Motion by Ms. Clark, seconded by Dr. Gill, to adopt Resolution No. 79-07, entitled, "Resolution Authorizing the Preparation of Payroll Forms".

Approved by voice vote.

e. Approve Appropriations and Transfers of Funds

Motion by Mr. Debevec, seconded by Ms. Clark, to approve Appropriations and Transfers of Funds.

Resolution No. 80-07

“Resolution Authorizing Transfer of Funds for the Immunization Action Plan of Summit County (FY07)”

Resolution No. 81-07

“Resolution Authorizing Transfer of Funds for the Child & Family Health Services Grant (FY07)”

Resolution No. 82-07

“Resolution Authorizing Transfer of Funds for the Women’s Health Services Grant (FY07)”

Resolution No. 83-07

“Resolution Authorizing Transfer of Funds for the Pink Ribbon Project/ Breast and Cervical Cancer Prevention (FY07)”

Resolution No. 84-07

“Resolution Authorizing Transfer of Funds for the Summit County Quality of Life Project (FY07)”

Resolution No. 85-07

“Resolution Authorizing Transfer of Funds for Public Health Infrastructure Grant (FY07)”

Resolution No. 86-07

“Resolution Authorizing Transfer of Funds for Public Health Infrastructure/Bioterrorism Grant (FY07)”

Resolution No. 87-07

“Resolution Authorizing Transfer of Funds for the Help Me Grow Program/Early Start TANF Funds (FY07)”

Resolution No. 88-07

“Resolution Authorizing Transfer of Funds for the Help Me Grow Program/Early Intervention Project (FY07)”

Resolution No. 89-07

“Resolution Authorizing Transfer of Funds for the Access to Better Care Program (FY07)”

Resolution No. 90-07

“Resolution Authorizing Transfer of Funds for the Blueprint Transformation Mental Health Grant (FY07)”

Approved by voice vote.

- f. Report of Budget Commission Hearing Heather Pierce reported that the Budget Commission Hearing on April 26, 2007, went very well. Our budget for 2008 was approved for a 2% increase in milage support. The only questions the Budget Commission asked were related to the contingency fund for payment of retirement expenses and funding to respond to any emergency event.

Ms. Pierce thanked Mr. Hasbrouck for representing the Board of Health at the Budget Commission Hearing. Mr. Hasbrouck commended Ms. Pierce for being a leading figure in our budget presentation.

4. BOARD OF HEALTH:

- a. Transfer of SCHD Building Ownership Gene Nixon expressed his gratitude to Summit County Council for suspending rules and voting on the second reading to approve transfer of the Health Department building to the Board of Health. The only stipulations were to complete payment of our bond obligation for the roof and should the Board ceased to exist, the County would recover their original investment for construction of the building addition. We would still have the option of selling the building and buying a new facility with the proceeds.

There was no version of transfer of property deed at the county, so Jeff Snell has offered to handle preparation of the document.

Recalling the reasoning for this effort, Mr. Nixon stated that it is a priority of the County Commissioners Association of Ohio to release them from the obligation to provide space to Health Districts. Although we have a good relationship with our County Council and County Executive, it seems an appropriate time to transfer ownership. This action removes us from any potential legislation the Ohio County Commissioners could pass that would possibly result in payment of rent or eviction.

- b. Access to Care Update Gene Nixon reported that through our involvement with the Healthy Connection Network, we have an investment in providing care to the uninsured. We are currently going through a strategic planning process. At the same time, local hospital CEO's are also looking for relief from charity care through the Imagine Akron Project, Chaired by Ann Brennan. As you may be aware, the Federally Qualified Health Center on Arlington Road is also going through a strategic planning process; their dental clinic is closing and their clinic is experiencing financial difficulties.

We have approached the hospital CEO's about consolidating some of the strategic planning process to have a common strategy within the County on how to address some of the issues related to the uninsured. We have met with a favorable response and will continue to lead the discussion.

Dr. Williamson asked if the federal grant is over. *Mr. Nixon stated, yes, but we do have a reduced budget for 2008. We are working with other agencies to structure a budget. In fact, when Donna Skoda was in Washington, D.C., she spoke with Sherrod Brown to earmark some money to help support this program. We are expecting a jointly prepared report by the Center for Community Affairs and the University of Akron that will stress the sensibility of the program through a return on investment report.*

5. ADMINISTRATIVE HEARING:

Let the record show that this Administrative Appeal hearing is called to order at 5:37 p.m. on May 10, 2007, at 1100 Graham Road Circle, Stow, Ohio.

The Board of Health is composed of fifteen members, ten of whom are from cities in the health district, four of whom represent the General Health District and one from the Licensing Council. This proceeding is an Administrative Appeal hearing conducted pursuant to Sections 3707.01 and 3707.02 of the Ohio Revised Code. The notice of opportunity for the Appeal hearing was mailed on April 7, 2007, and a copy of the notice was hand delivered to an occupant at 4399 South Main Street, Green, Ohio, on April 11, 2007.

You are here because you failed to comply with orders of August 23, 2005, to replace the malfunctioning home sewage treatment system located at 4399 South Main Street, Green, Ohio.

The Board of Health acts as a judicial panel to determine whether to declare a public health nuisance. Pursuant to the Ohio Administrative Code, Section 119.07, the person affected may appear and be heard in person, by his attorney, or both, and may present his position, arguments and contentions orally or in writing, and may present evidence and examine witnesses appearing for or against him.

Members of the Board present for this hearing are: Gale Betterly, representing the General Health District; Lynn Clark, representing the City of New Franklin; Dean Young, representing the General Health District; Kristine Gill, representing the City of Cuyahoga Falls; Jeff Snell, representing the General Health District; John Marcy (alternate), representing the Licensing Council; Pat Lachowski, representing the City of Macedonia; Peggy Burns, representing the General Health District; Marty Allen, representing the City of Twinsburg; Denny Mariola, representing the City of Stow; Aleksandra Mamonis, representing the City of Green; Doug Hasbrouck, representing the City of Hudson; Lewis Debevec, representing the City of Fairlawn; Gayleen Kolaczewski, representing the City of Munroe Falls; and Jay Williamson, representing the City of Tallmadge.

After the Board reaches its decision in this matter, it will forward a copy of the decision to you and your attorney of record. If you feel that you are adversely affected by a decision of this Board, you have the right to appeal that decision to the Court of Common Pleas.

For your information, these proceedings are being audio taped. We would ask that each person who will participate in this hearing please identify himself or herself for the record: Tom Welding, Director of Environmental Health; Ryan Pruett, Sanitarian, and Holly Mothes, property owner.

Those participating in the hearing were sworn in by the Board President, Gale Betterly.

Charged:
Holly G. Mothes
4399 South Main Street
Akron, OH 44319

Location of Premises:
4399 South Main Street
Green, Ohio

Date referred for Board Action: May 10, 2007

What type of action is requested: To declare a public health nuisance and order the malfunctioning home sewage disposal system at 4399 South Main Street, Green, Ohio to be replaced to comply with Part 8 of the Environmental Health Code of the Summit County General Health District. If not done, to authorize staff to proceed with legal action.

What section(s) of the law/regulation(s) have been violated:

816.02 -- Prohibited Discharges (Home Sewage)
1220.08 -- Nuisances

Brief summary of investigation, including dates and action:

08/17/05 - Wolfgang Povolny inspected and found black sewage discharging in the back of the yard.

08/22/05 - Wolfgang Povolny issued orders to contract with a registered septic installer, obtain a septic permit and repair the septic system.

09/09/05 - Brent Paulus met with Len Spada, Registered Septic Installer, at the property. A test hole was dug and a sewage disposal plan was drawn.

01/12/06 - Wolfgang Povolny inspected the site with Brent Paulus.

01/17/06 - Wolfgang Povolny called Len Spada. Mr. Spada stated he had a signed contract with the owner and he would schedule the repairs.

03/27/06 - Len Spada pulled permit to install designed septic system.

08/01/06 - Brent Paulus went to location. Condition was the same.

08/03/06 - Brent Paulus sent the Notice of Administrative Conference letter.

- 08/28/06 - Neither Ms. Mothes nor her representative attended the Administrative Conference.
- 09/05/06 - Bob Hasenyager sent a follow-up letter to Ms. Mothes regarding the lack of attendance at the Administrative Conference. He notified Ms. Mothes of the continued violations and gave a list of actions that must be taken.
- 01/29/07 - Ryan Pruett went to location. Left a card in the door of residence asking for owner to call.
- 02/01/07 - Ryan Pruett spoke to Len Spada who stated people now do not have money to repair septic system.
- 02/16/07 - Ryan Pruett attempted to call Ms. Mothes. There was an answer, but individual hung up several times before laying phone down and leaving phone unattended.
- 03/05/07 - Ryan Pruett called the residence of Ms. Mothes. Individual who answered asked that I call Ms. Mothes at work. Ryan Pruett called new number and left a voice mail asking for Ms. Mothes to call back.
- 03/27/07 - Ryan Pruett called work number of Ms. Mothes. Ryan Pruett asked Ms. Mothes if there were any updates as to when the septic system will be replaced. She stated she was in a meeting and would call back when done.
- 03/28/07 - Ryan Pruett called work number of Ms. Mothes. Mr. Pruett informed Ms. Mothes of expired permit to install system and told her of Board of Health Hearing scheduled for May 10, 2007. Ms. Mothes said she was having trouble coming up with the money to pay for system. Mr. Pruett gave her the number of the Summit County Department of Community and Economic Development and recommended she apply for assistance.
- 04/06/07 - Tom Welding sent certified letter to Ms. Mothes informing her of the hearing to appear before the Board of Health scheduled for May 10, 2007.
- 04/09/07 - Received receipt showing Charles Mothes signed for the certified letter sent to Ms. Mothes.
- 04/11/07 - Ryan Pruett and Brooke Semonin went to location and observed raw sewage discharging onto the ground surface. A copy of the hearing letter was given to an occupant of the home.
- 04/12/07 - Ryan Pruett spoke to Len Spada from Lens Excavating. Mr. Spada stated that Ms. Mothes had not been in contact with him recently.

Mr. Pruett stated the property is approximately 2 1/3 acres with a sandy soil. The test hole demonstrated that the soil was not as good as needed. To improve the situation, Mr. Paulus added an aeration system to clean up the septic water as much as possible, before it reached the tile field. We could not put a tank into the tile field because it was not as sandy as we hoped. This being an on lot system, there is no option for an off lot discharge because there is no defined roadside ditch. The road is higher than the rest of

the property. Presently, it is discharging raw sewage on the back corner of the lot, which is on a hillside that goes on a neighbor's property. When it rains hard the sewage may extend farther out.

Ms. Clark asked where the property was in proximity to the immediate area.

Ms. Mothes replied that it is just south of Route 619. *Mr. Pruett described landmarks to further place the property.*

Mrs. Mothes related that she is experiencing difficulty in securing the funding needed to make the necessary repairs. But, she feels that she now has the funds available and, if she does have the money in hand by the end of the week, she will contact Mr. Spada. She anticipates hearing for certain tomorrow. If not, she will definitely have the work done by the end of the month. She is also looking at another option; to apply to the Department of Economic Development for a low interest loan through the county.

Mr. Hasbrouck asked for clarification of the existing system. Mrs. Mothes stated the tank was new in 1992. *Although there were no specific records in hand, Mr. Pruett provided the estimated location of the existing system in relationship to the house.*

Mr. Hasbrouck confirmed that a new aeration tank and leaching bed would be needed.

Mrs. Mothes stated last year she received an estimate for the new system. *Mr. Pruett added that the new aeration system can be the same type (Class 1) as the previous tank, though the cost may have increased. The Class 1 system does not conflict with the new code requirements because it is not an off lot discharge. Nor does it have to be as clean as water that is produced for off line.*

Motion by Ms. Clark, seconded by Dr. Gill, to close the administrative hearing.

Motion by Mr. Snell, seconded by Dr. Gill, to adopt Resolution No. 111-07 declaring a public health nuisance and order the malfunctioning home sewage disposal system at 4399 South Main Street, Akron, Ohio be replaced and comply with Part 8 of the Environmental Health Code of the Summit County General Health District. To hold this order until May 30, 2007, and if work is not completed, the staff is directed to move forward immediately with legal action to correct this malfunctioning system.

At the request of Mr. Hasbrouck, the motion was amended to state that work must begin by May 30, 2007 and completed within a few weeks.

Approved by voice vote.

Ms. Clark requested the status of the work is checked and reported at the June 14, 2007 Board of Health meeting. Mr. Snell encouraged Mrs. Mothes to make sure her contractor contacts Mr. Pruett with the progress.

On behalf of the Board of Health, Dr. Betterly thanked Mrs. Mothes for appearing. We will forward our decision to you in writing. Hearing ended at 5:53 p.m.

6: CONTRACTS:

- a. Approve Contract with Akron Health Department for the Dental Sealant Program for School Children Motion by Dr. Gill, seconded by Ms. Clark, to adopt Resolution No. 91-07 entitled, “Resolution Authorizing a Personal Service Agreement by and between the Akron Health Department and the Summit County Board of Health for the Dental Sealant Program for School Children”, per Prosecutor approval. (Contract is for the period January 1, 2007 to December 31, 2007.)
- Approved by voice vote.
- b. Approve Contract with ODH for Active Surveillance of Raccoon-strain Rabies Motion by Dr. Gill, seconded by Ms. Clark, to adopt Resolution No. 92-07 entitled, “Resolution Authorizing a Personal Service Contract by and between the Ohio Department of Health and Summit County Board of Health for Active Surveillance and Ground Baiting Activities of Raccoon-strain Rabies”, per Prosecutor approval. (Contract is for the period July 1, 2007 to June 30, 2009, and for the period July 1, 2007 to June 30, 2008.)
- Approved by voice vote.
- c. Approve School Health Contracts Motion by Ms. Clark, seconded by Ms. Lachowski, to adopt respective resolutions entitled, “Resolution Authorizing an Agreement between the Board of Education of the Respective School District and the Summit County Board of Health for the Purpose of Furnishing School Health Services for the School Year 2007-2008”.
- | | |
|----------------------|--|
| Resolution No. 93-07 | Summit County Educational Service Center for the At-risk Preschool Program |
| Resolution No. 94-07 | Cornerstone Community School |
| Resolution No. 95-07 | Cuyahoga Valley Christian Academy |
| Resolution No. 96-07 | Old Trail School |

| | |
|-----------------------|---------------------------------|
| Resolution No. 97-07 | Redeemer Christian School |
| Resolution No. 98-07 | Walsh Jesuit High School |
| Resolution No. 99-07 | Holy Family School |
| Resolution No. 100-07 | Immaculate Heart of Mary School |
| Resolution No. 101-07 | Nordonia City School District |
| Resolution No. 102-07 | Saint Francis DeSales School |
| Resolution No. 103-07 | Saint Paul’s Catholic School |
| Resolution No. 104-07 | Preston Elementary School |
| Resolution No. 105-07 | Dewitt Elementary School |
| Resolution No. 106-07 | Lincoln Elementary School |
| Resolution No. 107-07 | Price Elementary School |

Approved by voice vote.

- d. Approve Contract with AMR for the Access to Care Program Motion by Ms. Clark, seconded by Dr. Gill, to adopt Resolution No. 108-07 entitled, “Resolution Authorizing a Purchase of Service Agreement by and between American Medical Response (AMR) and the Summit County Board of Health for the Access to Care Program”, per Prosecutor approval. (Contract is for the period January 1, 2007 to December 31, 2007.)

Approved by voice vote.

- e. Approve Amendment to HNC Contract for the Access to Care Program Motion by Ms. Clark, seconded by Dr. Gill, to approve Amendment to Resolution No. 285-06 entitled, “Resolution to Authorize an Agreement by and between Healthy Connections Network (HCN) and the Summit County Health District as Administrative Agent for the Access to Care Program”. (Contract is for the period January 1, 2007 to December 31, 2007.)

Approved by voice vote.

- f. Approve Addendum to Contract with CareSource Motion by Dr. Gill, seconded by Ms. Burns, to approve Addendum to Resolution No. 96-06, “Resolution Authorizing a Contract with CareSource for Managed Care”, per Prosecutor approval. (Addendum is to extend coverage to additional population.)

Approved by voice vote.

7. NURSING:

- a. Approve Maternity Licensure for Cuyahoga Falls General Hospital Gill Solem stated that each year the maternity unit within our district is inspected by the state, with one of our public health nurses in attendance. After the inspection report is presented, the Board of Health is then authorized to approve moving forward with the licensure at the state level.

Motion by Dr. Gill, seconded by Dr. Williamson, to approve Maternity Licensure at Cuyahoga Falls General Hospital.

Approved by voice vote.

- b. North Clinic Locations Update Gill Solem reported that we are moving ahead to find a new clinic location in the northern part of the county. At this time, we are focusing on a plaza in Northfield. We are optimistic that we will have an affordable and physically sound site.

- c. WIC Management Evaluation Gill Solem announced that we had our Women, Infants, and Children (WIC) Management Evaluation (State Site Visit) on May 8, 9, and 10, 2007. The report, which came out this morning, stated our programs were well managed and effective. This enabled completing the inspection one day ahead of the planned time frame. Ms. Solem noted the hard work and contribution of the entire WIC team to this essential program.

Bringing to mind other nursing efforts, Dr. Gill made a motion, seconded by Ms. Clark, to acknowledge her appreciation to the nursing staff for their time and contribution to the students attending nursing classes at the University of Akron. She commends all the nursing staff that further the standards of public health.

Approved by voice vote.

8. ENVIRONMENTAL HEALTH:

a. Requests for Water Variance:

**(1) 3352 Brenner Road, Parcel I.D. 15-02045, Copley Township
Constantine Lapidakis (Owner)**

The variance request involves the alteration of an existing well with a buried seal on a property being sold. The work has begun in an effort to chlorinate the well at the request of the buyer. The work has not been completed. The applicant is waiting for Board of Health approval to finish the job. The altered well, which will be extended to at least 12 inches above grade with a sanitary well cap, is expected to be a safer source of water for the new owner.

The existing well does not meet the following Ohio Administrative Code requirements:

| 3701-28-12 Construction and modification of wells | Required | Existing |
|--|--------------------------|------------------|
| ▪ Casing Diameter | 5 inches | 4 inches |
| ▪ Extension Connection | Threaded Or Welded | Dresser Coupling |

Tom LaPlante had a conference with Mr. Lapidakis who understands what a variance means and wishes to proceed. Mr. LaPlante recommends for the variance.

Motion by Mr. Hasbrouck, seconded by Ms. Clark, to adopt Resolution No. 109-07 as an emergency measure to reduce unnecessary hardship on the property owner’s alteration of a well and that the Board concurs with the staff recommendations to grant a variance at 3352 Brenner Road, Parcel I.D. 15-02045, Copley Township. The existing well will be located according to the following distances/ specifications: Casing Diameter – 4 inches; Extension Connection – Dresser Coupling.

Approved by voice vote.

**(2) 6408 South Main Street, Parcel I.D. 23-00283, City of New Franklin
Jacob Grimm (Owner)**

The variance request involves the alteration of an existing well for a private water system that has two wells as sources of water. The owner had the second well drilled on April 14, 2007, which didn't produce enough water for his household and irrigation needs. The second well meets code but only produces a sustainable yield of 8 gallons per minute.

The original well is needed as a combined source of water and does not meet the following Ohio Administrative Code requirements:

| 3701-28-12 Construction and modification of wells | Required | Existing |
|--|-----------------|-----------------|
| ▪ Casing Diameter | 5 inches | 4 inches |

| 3701-28-10 Minimum Distances | Required | Existing |
|-------------------------------------|-----------------|-------------------|
| ▪ Structures (House) | 10 feet | Within Foundation |

Tom LaPlante had a conference with Mr. Grimm who understands what a variance means and wishes to proceed. Mr. LaPlante recommends for the variance.

Mr. Debevec questioned if tying the two well together would cause cross contamination. Mr. Hasbrouck responded that normally when one well goes bad it is not pumping any water and should not cause a problem. *Mr. Welding feels there is very little chance of contamination, but he will contact Mr. LaPlante to verify whether there are two separate systems.*

Motion by Mr. Hasbrouck, seconded by Ms. Clark, to adopt Resolution No. 110-07 as an emergency measure to reduce unnecessary hardship on the property owner's alteration of a well and that the Board concurs with the staff recommendations to grant a variance at 6408 South Main Street Parcel I.D. 23-00283, City of New Franklin. The existing well will be located according to the following distances/ specifications: Casing Diameter – 4 inches; Structures (House) – Within Foundation

Approved by voice vote.

b. Rabies Update on Baiting Program

Tom Welding called attention to a report regarding the 2007 Spring Raccoon Rabies Baiting Program. We will be receiving

some additional funding to cover additional responsibilities where we were not previously compensated.

Mr. Welding stated Terry Tuttle, Environmental Health Supervisor, is not only managing this program, but he has assumed responsibility for Pet Vaccination Clinics. Our clinic on May 5, 2007, in Sagamore Hills, proved to have the best numbers thus far. There were a total of 141 immunizations given for rabies and 77 additional shots for other various preventative measures. All this does have an impact on rabies in the community.

Mr. Young asked how the rabies baiting program works. *Mr. Welding explained that raccoons are attracted to bait, which contains an oral vaccine. Use of this method has been effective in controlling and eliminating raccoon-strain rabies from this area. The bait does attract other animals, domestic and wild, but ingesting it will not injure the animals.*

Mr. Mariola asked what criteria is used to determine the areas for distribution. *Mr. Welding replied that the state, through a surveillance system, decides where distribution for this particular strain of rabies will take place. The program first began on the border of Pennsylvania to prevent raccoon-strain rabies from spreading to Ohio. Unfortunately, this strain did appear in Geauga County and Lake County. In response, the barriers have been moved to include this area. Mr. Welding stressed that there are several strains of rabies. This particular strain can be passed on to other animals, but it is generally in the raccoon population.*

c. Clean Indoor Air Update

Tom Welding announced that that the new Ohio SmokeFree Workplace Rules went into effect on May 3, 2007. Terry

Tuttle is also handling issues involving these ordinances. To date, we have received and are addressing 13 complaint calls. Of these 13 calls, only 2 calls were directly to us; the latter calls were made to the state's toll-free enforcement number, which are then listed on a web site for our reference and follow-up. It should be noted that due to certain restrictions in the rules, each complaint has to be handled separately.

Board members inquired about the status of specific exemptions. *Mr. Nixon explained that except for the language in the law, most are included in the indoor air smoking ban. The negative side to this is we are in the midst of the budget bill and there is potential that they could be written into the budget bill as well as other exemptions.*

There is a process that once a complaint is received, there is an investigation, followed by a 30 day leeway to respond. Conceivably, there is still time before anyone can be fined. As of now, the fines are presented to the Board of Health for action.

9. POLICY & PLANNING:

Internship Program

Gene Nixon and Donna Skoda attended a reception at the University of Akron for the Masters of Public Administration (MPA) students. This provided an opportunity for them to brainstorm how to formalize and develop an internship program here.

We do have two more interns that we will be bringing to future Board meetings. One is Case Western Reserve graduate that would like to build her thesis on internal programs. She will be developing a survey of our Access to Care Project, building some internal wellness programs for our employees, as well as nutrition programs for the Health District. Another intern will work directly in our Health Promotion Risk Reduction Program, which will involve the farmers' market and other related programs. Mr. Nixon added there is grant funding available for these plans.

10. INSERVICE WORKSHOPS AND MEETINGS:

Approve Inservice
Workshops and
Meetings

Motion by Ms. Clark, seconded by Dr. Gill, to authorize attendance of staff at inservice workshops and meetings.

Approved by voice vote.

11. The meeting of the Board of Health adjourned at 6:21 p.m.
12. The next Board of Health meeting will be June 14, 2007.